

The Oregonian

Portland seeks to address worries about infill housing plan with anti-displacement push

*By Elliot Njus
September 4, 2019*

Portland is packaging its plan for more density in single-family neighborhoods with a broad proposal to prevent displacement of low-income renters and minority groups, including such things as affordable homeownership programs and stronger tenant protections.

The effort is intended to assuage concerns about the city's Residential Infill Plan, which would allow duplexes, triplexes and four-plexes in neighborhoods traditionally reserved for single-family houses. Critics say the infill project would encourage development that could push out longtime residents.

But as planners presented the policies side-by-side Tuesday to the Portland City Council, commissioners expressed skepticism the city can pay for the anti-displacement efforts — and they're wary of the effect the infill plan could have on low-income residents without them.

"I can't support anything that's going to make the situation worse for low- and moderate-income residents of the city," Commissioner Chloe Eudaly said.

The infill plan is intended to increase density in the city and, when existing houses are demolished, push builders to build multiple units on each lot instead of a single more expensive home.

The city's analysis suggests the plan would result in less displacement citywide. But at the same time, the analysis showed it would push redevelopment toward poorer neighborhoods east of 82nd Avenue, where the risk of displacing residents is high.

Those concerns nearly upended the plan when it went before the city's Planning and Sustainability Commission earlier this year. The commission endorsed the plan in a narrow 5-4 vote, with the dissenting group raising concerns about the potential it could displace low-income renters and members of minority groups.

City planners had proposed a city-funded displacement task force that includes city commissioners and key leaders from city bureaus.

They'd be charged with carrying out a laundry list of strategies the City Council has previously endorsed, including mandates or agreements for affordable housing in private developments, support for programs that move displaced residents back into the old neighborhoods, affordable homeownership opportunities and stronger enforcement of fair housing laws already on the books.

But commissioners said they were skeptical the city could pay for all the programs proposed.

"There's nothing on this list that I don't think is critical, but I wish there had been a prioritized list," Commissioner Jo Ann Hardesty said. "My fear is that when you say you're going to do everything, there's really no accountability to do anything."

Commissioner Nick Fish also raised concerns about the city's capacity to support a suite of anti-displacement programs, particularly if they fell at the feet of the city's Housing Bureau, which

already has taken on an expanded portfolio as the city has struggled to respond to soaring housing costs.

The Residential Infill Project has been in the works for more than four years, but the landscape changed this summer when the Legislature approved House Bill 2001, which requires major cities to allow up to four units per lot in most single-family neighborhoods. The city proposal would largely meet the requirements of the new law, but some tweaks will be needed.

The project was intended to create more homes within the city's single-family neighborhoods, which account for 43% of its land area.

But city numbers first reported by The Oregonian/OregonLive in March suggested the number of projected new homes under the policy would be smaller than the city had previously disclosed — 4,000 instead of 24,000.

And under the city's forecast, most of those units would be built not in close-in neighborhoods, as planners had suggested, but in east Portland and other areas where land is cheaper and displacement risk is high.

That raises new concerns that the city could be underestimating the risk of displacement if infill development exceeds its expectations.

The council may also consider a proposal from the community anti-displacement coalition, which suggested allowing up to six units on a lot if at least half were rent-restricted for low-income residents.

The infill project could have its first hearing in December. The anti-displacement task force, meanwhile, would launch in early 2020.

Another companion project, Better Housing by Design, aims to encourage smaller-scale — and less expensive — multifamily development. Incentives would allow developers to build larger buildings in exchange for including affordable housing or preserving it elsewhere.

That plan will have its first hearing before the City Council next week.

Supporters urge Portland police chief, mayor to send condolences to relatives of people killed by police

*By Maxine Bernstein
September 3, 2019*

A proposal to have Portland's police chief send a condolence letter to the close relatives of someone killed by police and offer to visit with the family failed to gain the support of a citizen watchdog committee, so supporters are taking it straight to City Hall.

Amanda J. Marshall, an Oregon City-based lawyer who co-chairs the group's subcommittee on mental illness, presented the recommendation last week to the full Portland Committee on Community-Engaged Policing.

“We're not asking for the chief of police to tell us that officers did something wrong. That's not what we're looking for,” Marshall told the committee. “We're looking for acknowledgement of loss.”

The idea sprung from a conversation the subcommittee had with the sister of Andre Gladen, a 36-year-old legally blind man shot and killed by an officer inside a stranger's Southeast Portland home last January. Gladen held a knife that he had grabbed from the officer's vest.

