

## **The Oregonian**

### **Portland Auditor Wins Uncontested Re-Election Bid**

*By Gordon Friedman*

*May 15, 2018*

Mary Hull Caballero, Portland's elected auditor, won re-election in an uncontested race Tuesday.

Hull Caballero, 56, said in a statement Tuesday that she aims to use her next four years in office to work toward a "better, more responsive city government for the people who pay for it and are served by it."

Hull Caballero said she also looks to "once and for all address the city's budget-setting process," by which the councilors, whose bureaus are subject to Hull Caballero's audits, control the auditor's budget -- a position she called "untenable."

"The budget is the last bit of business left undone from my fight for increased independence from the bureaus we audit and investigate," Hull Caballero said.

An Albany native and Lewis & Clark College graduate, Hull Caballero worked for more than a decade as a journalist before becoming an auditor for the Oregon Department of Transportation and later the regional government, Metro. She was first elected as Portland auditor in 2014, also in an uncontested race.

### **Nick Fish Wins Re-Election to Portland City Council**

*By Gordon Friedman*

*May 15, 2018*

Commissioner Nick Fish won re-election to the Portland City Council on Tuesday, besting three candidates who sought his ouster.

Partial ballot returns indicate Fish, an attorney and housing advocate from a family that includes several former members of Congress, easily beat advocacy group organizer Julie DeGraw, Portland Commissioner on Disability Philip Wolfe, who is deaf, and Nicholas Sutton, New Seasons Market clerk. Fish had 62 percent of the vote, far ahead of DeGraw's 30 percent.

Fish, 59, was first elected to the city council in 2008 and re-elected in 2010 and 2014. He is currently undergoing treatment for stomach cancer.

### **Hardesty, Smith in Runoff for Portland City Council Seat**

*By Gordon friedman*

*May 15, 2018*

Jo Ann Hardesty, an activist and former state representative, and Loretta Smith, a two-term Multnomah County Commissioner, will face each other in a November runoff for a seat on the Portland City Council.

Though a general election lies ahead, Tuesday's primary results already mean a historic change for the city council: The typically white, male council will gain its first female African American

member after Hardesty or Smith wins in the fall. The pair also both live in east Portland, an area of the city long underrepresented on the council.

Tuesday's outcome sets up a potentially volatile six-month runoff campaign. Smith faced an investigation last year that found she mishandled county funds and likely mistreated her staff, and Hardesty has not shied from vehemently criticizing decisions made by city councilors and the mayor. Smith has notably tussled with the county chairwoman, Deborah Kafoury, arguing at a public meeting to the point where Kafoury called Smith an expletive. Hardesty and Smith have had a public spat over use of the Wapato Jail.

Yet the pair have energized politically active Portlanders who seek to replace longtime Commissioner Dan Saltzman, who is vacating his seat after 20 years, with a fresh persona unafraid to take a different approach to city governance. Saltzman is perceived as a political moderate with an independent streak. With Smith or Hardesty on board, the council will all but certainly lean further leftward, and a progressive voting block could emerge.

Hardesty reflected on her campaign Tuesday, saying she had knocked on 15,000 doors, adding that "it's been a campaign about the people from the start." Now that the race has entered a runoff, Hardesty said she'll continue to push her message of bringing "regular voices to City Hall."

Portland City Council candidate Jo Ann Hardesty, pictured in Portland on May 15, 2018.

Asked how she plans to face Smith, Hardesty said, "I don't believe any of my opponents can match my record."

Smith was even more pointed in her outlook. "We're going to take this all the way to November and win," she said.

Smith also acknowledged that she's now the race's underdog, having slipped from presumptive front-runner early in campaign season.

"We've been here before. We were here before in 2010, down 18 points," Smith said, referring to her distant second-place finish in the primary stage of her initial run for Multnomah Commission. "Nobody has ever come back from an 18 percentage point lead but Loretta Smith."

Portland City Council candidate Loretta Smith, pictured in Portland on May 15, 2018.

In partial returns Tuesday, Hardesty won 41 percent of the vote to Smith's 23 percent. They bested mayoral aide Andrea Valderrama, architect Stuart Emmons, neighborhood leader Felicia Williams and perennial candidate Lew Humble.

Smith, 53, and Hardesty, 60, have made finding solutions to Portland's homelessness and affordable housing problems the centerpieces of their campaigns -- and offer remarkably similar platforms on the issue. Both say the council should work to build more affordable housing and protect tenants from rising rents and discrimination. Both say the city should expand and improve its programs for the homeless.

Where they differ most notably is on use of the never-opened Wapato Jail. Smith supports turning the north Portland facility into a shelter while Hardesty, who does not, has called supporters of that plan "idiots," a comment that sparked criticism from Smith. Hardesty has mostly campaigned for the city's homeless to be shielded from the criminal justice system and have greater access to health care.

Hardesty, a former U.S. Navy enlistee and three-term state lawmaker who most recently worked as director of the Portland NAACP chapter, has also campaigned for reforms to the Portland

Police Bureau. Citing what she views problems with bureau policies on officers' use of deadly force and treatment of the mentally ill, Hardesty has called for greater community oversight of the police, reassigning officers stationed at schools and on the gang enforcement team to patrol beats and more de-escalation training.

Smith, who for two decades worked as a staffer for U.S. Sen. Ron Wyden before being elected to the county commission, has named as priorities expanding economic equity and a better transportation network. She has publicly supported plans to expand Interstate 5 in the Rose Quarter, called for funding road improvements in east Portland and backed efforts to create a low-income public transit fare. Smith has also supported job training efforts, greater funding for parks and sidewalks improvements in east Portland, and committed to creating an "East Portland caucus" if elected.

The general election is November 6.

## **City Budget Director to Leave for Job with Metro**

*By Gordon Friedman  
May 15, 2018*

Andrew Scott, director of the City Budget Office, announced Tuesday that he is leaving city government after 15 years for a job as deputy chief operating officer at Metro, the regional government.

Scott's departure, first reported by Willamette Week, makes him the third bureau director in a week to announce his or her resignation. Parks & Recreation director Mike Abbate was forced out, and Bureau of Transportation director Leah Treat is leaving to helm a private sector consulting firm.

