

## **The Oregonian**

# **Neighborhood associations agonize as Portland moves to purge them from code**

*By Gordon Friedman*

*July 22, 2019*

A city committee advanced legislation on Thursday that would repeal the laws establishing Portland's system of neighborhood associations.

In place of the old code, the 25-member panel recommended the full City Council adopt a set of "aspirational statements" that lay out the equity-focused responsibilities of the citizen engagement bureau, the Office of Community & Civic Life.

The change would likely have major effects if adopted. At its core, it would purge from civics code the neighborhood associations system, which has been hailed nationally as a potent example of citizen activism.

Also repealed is the associations' power to submit official comment to city agencies on "any topic" affecting a neighborhood's livability, safety or economic vitality. So, too, is the responsibility that the government tell neighborhoods of any actions affecting them, such as zoning changes.

The list of deletions goes on: Requirements that neighborhoods open their meetings to the public and retain copies of records. A procedure for neighborhoods to file grievances about city actions. Even the responsibility to enforce noise control laws.

Leaders from Portland's 95 neighborhood associations say adopting these changes would kneecap their organizations, which perform a variety of functions from picking up trash and hosting block parties to filing complex land-use appeals that opponents say stifle development.

Proponents of the change say it would not curtail neighborhoods' influence but merely spread those powers to additional affinity groups such as those formed around religion or race. They say power has for too long been concentrated among neighborhood associations, which are controlled primarily by homeowners and may not reflect the interests of Portland's diverse population.

Neighborhood leaders, in turn, contend that their organizations are particularly necessary and beneficial within Portland's unique commission-form government, where elected officials do not represent certain parts of the city.

"The fact is we are there for people. They don't even necessarily know we exist," said John Laursen, a member of the Mt. Tabor Neighborhood Association board, who testified Thursday to the code change committee.

An official analysis of the proposal's effects has not yet been conducted by the government. Such analysis is required when legislation comes before the City Council.

Suk Rhee, the director of the civic engagement bureau, said neighborhood leaders' concerns are "legitimate" and resulted in the committee adding a section to its recommendation that intends to preserve neighborhood powers.

It's questionable, however, if that wording would do so. It states Rhee must adopt a list of "recognized organizations" – including neighborhood associations and other not yet sanctioned groups – for the purpose of retaining powers afforded to already certified groups.

But that accreditation process is still deleted, as is code establishing the powers of neighborhood associations and the government's responsibilities to them.

Winta Yohannes, an aide to the commissioner in charge of the civics bureau, Chloe Eudaly, said some of those laws, such as the ones applying open meetings standards to neighborhoods, should not have been in code to begin with. Yohannes said other laws are redundant, like those requiring notice of land-use decisions. Others still are unnecessary, she said, such as the ability to comment on government actions, which is a right already retained by all groups.

Margaux Weeke, a spokeswoman for Eudaly, said the changes are a step toward a more inclusive city government.

"This code change will recognize more civic groups in the code, open up additional prospects for civic engagement, include more voices in civic dialogue, and practice Portland's values of equity and inclusion," Weeke said.

Committee members worked for more than three hours and well into the evening on Thursday before advancing their recommendation on a 17-2 vote. Some members openly questioned whether their work product was precise enough or had become overstuffed with jargon.

More than 100 residents attended, though just a handful – who were called to speak by lottery – could testify during the 10 minutes allotted for public comment.

The City Council has final say over the recommendation. It is scheduled to hold a public hearing on the issue in September.

## **Right-wing demonstrators rally in front of Portland Mayor Ted Wheeler's house**

*By Diana Kruzman and Eder Campuzano  
July 20, 2019*

About two dozen protesters gathered outside Portland Mayor Ted Wheeler's house in the Southwest Hills on Saturday morning, criticizing his handling of recent violent demonstrations and demanding that he denounce leftist activists known as "antifa."

The event was organized by the conservative group Portland's Liberation in response to June 29 protests that evolved into street brawls downtown, leading several people, including conservative writer Andy Ngo, to be injured. The group criticized the police for failing to prevent the violence and blamed Wheeler, who is also the police commissioner, for not cracking down hard enough on antifa protesters.

Haley Adams, a 25-year-old Portland resident, said she and other members of Portland's Liberation had tried to voice their concerns about the group in city council meetings but had been shut down.

"He needs to put pressure on them as well," Adams said. "Regardless of sides, no one should be bringing violence."

Adams said she would like to see the mayor resign and wanted the role of mayor to be separated from the police commissioner as well. Several attendees gave speeches, in which some warned Wheeler they were willing to confront anti-fascist counter-demonstrators with violence during future protests.

Other members of the crowd came to show solidarity for Ngo, who was punched, kicked and doused with milkshakes by masked individuals on June 29. Ngo told The Oregonian/OregonLive he had “no involvement with this event.”