When it was time for a vote, six members of the full committee supported the measure; two abstained, including committee chair Lakayana Drury. The proposal needed seven votes, a majority of the 13-member committee, to pass.

So members of the mental illness subcommittee are now taking their recommendation directly to Chief Danielle Outlaw and Mayor Ted Wheeler.

Under the proposal, the chief and mayor would send a written letter of condolence to the family of someone killed by police as soon as reasonably possible and offer a meeting with family members "to acknowledge their grief and loss," Marshall said.

The mayor and chief also would publicly acknowledge that a tragedy had occurred and that "any preventable death or serious injury" marks a "failure on the part of our city's leaders." The bureau also would make a licensed grief counselor available to family.

"For the community to have any kind of trust in the Portland Police Bureau and in the leaders of the City of Portland, these deaths cannot be treated as inevitable," the recommendation says. "There needs to be recognition of grief and loss, and there needs to be change."

The citizen committee began monthly meetings in November as a new, revamped version of a community engagement group required in the city's 2014 settlement with the U.S. Justice Department. The agreement followed a federal investigation that found Portland police used excessive force against people with mental illness.

Sgt. Brad Yakots, a spokesman for the Police Bureau, said the chief now makes her leadership team available for family upon their request. "We hope to show we are genuinely compassionate when working with those who have suffered any critical incident," he said.

Of the subcommittee's idea, he said: "I don't know if it is appropriate for policy to force an emotional response that should come authentically."

Gladen's family did meet with the chief and mayor after Gladen's twin brother wrote to city officials about a month after the shooting "to answer the questions we have about this tragedy we are trying to deal with."

In a May phone call with Gladen's sister, Donna Martin, members of the mental illness subcommittee heard Martin explain that the family received "an apology but it felt halfhearted," Marshall told the full committee.

Patrick Nolen, who co-chairs the subcommittee, said its nine members didn't want to wait another month or so to bring the proposal back before the full committee. When police use deadly force, he said, there should at least be some sort of conversation between the chief and police commissioner and the family affected.

Speaking for himself and not the subcommittee, Nolen said Tuesday he felt that the proposal "wasn't given a chance."

Last week, Drury, the committee chair, said he wanted more information about the bureau's current practice and whether the steps recommended would be possible. He declined further comment on Tuesday.

Committee member Steve Trujillo expressed concern that the recommendation was too broad and that city attorneys “would pretty much shut it down.” He also wondered if police kill an active shooter, “Does there have to be an apology?”

Joyce Harris, representing the Albina Ministerial Alliance Coalition for Justice and Police Reform, addressed the committee before the vote, urging her support. Harris said she remembered a past chief, Derek Foxworth, who spoke to the family of James Jahar Perez after Perez was shot and killed by police, but "caught hell" from the police union leaders for that gesture.

“I thought it was one of the most decent things that I saw a police chief do and I thought it was right,” Harris said.

The committee should support the idea to show it’s “doing the right thing, even though there may be people at the city level who don’t agree,” she said.

Donna Hayes, grandmother of 17-year-old Quanice Hayes who was shot and killed by police on Feb. 9, 2017, also urged the committee to support the proposal and take a stand.

Dan Handelman of the police watchdog group Copwatch said the committee should urge police not to offer hollow condolences that suggest police had no choice but to use deadly force.

“We have to stop that language,” he said.

He also suggested that families of any active shooters killed by police still should get a message of condolence.

“Everybody has a family. They’re still a human being no matter what they did,” Handelman said. “The city shouldn’t be making value judgments like that.”

The failure of the recommendation before the full committee was disappointing, Marshall said, because the proposal doesn’t cost anything and is a “sign of basic human decency.”

“While the PCCEP has good intentions, they seem to be struggling to act on anything in any significant way,” she said. “If PCCEP isn’t able to pass a benign measure like this, it does not bode well for them addressing problems that may have a cost impact or strong arguments for both sides.”

Officer Daryl Turner, who serves as president of the rank-and-file Portland Police Association, said he doesn’t believe there’s a need for such a policy, which could be construed as “artificial” if a written condolence is required. The chief usually reaches out to families, if they’re open to contact with police in the aftermath of use of deadly force, he said.

