

# The Portland Tribune

## Infill plan additional testimony denied

By Jim Redden

March 05, 2019

**Residential rezoning recommendation are expected to be approved and forwarded to the City Council on March 12.**

The Portland Planning and Sustainability Commission will not take new testimony on the controversial proposal to rezone single-family neighborhoods for missing middle housing in Portland, despite major changes made since the last public hearing in May 2018.

The commission is expected to vote to send the current Residential Infill Project recommendations to the City Council on Tuesday, March 12. They are intended to increase the supply of smaller, multifamily housing projects throughout the city.

Over the past nine months, the part of town covered by the recommendations has grown from 66 percent to 93 percent of single-family neighborhoods. Up to four units could be built on practically every lot, instead of the three units in the previous version. And the maximum size of such projects has increased from 2,500 to 4,000 square feet.

Several reports on the potential effects of the current recommendations also have been released since the appointed commission last took public testimony. They include an updated Johnson Economics analysis that predicts residential demolitions will increase 8 percent to allow for an additional 24,000 housing units over the next 20 years.

A new staff Displacement Risk and Mitigation report also has been released that predicts a disproportionate share of the additional projects will take place in less-affluent neighborhoods, including Lents, Brentwood-Darlington, Montavilla, St. Johns, Portsmouth, Concordia and Cully.

The changes and new information have prompted several neighborhood groups to request that the commission allow public testimony on the current recommendations before taking its final vote. The public record was closed after the last hearing.

But commission chair Katherine Schultz has rejected the requests, telling one group that the commission has made up its mind to support the current recommendations, which were directed by the council when it included a missing middle housing policy in the Comprehensive Plan update approved last year.

Schultz said the commission requested the changes during eight work sessions following the last public hearing.

"Overwhelmingly, we agreed that increasing the available range of housing options in the city and providing a greater diversity of unit prices/rents, while equitably distributing the benefits and burdens of those changes, were paramount to our charge," Schultz said in a Jan. 16 email to members of the board of Southwest Neighborhoods Inc., the coalition of 17 neighborhoods in Southwest Portland.

Instead, Schultz said those seeking additional public comment should wait until after the commission sends the recommendations to the council next week.

"Additional input and discussion is needed on this very important topic, but I believe the best forum for that to occur at this point in the process is City Council for multiple reasons," said

Schultz, explaining that one reason is the commission's responsibility to increase housing in the city.

Others asking for more public testimony include the Hosford-Abernethy Neighborhood District, the Overlook Neighborhood Association and the grassroots United Neighborhoods for Reform.

"The City Council is supposed to look to the Planning and Sustainability Commission for advice," said Janet Baker, co-founder of United Neighborhoods for Reform. "That's the whole point of the process that's been going on for more than a year now. But the current RIP recommendations are totally different than what we testified about, and we won't even be able to respond to the new reports on the record before the vote."

Vote expected

The Planning and Sustainability Commission will meet to vote on the current Residential Infill Project recommendations at 12:30 p.m. Tuesday, March 12, in Room 2500 of the 1900 Building, 1900 S.W. Fourth Ave. No public testimony is allowed.

Displacement Report facts

- The new Displacement Risk and Mitigation report estimates there'd be a slight reduction in home demolitions under the Residential Infill Plan.
- In contrast, the Johnson Economics report commissioned by the city estimated there'd be a slight increase in demolitions.
- 14,000 low-income households rent homes in areas that would be rezoned under the Residential Infill Plan.
- Planners project 680 low-income renters in single-family homes are at risk of displacement by 2035 under RIP, versus 940 under current zoning.
- People of color make up 30 percent of Portland's population but only 18 percent of its homeowners.
- 18,000 homeowners of color live in areas to be rezoned. In the past, unscrupulous home lenders have preyed upon people of color.
- 37 percent of those homeowners are low-income.

## **Hardesty Charts Ambitious Course: 'I've Been Very Busy'**

*Jim Redden*

*March 06, 2019*

**New councilwoman had a busy first two months in office but tells Tribune she is just getting warmed up.**

Jo Ann Hardesty has had a very eventful and — she believes — successful first two months as the first African-American woman on the City Council.

Interviewed Friday, March 1, by the Portland Tribune editorial board on her 60th day in office, Hardesty energetically ticked off her major accomplishments. They include keeping a campaign promise by pulling the city out of the Portland FBI Joint Terrorism Task Force; delaying earthquake warning requirements for private owners of unreinforced masonry buildings; and

sponsoring the ordinance implementing the Clean Energy Fund initiative she championed at the November 2018 general election.

