

The Oregonian

Northbound Naito Parkway will have one lane for cars forever

*By Andrew Theen
August 8, 2019*

Ever since Portland first experimented with a protected two-way bike and walking path on Naito Parkway in 2015, crews removed the physical barriers and returned northbound traffic to two lanes for motorists come fall.

Never again.

Transportation officials confirmed this week that they won't remove the plastic bollards on Naito Parkway between the Hawthorne and Steel bridges along Gov. Tom McCall Waterfront Park at the end of September this year.

That means northbound travel lanes will continue to be shared: One lane for cars and trucks, and a separate protected lane for bikes, scooters and pedestrians.

In some ways, the city has already prepared travelers for the new normal on Naito.

Crews installed Better Naito, the name for the no-longer-seasonal path, in late January this year rather than the customary May opening to give cyclists and pedestrians another route because of the months-long closure of the Eastbank Esplanade.

When asked in January if the bike path would be removed this September, city officials said that hadn't been decided yet. When asked this week, spokeswoman Hannah Schafer removed any doubt.

"The temporary iteration of Better Naito will be in place until we begin construction on Better Naito Forever in the summer of 2020," she said in an email. BikePortland previously reported the lane will remain in place pending construction.

Better Naito Forever is the city's new moniker for the two-way path abutting the waterfront park.

Late last month, transportation leaders debuted preliminary designs for the full project, which will extend broadly from Northwest Davis Street to Southwest Main Street.

Portland City Council approved the project last November as one of 18 bike, transit and pedestrian-centric proposals included in a \$36 million plan to make downtown and inner eastside easier to get around for non-motorists.

The project list originally included a \$4 million line-item for the project.

It's not clear what the actual cost will be, nor what construction impacts will mean for cyclists and festival-goers in 2020 and into 2021.

While designs are still early – roughly 30% complete according to city officials – renderings indicate the plastic bollards will be replaced with an elevated curb separating the cycle track from the other travel lane. The city also plans to build sidewalks on the stretch of the east side of Naito where there currently are none.

Better Naito Forever plans also call for "more efficient traffic signals" that will detect vehicles and "dynamically adjust" to accommodate traffic queues for northbound drivers. Those changes will help speed up access to the Morrison Bridge, the city said.

Schafer said the most recent estimated cost is now \$5 million to \$7 million because of the addition of sidewalks and changes to the traffic signals.

The southern section of Naito, stretching south of the Hawthorne bridge to Interstate 405, will also be under construction starting later this year. That project will maintain two travel lanes, but will add a two-way cycle track on the existing sidewalk, according to designs.

The southern section of the busy road will be completely rebuilt in some areas and ground down and repaved in others. It's also expected to address the bottleneck at the on-ramp to the Hawthorne Bridge by adding a dedicated traffic light for motorists there. Bikes and pedestrians will also have a new signal at that intersection and at a separate crossing between Clay and Harrison. Construction is expected to continue into late 2020.

The full Naito bike path will be complete, potentially, by the summer of 2021.

Portland City Council OKs yearly \$60 per unit landlord fee

*By Gordon Friedman
August 9, 2019*

Portland's mayor and commissioners on Wednesday adopted an annual \$60 per unit fee for landlords, saying the charge is necessary to collect better data about the city's rental market but igniting fears the cost would be passed down to tenants.

The fee is to help fund the city's renter services office, according to a government analysis. The office, stationed within the Portland Housing Bureau, enforces fair-housing laws, mediates landlord-tenant disputes and maintains a registry of rental units.

That registry is a key initiative that officials such as Mayor Ted Wheeler say is important to inform city housing policy. The cost of living in Portland has escalated in recent years, leading the Council to declare an emergency and pass "tenant protection" laws.

The City Council first approved the registry last year, but there was no fee attached and landlords' compliance by noting their rental units on tax documents was optional.

More than 17,100 units have been registered under the voluntary scheme and thousands more registrations are pending, said Heather Hafer, a spokeswoman for the city Office of Management and Finance. Housing officials estimate there are at least 121,000 apartments and rental homes citywide.

Of those, at least 20,000 will be exempt from the new fee because they are government-owned or regulated affordable units. The remaining units are expected to generate as much as \$3.9 million a year for the renter office.