“Regardless of the actions that lead to a use of force incident, any loss of life is tragic and families, loved ones and friends are deeply affected,” Turner said. “The rank and file of the Portland Police Bureau understand the gravity and impact of these situations on everyone. Compassion is an important part of the healing process and the relationship between our community and the police. Cultivating compassion and connection is integrated into daily police work, and I see no need for an additional policy.”

The first citizen committee disbanded over internal conflicts and lack of feedback from former police chiefs and the past mayor.

U.S. District Judge Michael H. Simon in June said he wasn’t convinced the new citizen group has been effective and said he wanted to see a record of positive performance. He ordered parties to the settlement to return to his court in February.

The Portland Tribune

Council to consider even more residential density

By Jim Redden

September 03, 2019

Planning staff says it will request allowing up to six units to be built on lots throughout the city if half are affordable

The City Council will be asked to consider allowing up to six units on many of not most lots currently zoned for single-family homes later this year.

Staff from the Bureau of Planning and Sustainability told the council they will make the request during a Tuesday morning briefing on the Residential Infill Project. It currently proposes to allow up to four units on almost every residential lot in the city.

Senior planner Joe Zehnder said the request will allow up to six units if half of them are affordable to families earning less the media family income for the area. He said encouraging the additional units will help create more lower-priced in the city.

The council is scheduled to hold its first hearing on RIP — as the project is commonly called — on Dec. 11. The plan is controversial because some preservationists and neighborhood activists worry it will result in a wave of demolitions and redevelopment projects.

The briefing was part of a work session that included two other redevelopment related projects. Together they are called the Housing Opportunities Initiative.

The Better Housing by Design project is intended to improve the design and encourage the construction of more multifamily buildings. The council has scheduled the first hearing for Oct. 2.

The Anti-Displacement Action Plan is intended to prevent households from being forced to move out of their neighborhoods because of demolitions or increasing housing costs, a process known as gentrification. The council was told it will be asked to appoint a new task for to ensure community involvement and accountability in the crafting of the plan. No schedule was offered for when it will be completed.

The projects are underway in large part because Portland is expected to growing by 260,000 people by 2035, requiring an additional 123,000 housing units. Housing production is so far not keeping pace with population growth, contributing to the affordable housing crisis.

Mayor Ted Wheeler and the council members praised the planning efforts but expressed concerns that most of the new housing will not be affordable to most residents. Among other things, they wanted assurances that the anti-displacement plan will be adequately funded and enforced. Some were also worried many of the new units would be used as short-term rentals.

You can read a previous Portland Tribune story on the work session [here](#).

Sources: Public to get say civic engagement reforms

By Jim Redden

September 04, 2019

Plus, anti-displacement plan still in the works as City Council considers redevelopment policies and the Portland campaign funding program faces a deadline

The City Council is now scheduled to hold a public hearing on the controversial proposed civic engagement reforms from 5 to 8 p.m. Thursday, Nov. 14, at a yet-to-be-determined location. The proposal has been drafted by the Office of Community and Civic Life at the direction of the council.

The proposal is controversial because it would remove all references to neighborhood associations, neighborhood coalitions, and neighborhood business associations from the civic engagement provisions of the City Code.

Office Director Suk Rhee is scheduled to discuss the proposal with one of its most vocal critics, the Multnomah Neighborhood Association, at 7 p.m. Tuesday, Sept. 10, at the Multnomah Arts Center.

As currently written, the director would be expected to adopt a list of organizations recognized in the engagement process in an administrative rule. The proposed rule includes all of the organizations that would be removed from the code, and adds the following six new partners: Immigrant & Refugee Community Organization; Latino Network; Momentum Alliance; Native American Youth and Family Center; Unite Oregon; and Urban League of Portland.

Anti-displacement plan still in works

The City Council likely will approve two new redevelopment policies that will displace dozens of lower-income households before it finishes work on an antidisplacement policy.

The council is schedule to hold its first hearing on the Better Housing by Design project on Oct. 2. The first hearing on the Residential Infill Project is scheduled for Dec. 11. Both projects are expected to result in the replacement of dozens of older houses and apartment units currently occupied by lower-income Portlanders, although they also are expected to discourage some demolitions and encourage the construction of additional homes that cost less than most current new ones.

But, when staff from the Bureau of Planning and Sustainability briefed the council on the projects on Tuesday, Sept. 3, they also said the Anti-Displacement Action Plan is still a work in progress that requires the appointment of a new task force to ensure community involvement. No deadline was given for its completion.