In an email to elected officials, Scott highlighted his office's work using data to make budget decisions and track bureau projects. The City Budget Office is a nonpartisan agency tasked with analyzing bureau budget requests and making recommendations to the City Council.

"Under your direction, the city has balanced its budget in quite literally the best and the worst of times," Scott wrote to the officials, adding an acknowledgement that his agency's mission is "not one that every elected official would embrace."

"But you did, even when we were making recommendations that were unpopular," he said.

Scott said he will stay on until June 8, by which the annual city budget should be complete.

## **The Portland Tribune**

### **Sources Say: Portland Budget Director 12th to Go**

*By Jim Redden  
May 15, 2018*

Plus, Washington court ruling clouds proposed renter protection and outside, independent groups spend big in Oregon primary election.

Portland Budget Office Director Andrew Scott is the 12th city leader to leave or announce their departure since Mayor Ted Wheeler took office in January 2017. Metro announced Tuesday that Scott is leaving the city to become its deputy chief operating officer.

The day before, The Oregonian reported that Portland Bureau of Transportation Director Leah Treat has accepted a job as managing director of Nelson/Nygaard, a transportation consultancy with offices in 10 states and Washington, D.C.

Other affected agencies include the Portland Police Bureau, the Housing Bureau, the Bureau of Human Resources, the Bureau of Internal Business Services, the Bureau of Emergency Communications, the Office of Neighborhood Involvement, the Bureau of Development Services, the Office of Equity and Human Rights, the Bureau of Planning and Sustainability, and Portland Parks & Recreation.

### **Washington ruling clouds proposed renter protection**

A recent ruling by a King County Superior Court judge in Washington is raising questions about the legality of the next tenant protection proposal being considered by Portland city Commissioner Chloe Eudaly.

As first reported by Willamette Week, Eudaly is working on a measure to require landlords to rent to tenants on a first-come, first-served basis. It is intended to prevent landlords from refusing to rent to someone for subjective reasons that have nothing to do with the tenant's qualifications.

However, a similar ordinance in Seattle was declared to violate the Washington Constitution by King County Superior Court Judge Suzanne Parisien on March 28. In her ruling, Parisien said that choosing a tenant "is a fundamental attribute of property ownership."

Jamey Duhamel, Eudaly's policy adviser working on the proposal, says they are aware of the ruling, although the Oregon Constitution may be different. She said that alternatives will be discussed during a series of workshops planned on the proposal this month.

### **Big spenders**

Non-presidential-year primary elections usually are pretty boring, but some of the 2018 campaigns that ended on May 15 saw unusually high spending levels by out-of-state interests and independent entities.

For example, although the final figures won't be known for a few weeks, reform-minded Washington County district attorney candidate Max Wall received at least \$458,000 from a Washington, D.C.-based political action committee believed to be supported by liberal billionaire George Soros.

The independent landlord-backed Project Sensible Leadership committee paid at least \$369,900 to either support Democratic state Sen. Rod Monroe or oppose his challenger Shemia Fagan in the District 24 race. Liberal billionaire Tom Steyer gave \$10,000 to Democratic Oregon Gov. Kate Brown late last year. And California real estate executive John Ryan told The Associated Press he tried to keep a \$100,000 contribution to Republican candidate for governor Greg Wooldridge secret by running it through his company, Daybreak investments.

The November general election might see even more independent and out-of-state spending, especially if the gun-control measure filed in the wake of the Parkland High School shooting makes the ballot.

# Family Builders Challenge Driveway Policy

*By Jim Redden  
May 15, 2018*

## **Portland Bureau of Transportation, small home building company at odds over single-driveway duplex policy.**

A small local, family-owned home building company is struggling financially because of a disagreement with the Portland Bureau of Transportation over the location of a driveway on a duplex.

At the center of the dispute is a policy adopted by PBOT last May that says all duplexes should be served by a single driveway in the center of the structure. Mari Ives, general counsel for Valhalla Custom Homes, has notified the city that she intends to petition the state Land Conservation and Development Commission for an order preventing PBOT from enforcing its year-old driveway policy.

"Their design is ugly, and they don't have the legal authority to require it. We're not going to build a project we have to apologize for when a potential customer shows up," Ives says.

The transportation bureau disagrees, saying it has the authority to adopt the policy, which only clarifies its existing preference. The city has 60 days from the April 13 notification to respond to Ives.

Ives is the wife and mother of the company's co-owners, who are her husband, Gary, and their two sons, Chris and Jonathan. The family has all of its money tied up in two properties it purchased around the time the policy took effect, says Ives, adding the family is now living on its savings.

Ives says the company planned to build their first duplexes on the properties. They were not notified of the policy until after they commissioned a design for a duplex for the first site, which is located at 4205 N.E. Rodney Ave.

The design included two driveways leading to two garages on the outer edge of each duplex. After the design was approved by other development-related agencies, PBOT refused to issue driveway permits for that design, saying it violates the year-old duplex policy.

Ives says the family does not want to build that design, arguing that it not only looks bad but is hard for occupants to use. To reach the garages, the shared driveway would have to be shaped like a funnel, making access to them difficult, if not dangerous.

More than that, Ives argues PBOT does not have the legal authority to require that duplexes be served by a single driveway because that is a de facto housing design requirement. In addition to the exterior appearance, it limits where internal walls, internal stairways and windows can be located on first and second floors.

The single-driveway design also requires the duplex to be set farther back from the street than the two-driveway design, Ives says, reducing the size of the back yard. It would prevent the company from building a planned accessory dwelling unit at its second site, she says.

"Design reviews are outside the scope of the transportation bureau's authority. If I wasn't a lawyer, we couldn't afford to take this on."

According to Ives, the problem has thrown her family's plans for its business off track. Her husband had spent decades building homes with other partners before the company was founded

in November 2012. They started out building just one or two homes a year but decided to increase production as Portland's real estate market heated up. They completed three last year and planned to do four this year but haven't even started their first one yet because of the disagreement with PBOT over the duplex.

"It's set us back a year, maybe more," Ives says.