"I've been very busy," Hardesty said.

But Hardesty said she's just getting warmed up. Plans call for being deeply involved in the upcoming sessions for next year's city budget; lobbying to convert a city-owned golf course into a mixed-income housing community; and working with the Charter Review Commission, which is scheduled to be appointed in 2021 to craft a ballot measure to change Portland's unique and unwieldy form of government.

"It's going to get crazier before it settles down," Hardesty said.

One thing not on her agenda is what some liberal activists are demanding — that Mayor Ted Wheeler give her the Portland Police Bureau.

"No way," Hardesty laughed when asked if she wanted the bureau. "I'm not doing anything to encourage Wheeler to add it to my portfolio."

Instead, after calling for an independent investigation into seemingly friendly texts between police Lt. Jeff Niiya and right-wing protester Joey Gibson, Hardesty said she wants to give Police Chief Danielle Outlaw the opportunity to own and resolve the issue. Hardesty said Outlaw, who is also an African-American woman, has been under attack from both the left and right since she took office in October 2017, and she worries that Wheeler and the mid-level managers in the bureau are not supporting her.

"The Portland Police Bureau is in a state of flux. Outlaw could be a good chief, but hasn't had a chance to do what needs to be done yet," Hardesty said.

The union representing Niiya has filed a formal complaint over comments made by Wheeler, Hardesty and Commissioner Chloe Eudaly about the texts after they were first reported by Willamette Week and the Portland Mercury. Given the opportunity to respond to the complaint, Hardesty said she stood by her previous statement. She declined to elaborate on what she called "Textgate," however, saying the complaint process should run its course.

### **Changing face of Portland**

Hardesty's election to the City Council was a game-changer for several reasons, and not only because she is the first African-American woman. She defeated Commissioner Loretta Smith, who is also an African-American woman. But Smith was perceived as a more establishment candidate than Hardesty, a former state legislator and longtime outspoken activist who was a previous president of the Portland chapter of the NAACP. Hardesty defeated Smith despite being outspent by her, demonstrating her grassroots support.

Hardesty was the second grassroots candidate elected to the council in recent years, following the November 2016 general election victory of small business owner Chloe Eudaly over incumbent Steve Novick, despite his well-established progressive credentials. Their victories suggest the majority of Portland's historically liberal voters are moving farther left, putting even more strain on Portland's form of government, where every council member is elected citywide and oversees bureaus assigned to them by the mayor, which reduces the potential influence of lower-income parts of town.

"It's the craziest thing I've ever heard of," said Hardesty, who nevertheless said she is doing everything she can to learn about her bureaus, which include Portland Fire & Rescue, the Portland Bureau of Emergency Management, and the Portland Bureau of Emergency Communications, which operates the 911 system.

Although long identified as a police critic, Hardesty said she does not plan to fight its requested budget during the upcoming budget-writing sessions. Instead, she believes her public safety bureaus can be realigned to reduce the number of non-crime related 911 calls that go to the police, some of which result in what she thinks are avoidable tragedies.

"If we can send a mental health worker out to a call of someone in crisis instead of a police officer, that would be better," Hardesty said.

### Looking to the future

In response to questions, Hardesty said where she stands on several pressing issues.

- **Housing:** Portland should convert one of its city-owned golf courses into a master-planned community with a mix of housing, including units affordable to low-income households. They include the Eastmoreland Golf Course in Southeast Portland, the Heron Lakes Golf Course in North Portland, the RedTail Golf Course in Southwest Portland, and the Colwood Golf Center and Rose City Golf Course in Northeast Portland. Only one — Eastmoreland — is along a MAX line. Hardesty did not name which golf course should be converted, saying, "People should fight over it."

- **Form of government:** Portland's form of government should be changed only after a deliberative process involving the entire city. Although a City Club of Portland study committee recommended specific changes, Hardesty said they should not be determined by a single report. Instead, she said the city Charter Review Commission, which must be appointed in 2021, should undertake a citywide public involvement process to find consensus.

- **Unreinforced masonry buildings:** Hardesty said the city should require the owners of such buildings to upgrade them against earthquakes. But she believes the city also should offer financial incentives to help offset the cost of such improvements. That is why she persuaded the council to delay earthquake warning requirements until Nov. 1, 2020. Hardesty believes a new task force and a new financial work group on the issue will present the council with minimum standards and financial options before then. Some buildings that were upgraded in the past could be grandfathered in, Hardesty said.

