

The Oregonian

Portland City Council Plans to Allow Taller Buildings

By The Associated Press

May 29, 2018

The Portland City Council plans to give developers the option of building taller buildings in the city's New Chinatown-Japantown historic district.

The plan includes new height and design guidelines intended to preserve the character of the historic district, which is the state's largest Chinatown community, Oregon Public Broadcasting reported .

The council previously had indicated it would set heights at 160 feet (48.8 meters) for much of the neighborhood.

But the council voted last week to allow buildings up to 200 feet (61 meters) in two different places.

The vote divided the council, with Mayor Ted Wheeler and others arguing that development would give the neighborhood a much-needed boost, while others argued it would effectively destroy it.

"We need to infuse old town Japantown with activity," Commissioner Dan Saltzman said. "And there is none there now. We need people to live there."

Commissioner Amanda Fritz appeared visibly shaken as she cast her vote and called it a sad day.

"I think this is a serious mistake that is going to repeat the mistakes that previous councils made in Albina, destroying a historic district and a cultural district," she said.

The council set a final vote for the plan June 6.

Plan to Shift Thousands of Addresses to 'South Portland' Heads to City Council

By Andrew Theen

May 30, 2018

Portland is moving closer to changing mailing addresses for nearly 10,000 businesses and homes in what would be the most significant change to the city's address book since the Great Depression.

The City Council will hold a public hearing Thursday on the proposal to change the directional addresses west of the Willamette River and east of Southwest Naito Parkway to a "South Portland" designation. Those addresses currently have a Southwest Portland address. Some 9,600 addresses would be changed to South Portland.

If approved, the changes would be the most substantial since the city's setup creating five directional neighborhoods - North, Northwest, Northeast, Southwest and Southeast -- was approved in 1931.

Portland would be adding a "Sixth Sextant." The city's neighborhood makeup has historically been described as five quadrants, though quadrants are defined as four parts of a whole.

What's driving the South Portland change?

City officials say it's a public safety concern first and foremost.

Thousands of existing Southwest Portland addresses have leading zeroes, which can be confusing for dispatchers trying to direct emergency personnel in the event of a crisis.

For example, addresses such as 0219 SW Abernethy Street would be changed to 219 S Abernethy. Only residences or businesses with a leading zero will have their numeral address change.

Earlier this year, Portland transportation officials said first responders are pushing for the change.

"This is a high priority for the fire bureau," said Dylan Rivera, a transportation spokesman, "and we've tried to be responsive to them."

According to city records, the leading zero addresses are such an issue that emergency responses have to be trained "on this non-conventional addressing protocol."

This change will improve customer service by eliminating the need to manually verify leading "zero addresses with 9-1-1 callers, thereby shortening 9-1-1 call times and potentially reducing 9-1-1 callers' wait times during peak times," city documents show.

Portland estimates the name change would cost at least \$305,000 to implement.

If approved, addresses would be changed by May 1, 2020 or "the earliest practicable date thereafter."

Portland would keep street signs for the old Southwest area, alongside the new South Portland signs, for a period of five years.

Two Strikes on Public Records; Will City Go For a Third?: Editorial

*By The Oregonian Editorial Board
May 30, 2018*

The city of Portland is 0-for-2 in its recent attempts to bar the public from accessing public documents. In separate cases, the Multnomah County District Attorney and a Multnomah County circuit judge overruled the city's arguments for withholding public records - one listing employees represented by one of its labor unions and another relating to the siting of a homeless shelter in Southeast Portland. So much for Portland leaders' commitment to "transparency."

But the losses aren't stopping the city attorney's office from trying once again to limit disclosure of a public record. And this time, there's an even more perplexing twist. The city attorney wants to cross the Columbia River to ask a court in Washington state to ignore its own state protocol for releasing public records and adopt exemptions allowed under Oregon law instead.