### **PBOT: Policy not new**

The Portland Bureau of Transportation disagrees with the criticism, saying the one-driveway duplex policy benefits the most people.

The policy was adopted by PBOT's Development Review Division on May 31, 2017. It is headed by Kurt Krueger, who insists the policy is not actually new, but merely a more formal statement of PBOT's longtime preference for single-driveway duplexes. The goal is to preserve as much on-street parking as possible, which is becoming increasingly important as Portland grows.

"We allowed a lot of exceptions in the past, but now more and more housing is being built, and the demand for on-street parking is increasing. We're not creating a policy, we're clarifying a policy," Krueger says.

Krueger's division has adopted numerous similar policies over the years. He admits that like the others, the duplex driveway policy — Development Review Policy 6.03 — was adopted without any public review or City Council action. Such a process is only required for adopting rules, not policies that carry out rules.

In fact, although Krueger says he told his supervisor the division was working on the policy, he did not notify anyone else above him in the chain of command, including PBOT Director Leah Treat or Transportation Commissioner Dan Saltzman.

"It's a small change that affects a small segment of the housing market. The bureau is under pressure to respond to the increasing number of permit requests and we wanted to give more direction to our staff and the development community," Krueger says.

According to Krueger, the policy is authorized by Title 17 of the Portland City Code, which gives PBOT the power to preserve on-street parking, among other things.

But, in her April 13 letter to the city, Ives argues the city code is overridden by state land-use planning laws. She thinks that Oregon's statewide housing goal — Goal 10 — encourages a wide variety of all kinds of housing. State laws also require that policies for building housing must be easily understood, not buried in agency rules adopted without a public process, she says.

"I've talked to other builders who oppose this policy, and they all tell me it will cost too much and take too long to fight the city, so they're going along with it. But we're not willing to uglify our project to meet a requirement that isn't legal," Ives says.

### **Chronology of dispute**

According to a chronology provided to the Portland Tribune by Ives, her family's company first looked at a 50-foot-wide lot at 4205 N.E. Rodney Ave. for possible purchase in late March 2017. After determining a duplex could be constructed on it, the company made an offer, subject to a due diligence period.

Ives says the company visited the Development Services Center operated by the Bureau of Development Services to discuss the property in early April. Staff confirmed the zoning and allowed uses, she says.

The company then met with PBOT to discuss the driveway design. Although this was just a little more than a month before the new policy was adopted, no one mentioned it was in the works, Ives says. Instead, the company was told the only requirement was preserving at least one 18-foot parking space, which the two-driveway design would do, she says.

The company purchased the property in late April 2017 and commissioned a custom design for a duplex with two driveways leading to garages on the outside walls of the structure. It also tore down the small, plain house on the site. The company then purchased a second property for another duplex at 736 N. Sumner St. in August 2017.

Planning and zoning approvals for the first duplex were issued in November 2017. But then, PBOT denied the application for two driveways in December, requiring the entire project to be redesigned as a condition of approval, Ives says.

She says the company was caught off guard by the demand. When they tried to understand it, they were completely surprised to learn about the one-driveway policy that had been adopted on May 31. Family members were familiar with the design because other developers already had built some one-driveway duplexes in town. One is currently under construction just a few blocks to the east of their site in the 4200 block of Northeast Kerby Street.

But Ives does not believe they are the kind of products most consumers want — so the company should not be required to build them.

"A decision like this that affects everyone should be made in an open process where everyone can comment on it and know when it's going to take effect if that's the final decision," Ives says.

Although Krueger says more duplexes are being built every year, the numbers could increase dramatically if the City Council approves the recommendations of the Residential Infill Project that is currently being considered by the Planning and Sustainability Commission. Among other things, they would rezone 60 percent of Portland's single-family neighborhoods to allow duplexes and triplexes.

The recommendations were written by the staff of the Bureau of Planning and Sustainability, which has been working on the project since former Mayor Charlie Hales initiated it around three year ago. It is expected to go to the council for approval this fall.

## **Voters Return Fish to Portland City Hall, Polls Show**

*By Zane Sparling*

*May 15, 2018*

### **Early returns show Commissioner Nick Fish besting challenger Julia DeGraw by a two-to-one margin**

Portland voters have returned Commissioner Nick Fish to City Hall, according to early returns.

Fish leads the polls with 62 percent of the vote as of 8 p.m. on Tuesday, May 15 — a sign that the electorate still values the continuity created by a seasoned politician, at least in this race.

"I feel such gratitude for the vote of confidence Portland has given me," said Fish during an election night party at Carmella's Lounge on Southeast Water Avenue. "I ran on my experience and on my record of working with the community to solve problems."

"This has been the hardest year of my life," Fish continued, referencing his ongoing battle with cancer.

Challenger Julie DeGraw netted 30 percent of the vote, while third-place candidate Philip J. Wolfe earned about 3 percent, according to unofficial returns from the Multnomah County Elections Division.

DeGraw made criticism of Portland's oddball commission form of government a centerpiece of her grassroots campaign. When reached by phone, she told a Tribune reporter she was glad to have highlighted the problems with appointing individual commissioners to lead certain city departments.

"We're just getting started," she said in a phone interview. "This campaign was about having a really honest conversation with Portland voters about the structure of their city government."

"That right there feels like winning to me," she continued.

Fish was endorsed by a number of Portland area newspapers, including the editorial board of the Portland Tribune, which hailed his "ability to navigate complex issues and... consistent voice."

Mayor Ted Wheeler and former Gov. Barbara Roberts were among the supporters in attendance at Fish's election night shindig.

Fish — who was first elected to Position 2 on the City Council in 2010 — is usually tasked with leading the Portland Water Bureau and the Bureau of Environmental Services.

## **Hardesty Leading Smith, but Runoff Looms for Council Seat**

*By Jim Redden and Steve Law  
May 15, 2018*

Civil rights activist Jo Ann Hardesty appears headed for a runoff with Multnomah County Commissioner Loretta Smith in the race for the Portland City Council Position 3.

Hardesty had a commanding lead over Smith Tuesday night as results came pouring in, but was still falling below the 50 percent-plus-one vote needed to win the seat outright in the primary election.