During a hearing last week, Wheeler said it was unusual that Portland did not already have a rental registration fee already and that the city was "behind the curve."

West Coast cities such as Seattle, San Diego and even Gresham have a similar fee, but instead of funding data collection it may also be put to use paying for building inspections of apartments and other functions.

Portland's fee will also hit big landlords differently than mom-and-pop operations. A 200-unit property in Seattle costs \$575 per year to register under a \$175 base charge plus \$2 per unit. The same building will cost \$12,000 a year to register in Portland.

During last week's hearing, several landlords testified to the City Council that the fee would cause them to raise rents or forgo hiring maintenance employees.

On Wednesday, the Council voted 3-1 to approve the fee with Commissioner Amanda Fritz opposed and Commissioner Jo Ann Hardesty absent.

Fritz said she supports the rental registry concept, but could not vote for it because of "additional regulations we've put on landlords," hinting at policies enacted during Wheeler's term that restrict how landlords vet tenants, require payment of tenant relocation costs in some cases and compel construction of affordable units in large developments.

Also factoring into Fritz's decision was the fact that the fee, which she called "regressive," will not pay for inspections of all rentals and does not exempt very low-rent mobile home parks.

Wheeler said he was "pleased" to adopt the fee, which he called "a priority of mine since I took office."

"Quality data is something that both landlords and developers and tenants' rights organizations have requested," the mayor said. "This is the way we help fund the program to do that."

Mixed messages, mounting tensions as Proud Boys and antifa prepare to face off in Portland

*By Maxine Bernstein
August 8, 2019*

As Portland's police chief released a podcast Thursday saying the city has become a magnet for demonstrators brawling over ideological differences and asking the community not to condone their violence, representatives of the right-wing Proud Boys sent their own statement to city officials and the media.

They claimed they're not coming to Portland to cause problems but to "expose" the tactics of anti-fascists.

Joe Biggs, a Florida resident and a former staffer of the right-wing site Infowars who is organizing Portland's Aug. 17 "End to Domestic Terrorism" demonstration, said in an interview that he's now telling everybody "to tone it down. Don't go too far. Let's show up. Let's be adult human beings."

In the next breath, Biggs added, "Now if someone on the other side provokes us, then, yeah, we're going to defend ourselves."

His attempt at moderation followed weeks of taunts on his social media accounts, saying that "we are coming for antifa," exhortations for his followers to "get their guns" and declaring that the antifa movement is "better dead than red."

The latest flurry of messages and counter-messages reflects the battle for the hearts and minds of protesters but also the stakes that the rally represents in the greater national debate amid the rise of violence tied to political speech and what constitutes domestic terrorism.

In the last few days, Mayor Ted Wheeler, who serves as police commissioner, also has gone on video and given interviews, pledging to do what it takes to keep the city safe during the demonstration and urging protesters not to bring their "hate and violence here."

Biggs and Enrique Tarrío of Miami, national chair of the Proud Boys, have called on like-minded people from around the country to come to Portland as a show of force against antifa. They condemn a June 29 attack against conservative writer Andy Ngo by black-clad demonstrators and back a U.S. Senate resolution to label antifa members as “domestic terrorists.” No one has been arrested in Ngo’s attack, though police said they continue to investigate it.

The Proud Boys describe themselves as “Western chauvinists” who oppose Islam, feminism and liberal politics. Members of the group have routinely brawled with left-wing activists in the streets of Portland, New York and elsewhere.

The Portland-based Rose City Antifa is the oldest group of its kind in the country and espouses disruption and sometimes violence to counter those who promote racist and bigoted views.

The Proud Boys plan to assemble by the fountain at Tom McCall Waterfront Park and also march in the city, Tarrío said in an interview. They haven’t obtained any permits to do so.

“Antifa has run amok for far too long,” Tarrío said. “We feel like the mayor in Portland has let this fester and grown within his own city. We’re coming to expose that.”

Wheeler has dismissed that allegation. “The fact of the matter is I have been unequivocal and clear that this isn’t about people’s political beliefs, this is about behavior,” he said earlier in the week. “There are some situations where the police need to have adequate resources on hand in order to be able to go into a situation safely. Their job is to enforce the law, not be martyrs.”