Portland police dispatched at least one officer to keep an eye on the protest. Spokeswoman Tina Jones said the bureau had “units in the area to monitor the event to ensure it was safe and lawful.”

Wheeler did not appear during the demonstration. A note affixed to the windows on either side of the front door of his house warned that trespassers would be arrested.

## **Portland completes Gateway District protected bike lanes, pedestrian crossings, plaza**

*By Andrew Theen  
July 18, 2019*

Ever since Lisa Ortquist’s youngest child was an infant, she’d heard chatter about a new park planned for Northeast Portland’s Gateway District.

It took a decade, but Gateway Discovery Park opened last August, a gem of a place in the heart of the oft-ignored neighborhood.

Today, Ortquist said, her 10-year-old enjoys riding a bike to the park.

“Now we can do that safely,” Ortquist, who owns an accounting firm based in the neighborhood, said during a news conference Thursday to celebrate the completion of another long-planned project – a \$5.6 million effort to add protected bike lanes, multiple flashing pedestrian crossing beacons and a public plaza on a 10-block of the Halsey and Weidler couplet.

“It’s just making our neighborhood feel a lot safer,” Ortquist said while at the plaza as grounds crews watered newly planted trees behind her. The space on 112nd Avenue between Halsey and Weidler is to be the east-facing gathering place and entrance to the neighborhood.

Commissioner Chloe Eudaly, city transportation leaders and other Northeast Portland business owners gathered to recognize the project, funded largely by the city gas tax and \$1.6 million from the city’s urban renewal agency. In some places the city built new transit islands for bus riders, where the protected bike lane runs between the island and the curb, a type of transit stop rare to Portland but common in Seattle.

Eudaly said the overall project was all about safety, and safer streets mean “healthier and more connected communities.”

A lack of traffic enforcement citywide has led Portlanders to take risks behind the wheel, she said.

“Slow down, stay alert and observe all traffic laws,” Eudaly said. “Please stop endangering your fellow community members. There’s nowhere you need to go, and nothing you need to do while driving that’s more important than other people’s lives or your own.”

Like the park, the road project is a long-time coming.

Chris Warner, Portland Bureau of Transportation director, thanked the neighborhood for their patience through the years. The city in 2014 outlined an investment plan and vision for the neighborhood project.

“We’re just getting started,” Warner said, citing other bike and safety projects coming to east Portland.

Portland rebuilt curbs throughout the stretch of commercial districts and installed new traffic signals at 102nd Avenue. Northeast Halsey Street was repaved as part of the five-month construction project.

The city also rebuilt a section of 103rd Avenue to make it primed for farmer’s markets or street fairs. The new concrete street is easily closable for events and newly planted trees.

Transportation officials noted the bike lanes and street projects are complete in time for this weekend’s Sunday Parkways, which will run through the commercial district. Sunday Parkways typically draws a crowd of at least 20,000 people to the car-free event.

“We can’t wait to show it off this weekend,” Warner said of the street.

## **Jo Ann Hardesty: ‘I am outraged’ at use of boulders to deter Portland homeless camps**

*By Gordon Friedman*

*July 18, 2019*

Portland Commissioner Jo Ann Hardesty criticized the Oregon Department of Transportation for spending nearly \$1 million to place boulders on its property to deter homeless campers.

In a video posted to her YouTube channel Wednesday, Hardesty is seen standing in front of a pile of the pale beige boulders near the Interstate 405-U.S. 26 interchange in Southwest Portland. She said the boulders were a nuisance in their own right and a waste of “precious” taxpayer funds.

Hardesty, a first-term commissioner and longtime activist, suggested the Department of Transportation spend those funds on shelter for the homeless instead: “ODOT, how about providing some tents? How about some tiny houses?”

The boulders and other physical barriers that prevent or deter encampments have lately become a focal point in the debate over government response to homelessness. Some see the barriers as a hostile and ineffective method to control illegal campsites. Others take a not-in-my-backyard approach to homelessness regardless of the means and cost. Traffic officials say camping beside freeways and highways is unsafe for campers and drivers.

For ODOT, the boulders discourage campers but at an expense to taxpayers. The agency has spent more than \$800,000 this year placing boulders at five sites in an effort an agency spokesman called “aggressive landscaping.”

Boulders are a last resort solution meant to keep people from unsafe areas near freeways, the agency said. Officials tried planting rosebushes at the site near the I-405 interchange first, but campers tore them out.

In her video, Hardesty said the boulders were not an acceptable strategy. People camped on the strip of land near the freeway because they had no place else to go, she said. The rocks only forced the campers into neighborhoods, which drew loud complaints from residents.

“Is this a good use of your transportation dollars?” Hardesty said. “I am outraged that we are using public money to displace people that we cannot provide housing for.”