A cry of joy erupted at Hardesty's party at Solae's Lounge in Northeast Portland shortly after the first numbers rolled in.

By 8:35 p.m., Hardesty appeared to address the boisterous crowd, wearing high heels and flashing her distinctive big smile. "There were a whole lot of naysayers in the beginning," she said. "They said, 'But Jo Ann, you ask too many direct questions. That's not Portland polite.' "

Hardesty said her first move was to tell longtime Commissioner Dan Saltzman she would challenge him for his re-election, and he soon dropped out of the race.

"We had a vision of what Portland could be," Hardesty told the diverse crowd of supporters. "We have a logo that talks about one Portland, all of us in it together," regardless of income, where people live, and their color.

**"That was our vision: one Portland."**

Smith raised and spent more money in the race, but Hardesty waged an effective grassroots campaign, featuring more than 90 house meetings, said Thalia Zapatos, a veteran political



consultant who volunteered on the campaign. "She leveraged her connections in many different communities."

Jonathan Little, an African-American supporter from North Portland at her campaign party, said he didn't volunteer but has followed her career over the years. "I like her passion and her commitment to the community," Little said.

He supports her work on police accountability and is especially hopeful that she'll support rent control. Hardesty should provide "great access" to City Council for the community, Little said.

### **'We've got to show them'**

Despite trailing Hardesty, Smith gave a fiery, upbeat speech to supporters gathered at a downtown Portland hotel, predicting she would win in the November general election run-off.

"We knew we had a hard race to run and we ran that race. Now we've got to show them what it's all about," said Smith, reminding the crowd that she came back from 18 points down to be elected to the county commission.

Smith also talked about her background, including working for 21 years for Oregon U.S. Sen. Ron Wyden, and her accomplishments on the commission, including creating a summer jobs program for unemployed young people.

As of 10 p.m., Hardesty was leading with 40.8 percent of the vote to 23 percent for Smith.

Bio-firm manager and northwest neighborhood activist Felicia Williams had received 12.7 percent. Architect Stuart Emmons and mayoral policy assistant Andrea Valderrama each received about 11 percent.

Perennial candidate Lew Humble was also in the race but did not actively campaign and received less than 2 percent.

Smith easily raised more money than her opponents. As of election day, she reported over \$342,000 in cash and in-kind contributions in 2018 and 2017. That compares to more than \$187,000 reported by Hardesty, more than \$172,000 reported by Emmons, more than \$133,000 reported by Valderrama, and more than \$93,000 reported by Williams. Humble did not file a campaign committee.

### **Electing a woman of color**

The seat became open when Commissioner Dan Saltzman decided not to run for reelection. Hardesty claimed credit for the decision, saying she personally told Saltzman she would run a tough race against him. Smith was also known to be interested in running for the council by then, however.

The race began to attract a lot of interest when Hardesty, Smith and Valderrama entered it. Some activists began to argue that no whites should file so that a woman of color would be elected to the council. Spencer Raymond, a white man, dropped out in the face of such criticism. Felicia Williams, a white woman, was not heavily criticized when she entered the race. Stuart Emmons, another white guy, eventually filed and stayed in the race.

During the campaign, the Oregon secretary of state's office fined Emmons and Smith \$250 each after elections officials determined they were running for the office without filing for it. Smith was also sued by a campaign reform activists because she did not resign her commission seat to run for the office, as required by the county charter. The lawsuit was dismissed before the election.

## Willamette Week

# Affordable Housing Developers Face Rising Costs. Mayor Ted Wheeler Isn't Plugging the Hole.

*By Rachel Monahan*

*May 16, 2018*

**Wheeler juggles the city's competing interests, but the housing crisis has been a top issue the mayor has pledged to address.**

The obstacles to building affordable housing have mounted even as Portland tries to cut into a shortfall of apartments.

The Trump tax cuts, as well as increases in interest rates and construction costs, have delayed groundbreaking.

In North and Northeast Portland, where the city has launched an ambitious effort to address the effects of gentrification fostered by the city's past redevelopment efforts, that impact now has numbers attached to it: Four projects with 370 units of affordable housing need another \$12.5 million to fill a gap in financing.

Developers of the four projects went to Mayor Ted Wheeler, asking him for city funds to plug the funding hole.

Wheeler's response? Nothing in the city's budget, which the City Council is expected to approve Wednesday.

"Each one of our organizations has made significant time and monetary investment into their individual properties," Destin Ferdun, a senior project manager with Bridge Housing, told a Portland Housing Bureau committee May 10. "[The bureau and the mayor's office] have indicated the mayor's budget is highly unlikely to see a change at this particular date."

Wheeler juggles the city's competing interests, but the housing crisis has been a top issue the mayor has pledged to address, taking on oversight of the Housing Bureau himself. Instead, Wheeler's budget has favored other priorities: homeless shelters and related services, infrastructure improvements of streets and parks, and especially police staffing.

Wheeler's office says the city is waiting to see if the state will fund most of the projects' gap.

The four developers have applied to the state for \$11 million of the \$12.5 million needed. But the state's housing fund is massively oversubscribed. Developers of affordable housing have asked for \$108 million while only \$32 million is available this funding round.

To be sure, the city has increased the funding available for affordable housing development in recent years, including the \$258 million housing bond. But the bond money is not to be used for private, nonprofit development.

The North-Northeast housing policy has been in some ways the Housing Bureau's most ambitious project.

Four years ago, the bureau launched a \$20 million project with urban renewal money to redress past city redevelopment efforts that pushed out longtime residents, especially African-Americans.

While federal housing law prohibits discrimination based on race, the city is awarding priority for housing to anyone who themselves or whose parents or grandparents once had an address in the areas most affected by urban renewal.

The effort to foster homeownership has stumbled badly, helping only six households in three years to buy homes. But 146 units of rental housing have opened in North and Northeast Portland as part of the policy.

Developers say they need help now to get another 370 units going.

"We feel pressure to solve these gaps because we know that additional time delays just add additional costs for the project," Jessica Woodruff, REACH Community Development's director of housing development, told the committee.

But the mayor has indicated he's not interested in finding one-time general fund dollars to the housing gap even as market forces push the cost of building higher.