Portland City Attorney Tracy Reeve acknowledged the move is "unusual." But she said her office is seeking to protect the privacy rights of a child sex-abuse victim. The public record in question is a Portland Police report taken in the past from the victim and shared at some point with the Clark County Sheriff's Office, although it is unclear whether criminal charges were filed on the allegations. The person making the request for the record? The alleged perpetrator.

Washington state already redacts some identifying information, such as the name, Reeve said. But her office wants to have the victim's description of what happened to be removed from the record as well, out of concern for the victim's privacy. Reeve's hope is that a Clark County judge will recognize the document as an Oregon public record and allow exemptions that are permitted under Oregon law.

The desire to provide any possible protection to the victim is understandable and commendable. But as difficult as it may be, the City Council should deny the city attorney's request, trust the redactions Clark County will make under Washington state law and remind the city attorney's office that even good causes don't justify public records manipulation.

The request in front of City Council is more than "unusual." It defies common sense. Does the Portland City Council really believe that a judge in Washington would set aside the public-records framework set by Washington legislators, ignore the court's responsibility to Washington residents and instead adopt Oregon public-records law to recognize exemptions that don't exist in Washington?

Additionally, it's worth noting that Oregon's weaker public records law is hardly a model for other states. While blanket confidentiality provisions may mean additional privacy for victims, they can also be used as a shield to deter scrutiny. While it's unclear who or what may have been involved in this case, mass redactions aren't necessarily in the public's interest.

Instead, it seems the episode exposes Portland city attorneys' belief that public records are only public if they deem the information - and the person requesting it - worthy for disclosure. This same bias colored the city's refusal to share information on employee representation with the openly anti-union Freedom Foundation nonprofit last year. And it only leads to heightened suspicion of how the city does business.

A real commitment to transparency doesn't play favorites. City commissioners shouldn't either.

Say 'No' to Wells Fargo: Editorial

*By The Oregonian editorial board
May 30, 2018*

On Thursday, Portland City Commissioners are poised to consider a new five-year deal for banking services with an old partner - Wells Fargo.

Mayor Ted Wheeler himself questioned whether the city should end its relationship with Wells Fargo just last year. The San Francisco-based bank has paid or agreed to pay hundreds of millions of dollars in fines, class-action lawsuit settlements, refunds and other penalties in recent years in connection with customer-fraud allegations. While the bank has made management changes and is trying to rebrand itself, federal regulators were so concerned about its governance that in February they opted to put restrictions on its growth.

Admittedly, switching banking partners now would take more work at the negotiating table. And the contract itself isn't particularly rich - the city won't pay more than \$600,000 over the life of the agreement for the business of maintaining the city's deposits, helping city bureaus issue payments and offering basic branch services for employees. But Wells Fargo's misleading answer on its application to a question on corporate responsibility should raise concerns as to whether the bank is truly past its misleading practices. Commissioners should consider that evaluators ranked J.P. Morgan Chase a close second to Wells Fargo. And importantly, while

Wells Fargo scored better than Chase on its pricing proposal, Chase scored higher on corporate responsibility.

That's not a surprise. And it's not insignificant.

The city should take the smart step of ensuring that the values of its banking partner line up with the values of its constituents.

Willamette Week

A Portland Tenant Just Won \$20 Million for Dangerous Living Conditions City Inspectors Missed

By Rachel Monahan

May 30, 2018

The case points to an ongoing systemic breakdown in a city bureau's ability to keep tenants safe.

Attorneys for a Southeast Portland tenant won a \$20 million award May 18 by arguing a jury should force a California-based landlord to keep its renters safe.

The city certainly hadn't.

In February 2016, Robert Trebelhorn fell through a concrete walkway at his apartment complex, tearing the meniscus in his knee. The wood holding up the concrete had rotted out, according to his lawsuit against companies connected to Los Angeles-based real estate investor Prime Group.

Records show a city building inspector had visited the apartment complex on Southeast Colt Drive eight months before Trebelhorn injured his knee. A tenant showed the inspector various problems at the 600-unit complex, called Wimbledon Square and Gardens.