## **The Portland Tribune**

### **'Portland's Liberation' rally leaves grievances at mayor's doorstep**

*By Kit MacAvoy  
July 20, 2019*

**Wheeler and police have faced national and local criticism for the handling of dueling late June rallies that ended in violent clashes.**

Fewer than 20 people showed up Saturday morning outside of Mayor Ted Wheeler's Southwest Portland home to protest his handling of recent downtown protests that ended in clashes between right-wing Patriot Prayer and left-wing Antifa groups.

The sparse July 20 rally was organized by Portland's Liberation, which co-founder Alyssa Bang said "grew out of Patriot Prayer." The group was there to list grievances against Wheeler, who they said had blocked Portland police from corralling sometimes violent people during the downtown protests.

For nearly an hour, members of the group took turns expressing through a megaphone a litany of complaints about Wheeler. They faulted the mayor and the city of Portland for a perceived bias toward Antifa, a desire to disarm law enforcement and a lack of action regarding Portland's homelessness problem.

"I would respect our mayor a lot more if he would be a mayor and speak to the people," said Haley Adams, one of the event's organizers. Several of the speakers expressed similar resentment about their lack of face time with Wheeler.

There was little indication that the Wheeler family was home to hear any of it. "You know, I get the weird feeling that he's not," said Bang.

Wheeler and police have faced national and local criticism for the handling of dueling rallies June 29 in which some with the Patriot Prayer group clashed violently with Antifa members. A national conservative blogger was punched and sloshed with a milkshake during the confrontations. That incident got the attention of Texas Sen. Ted Cruz, who called for a federal investigation into Wheeler's handling of the protests.

Cruz and other Republican leaders have suggested labeling Antifa as a domestic terrorist group. Saturday's rally didn't have any of that drama. There was no counter-protest.

Bang said the turnout was good, and that the group would use video of the rally to disseminate its message.

# **Portland man sues police for refusing to take hate crime report**

*By Erica Morrison*

*July 21, 2019*

**Chuck Crockett said the employee at the precinct desk refused to take his report and he had to ask several officers before approaching a black officer, who agreed to help.**

A man is suing the Portland Police Bureau after he said officers ignored his report on a possible hate crime.

Chuck Crockett, who is black, said he reported the crime to the North Portland Precinct on March 15, a couple days after the incident took place. He said the tepid response from police officers made him feel like his trauma did not matter.

According to Crockett, on March 13, he was driving in Northeast Portland when he encountered a car that was driving well below the speed limit. He honked his horn and the car proceeded to go even slower. Crockett said he eventually went around the car and it tried to hit him. At the intersection of NE 92nd Place and E Burnside Street, Crockett said he took a left and the car followed him. Crockett said he eventually pulled over and when he got out of the car, a white man approached him and asked, "N——, you want some?"

Crockett said he told the man it was not necessary to use the epithet. The man proceeded to rush toward Crockett and repeated himself. Crockett said he told the man to stop, but the man continued yelling and using racial slurs. Crockett told the man he was going to get his phone and record the incident. The man then allegedly ran back to his car and drove off, but not before Crockett got a photo of the car's license plate.

Crockett said he went to the North Portland Police Precinct to report the incident. He asked the clerk at the front desk if there was an officer available to write a report. The clerk told him to file a complaint through the non-emergency line because no officers were available to help him. Crockett said he told the clerk that it was an emergency because there was someone trying to harm him and possibly other black people. Crockett said the two went back and forth and the conversation escalated to shouting, yet none of the officers around intervened or came to take a report. Crockett exited the station, stopping a white officer on the way out asking if he was busy. The officer allegedly said he was available to assist Crockett.

# **Proposed code revision would change neighborhood association structure**

*By Velna Jones*

*July 19, 2019*

**Advisory committee votes to recommend changes at July 18 meeting, City Council to hold work session Sept. 3**

A city advisory committee voted to recommend a changes to the city code that some worry will strip away Portland's neighborhood associations on Thursday, July 18.

There are 95 neighborhood associations in Portland and the City Council has said the code that governs them is outdated and does not fully respresent all residents.

The committee is advising city Office of Community and Civic Life, formerly known as the Office of Neighborhood Involvement. The council directed it to rewrite Chapter 3.96 of the code, which recognizes and regulates Portland's neighborhood associations as the official vehicle for public engagement. Among other things, they have an official role to play in land use matters within their boundaries.

The current draft is controversial because it eliminates all reference to neighborhood associations from the code, although it does not abolish them.

"The challenge with it is there is no accountability," said Leslie Hammond, president of Southwest Neighborhoods, Inc, who opposes the proposed changes. "There is no contract language that says a community group will do this and the city will do this. They want to eliminate the standards that we have operated by for 40 years."

Others support the proposed change.

Musse Olol, who has struggled to get resources as president of the Somali-American Council of Oregon, believes the move will help organizations like his.