If a funding gap still exists after the state decides what to spend, the mayor will weigh whether to encourage developers "to go out and find other sources of funding or redesign the scope of the project," says Wheeler's spokesman Michael Cox.

"It doesn't mean they've fallen off the table just because they have a funding gap in the year 2018," he adds.

## **Portland Planners Aim to Protect Trailer Parks From Being Developed for More Lucrative Uses**

*By Rachel Monahan  
May 16, 2018*

**City planners are launching an effort to create zoning specifically for trailer parks.**

More than 3,000 spaces for mobile homes in 56 of Portland's trailer parks could be protected under a proposed city ordinance.

City planners are launching an effort to create zoning specifically for trailer parks. Advocates hope that a code change would preserve such parks from being developed for more lucrative uses. They started agitating for the new zoning after a trailer park called Oak Leaf, in the Northeast Portland neighborhood of Cully, was slated for closure in 2016.

"We have been working since the Oak Leaf was threatened with being shut down," says Cameron Herrington of Living Cully. "Changing the zoning is the baseline that will provide stability for residents."

Under the proposed rules, redevelopment would still be allowed, but property owners would have to apply for a zoning change to switch the use of the park—creating a new hurdle to park closures. The rules would affect some 3,037 mobile-home spaces across the city.

"Manufactured housing plays a small — but important — role in the affordable housing market," the Bureau of Planning and Sustainability draft report notes. "It is often the housing of last resort for households that are struggling to cope with rising housing costs."

Attorney John DiLorenzo, who represents trailer park owners, says the zoning change would set the city up for court claims under state law. "Either the city will have to pay compensation to the owners as a result of the downzoning or will not be able to enforce its rules," he says.

[Here's a look at where that new zoning would go.](#)

## **Portland City Budget Director Andrew Scott Is Leaving for Metro**

*By Rachel Monahan  
May 15, 2018*

**Scott is the third bureau director whose departure has been reported in a little over a week.**

Andrew Scott, the city's budget director, is leaving to become the deputy chief operating officer of Metro after 15 years with the city.

"It's a great opportunity," says Scott. "Metro is a great place. They have a lot of exciting things coming up, including the housing bond."

Scott is the first person to run the city's Budget Office, set up under Mayor Charlie Hales to provide independent evaluations of city bureau budget requests.

Scott is the third bureau director to announce his departure from City Hall in a little over a week.

Portland Bureau of Transportation director Leah Treat announced Monday she's leaving to take a private consulting job at the transportation firm Nelson\Nygaard .

Mike Abbaté, the director of Parks and Recreation, was forced out.

With the next fiscal year's budget all but complete, it's a less disruptive time of year for changeover in leadership at bureaus.

Mayor Ted Wheeler praised Scott's work at the city.

"Andrew Scott has been an essential partner in figuring out how to maximize limited budget dollars to address the key challenges facing our city," Wheeler said in a statement. "The knowledge, discipline, and keen problem-solving skills he brings with him to Metro will serve him well in his new role as deputy chief operating officer."

## **Former Lawmaker Jo Ann Hardesty Is Leading Commissioner Loretta Smith in Portland City Council Race**

*By Rachel Monahan and Katie Shepherd  
May 15, 2018*

**In the race to replace City Commissioner Dan Saltzman, the preliminary results of the primary election are in. Hardesty has 39.6 percent of the vote in early returns.**

A black woman will be elected to City Council for the first time in Portland's history. It's going to take until November to decide who.

In the hotly contested primary to replace departing Portland City Commissioner Dan Saltzman, Multnomah County Commissioner Loretta Smith started the race as the front-runner.

But it's former state Rep. Jo Ann Hardesty stacking up nearly 40 percent of the vote in early returns.

That's nearly double Smith's tally at 23 percent of the vote.

If those results hold, those two candidates will head to a runoff in November.

At Hardesty's campaign party at Solae's Lounge, a small jazz club on Northeast Alberta Street, people slowly trickled while Hardesty hid from the crowd in a private room, coming out only to smoke a cigarette on the back patio.

As she snuck away again to prepare for her speech, she shook hands with some of her supporters and left them with a hopeful prediction: "We're about to party!"

When the first results came in at 8 pm, a man in the club shouted: "Right now, Jo Ann is in the lead!"

The crowd hollered and clapped. The jazz band urged everyone to give a cheer for the candidate and struck up "Let the Good Times Roll."

Shortly after 8:30, Hardesty gave a victory speech.

"There were a whole lot of naysayers in the beginning," Hardesty said. "They said 'But Jo Ann, you ask too many direct questions, that's not Portland polite.' But I have had the privilege to work with the most incredible people on this journey. We had a vision of what Portland could be.

"Tonight we party," she concluded, "then we sleep for two weeks, and then we take this seat. We take it."

Hardesty was in great spirits after her win, dancing and hugging her supporters. She quickly snagged a frosty drink in a martini glass.

"I'm not worried about Loretta. Loretta and I are really different," Hardesty told WW. "I think the only thing we have in common is we're both women and we're African American, but other than that we're pretty different."

At a swanky downtown hotel, two dozen Smith supporters were mostly quiet as they waited for their candidate to appear.

Joined on a stage by her son and granddaughter, Smith put a optimistic spin on the results and gave a stirring speech.

"We knew we had a hard race to run, and we ran that race," Smith said.

She led the crowd in chants of "rise up" and referred to her first run for Multnomah County commissioner when, like tonight, she placed second in the primary, but went on to win in November.

"We've been here before, in 2010, down 18 points," said Smith. "This journey we've been on can be summed up in three words: Never give up."

In an open seat, Smith assumed the role of incumbent as the candidate holding highest elected office and as the top fundraiser. She also won significant endorsements from private-sector unions and the Portland Business Alliance.

But all key newspaper endorsements (including WW) went to other candidates and public-sector unions endorsed other candidates or stayed out of the race.

In part, that's because of questions about accusations that Smith bullied her employees at the county and misspent her budget. During the election, she faced a fine for an elections law violation and a lawsuit over whether she should have resigned her post to run.

It was hard to predict a race where voter turnout has hovered below 30 percent.