- **Residential Infill Project:** Hardesty said she will support the current recommendation to increase residential density if she is convinced that will produce more lower-priced housing in every neighborhood. She will vote to rezone 93 percent of single-family neighborhoods to allow up to four units on every lot — as currently proposed — unless very little of the new housing is affordable to lower-income households. If not, she will push to rewrite the proposal when the City Council considers it this summer.

- **I-5 Rose Quarter Improvement Project:** Hardesty said she opposes the plan to spend around \$500 million improving the area where Interstate 5 and Interstate 84 merge in the Rose Quarter. She believes the money would be better spent on alternative transportation projects, including bike and pedestrian paths.

The full interview can be heard [here](#):

# Walking Top Priority Under Proposed Portland Plan

*By Jim Redden  
March 6, 2019*

**Public comment is sought on PedPDX, which is scheduled to go to the City Council this spring.**

Walking would be prioritized over other forms of transportation under a plan being submitted to the City Council this spring.

PedPDX would affirm walking as a human right and the most fundamental means of transportation. It is being prepared by the Portland Bureau of Transportation, which is seeking public comment on the proposal, which would replace the city's current pedestrian plan, which was last updated in 1998.

"An incomplete pedestrian network limits the city's ability to absorb growth and meet the livability needs of residents, including safe walking access to public transit and essential services," reads the executive summary.

"We've heard over and over from people that they do not feel safe walking in Portland," said Transportation Commissioner Chloe Eudaly.

Among other things, PedPDX calls for providing approximately 3,500 new crosswalks on busy streets throughout the city, including marked crossings within 100 feet of all transit stops. PBOT has identified a Pedestrian Priority Network, which are the streets and paths that provide important connections for people walking to key transit and land use destinations.

"People walking in Portland are ten times more likely than people driving to sustain a serious or fatal injury. As a Vision Zero city, no death on our streets is acceptable. But we have limited resources to address our immense safety needs," said PBOT Interim Director Chris Warner.

"This plan provides a data-based approach to pedestrian improvements that will make sure we are focused on the greatest needs first, in an equitable way."

PBOT has launched a public feedback process that includes:

- An online open survey with an interactive map. You can find it [here](#).
- Seven "View and Review" parties during March and April. They will include a video overview of the plan and a chance for participants to discuss it with bureau staff. The first two parties will be held on March 12 at the Brentwood-Darlington Community Center. Details and additional events can be found [here](#).

You can read the proposed plan [here](#).

# Your City Hall: Ride-Hailing Service in Gear for Disabled

*By Jim Redden  
March 5, 2019*

**Plus, Portland could move more efficiently against 'zombie homes' and other problem properties with foreclosure reforms to be considered by the City Council on Wednesday.**

What happened: Commissioner Chloe Eudaly announced a new on-demand ride service for people with disabilities — and last week called on Portlanders to help defeat a bill in the 2019 Oregon Legislature that would eliminate its funding.

How it works: People with disabilities and seniors can call PDX WAV at 503-865-4WAV (503-865-4928) anytime to schedule a wheelchair accessible Lyft, Uber or taxi ride.

PDX WAV is a partnership between the Portland Bureau of Transportation, which Eudaly oversees, the Lyft and Uber ride-sharing businesses, local taxi companies, and Ride Connect, a nonprofit that specializes in transportation for seniors and people with disabilities.

The catch: PDX WAV is funded by a 50-cent surcharge on Uber and Lyft rides and permit fees paid by taxi companies. House Bill 3023 would pre-empt the ability of cities to regulate ride-sharing services and would impose the surcharge. If it passes, PDX WAV would have to compete against other existing city programs for funding.

Why it matters: Providing wheelchair accessible rides has always been challenging because of the limited number of specialized vehicles in the ride-sharing and taxi fleets. PDX WAV allows those in need to call one number to order such a vehicle instead of mandating that each business find the next available one. The City Council promised ride-sharing companies would provide the service when it authorized them to operate in Portland.

What you can do: If you agree with Eudaly, you can find contact information for your legislator and others in Salem at [oregonlegislature.gov](http://oregonlegislature.gov). Click on "Find Your District and Legislators" on the right-hand side of the page. You also can track the progress of HB 3023 and all other legislation there.

To learn more: Visit [pdxwav.com](http://pdxwav.com).

Council to consider foreclosure reforms

Portland could move more efficiently against problem properties — including "zombie homes" — under a long overdue reform to be considered by the City Council on Wednesday, March 6.

Portland City Auditor Mary Hull Caballero has proposed streamlining the city's foreclosure process. The reform was first recommended in a 2012 performance audit of the city's liens, collections and foreclosure processes.