"It's more like a community, so I feel like I'm inclusive and I will be a part of opportunities this agency has to offer," he said.

Still others believe the changes will benefit all Portlanders.

"We need to open it up to everybody to be the involved in the official connection of city government," said Brighton West, who lives in the Hawthorne neighborhood

After public testimony Thursday evening, the committee extended its meeting and eventually recommended a revised reversion of its most recent proposal. The proposal could be revised more the council considers it at a work session scheduled for Sept. 3.

Some neighborhood associations and activists are already voicing their opposition to the changes to the council.

"We need Code 3.96 to continue a robust grievance process so that residents have a legal means to force bad actors to do their actions in the public realm," Goose Hollow Neighborhood Association board member Tracy Prince said in a recent personal letter to the council.

You can learn more about the [proposed rewrite here](#).

## **Biketown marks third birthday with 1 million trips**

*July 19, 2019*

**A party is planned Thursday, July 25, to celebrate the program's anniversary. It's from 5 to 7 p.m. at Pips and Bounce, 833 S.E. Belmont St.**

Portland's Biketown program celebrated its third anniversary Friday and city officials said local riders had taken more than 1 million trips on the rental bikes since July 2016.

The Bureau of Transportation, Nike and Motivate launched the bicycle rental program three years ago with about 1,000 bikes. Riders rent bikes from one of 125 stations across the city and ride to another station in the city. Bikes can be found from downtown to Northeast 57th Avenue in the east, south to Southeast Gladstone Street and north to Killingsworth Street.

Lyft operates the program. It has been expanded to provide adaptive bicycles for people with disabilities.

"Surpassing 1 million trips underscores to me that Biketown has established itself as a crucial part of our transportation system that moves people efficiently, inexpensively, and sustainably," said PBOT Director Chris Warner.

A party is planned Thursday, July 25, to celebrate the program's anniversary. It's from 5 to 7 p.m. at Pips and Bounce, 833 S.E. Belmont St.

## Willamette Week

### City Declines to Retract Misleading Tweet, But Urges People Receiving Threats Related to June 29 Protest to Contact Police

*By Katie Shepherd  
July 20, 2019*

**"We strongly encourage any Pop Mob members who have received such threats to report them to the Portland Police Bureau."**

The Portland City Attorney rejected a demand by antifascists to retract a misleading tweet posted by the Portland Police Bureau on June 29, which spread unsubstantiated allegations about protesters mixing cement with vegan milkshakes.

Although no physical evidence of quick-drying cement was found and the tweet was based on one lieutenant's observations, according to PPB, the city insisted in a response to a request for retraction that the tweet did not contain inaccurate information.

"The tweet issued by PPB accurately stated that the police had 'received information' that some of the milkshakes being thrown contained quick-drying cement," City Attorney Tracy Reeve wrote in the city's official response. "It is important to note that at no time did PPB allege misbehavior or wrongdoing by any identified individual or group."

Popular Mobilization, also known as Pop Mob, which made cashew-and-coconut vegan milkshakes on June 29, sent a letter requesting a retraction and an apology. The antifascist organizers say they received death threats after the PPB tweet, which was picked up in national headlines and news reports as well as among right-wing social media accounts.

"The City of Portland's refusal to retract and apologize for Portland Police's statement on Twitter about cement milkshakes on June 29th is further evidence that they do not appreciate the true gravity of the threat posed by right-wing extremists to the safety of Portlanders," Pop Mob spokesperson Effie Baum said in a statement. "Right wing media and prominent individuals repeated PPB's vague tweet as fact. That led to PopMob receiving an onslaught of threats, including death threats, from far right extremists and white supremacists including vile racist, anti-semitic, homophobic and misogynistic violence."

City officials did not apologize for the tweet, although Mayor Ted Wheeler and Chief Danielle Outlaw have said publicly that the wording could have been more clear.

Still, the city attorney says police want to hear from people receiving threats.

"On another note, we are concerned that members of Pop Mob have experienced 'continued, unwanted threats against (their) lives'," Reeve wrote, "and we strongly encourage any Pop Mob members who have received such threats to report them to the Portland Police Bureau."

Meanwhile, a right-wing protest today at the mayor's house attracted less than two dozen people. No antifascists confronted the protesters, and no violence has been reported.

## **Portland Residents Sue the City, Alleging Misuse of Ratepayer Dollars for Willamette River Clean-Up**

*By Sophie Peel*

*July 19, 2019*

**The same law firm sued the city in 2011, alleging similar misuses.**

In an effort to keep the Willamette River clean, the City of Portland and the state partnered to brainstorm a more efficient way to fund an 11-mile clean up project along the river.

Earlier this year, the Bureau of Environmental Services settled upon creating a trust that is partially funded by sewer ratepayer funds. The trust would support the 150 companies that are responsible for the river clean-up.