The city's Bureau of Development Services issued a letter listing seven violations, including a leaking roof and an instance of the company doing work without a required permit. But it didn't prevent the walkway collapse.

Even after BDS was alerted to the collapse in February 2016 after Trebelhorn's injury, officials recorded no follow-up actions. Instead, bureau files show they closed the case and reduced the fines from \$1,414.60 to \$480.

It wasn't until a year after the accident that BDS inspectors came back and started a wider review of the property.

The case points to an ongoing systemic breakdown in the bureau's ability to keep tenants safe.

BDS inspections have long been shrugged off by landlords, but this case offers an unprecedented look inside the city's inspection program. WW's review of three years of documents suggests the bureau charged with housing code inspections missed serious dangers, in part because the city's rules restrict what it can inspect and force landlords to fix.

City officials now concede BDS is running a deeply flawed inspection program.

More than two years ago, WW reported that property inspections by the bureau were based on renter complaints—a system prone to break down when tenants didn't know how the program worked or were afraid to speak up ("Power Goes Out. Rent Goes Up," WW, Dec. 2, 2015). Since

then, the city has instituted an "enhanced inspections" program that triggers closer scrutiny when a large number of violations are found at a single property.

Now, after the massive legal judgment against Prime, City Commissioner Chloe Eudaly's office is calling for further reforms. (She has overseen BDS since January 2017.)

Eudaly's office is working to propose a mandatory inspections program for rental housing, a process that begins with a registration program for all landlords that is currently being rolled out, says chief of staff Marshall Runkel.

"Our office is still gathering information about the specifics of this case, but there is ample evidence that our rental inspection system is inadequate," says Runkel. "It's complaint-driven, so tenants who fear retaliation from their landlords and/or any interactions with authorities don't report problems."

Runkel referred questions about the 2015 inspection to BDS. "This case was closed before [Eudaly] took office," he says.

BDS officials blame a former employee for missing the walkway collapse.

"Unfortunately, our records indicate that an additional complaint was improperly handled in early 2016 by an employee who is no longer working with the city of Portland," says BDS spokesman Thomas Ngo. "While we're still looking into the timeline of events to see how this could be prevented in the future, property owners are ultimately responsible for maintaining safe structures that adhere to current building codes."

The lawsuit painted a portrait of a complex where wood holding up walkways was rotten. Lawyers also uncovered evidence that fire sprinklers had been painted over and smoke detector batteries were from the '90s.

According to testimony during the trial, an executive working for Prime Group, which, according to the lawsuit, is a \$7 billion company that owns and manages 16,000 units, acknowledged the shabby conditions during his 2017 visit.

He joked, according to testimony by a maintenance staffer at the complex, "'Well, this place is so dilapidated we need to throw a match and burn it to the ground.'

"And he sees me and laughs and said, 'No, no, we'll make sure you still have a job, though,'" the maintenance worker testified.

A city inspector had visited eight months before the accident.

The inspector came to address problems at one apartment—including a deck where the ceiling was "compromised" by "leakage of storm water"—but also spotted other issues around the complex.

The ceiling of the deck "has also been spray-painted," the inspector's June 12, 2015, notes read. "I didn't understand why until I was taken outside and given a tour of other places where squiggly lines had also been sprayed in what looked like an attempt to mark which beams and supports needed to be replaced."

The city issued violation notices and fines. But after Trebelhorn was injured in the walkway collapse in February 2016, files show the Bureau of Development

Services closed the case and reduced the fines.

BDS officials say previous policies limited inspectors to focusing only on what tenants complained about—and prevented them from inspecting some other problems. "This old practice prioritized tenant privacy," says Ngo.

Almost exactly a year after the walkway collapse, the city stepped up its actions—but only after a chance run-in Trebelhorn had with an acquaintance.

Jason Sharp, a Portland Fire & Rescue inspector, knew Trebelhorn, then the Cleveland High School baseball coach, from his kids' sports teams. He noticed Trebelhorn's limp from the injury.