The ordinance introduced by Hull Caballero would remove her office from the process, allowing properties recommended for foreclosure by the Bureau of Development Services to move directly to the Revenue Division of the Bureau of Revenue and Financial Services for collection — and then to the council for final foreclosure approval, if all else fails.

A multipart investigation undertaken by the Portland Tribune in 2016 documented the problems caused by neglected and abandoned properties in Portland neighborhoods. The series prompted former Mayor Charlie Hales to convince the council to adopt some reforms in June 2016. But he did not propose removing the auditor's office from the process, despite the 2012 performance audit.

You can read a previous Portland Tribune story on the issue at [www.tinyurl.com/y5sha6t2](http://www.tinyurl.com/y5sha6t2).

## Willamette Week

# When the Big One Hits, Hundreds of Portland's Buildings Could Crumble. Is it Fair to Make Property Owners Prepare?

*By Rachel Monahan*

*March 6, 2019*

**The story of earthquake preparedness in Portland is a complicated saga of bureaucratic and political failings.**

Parishioners gather inside Christ Memorial Community Church on North Killingsworth Street to ponder eternity.

About 50 met last Sunday to sing praises along to a tambourine melody and listen to a sermon about relying on the Lord's wisdom.

"I don't worry about what the government says," preaches Pastor Roy Tate. "I don't worry about tomorrow, because I know who holds my future. And my future is in his hands."

This is a sacred place. A house of worship. One of the few places Portland's black citizens can return to be near what was once their Main Street.

And if the Cascadia subduction zone earthquake hits Portland on a Sunday morning, the sanctuary could become a portal to the hereafter.

Christ Memorial is among more than 1,600 of the city's unreinforced masonry buildings, or URMs, that aren't ready for an earthquake. When the "Big One" hits, many of these buildings could crumble into a pile of bricks.

For five years, Portland city officials have been trying to prepare the city's structures for such an earthquake, by requiring owners to upgrade them, or at least post warnings.

But for some of the city's most prominent black ministers, the city's demands are just the latest example of the institutional racism that razed black neighborhoods and drove African-American residents to the edges of town.

"It's gentrification—to move us out," says Pastor Tate. "It's an effort for the builders from out of state to buy up properties."

E.D. Mondaine, pastor of Celebration Tabernacle Church and head of the NAACP of Portland, says forcing cash-strapped property owners to prepare for the Big One is discriminatory because the largest burden will fall on the people least able to pay.

"This action drives the nail in the coffin of gentrification of the African-American community, which is a continued insult," Mondaine testified before the Portland City Council on Feb. 20.

"This continues to widen the gap in a state that was founded on white supremacy."

To former City Commissioner Steve Novick—who championed earthquake preparation—that claim is frustrating.

Novick agrees the city has historically acted unjustly to black residents, but he says no one would be decrying seismic upgrades as racial injustice if they took the threat of earthquake seriously.

"I think I can make an argument that warnings on cigarette packs have a disproportionate income impact on minority business owners," says Novick. "Convenience stores make a ton of their money off of cigarettes. More than half of 7-Eleven franchise owners are people from ethnic minorities.

"But you never hear anyone saying we need to repeal cigarette warnings because of the disproportionate impact on minority business owners, because people take lung cancer seriously. They don't think lung cancer is hoax designed to oppress minority business owners."

The danger at Christ Memorial is hardly unique. Neither is the denial.

The debate over whether Portland's earthquake preparedness policy is racist has grabbed headlines and raised eyebrows. But it's just the most volatile element in a brew of outrage.

For three years, property owners have mounted a campaign to resist the city's efforts to require owners of unreinforced masonry to make expensive upgrades to their buildings.

Last month, City Commissioner Jo Ann Hardesty, the first black woman on the Portland City Council, hit the reset button.

On Jan. 31, she directed Portland Fire & Rescue, which she oversees, not to enforce the city rule requiring most URM owners to post signs by March 1 warning their buildings "may be unsafe in an event of a major earthquake."

Instead, Hardesty has launched a new public process, to figure out a plan with yet another advisory committee. In the meantime, URMs will continue to be earthquake unready.

Some say she's correcting badly conceived policies.

"It took a lot of political courage," says John Russell, owner of a downtown URM building.

Others—including Novick—are fearful and say Hardesty, who has delayed enforcement of the new rules, shouldn't be running the process.

"It's interesting [Mayor Ted] Wheeler has left Jo Ann Hardesty in charge," Novick says. "I'd be curious about polling the chicken owners of Portland to see how many of them have hired foxes to guard their coops."