The election had been framed as a potentially historic race. Just eight women have served on Portland City Council—two of them are currently holding office. And none has been a woman of color.

Smith faced Hardesty and David Douglas School board member Andrea Valderrama, who is Latina. Also in the race was the architect Stuart Emmons, who finished a close third two years ago in the City Council primary, losing to now City Commissioner Chloe Eudaly and former City Commissioner Steve Novick.

Valderrama, a policy adviser to Mayor Ted Wheeler, conceded after early results showed she had just 10.7 percent of votes.

On the back patio of Alberta Street Pub, a dozen or so supporters, including former City Commissioner Steve Novick and House Speaker Tina Kotek, huddled with phones in hand watching the results come in.

Five minutes after 8 pm, it was clear Valderrama would not get enough votes to outmatch opponents.

A crestfallen Valderrama addressed the crowd. "While the outcome is not what we expected," she said, "I'm very proud of the work we accomplished. There is still work ahead to do, and still causes I will continue to champion."

Emmons had 10.8 percent of the vote.

Neighborhood association president Felicia Williams was in third with 13.2 percent of the vote.

Local elected officials largely stayed out of the race, with two notable exceptions: City Commissioner Chloe Eudaly, who endorsed Hardesty, and state Rep. Barbara Smith-Warner (D-Portland), who endorsed Smith.

Meanwhile, Saltzman campaigned for a renewal of the Children's Levy, which was cruising to victory with 80 percent support in early returns. City Commissioner Nick Fish has been sent back to City Council for his third term, handily defeating environmental advocate Julia DeGraw.

Mayor Wheeler was at a victory party for Multnomah County Chairwoman Deborah Kafoury tonight. The mayor said the results surprised him: "I think the conventional wisdom was that Loretta would get the most votes and obviously, that's not happening."

He said he had no plans to endorse in the runoff between Hardesty and Smith.

"I'm going to stay the heck out of that race. For me to intervene would be a bad idea because one of them is going to be my colleague.

"It's going to be a barn-burner of a race," he added. "They are both great candidates."

## **The Portland Mercury**

### **Three City Bureau Heads Have Resigned in Less Than a Week**

*By Kelly Kenoyer  
May 15, 2018*

This morning, Metro accounted that Portland's director of the City Budget Office, Andrew Scott, has accepted a job as Metro's deputy chief operating officer. Scott is the third director of a city bureau to leave in a week, raising questions about the future for several key bureaus.

Portland's City Budget Office was created in 2012, and Scott was the first director of the new department. Metro announced Scott's switch this afternoon—he will start there June 26 and oversee various Metro departments, including finance and research.

Last week, Portland Parks Director Mike Abbaté announced that he was leaving his department, reportedly to return to landscape architecture.

And yesterday, Portland Bureau of Transportation (PBOT) announced that director Leah Treat resigned to pursue work as the director of a transportation consultant agency.

According to the Oregonian, Scott is the 11th department head to resign during Mayor Ted Wheeler's term.

### **Protester Will Sue Portland for Unlawful Arrest and Battery**

*By Alex Zielinski  
May 14, 2018*

Last Thursday, a Multnomah County jury found Jeremy Ibarra not guilty of “recklessly creating a risk” during a June 2017 protest in downtown Portland. Now, after the Multnomah County District Attorney's office spent a week fighting to convict Ibarra over a misdemeanor, he's pushing back.

Ibarra's attorneys sent a tort claim to the City of Portland this afternoon, warning the city that their client plans on filing a civil lawsuit for false arrest and battery at the hands of Portland police.

Ibarra was arrested during a June 4 counter-protest to a pro-Trump rally held outside of Portland City Hall during a particularly tense time—just days after a self-described white supremacist fatally stabbed two men on a MAX train. The Portland Police Bureau (PPB) deployed dozens of officers to monitor the multiple protests, each cop dressed in all-black riot gear (heavy-duty protective uniform with military vibes) and visibly armed with a gun.

Ibarra was one of the 200 people eventually corralled by the Portland police (a crowd control tactic called "kettling") at the tail end of the protest, after a few people allegedly threw sodas at a line of officers. Once they had fully encircled the large group of people, officers used a loudspeaker to inform the hundreds of people inside the "kettle" that they were being detained.

It was a confusing moment: According to other people in the group, some officers were contradicting the loudspeaker demands and telling people to disperse. Ibarra reportedly tried to follow this command. But, when Ibarra attempted to run out of the crowd contained by police

officers, two officers allegedly stepped in his way and he ran directly into them. After colliding with these officers, a number of police shot "pepperballs" at his chest (a paintball-like bullet filled with pepper flakes).

Ibarra was charged with disorderly conduct, a misdemeanor. In December, Ibarra refused to accept a plea deal from District Attorney Rod Underhill's office, which forced his case to go to trial—an unusual twist in a misdemeanor case. After last week's 4-day-long trial, the jury eventually sided with Ibarra's attorney Crystal Maloney and defense counsel Ashlyn Ruga, who argued that their client was just trying to follow officer's orders in the midst of a chaotic mess.

Now, just days after being found not guilty, Ibarra has turned the tables on the PPB. In their tort letter, Ibarra's attorneys Maloney and Juan C. Chavez argue that PPB's use of "kettling" to detain hundreds of people at once was unconstitutional.

"The City clearly based their mass detention not on probable cause, but the prerogatives of picking and choosing which side of a free speech debate to single out for negative treatment," the tort reads. "The City detained people whom had not been marching, nor participating in any protest activity, such as journalists."

Chavez and Maloney also argue that the officer was wrong to shoot Ibarra with pepperballs, or "chemical munitions." They urge the city to settle with Ibarra once a civil claim is filed, instead of again taking him to court.

"Settling with Mr. Ibarra would be a productive first step in rectifying public trust in the City of Portland," the letter reads. It's unknown how much money Ibarra will request in the pending claim.

This isn't the only case against the city for PPB's actions on June 4. The ACLU of Oregon also has a pending federal lawsuit against the city for unconstitutionally detaining protesters in a kettle, in which ACLU lawyers demand the city scrap the flawed policing technique once and for all.