Rose City Antifa is advertising its “Rose City Grows Resistance” counter-protest on Aug. 17, saying on its Facebook page: “The insurgent right has been laying siege to our city for two years and now the institutional right is throwing their support behind this brutal campaign.”

It has put out a call to “the people of Portland to come out to let the fascists on the streets and in the White House know we will continue to defend our community from the rise of fascism!”

Biggs and Tarrío said that they’ve been in contact with Portland police and have in recent days urged backers not to bring weapons to the Portland protest, particularly in the wake of last weekend’s two mass shootings in Texas and Ohio that killed 31 people and left dozens more wounded.

“After the last rally in Portland, where Andy Ngo and others were attacked, we all got heated,” Biggs said in the statement released to Portland’s mayor, city commissioners and the media. “Then these two last shootings happened. I think it’s time we cool down. I don’t want to see people get hurt.”

Biggs has had his Twitter and Facebook accounts suspended because of earlier threatening messages. Tarrío took the helm of Proud Boys in November. He was convicted in federal court in 2013 of reselling stolen medical equipment on line and sentenced to a year and a half in prison. He was present at the 2017 Unite the Right rally in Charlottesville, Virginia, at rallies in Portland last year and most recently in Washington, D.C. His social media posts, in which he denigrated transgender people and an African American woman, have been banned as well.

“Everybody knows not to bring weapons, not to bring gear like we’re going into battle,” Biggs said in an interview. But he said he’s OK’d people to wear vests as protective gear.

In her podcast, the police chief said she feels as if Portland has been “unjustly thrust into the middle of a political arena” and hopes elected officials citywide and across the state will speak out against violent demonstrations, regardless of what side is involved. Portland police have faced criticism that police have looked the other way when right-wing demonstrators have engaged in violence on city streets.

While Portland police were understaffed for the June 29 protests, the bureau won't be on Aug. 17, she said. It's a message that Outlaw and the mayor have given throughout the week in interviews and social media.

The bureau has reached out to other local, state and federal law enforcement agencies to bolster its numbers, ordered no days off for its officers and promised to take swift and quick action to curb any violence that erupts while working to keep dueling protesters separated., Outlaw said.

Officers will use force, she reiterated, if protesters fail to follow their orders to disperse or follow police directions on where to move if violence breaks out.

"When you choose to stay; that's a crime," she said in an interview. "We don't have an ability to discern at that point who's considering themselves peaceful and who's going to stick around and continue to engage in fighting and brawling."

When police give a direction, a lawful order, and protesters don't follow the order, "the only way for us to get you to comply is we'll use force, and that's what will happen on Aug. 17," she said.

How transparent are governments in Oregon? New public records survey sheds light

*By Hillary Borrud
August 9, 2019*

The way Oregon state agencies and local governments handle public records requests varies widely, with some responding quickly and charging low or no fees and others collecting hundreds of thousands of dollars in fees and taking a long time to respond.

Those are the findings of the state's first survey of how governments respond to public records requests, which Oregon's Public Records Advocate Ginger McCall released Thursday. The survey asked state and local governments to share information about requests they received in 2018.

McCall said in a press release that the new data can help governments improve how they respond to the requests. She asked governments how many requests they received last year, how many were completed within the 15-day response deadline that state law generally mandates, how many were completed within two months, how much governments collected in fees and whether they granted or denied any requests for fee waivers.

"Previously, there had been an absence of data regarding public records processing in the state," McCall said.

The survey was sent to 81 state agencies, 10 school districts, 11 special service districts, 11 counties and 20 city governments. They represented a small sampling of Oregon cities and school districts and about half its counties. More than 70 percent responded, according to McCall.

"The relatively high first-time response rate indicates that most public bodies do take their duties under the public records law seriously," McCall said. "However, we hope to have an even higher response rate in the future."

State agencies that did not respond at all to McCall's questions included the Early Learning Division, Teacher Standards and Practices Commission which investigates allegations of

educator wrongdoing, Oregon Housing and Community Services, Business Oregon, the Department of Forestry and the Water Resources Department.

Gov. Kate Brown did not issue instructions to agencies to comply with the survey. Department of Administrative Services spokeswoman Liz Craig wrote in an email that her department sent out notices of the survey to state agencies and “agencies weren’t necessarily required to respond.” The governor directly oversees the Department of Administrative Services.