But two longterm critics of city spending allege that Commissioner Fish and the Bureau of Environmental Services are unfairly putting the burden of the clean-up on sewer ratepayers—and that the trust isn't appropriately related to sewer usage. Kent Craford and Floy Jones sued the city on July 15.

"Why are we paying for that?" says John DiLorenzo, the attorney representing the two Portland residents in the lawsuit. It was filed July 15 in Multnomah County Circuit Court.

The residents' specific objection is that the city is unfairly transferring the burden of the clean-up fund on the shoulders of ratepayers. Their law firm alleges that \$12 million of the trust will be backfilled by the sewer funds—which increased in July 2018 by 2.35 percent. (According to the city the increase would raise the average sewer bill for a single-family residence by a little less than two dollars per month.)

City Attorney Karen Moynahan responds that the firm was mistaken about the \$12 million burden falling solely on residents paying the sewer funds, and explained other funding mechanisms the city plans to use. She wrote in a letter addressed to the firm, "You are mistaken that that the sewer fund will be the sole source of those funds. Specifically, the settlement funds will be paid over a period of up to eight years" from a combination of taxpayer dollars and dollars from the city's general fund.

This isn't the first time the law firm has sued the city over sewer funds.

They filed a lawsuit in 2011 alleging that the city performed "unauthorized expenditures" from the monies collected from sewer ratepayer funds. The case was settled in 2017, and the City paid for the firm's \$3 million worth of legal fees and transferred \$7 million back into the water and sewer budgets.

DiLorenzo says the city also promised to reallocate how the river clean-up funds would be divided up between parties once the Environmental Protection Agency provided its remediation plan for the clean-up.

John DiLorenzo tells WW the city never fulfilled its promise to reallocate the burden. The EPA provided its remediation plan roughly a year and a half ago.

"They cannot tell us when that will occur. So I'm going to hopefully pin them down," DiLorenzo says. "They made us a promise, and we haven't forgotten it. And I'm thinking they don't intend to keep it."

But Fish's office is defending the funding mechanism. "The strategy both pools and caps the public agencies' financial commitments for this phase of the work and offers greater certainty and significantly lower risk and cost," the statement read.

Fish said in the statement that "I'm disappointed that—again—Portlanders will be asked to foot the bill for an unfounded lawsuit."

## **City Commissioner Jo Ann Hardesty Condemns Use of Boulders to Expel Portland Homeless Camps**

*By Sophie Peel  
July 18, 2019*

**Hardesty posted a video of herself criticizing the agency's practice in front of a swath of boulders that ODOT placed in Northeast Portland.**

City Commissioner Jo Ann Hardesty expressed her disdain Wednesday for the the Oregon Department of Transportation's practice of dumping boulders in areas of Portland to dispel homeless campers.

She hyperlinked a Youtube video of herself standing in front of a boulder-filled patch of land in Northeast Portland along 81st Avenue, right across from a nonprofit that provides the houseless with resources—chastising ODOT's use of funds for blocking access for campers.

"I am outraged that we are using public money to displace people that we cannot provide housing for," Hardesty says in the video. "They are displacing people who have nowhere to go, so of course that means the neighbors start complaining that they have houseless people outside their community."

Last month, WW reported that ODOT had spent more than \$1 million since 2013 on on "rockscape landscaping"—that is dropping boulders in popular camping areas to make the spaces uninhabitable.

ODOT spokesman Don Hamilton says the boulders are intended to keep people from living too close to interstate highway traffic. He cited the death of a person crossing Interstate 205 earlier this week as an example of the danger.

"It's all about safety," Hamilton says. "We have to make sure that we keep people away from the highway right of way, where it's inherently dangerous. That's why we've taken this much more aggressive step to keep people from camping these areas. Because it's dangerous."

ODOT has dotted the city with these boulder-filled spaces, and have now placed boulders in at least six places, including two locations on the west side of the river and four locations on the east side. The latest boulder drop took place in the Goose Hollow neighborhood in Southwest Portland.

Since the city's houseless situation was declared an emergency crisis in 2015, the city has struggled with how to pacify residents who don't want homeless camps near their homes, while also avoiding criticism of harsh "sweeps" of those camps.

In late 2018, the Oregon Legislature passed a law allowing local police officers to perform sweeps along state-owned highways and overpasses.

Certain neighborhoods have taken matters into their own hands, like the Montavilla Initiative group in Southeast Portland, which have performed walk-throughs of homeless encampments and have been accused of harassing the houseless.

But the boulders are the latest flashpoint.

"ODOT is spending limited resources to drop boulders that push the most vulnerable into impossible conditions," Hardesty's tweet read. "Is this how you want your transportation \$ spent?"

In the video Hardesty challenges ODOT to re-think how it addresses the city's homeless population, telling the agency to consider providing tents or tiny houses.