The backlash against earthquake preparedness has unified a wide cross section of constituencies Portland holds dear—the arts community, tenants' rights advocates, small businesses and black ministers—who say City Hall is demanding too much of business owners.

The past three years have descended into a fight over what the standards should be, how much time owners should have to comply, and what notice they should have to provide to anyone walking into their buildings or viewing property records.

The best argument for what Hardesty is doing is that she's dialing down the temperature—and that practicing better politics will make the city better prepared.

The least charitable reading is that she's allowing the city to compromise with property owners—and failing to brace for the inevitable disaster of an earthquake that could be as strong as the 2011 quake in Japan.



The story of earthquake preparedness in Portland is a complicated saga of bureaucratic and political failings. But it hinges on a simple question: Is it better to be fair or be safe?

If for some reason you've just landed in Portland from Mars, or have lived in a cannabis-infused state of ignorant bliss, Oregon is expecting the Big One. Within the next 50 years, there's a 22 to 26 percent minimum probability Portland will be hit by at least an 8.0 magnitude earthquake, the likes of which the region has not seen since Jan. 26, 1700, according to Oregon State University professor Chris Goldfinger. (That's a minimum probability in part because shallower fault lines lie in the West Hills, and no one knows when to expect a quake there.)

Nobody knows when an earthquake is coming, but it's widely accepted that the most at-risk building type are the beautiful, mostly brick structures that dot the Pearl District, Old Town and the business districts of Portland.

"More than any other kind of construction, they can be singled out as being seismically vulnerable," reads a report prepared for the Federal Emergency Management Agency in 2009—10 years ago.

Their risk has been known longer, but Portland is still dithering on what to do.

Many of Portland's 1,650 URM buildings probably won't survive an earthquake. And they're not being brought up to current building code standards very quickly.

The prospect is grim for the very people the city should be most concerned about protecting. After a quake, another debate over inequality would ensue—but reversed, with the city and property owners blaming each other for failing to protect the most vulnerable.

"It's people over 65," says Courtney Patterson, interim director of the Portland Bureau of Emergency Management. "It's people with disabilities. It's people of color, it's low-income people. I'm talking up to 80 percent of the people that get hurt. All the conversations we're having now we'll be having after the earthquake. We can either do it now, or the earthquake's going to do it for us."

For years, the city has crafted policies that ratcheted up the pressure on building owners to upgrade their properties.

In 1995, Portland began requiring building owners to upgrade to the most current earthquake safety standards when they added more occupants to a building or spent a certain amount on renovation. For unreinforced masonry buildings, the city required roofs to be bolted to walls when a roof was redone.

By January of this year, a push to require URM buildings to complete seismic upgrades was watered down by Mayor Ted Wheeler, who also extended the deadline for repairs.

But even that was too much—and City Hall is feeling the shock waves.

At the edge of industrial Northwest Portland stands an old red brick warehouse. It's four stories tall, with high, broad wood beams and carefully laid brick that arches over the third-floor windows.

If beauty took precedence over an aversion to risk, you'd want to work in this 1910 building, too.

More than 200 people are employed in this building—which is made of unreinforced masonry.

In 2011, Brian Faherty, founder of Schoolhouse Electric & Supply Co., a firm that designs and finishes lighting and other home products, moved his company from the central eastside, where it

had grown to three buildings, to a single spot here. (He also has stores in Pittsburgh and the TriBeCa neighborhood of New York City.)

Faherty is drawn to fixing up old things and to this style of old brick buildings. He owns three Portland URMs.

He knew what he was buying. And he carefully avoided repairing more than half the roof or investing more than \$43 per square foot, which would have triggered the city's requirement to make seismic upgrades.

Asked if he worries about an earthquake, he says, "I don't really."

Instead, he fears financial ruin. He estimates the building, which he calls his "family's biggest asset," is worth \$8 or \$9 million. The seismic upgrades the city wants him to make could cost \$8.7 million, according to the city's square footage estimates, though Faherty believes it would cost far more.

He calls the city's rules "a new form of redlining."

Faherty is part of a growing alliance: Portlanders who believe requiring business owners to make their buildings earthquake safe is an injustice.

Many of them have sympathetic stories. They are small business owners. Or their life savings and retirement are tied up in a building, which they hoped would see them through their old age. Their buildings are beloved landmarks on the main streets of Southeast Hawthorne Boulevard or Belmont Street.

The group includes music and arts venues, such as the venerable nightclubs Dante's and Laurelthirst Pub.

But the political powder keg didn't comprise just small businesses and the arts community. It added race.