Sharp later testified in the lawsuit that he had found unsafe conditions he'd never seen before in an occupied building.

Wood holding up a walkway at the Wimbledon apartments was so rotten and had become so soft it was possible to push a pen through it, Sharp testified under oath. (The Fire Bureau fined Prime \$8,750.10.)

Sharp also called BDS back to the complex in February 2017 to look at the "worst conditions he has seen in his three years inspecting," according to notes in the bureau file.

Even then, the city didn't shut the complex down.

"The homeless problem is already bad enough in Portland; we don't want to displace more people," Sharp testified. "Shutting places down doesn't really fit with what's going on in the city right now."

In March 2017, the Bureau of Development Services cited Wimbledon for 212 violations, including exposed wiring, a leaking roof, and deteriorated structural supports for walkways and stairwells. On paper, Prime owes the city \$28,989.94, but so far those fines have been waived because the landlord has made the repairs.

"If you're being fined thousands of dollars and you're making close to a million dollars a month in rent, it's not a very big deterrent —and especially if these fines are negotiable," says attorney Jason Kafoury, who represents Trebelhorn. "We need to, depending on the scale and wealth of the defendant, have a tiered fine system that will actually lead to change."

Murmurs: Portland State University to Rename Neuberger Hall

*By WW Staff
May 30, 2018*

In other news: A Eudaly campaign supporter gets contracts.

Portland State to Rename Neuberger Hall: Portland State University is in the middle of a \$70 million renovation of Neuberger Hall at Southwest Broadway between Harrison and Hall streets. The building was named after U.S. Sen. Richard Neuberger (D-Ore.), who championed PSU's transition from a stop-gap for returning GIs into Oregon's largest university. But the name of the senator, who died in office in 1960 at age 47, will soon be removed from the building. PSU spokesman Chris Broderick says the new name, to be revealed next year, will reflect a gift to the university. Neuberger's name will grace a different building on campus, Broderick says.

Eudaly Campaign Supporter Gets Contracts: A campaign supporter of City Commissioner Chloe Eudaly has received \$30,000 in no-bid city contracts, including to rebrand the Office of

Neighborhood Involvement. Jen Wick's work was revealed last week when Eudaly announced that ONI was renamed the Office of Community and Civic Life, which came with a new logo Wick designed. During the 2016 primary, Wick's firm gave \$1,300 in in-kind services for design work to Eudaly's campaign. So, did Wick get the contracts, which include templates, business cards and website work, because of her campaign contribution? Eudaly's office says no. "We selected Jen Wick because she is an outstanding designer who has consistently delivered vibrant, high-quality work," says Eudaly policy adviser Winta Yohannes. "We were proud of the work she did for the campaign, and we are again impressed by the work she's delivered on this project."

Carpenter Foots Bill for Gubernatorial Bid: Bend businessman Sam Carpenter spent \$335,000 trying to win the GOP nomination for governor. Carpenter ran to the right of state Rep. Knute Buehler (R-Bend) with a "Make Oregon Great Again" slogan. Buehler beat Carpenter 46 to 29 percent, while Greg Wooldridge got 20 percent. But what made Carpenter's campaign unusual was the degree to which he funded it himself. Carpenter reported receiving just \$89,000 in cash from donors. He loaned his campaign \$134,500 and covered another \$73,340 in expenditures out of his own pocket. Last week, he wrote off the loans and the in-kind expenditures. Carpenter, who ran for U.S. Senate in 2016, says he's done with politics.

Student Still in a Coma After Amtrak Injuries: A Portland State University student has been in a coma since he was found unconscious near railroad tracks in Truckee, Calif., almost two weeks ago. The circumstances surrounding Aaron Salazar's unexplained injuries have raised questions about how Amtrak investigates possible crimes. The PSU Vanguard reported Salazar, 22, was returning to campus after visiting family in Denver. He was found by a railway worker with broken bones, brain damage and burns to his upper thighs and groin. Salazar's family suspects a hate crime. But Amtrak officials have said they found "nothing to suggest criminal intent."