## **The Portland Mercury**

### **City of Portland Rejects Left-Wing Activists' Defamation Claim**

*By Alex Zielinski  
July 20, 2019*

The City of Portland has dismissed an activist group's accusation that the Portland Police Bureau (PPB) engaged in defamation during a June 29 protest.

In a July 19 letter from Portland City Attorney Tracey Reeve to Popular Mobilization (Pop Mob), a left-wing group that distributed milkshakes during the contentious June protest, Reeve defends the PPB's right to publish a tweet suggesting that these milkshakes contained quick-drying cement—despite having no proof this actually happened.

"PPB's decision to provide generalized information to the public about a possible safety risk as soon as that information became available... does not give rise to a defamation claim," Reeve writes. Reeve is specifically responding to a letter sent by Juan Carlos Chavez, an attorney representing Pop Mob, accusing the city of defaming the group.

Here's the tweet in question:

Police have received information that some of the milkshakes thrown today during the demonstration contained quick-drying cement. We are encouraging anyone hit with a substance today to report it to police.

Pop Mob distributed nearly 800 vegan milkshakes during the protest, many of which were consumed (and, later, used as projectiles) by dozens of fellow activists. No one who drank the milkshakes reported symptoms that could be attributed to ingesting cement. And yet, the police bureau's media team heard from one PPB lieutenant on the ground that the milkshake contents smelled and looked like quick-drying cement. So, they tweeted it.

The tweet, which has since accumulated nearly 14,000 retweets, was quickly picked up by mainstream media outlets and reported as fact. Pop Mob quickly became a national target for threats of violence, including murder.

In Pop Mob's initial letter to the city, sent on July 15, Chavez cites Oregon's public retraction law, which gives someone accused of defamation two weeks to retract and correct their statement. The group also asked Mayor Ted Wheeler and the PPB to formally retract the tweet and send a "letter of regret released to as broad an audience as the original misinformation reached."

Reeve rejected that the tweet was libelous because it doesn't mention Pop Mob by name.

"It is important to note that at no time did PPB allege misbehavior or wrongdoing by any identified individual or group," she wrote. "The tweet in question referred to only 'some of the milkshakes being thrown today,' and neither stated nor implied that the [milkshakes]... distributed by Pop Mob contained cement."

There was only one group—Pop Mob—handing out milkshakes on June 29. In a defamation case, a plaintiff must show that a "reasonable person" would understand that the statement was referring to them.

Unless the city attorney's office changes its course, Pop Mob still intends to file a tort claim against the city for libel.

PPB says it is still investigating whether or not the lieutenant's cement claims are true. According to Pop Mob spokesperson Effie Baum, no one from the police bureau had contacted their group.

In the July 19 letter, Reeve encouraged Pop Mob members who've received threats to report them to PPB. Earlier this week, Baum told the Mercury that won't be happening. "They are clearly not concerned with our safety," they said. "How could we trust them?"

## **The Daily Journal of Commerce**

### **Issues still linger for Broadway Corridor**

*By Alex Visser  
July 19, 2019*

The Portland Design Commission on Thursday questioned plans for a zigzagging, elevated section of the Green Loop that would act as an artery for public movement through the massive Broadway Corridor redevelopment.

Commissioners questioned whether the Green Loop would be successful as designed.

"I don't think there is enough detail here for me to be confident that the Green Loop is going to work," Commissioner Zari Santner said. "I need to be convinced."

Commissioner Jessica Molinar said the zigzag pattern was the intent of designers, but wouldn't necessarily be required in the final project. She said the ultimate priority should be open space, and could see a spiral design working well, as on the Morrison Bridge.

"I'm trying to imagine an alternate option to this," Molinar said. "However this path proceeds, it needs to provide the maximum amount of space for a park."

Owned by Prosper Portland and designed by ZGF Architects, the Broadway Corridor would bring 4 million square feet of housing and commercial space to a 32-acre area linking the Pearl District to Old Town, at a price tag of \$1 billion to \$1.5 billion. Continuum Partners of Denver is serving as development adviser.

The first design advice session focused on the open space portion of the site, including a park and a section of the city's larger Green Loop. On Thursday, the design team went into detail on the massing of the buildings, and further illustrated how the Green Loop could be integrated into the site.

Renderings reveal a plan to incorporate several buildings, with one reaching a height of at least 400 feet, and others reaching 250 feet or more. There are multiple medium-sized parcels of affordable housing, which are distributed around the property, so as to avoid grouping them together.

The Green Loop enters the property from the Broadway Bridge, cutting through the Y-shaped intersection that splits into Northwest Lovejoy Street and Northwest Broadway. From there it will cross a bridge that will hang above Northwest Johnson Street, before descending in a zigzag pattern to ground level at the project's park.