Last June, black leaders from churches in North and Northeast Portland (eight black churches in the city are URMs, by the Emergency Management Bureau's tally) complained to the mayor that the city had blindsided them with the requirement to invest in seismic upgrades.

Shortly after Hardesty became the first black woman on the City Council, the African-American ministers intensified their outcry.

On Saturday, Jan. 5, a group of protesters held a rally outside City Hall demanding racial justice.

The groups, led by the NAACP of Portland, repeated their demand that the city roll back its requirements for warning signs on unreinforced masonry buildings. "Oregon has continued to keep its promise of exclusion of African-Americans from being property owners and cardholders in the game," said Mondaine, president of the NAACP. "There is a threat to finalization of gentrification and displacement of the African-American community."

Mondaine and other property owners believe if they are forced to register their structures as unsafe, it could lower their property values. But they were also spreading a more insidious and unproven belief: that city officials are scheming to lower those property values so real estate developers could swoop in and buy places like churches on the cheap, knock them down and build condos.

The people who run the Bureau of Emergency Management say that's bunk.

"It's got no basis in fact," says interim director Patterson. "Our bureau, we don't have a close relationship with developers."

"It's a conspiracy theory," says Jonna Papaefthimiou, manager of planning, policy and community programs for the bureau.

Hardesty says activists have exaggerated the financial peril created by city policies. "I think the advocate side of this has been: 'The sky is falling. The sky is falling. The city is taking our property. The city is using racist policy to remove African-American faith institutions and nonprofits.' Both sides have had missteps."

Interestingly, Mondaine's church, Celebration Tabernacle, has a grant from the city's economic development agency, Prosper Portland, that he says will help with seismic upgrades. City Hall could have crafted a similar solution for the other seven imperiled black churches.

"We approached it as a technical issue, which it is in a lot of ways," says Papaefthimiou. "We didn't take the step back and say, 'Well, who are we doing this for?'"

Hardesty was spurred to action by a typo.

In the first weeks of 2019, Portland City Hall notified building owners they needed to put up a placard about the earthquake dangers posed by their buildings.

It gave them a hard deadline to file a record of doing so with the county: Jan. 1. That date had already passed. The deadline was in fact March 1.

So property owners and their allies flipped out.

"Who is driving this bus?" wrote Meara McLaughlin, executive director of MusicPortland, in an email, alarmed about music venues that would be affected. "This situation is bad enough without big errors."

In January, Hardesty met with Mayor Wheeler, asking for his help in addressing the backlash.

He was unmoved. "I have no interest in slowing it down; I'm just going to keep moving forward," she recalls him telling her. "We agreed to disagree."

So Hardesty hit the brakes herself—without his permission.

"She really didn't have authority to instruct her bureaus not to enforce an ordinance enacted by the council," says John DiLorenzo, an attorney for Portland landlords who owns URM apartments himself and is suing to halt the URM ordinance. "That said, her action set into motion a political course which ended up helping us."

And she followed up Feb. 27 by persuading a majority of the City Council—Commissioners Chloe Eudaly and Nick Fish—to postpone any signage requirements and get rid of the requirement to officially post notice at the county's property records office that owners would put up the placards. (That last part had implications for property sales and banks considering financing.)

Wheeler was absent and Commissioner Amanda Fritz voted no.

"I was elected to do a job," says Hardesty. "I think what people are seeing is someone who's energetic and cares passionately about people."

Hardesty says placards and safety requirements will be back. And she may try to provide public financing for owners of some URMs.

"I have no intentions of repealing the ordinance," she says, despite church and building owners' pressure to do so.

Dan Saltzman, who retired in December after 20 years as a city commissioner, has made it clear he's not impressed by Hardesty's effort.

Saltzman thinks the most vulnerable Portlanders are being ignored. "These issues affect today's 10-year-olds," he says. "They don't have a voice at the table."

At Portland City Hall, the squeaky wheel gets the grease.

Consider the fight over building new apartments in residential neighborhoods like Laurelhurst. Neighborhood associations organize against change. The future inhabitants of new housing exist in theory—but not as an immediate threat to politicians.

There isn't a keep-us-safe-from-the-earthquake lobby at City Hall. But there are property owners, worried their key financial assets may be worth nothing more than the land they're sitting on.

Portlanders are well aware of the earthquake risk. A 2018 DHM Research poll showed more than 7 in 10 Portlanders expect a sizable natural disaster, and more than 8 in 10 are most worried about an earthquake.

"That's more people than who believe in global warming," says Papaefthimiou, the emergency planning manager. "That's probably more people than know who is president at the moment. For 80 percent of people to know we have a significant earthquake risk is pretty good."