Oregon’s most populous county, Multnomah, did not respond, which Communications Director Julie Sullivan-Springhetti said was because she did not receive notice of the survey. Sullivan-Springhetti said Thursday she was trying to figure out if the survey was sent to someone else in Multnomah government and wrote in an email that the county has “a track record of following the spirit and intent of Oregon's public records law.”

Roughly two dozen state agencies or commissions told the records advocate that they completed responses to all public records requests within the 15 days mandated under state law, as did four cities: Hillsboro, Beaverton, Bend and Oregon City. The most responsive state agencies included the Public Employees Retirement System, Appraiser Certification & Licensure Board, Department of Geology and Mineral Industries, Employment Relations Board and Medical Board.

Eight other state agencies and a couple more cities had nearly perfect response rates within the statutory deadline. Those included the Government Ethics Commission, Oregon State Lottery and Department of Agriculture.

In the Portland area, Portland Public Schools reported it completed 81 percent of public records request responses within the 15 days allowed under state law. Beaverton School District did not say exactly how many public records requests it completed within 15 days, saying only that “most” were handled in that time frame. North Clackamas School District reported that it completed all of the approximately 50 records requests it received last year within 15 days.

The state Department of Human Services had one of the lower 15-day completion rates: 57 percent.

Among the governments that completed the smallest portion of public records requests by the 15-day deadline was the city of Portland with 29 percent, largely because of the slowness of the Portland Police Bureau. The Oregonian/OregonLive reported extensively in 2018 about the police bureau’s high-cost low-speed approach to helping the public access records.

The state’s largest police agency told McCall it completed just 9 percent of public records requests by the 15-day statutory deadline in 2018 and collected nearly \$630,000 in fees for its work. Other Portland city bureaus collectively reported an 81 percent completion rate within 15 days.

The Portland Tribune

Outlaw: Police 'thrust into middle of political arena'

August 8, 2019

Chief says on podcast that she has confidence officers can handle Aug. 17 downtown demonstrations between sometimes-violent opposing groups.

Portland Police Chief Danielle Outlaw says in a podcast released Thursday, Aug. 8, that local officers will work to prevent clashes during a planned mid-August downtown rally by several opposing political groups.

Speaking on the police bureau's "Talking Beat" podcast, Outlaw said law enforcement has been criticized for how it handled past protests. In some cases, she said, the bureau has been slammed for not being aggressive and preventing similar rallies from devolving into running fistfights. In other cases, it has been blasted for taking harsh measures to break up fights and arrest troublemakers.

Outlaw says officers "focus on behavior" not on ideology during the city's many rallies and marches. "We've been unjustly thrust into the middle of a political arena," she says.

"I don't want for one minute anyone to think that because we're being thrust into this political show, that I or the public have lost confidence in (police officers') ability to do what we do. I believe that the Portland Police Bureau shares the values of our community. I want to reassure our community that we have their best interests at heart. And we're doing what we can to assure that our city is safe for all of us."

Outlaw and Mayor Ted Wheeler told reporters Tuesday, Aug. 6, that police would take a tougher approach to any violent activity during an Aug. 17 rally in Tom McCall Waterfront Park by conservative groups like Proud Boys, Oathkeepers and III Percenters. Members of the anti-fascist movement, sometimes called Antifa, plan a counter demonstration. The two sides have clashed several times during past demonstrations.

The Portland Mercury

Chief Outlaw: If Portland Doesn't Want Police Using Force Against Protesters, Hire More Cops

By Alex Zielinski

August 8, 2019

In a new episode of Portland Police Bureau's (PPB) podcast "Talking Beat," Chief Danielle Outlaw explained why officers are unable to keep the public safe during the city's notoriously volatile protests.

"We don't have as many officers that other cities do," Outlaw said. "We're the largest police agency in the state, we don't have the kind of resources other cities have."

Outlaw pointed to Oakland, where she worked as a deputy police chief before moving to Portland, as an example of a city engulfed in these resources. During a tumultuous protest, Oakland officers can easily call on the assistance of law enforcement from San Francisco, Richmond, Berkeley, or any other Bay Area city.

"We're a big fish in a small pond," said Outlaw.