The Green Loop has been revised since the last design advice request, with the design team changing the dimensions to allow more space for sitting between the zigzags, and stairs on either end for pedestrians to separate from cyclists. Commissioner Chandra Robinson found this change to be a positive one, as concerns had previously been raised about interactions between different forms of commuters.

On Thursday, the design team also revealed a three-phase plan for the project, which sees many of the largest towers being built at the beginning, and the park and Green Loop developing at the end. Commissioners were in agreement that the schedule should be revised, and that the open space should be prioritized from the start.

Robinson said that businesses on site will depend upon the park, and Santner added that when parks are placed near the end of projects, there is sometimes not enough money left over to do a proficient job.

"The success of the park is integral to the success of this development," Santner said.

Another main point of discussion was the massing of the buildings. With so many tall buildings clumped together, commissioners found setbacks to be an important consideration. As the plan was presented, the buildings would feature 15 feet of setback from the street.

On the northern portion of the project, the tallest buildings would lie on either side of Northwest Kearney Street, which commissioners said could create a dark alleyway. Santner said the Old Town location is already known to have social problems, and that safety will be a concern on this block if there are not enough eyes on the street.

Molinar agreed that the street would become an alley as proposed, and Vice Chairman Sam Rodriguez said the master plan doesn't work if there is not enough light or air in the street.

The commission has not yet set a return date for the Broadway Corridor project, but the design team said they intend to seek a design review during their next appointment.

## **Portland sued over Superfund site cleanup efforts**

*July 18, 2019*

The city of Portland is being sued over its plan to use up to \$12 million from a surcharge on customers' sewer bills to help pay to plan the Portland Harbor Superfund cleanup.

Oregon Public Broadcasting reports it's the second lawsuit challenging the use of funds collected by the city's sewer utility, the Bureau of Environmental Services, to pay for the city's share of the Superfund work.

Attorney John DiLorenzo and his clients contend that despite rulings in a previous lawsuit, the city has continued to use restricted sewer money as a piggybank for projects that should be paid for by unrestricted tax dollars in the city's general funds.

"They're using the sewer fund as a bank," DiLorenzo said.

City leaders and environmentalists say the sewer utility's spending on the Portland Harbor project was clearly upheld by a judge in 2017 – and the new lawsuit is the latest in a series of tactics to delay the federally-mandated clean-up of the river.

"We're operating squarely within the ruling that the court has already given," said Commissioner Nick Fish, who oversees the Bureau of Environmental Services. "Since this lawsuit essentially raises the same issues, we believe it's frivolous."

The clean-up is expected to take up to 13 years and cost approximately \$1 billion, and the city is one among many parties legally liable for the pollution.

## **The Skanner**

### **Penson Sworn in as PCC Board Member**

*July 19, 2019*

Oregon Supreme Court Justice Adrienne Nelson (far left) poses with new Portland Community College Board of Directors member Tiffani Penson, PCC President Mark Mitsui and Board Chair Jim Harper (far right) at the college's board meeting on Thursday, July 18 at the Sylvania Campus. Justice Nelson swore in all of PCC's new directors, including the new 2019-20 chair and vice chair. The newly elected Penson represents Zone 2 of the college's district, which covers St. Helens through to North and Northeast Portland. The PCC Board of Directors consists of seven members elected by zones to four-year terms.

Penson is a native Oregonian and is the Supplier Diversity Officer for the City of Portland. Her responsibilities include outreach to Disadvantage, Minority, Women, Emerging Small Businesses and Service Disabled Businesses focusing on connecting businesses to contracting opportunities at the City. She implemented and manages the Minority Evaluator Program, which requires City Bureaus to include at least one minority evaluator from the community provided from MEP Database to serve on evaluation panels awarding formal contracts. She serves on the board of Architecture Foundation of Oregon, Bound for A Cure, Kairos PDX, and Oregon Native American Chamber.

**OPB**

## **Portland Man Sues After Police Allegedly Refuse To Take Hate Crime Report**

*By Erica Morrison  
July 19, 2019*

A man is suing the Portland Police Bureau after he said officers ignored his report on a possible hate crime.

Chuck Crockett, who is black, said he reported the crime to the North Portland Precinct on March 15, a couple days after the incident took place. He said the tepid response from police officers made him feel like his trauma did not matter.

According to Crockett, on March 13, he was driving in Northeast Portland when he encountered a car that was driving well below the speed limit. He honked his horn and the car proceeded to go even slower. Crockett said he eventually went around the car and it tried to hit him. At the intersection of NE 92nd Place and E Burnside Street, Crockett said he took a left and the car followed him. Crockett said he eventually pulled over and when he got out of the car, a white man approached him and asked, “N——, you want some?”

Crockett said he told the man it was not necessary to use the epithet. The man proceeded to rush toward Crockett and repeated himself. Crockett said he told the man to stop, but the man continued yelling and using racial slurs. Crockett told the man he was going to get his phone and record the incident. The man then allegedly ran back to his car and drove off, but not before Crockett got a photo of the car’s license plate.