So what about the people who could die? What about guests at the Ace Hotel? What if the Big One hits during a show at Keller Auditorium? What about employees at Schoolhouse?

What if it hits when people are at home? Tenants' rights leaders dismiss the question.

"If buildings are going to be made safe, I don't want buildings to be made safe for rich people," says Anthony Bencivengo of Portland Tenants United. "I want buildings to be made safe for people to remain in the city of Portland. Gentrification and displacement are their own disaster."

What happens if it hits on a Sunday, while people are in church?

"It's a rather unfair question to ask me if I'm concerned," says Bishop Marcus Irving, senior pastor of Albina Christian Life Center. "For the city to change its codes, and then ask me if I'm concerned about safety about satisfying their requirements, is rather unfair. Of course I'm concerned. I just don't know how to fix that."

Hardesty? She's concerned. But she says a small delay will help get people on board with the inevitable.

"This was rolling out over a 20-year period of time," she says. "Our mandate gave people a generation to do the repairs that needed to be done. Me delaying another year, or year and a half, won't have as big an effect if we were already giving people 20 years."

# Four Rumors Have Sprouted During Portland's Earthquake Backlash. What's the Truth?

*By Rachel Monahan*

*March 6, 2019*

**"I look around and see a lot of URM buildings. When I head down I-5 toward Corvallis, I can relax a little bit."**

As backlash grows against the city toughening its rules for unreinforced masonry buildings, a rumble of rumors can be heard—most of them from disgruntled property owners who think the safety requirements are a conspiracy. WW examined four of those claims.

**Other places in Portland besides unreinforced masonry buildings will be dangerous in the event of an earthquake.**

True but misleading.

According to some URM owners, City Hall should have higher priorities than making them upgrade their brick buildings. What about buildings in the liquefaction zone—the area mostly near rivers where the soil could become soft during the Big One? What about the fuel tanks in Linnton? What about the bridges?

It's true only one bridge in the city is up to seismic standards: the new Sellwood Bridge. (Westiders hoping to evacuate via bike over the Tilikum Bridge are out of luck: TriMet did not build the approaches to the car-free bridge to withstand liquefaction.)

Yes, the fuel tanks are a problem. Yes, in the Big One, soil around rivers may become so soft as to topple buildings not fastened to the bedrock.

But none of that makes URMs any less dangerous. In fact, URM buildings can collapse even without an earthquake strong enough to cause liquefaction, say the city's engineers.

"If we could make a list of the safety issues we're going to deal with in natural disasters, we're going to pick one and work on it and then work on the next one," says Courtney Patterson, interim director of the Portland Bureau of Emergency Management. "And URMs have taken the bandwidth for five years."

**The city is requiring the upgrades because the mayor got campaign contributions from developers who could benefit from stricter seismic requirements.**

Unlikely.

In the past six months, Mayor Ted Wheeler has received contributions from multiple real estate developers, including Jim Mark (\$5,000), Vanessa Sturgeon (\$3,000) and Greg Goodman's Downtown Development Group (\$2,325). All of these are deep-pocketed investors who, a number of critics allege, have an incentive to push for tighter seismic rules because, the argument goes, URMs would drop in value if the rules are in place, thus creating a buying opportunity.

In reality, developers donate to politicians for a variety of reasons, and Wheeler has actually watered down the recommended proposals since taking office. He's been an agent of compromise on this issue, not the tip of the spear.

And the idea has been dismissed out of hand by two of the least developer-friendly members of the council, Commissioners Jo Ann Hardesty and Chloe Eudaly.

"There is really not a hidden agenda here," Eudaly told the council Feb. 27. "I've really been disappointed by the misinformation by opponents."

"That's so far from the truth," says Goodman, who supports finding tax breaks or other public support for URM building owners. Goodman also says his donation to Wheeler is because they share similar politics. "He's doing a reasonable job," he adds.

### **The city's list of URMs is inaccurate.**

Mostly false.

In the 1990s, the city conducted a visual scan of buildings to find URMs. From that list, city engineers in 2014 reviewed photos, Google map images, and property records to create a database of 1,650 buildings.

Since then, the Bureau of Development Services has put in place an appeals process for removing buildings from the list. Of the 45 buildings whose owners have appealed, 20 have been removed. (A handful, like Crystal Ballroom, were removed because they had completed upgrades.)

The accuracy of the list is also part of a federal lawsuit filed by lawyer John DiLorenzo on behalf of owners to permanently halt the placarding requirement. The lawsuit argues the warnings violate the free speech rights of the owners.