She didn't mention that Portland's largest neighboring law enforcement bodies—the Washington County, Clackamas, and Clark County sheriff's offices—have all refused to assist PPB during protests.

Outlaw has raised concerns about the size of her police force since engaging in city budget talks earlier this year. This has largely been based on PPB's own inability to hire and retain new officers, but Outlaw has named the national attention on violent Portland protests as a key deterrent. In June, the bureau announced it will be lowering its education requirements for new recruits. As of June, PPB had 128 vacant officer positions.

Outlaw said that the city's low number of active cops has made officers more inclined to use force against protesters during high-stress protests.

"The less amount of resources you have, the increased likelihood that you use force," she said. "The more numbers [of officers] that you have, the likelihood of you using force is lessened because you have more people, more visibility and more of an ability to get in between and keep folks separated."

At least three different people have sued the city for violence inflicted on them by police during a August 4, 2018 protest in downtown Portland. Just this Monday, a 53-year-old women filed a \$250,000 lawsuit against the city for being permanently injured by an officer's flash-bang grenade.

Outlaw told the Oregonian that all PPB officers will be working on Saturday, August 17—the day the Proud Boys (a national alt-right group with a history of violence) will hold a rally at Tom McCall Waterfront Park. The rally is expected to draw out hundreds of counter-protesters, both representing anti-fascist groups and other liberal organizations. Attending Proud Boy members have threatened violence on social media.

Having to cancel officers' days off, Outlaw said, "takes a toll on morale."

"It could wear down the organization if you let it," she said.

City Council Approves a \$60 Rental Registration Fee

*By Blair Stenvick
August 8, 2019*

Portland landlords will now have to pay an annual \$60 fee to the city for each rental unit, thanks to a decision made by Portland City Council on Wednesday.

The council voted 3-1 to impose the fees, which will help fund the Rental Services Office, a relatively new division of the Portland Housing Bureau. Mayor Ted Wheeler's administration created the office so that the city could have a centralized way to track rental units, tenant complaints, and negligent landlords. Last year, City Council voted to create a Residential Rental Registration Program, requiring landlords to register all rental units with the city, and be subject to routine inspections. Similar databases exist in other cities, including Seattle, Boston, and Eugene.

"With passing this item, Portland is going to join with many other major cities in the country," said Commissioner Chloe Eudaly, before voting in favor of the new fee. "This \$60 fee will not fully fund the office, but should cover the costs of registration."

The office's annual budgets is currently fueled by \$1.3 million from Portland's general fund and \$1.5 million from cannabis tax revenue. To fully fund the programs promised by the Rental Services Office, the city still needs \$3.6 million. The \$60 fees are expected to fill that funding gap.

As the Mercury reported last year, the registration program could provide a needed layer of protection for Portland renters, who already face rising rental costs and displacement. From our previous coverage:

“According to Mayor Ted Wheeler's office, the program could also enshrine tenants' rights trainings, track legal representation for households threatened with eviction, help facilitate landlord-tenant mediation services, track rent prices, and collect what seems like a bottomless supply of other crucial data.”

"Rental units that are guaranteed to be affordable for households that make only 60 percent or less than the median Portland household income will be exempt from the fee. Landlords of these affordable units will still be required to register them with the office.

It's still unclear how the city will ensure landlords cough up this new fee.

The vote comes less than two months after City Council voted to establish new fair housing rules, including “low barrier” rental screening policies meant to ensure the selection process isn't discriminatory, and a limit on how much landlords can charge for security deposits. Many property management companies, developers, and landlords said the changes placed an unfair burden on them—and they made the same argument about the new \$60 fee.

Commissioner Amanda Fritz cited these landlords' concerns before casting the lone “no” vote on the fee.

“I would have supported this if it had come to us last year, before all the other changes,” Fritz said. “I agree that we need a rental registration program that continues to be funded—however, on top of all the other additional regulations that we've put on landlords, and the fact that this fee is not going to help pay for universal inspections ... it's regressive.”

Before voting “yes” on Wednesday, Wheeler noted that both “landlords and developers” and “tenants rights organizations” have pointed out the need for better data on the city's supply of rental units, rental costs, and landlord practices.

“This is the way we help fund the program to do that,” Wheeler added.