Crockett said he went to the North Portland Police Precinct to report the incident. He asked the clerk at the front desk if there was an officer available to write a report. The clerk told him to file a complaint through the non-emergency line because no officers were available to help him. Crockett said he told the clerk that it was an emergency because there was someone trying to harm him and possibly other black people. Crockett said the two went back and forth and the conversation escalated to shouting, yet none of the officers around intervened or came to take a report. Crockett exited the station, stopping a white officer on the way out asking if he was busy. The officer allegedly said he was available to assist Crockett.

“I specifically asked him, ‘Hey, I’m trying to file a hate crime report. Can you take my hate crime report?’ And he literally was like, ‘Oh no, I’m not doing that. I’m busy. I got to go,’” Crockett said.

Crockett said he asked several officers outside of the precinct for help before approaching a black officer in a squad car. He said that officer agreed to help.

Crockett said he is filing the lawsuit because “there’s no reason a black person is inside of a whole police precinct and they’re ignoring his hate crime. You know, trying to report a hate crime or to report a crime in any way, shape or form and I’m getting completely ignored. And then, I have to go find black officer.”

Oregon lawmakers passed a bill this spring to create better systems to report hate crimes and assist victims.

In his complaint, Crockett is asking that PPB set up a unit dedicated to better working with the city’s black population.

“Because it’s clear that the officer, the white officers and all the other officers really don’t care about black people,” Crockett said, based on his experience.

Crockett is suing the city for more than \$150,000 in damages. He said that money is not the issue in this case and has offered to settle for \$75,000.

“I’m more worried about setting up the government agencies and getting those services provided,” Crockett said. “It’s more about making sure that it doesn’t happen again, that people are safe.”

Someone from the Portland city attorney’s office was not immediately available for comment Friday, and Portland Police said they could not comment on pending litigation.

## **Portland Art Museum To Cut Staff, Illustrating Changes In Arts Funding**

*By April Baer  
July 18, 2019*

The Portland Art Museum has announced staff cutbacks, trimming 14 positions from the museum’s 244 full- and part-time staff.

Jobs were eliminated in departments across the organization in marketing, accounting, events and one assistant curatorial position. Two vacant positions in facilities and events were also eliminated. The security department has been reclassified to be called protection services, which includes the reshuffling of both management and staff roles, with some unspecified jobs cuts. Museum officials said visitor services had also been reorganized.

Museum director and chief curator Brian Ferriso said three factors led to the restructuring, including a new pay equity law, and an effort to retool the customer experience, as other West Coast museums have done recently.

But Ferriso also pointed to a shift in city and philanthropic funding, away from the larger arts organizations like the Portland Art Museum, and toward support for smaller institutions.

For Oregon’s arts and cultural institutions, one of the most elusive sources of funding is general operating support: cash that’s not tied to a specific exhibition or educational effort and which can be used for any expense, from staff salaries to utilities to fundraising. Historically, the Regional Arts and Culture Council, Portland’s nonprofit arts agency, doled out operating support in larger percentages to the region’s larger institutions.

“The funding that we received from RACC has been as high as maybe \$500,000,” under the leadership of former Mayor Sam Adams, Ferriso said.

But the agency’s plan to rebalance city support for arts across a broader spectrum of arts groups will mean smaller payments for the museum, though with opportunities to apply for additional funds down the line.

At the same time, major regional foundations like the Meyer Memorial Trust have followed a national trend, retooling their giving with an eye for fewer specific earmarks for the arts, and a systems-level focus on inequality.

Ferriso said even though the bulk of the funding cuts have yet to take effect, the museum’s long-term plan needed to account for them now, as they pursue a capital campaign and efforts to

bolster the endowment. Ferriso pointed out the museum gets roughly 14% of its annual budget from endowment income, compared with an industry average he estimates at about 22%.

“We want to make sure the sustainability of the organization is there for the long term,” Ferriso said.

RACC executive director Madison Cario said there was bound to be some pain associated with the changes to operating support.

“It’s never a happy thing when people are laid off,” Cario said. “This does not feel good.”

The agency had no specific discussions with arts organizations about what the effect of the new formula would be. Instead RACC focused on what audiences had not traditionally enjoyed access to Portland’s extensive cultural scene, and how the flow of new funding might open theater, film and visual art to low-income Portlanders, people living on the city’s east side, people with disabilities, people of color and others.

The question, Cario said, is whether arts organizations are encouraging, inviting and enabling all residents to partake. Cario pointed to the museum’s plans for a more accessible point of entry as it moves forward on the construction of its planned Rothko Pavilion.

“If you look at it from an organizational perspective,” Cario said, “I think about how we use these opportunities to think about the way we’re doing business.”