The proposed placards would be misleading, because they would be required even on buildings that have done partial seismic upgrades.

Not necessarily.

The city says it has told business owners they may add information to the required placard—including, for example, public schools telling parents that only the gym of a school is a URM.

The concern, of course, is that retail businesses and rental properties operating in URMs might lose customers confronted with a sign warning a building could fall down in a quake.

The counterargument is that people should get to make an informed choice.

To an informed observer, the fear is already there.

"I actually get a little bit nervous coming to Portland," testified Oregon State University geologist Chris Goldfinger, the pre-eminent scholar on the Cascadia subduction zone, in a hearing before the City Council on May 9. "I look around and see a lot of URM buildings. When I head down I-5 toward Corvallis, I can relax a little bit."

## **The Portland Observer**

### **A Reversal of Fortunes**

*By Danny Peterson*

*March 6, 2019*

#### **Making sure new business side of pot is diverse**

The rise and support for two black-owned Portland businesses in the new legal cannabis industry shows how the city is fulfilling its restorative justice and reparations goals to mitigate past harms done in communities of color from America's historic war on pot.

In the first year that Portland's trail blazing cannabis tax revenue policy has been in effect, two African American-owned marijuana businesses have received financial support for specific programs that can help them get a leg up in a new industry that is overwhelmingly dominated by whites.

Green Hop, a dispensary in northeast Portland and incubator for cannabis professionals of color; and Green Box, the first legal cannabis subscription box delivery service to get officially licensed in Portland, each received \$30,000 grants from the tax revenue.

It's a move City Commissioner Chloe Eudaly called "just one step toward tangible restorative justice."

Nicole Kennedy, the co-owner of Green Hop, told the Portland Observer the grant has helped her business greatly.

"We've been able to move into a better position, re-assess our needs, and be able to meet some of the needs we already had, like marketing and things like that. So that's been amazing," Kennedy said.

Kennedy runs the dispensary with her business partner Karanja Crews, and together, they launched what it called "the world's first hip-hop dispensary," at its grand opening last year.

Green Hop also runs an educational program for youth of color who are of legal age under Oregon's legal marijuana laws, and are interested in working in the cannabis industry. Green Hop Academy facilitates hands-on training in the cannabis profession, classes, as well as setting up students with real-world internships in every area of the cannabis business—from growing to budtending.

Economists have found disparities between the success rates of white and black businesses is in large part due to the smaller amount of capital that's accessible to black entrepreneurs. According to an investigation by BuzzFeed in 2016, less than one percent of cannabis dispensary owners nationwide were black.

In Portland, the NuLeaf Project was founded by an African-American couple to help communities of color thrive in the legal cannabis industry. The nonprofit was selected by the city to manage and disperse grants funded by the city's marijuana tax.

"NuLeaf and the City of Portland are addressing the economic harm caused by cannabis criminalization while also funding growth businesses that are typically overlooked," said Jeanette Ward Horton, NuLeaf's executive director.

Adrian Wayman, the founder and chief executive officer of Portland's Green Box delivery service, described how coming up short on capital was something that inhibited the growth of his company. Getting financial support from Portland's dispensary taxes was a leap forward and an unbelievable opportunity, he said.

The economic justice investments Portland makes from its three percent cannabis tax, an initiative that was passed by voters in 2016, is also meant to reverse disparities in communities of color in terms of the impacts from marijuana criminalization in the past.

In the nine years prior to cannabis legalization in Oregon, African Americans made up 21 percent of cannabis-related arrests in Portland while accounting for just six percent of the city's population. In addition to investments in cannabis businesses and jobs training, revenues from the marijuana tax are meant to help expunge cannabis convictions. Portland is the first government in the U.S. to leverage cannabis tax revenue in this way.

Kennedy, who grew up in the neighborhood where the dispensary now stands, said seeing this kind of community reinvestment is meaningful to her after seeing the area go through so much change over the years.

“I know people very close to me who have been impacted by the war on drugs,” Kennedy said. “Being able to be here and to have funds reinvested back into the shop has just been very powerful to me,” Kennedy said. “We’re reinvesting it back into the shop to dig our stake deeper into the ground to say we are going to stay, we’re going to be here.”

In a video on NuLeaf Project’s website, Wayman recalled the irony of recently getting fingerprinted to get his retail license to sell cannabis for his delivery service, remembering that 10 years earlier he had been fingerprinted after getting arrested for pot possession.

“And now, today, fast-forward, I’m receiving a grant to sell the same thing that I got arrested for. Like, that’s mind blowing, that’s a true full circle. It shows that the community wants to fix the wrong,” he said.