## **Election Night 2018 Recap: Portland's Future is Female**

*By Alex Zielinski*

*May 15, 2018*

Results from Tuesday night's primary election have made it clear: Portland's future is female.

Women candidates—many of them political newcomers—took home the majority of votes cast during Tuesday's primary election. In the words of Jo Ann Hardesty, who led the race to take retiring Commissioner Dan Saltzman's seat in city council, Portland's women are no longer staying "quiet."

"The status quo is no longer acceptable in the city of Portland. The people of Portland want more," Hardesty told a packed room of supporters at Solae's Lounge. The crowd stomped their feet in response.

By 8 pm, Hardesty had collected over 40 percent of the votes for the Portland City Commissioner seat, while current Multnomah County Commissioner Loretta Smith trailed at 23 percent. The two are now headed to a November runoff.

Results in the race for Smith's successor were a little more concrete. North Portland voters overwhelmingly elected Susheela Jayapal to represent them on the Multnomah County Board of



Commissioners—a five-person board that’s already made up entirely of women. Jaypal, an experienced lawyer on the board of several local progressive nonprofits, will replace outgoing District 2 Commissioner Smith. Prior to the vote, Jaypal told the Mercury that to her, it didn’t matter who won this particular race.

“The diversity of the candidates in my race—in all of the local races—is amazing,” Jaypal said. “By that metric alone, we’ve already won.”

Meanwhile, residents of Senate District 24, which includes the area between 82nd Avenue and Gresham and follows I-205 south to Happy Valley, have loudly voted incumbent Sen. Rod Monroe out of office—and welcomed former state representative and lawyer Shemia Fagan. This vote not only signifies that people living in one of Oregon’s most diverse districts no longer want an older white man representing them in Salem, but they want new solutions to the housing crisis.

Sen. Monroe, a landlord in the district he represents, is credited with derailing a bill last June that would have strengthened tenant protections against no-cause evictions and created a state preemption on rent control. It’s this anti-tenant decision that inspired both Fagan and candidate Kayse Jama to join the race to unseat the longtime Democratic senator. Early election results showed Fagan winning the vote by nearly 63 percent, with Monroe coming in second at 22 percent.

Other women who swept the polls: Lynn Peterson, who will succeed Tom Hughes as the president of Metro, former state representative Val Hoyle, a Democrat, who was elected to lead Oregon’s Bureau of Labor and Industry (BOLI) by 52 percent, and Multnomah County Commission Chair Deborah Kafoury, who was re-elected to her seat with a whopping 71 percent of the vote. And Jennifer McGuirk will face Scott Learn in a November runoff election for Multnomah County Auditor.

A few men also managed to win Tuesday night, like incumbent Portland City Commissioner Nick Fish, who’s held the position for nearly a decade. Fish, who currently heads the Portland Water Bureau and the Bureau of Environmental Services, was re-elected with 71 percent of the vote to serve four more years at the council dais. Coming in second was candidate Julia DeGraw, who grabbed a significant 30 percent of the vote.

Compared to other states, Oregon’s midterm election didn’t promise any wildly divisive or particularly thrilling results. Instead, Oregonians voted for exactly who we thought they would at the state level. Democrats re-elected longtime US representatives Earl Blumenauer (District 3) and Suzanne Bonamici (District 1), both by a landslide.

Oregon Governor Kate Brown handily won the Democratic nomination, and will face Republican nominee Knute Buehler, the most moderate GOP candidate in the race, in the November general election. In an email press release long before the election was called, Brown asked the GOP nominee to join her in no less than three debates before the November election.

“Voters deserve to hear directly from us where we stand on the issues,” Brown said.

Voters also renewed the Portland Children’s Levy for another five years. The levy is funded by a small property tax, and goes toward a slew of programs that support local kids (child abuse prevention, foster care programs, and after-school programs, to name a few).

Around 25 percent of Multnomah County’s 513,000 registered voters turned out to vote in the Tuesday election, according to the county elections department. According to Hardesty, that low turnout means there’s more work to be done before the general election.

“Governance doesn’t not happen with one person. Governance is about the community being involved and engaged,” Hardesty said. “Tonight we party. Then we sleep for two weeks. And then we go take this seat.”

**OPB**

## **Smith, Hardesty Advance To November Runoff For Portland Council Seat**

*By Amelia Templeton*

*May 15, 2018*

Loretta Smith and Jo Ann Hardesty are headed for a November runoff for the open seat on the Portland City Council.

Early returns Tuesday showed Hardesty won 39 percent of the vote in the primary, short of the 50 percent-plus-one-vote necessary to win outright.

Smith placed second, with 23 percent of votes.

They’re running for the seat held by Commissioner Dan Saltzman, who announced he will not seek re-election after five terms on the council.

Smith, 53, has been a Multnomah County commissioner for the past seven years. She was previously a field outreach director for U.S. Sen. Ron Wyden, D-Oregon.

Hardesty, 60, is a consultant and activist. She served in Oregon’s House of Representatives from 1995 until 2001, worked as a policy analyst for Multnomah County and has chaired the Portland chapter of the NAACP.

Hardesty raised just half as much cash as Smith, but she was the first candidate to launch a campaign, and her months of grassroots outreach paid off.

Late Tuesday, she thanked supporters and her staff for her victory. “This campaign was about drawing a line in the sand. The status quo is no longer acceptable in the city of Portland,” she said, to cheers from the crowd.

No matter who wins in November, it will be historic for Portland. The city has never elected an African-American woman to City Council.

The winner in November will also significantly reshape the balance of power on Portland’s five-person City Council.

Smith said she is ready to fight Hardesty, who holds a two-digit lead in the primary.

“We’ve been here before. We were here before in 2010, down 18 points,” Smith told supporters. “Nobody has ever come back from an 18 percentage point lead but Loretta Smith.”

Commissioner Chloe Eudaly has endorsed Hardesty. The two could form a more liberal voting block, challenging the mayor on issues like regulation of the housing market and renewable energy policy.

Groups like the Sierra Club, the Portland Association of Teachers, and Bernie PDX support Hardesty as well.

Smith, by contrast, is backed by business and labor groups, including the Portland Business Alliance, the Portland Metropolitan Association of Realtors, and a number of trade unions.

On the Multnomah County Commission, she has periodically cast the sole vote against parts of Chair Deborah Kafory's agenda. Most recently, Smith opposed siting a new homeless shelter in the Foster-Powell neighborhood of Portland.

Smith has also championed public investments in low-income communities and communities of color in her time at the county, creating a summer jobs program for Multnomah County youth.

The primary was marked by low voter turnout. Fewer than 30 percent of eligible voters in Multnomah County returned ballots, according to unofficial results posted Tuesday night.

## **Portland Voters Agree To Continue Children's Levy**

*May 15, 2018*

Portland voters have agreed to continue a special tax levy that pays for services for at-risk children.

Early primary returns Tuesday show that voters have overwhelmingly approved Measure 26-197, continuing the Portland Children's Levy, a tax of 41 cents per \$1,000 in assessed property value — or around \$75 a year — for the typical homeowner.

The levy generates about \$15 million a year that the city of Portland uses to help children who've suffered abuse and neglect, children from lower-income parts of the city, and children of color who may not enjoy the same academic or recreational options as their white classmates.

This is the fourth time voters have approved the levy. It's the brainchild of City Commissioner Dan Saltzman, who is retiring this year. Saltzman had hoped to find a permanent funding source for the levy rather than continue to take it to voters, but that hasn't happened yet.

## **Meet the Portland Man Who's Part of A National Movement Of Deaf Candidates**

*By Amelia Templeton*

*May 14, 2018*

On a recent evening, hundreds of people packed into a pub for a forum on transportation with the candidates for Portland City Council.

Philip Wolfe, a young activist with a trim beard, Prada glasses, and a bow tie, sat in the middle of the group.

The moderator asked about the city's spending on transit and bikes, and Wolfe hopped off his stool and pulled a card from his pocket.

"This is my bus pass. No shame, I'm a proud bus pass owner," he said, getting a laugh from the crowd.

"I frequently rely on mass transit, and honestly there's not enough. There's limited routes. We really need to expand those throughout the city."

It was a perfectly ordinary exchange for Portland politics, with one exception.

Wolfe was bantering with several hundred likely voters through an American Sign Language interpreter. Wolf was up on stage, speaking in sign language, one quick gesture after another, while the interpreter, dressed in black, translated.

Wolfe, who is challenging city commissioner Nick Fish in the primary, is Portland's first deaf city council candidate. He's part of a new wave of people who are deaf or hard of hearing and are fighting for a seat at the table in politics.

And just a note: if you listen to the audio version of this story, the voice you hear when Wolfe speaks is his preferred sign language interpreter, Andrew.

"Andrew's voice is very friendly, from what I have been told, and so I hold on to him for my campaign as much as possible," Wolfe says.

Wolfe has served two terms on Portland's Commission on Disability, a volunteer group that works to make the city more accessible. He helped successfully lobby the city council to pass legislation requiring Portland bars and gyms to turn on the captioning on their televisions so that the deaf community could get access to programs broadcast in public.

As Wolfe got more involved in politics, he noticed that deaf people were missing. From elected office, from leadership. So he decided to run for city council.

"In the beginning of my campaign, my focus was on policing," he said.

Wolfe is a police reform activist. He believes all Portland police officers should be wearing body cameras. He once sued the Portland Police Bureau, and thought that police accountability would be the theme of his campaign.

But Wolfe says his focus shifted as he realized how hard it is to run for office with a disability. He's struggled at times to convince civic groups to provide interpreters for him and for his deaf supporters.

"It's been so stressful. It's just the fact that it's not accessible. Therefore, the candidate does not have an equitable opportunity to run," he said.

Wolfe's campaign, is, by any measure, a moon shot. He's challenging a popular incumbent, Nick Fish. Fish has raised more than \$200,000 in campaign funds. Wolfe has raised less than \$1,000.

But his goal is a little different than just trying to beat Fish. Though, to be clear, he'd like to do that, too.

"I'm hoping to shift minds, and shift paradigms, [so] that deaf people can run and they can be involved, and as people are curious as to what that looks like, I'm there and am facilitating that communication and education," he said.

Being deaf can mean different things. Wolfe has been deaf since birth. He went to an elite high school for deaf students and embraces deaf culture and language. He's what people in the community consider Deaf with a capital D.

Somewhere around one million Americans are deaf. Perhaps as many as half a million use sign language and might consider themselves part of the Deaf community.

Historically, it's a community that has been excluded from American political life. Debates and campaigning happened on the radio or television, and lacked closed captioning or an interpreter to accommodate a deaf audience.

"Politicians tend to ignore people with disabilities," said Rian Gayle, Accommodations Coordinator in the office of Disability Services at Western Oregon University.

“They believe that we’re not intelligent enough to make a decision, so we’re pushed aside.”

Gayle is on the Oregon Disabilities Commission, and he’s a Deaf man himself.

According to Gayle, federal anti-discrimination laws are starting to make it easier for the deaf community to get access to sign-language interpreters, and accessible online media have given deaf people more opportunity to organize politically.

“Technology has helped tremendously, that people can access information and access resources,” he said.

Gayle says Wolfe is part of a budding national grassroots movement. Deaf candidates are running for state and local office in Jacksonville, Florida, and in Kansas City, Kansas; a deaf woman was recently elected mayor in Angel’s Camp, a small town in Northern California.

In Portland, Wolfe’s campaign has meant more public events with captioning and sign-language interpreters. But Gayle worries those gains in inclusivity will not be permanent.

“If Philip hadn’t run or doesn’t run again next year, we won’t see the captioning again, maybe. I’ve seen that happen in the past,” he said.

Philip Wolfe says he knows he’s living in what he calls an oralist culture, and that hearing people may be skeptical of his campaign.

“I know the big doubts that the public has if we elect a deaf person,” he said, and then corrected himself, “when we elect a deaf person.”

Wolfe said like any city council member, he’d need to hire the right staff to be successful. In his case, that means interpreters as well as policy analysts.

Portland commissioners’ offices have big floor-to-ceiling windows. Wolfe looks forward to the day when visitors to City Hall look through those windows, and see people signing on the other side.