Campaign funding program faces deadline

With just one week to go until candidates can opt in to Portland's new public campaign financing program, the city is still testing the software that will run it. As first reported by Oregon Public Broadcasting, that prompted Mayor Ted Wheeler last week to warn the rest of the council it might not be ready on time.

"I want to continue to express my serious ongoing concerns about the viability of this program overall. We already have candidates lining up declaring that they're going to use this program, in this cycle," said Wheeler, who already has one opponent planning to use the city-funded Open and Accountable Elections program.

City candidates who raise the necessary matching funds can qualify for the program as early as Thursday, Sept. 12, the first day they can officially file for office.

Willamette Week

Portland Prepares to Hire a City Employee to Monitor Campaign Advertising

*By Rachel Monahan
September 4, 2019*

Campaign-finance reforms come with a price tag.

\$116,000.

That's how much money the Portland City Auditor's Office will request for each of the next two years to enforce new campaign finance rules voters approved last November.

Voters passed Measure 26-200, which set a \$500 cap on campaign contributions to candidates for city office. A Multnomah County circuit judge struck down that limit—but approved other rules in the measure, including a requirement that campaign ads include a detailed disclosure of donors who paid for them.

Under the measure, the auditor's office has to watchdog whether these rules are being followed. So City Auditor Mary Hull Caballero plans to request \$232,000 in pay and benefits for a new two-year position to perform this campaign finance reform.

Portland Officials Say an Airbnb Rental Hosted Too Many People. Homeowners Say Part of the Problem Was “Racial Animus.”

*By Rachel Monahan
September 3, 2019*

That argument drew a scathing response from City Commissioner Jo Ann Hardesty.

Portland has cracked down on the owners of an Irvington house who allegedly flouted city limits on the number of Airbnb guests allowed in the home.

The Aug. 28 tentative decision by the City Council is remarkable for several reasons. It's rare for the city to revoke a short-term rental permit, let alone for the City Council to hear an appeal.

What's more, the homeowners—Raymond Burse Sr. and his son Raymond Burse Jr., a former goalkeeper for the Portland Timbers—argue racism fueled neighbors' complaints and the city's inspections, because the homeowners are black. That argument drew a scathing response from City Commissioner Jo Ann Hardesty, the first black woman on the City Council.

Here's how the case unfolded.

The house: A 3,600-square-foot home on Northeast 9th Avenue. The Burses bought it in October 2017 for \$740,000. The previous owner had already racked up \$35,000 in city fines for breaking short-term rental rules.

The rules: The city's Bureau of Development Services granted the Burses a short-term rental permit in 2018. That permit came with conditions—the same rules in effect citywide, plus some specific to the house. They included a limit of six guests per night, no smoking on the property, and quiet hours after 10 pm on weekend nights. The homeowners were also required to post the rules prominently in the house.

City inspectors allege all these rules were broken repeatedly. The Burses racked up \$53,000 in fines from the city.

The parties: Neighbors began keeping a log of violations. In the summer of 2018, they reported several parties extending long into the night.

"Loud party on back deck," a neighbor wrote on Aug. 25, 2018. "Guests arrive after 10 pm. Noisy drop-off of two guys at 2:30 am wakes us. Another group dropped off at 3:30 am. At 4:30 am, three guys on back deck smoking and drinking."

A similar entry was logged on Sept. 22. "All day party and BBQ starting at 10 am and extending into the night and to the next morning of the 23rd."

The defense: A hearings officer revoked the Burses' short-term rental permit on June 21. They appealed. In last week's City Council hearing, Raymond Burse Sr., who lives in Kentucky, said the neighbors' complaints stemmed at least in part from racism. "My son has raised, on several occasions, racial animus" as a factor, Burse Sr. said. "His records show that there has been no cooperation from neighbors. Not one time did any of them come to us and complain. Their objective was to close it down, no matter what."

The decision: The City Council voted unanimously against giving the Burses their permit back. Commissioner Hardesty said the evidence of rule-breaking was overwhelming and rebuked Burse Sr. for invoking racism. "I know that we live in a community that has suffered from deep gentrification, from racial tension and racial inequality," she said. "I just want the record to reflect that I'm appalled when race is used as a hammer and as an excuse for nonaction."

The Skanner

Local Businesses Owners Hope Initiative Sets Precedent for City Assistance

*By Sandra Sorensen
August 29, 2019*

On Saturday the city of Portland partnered with a number of local agencies and businesses in a push to drive more shoppers downtown to make up for the staggering loss of revenue during the previous weekend's protests. Some local businesses appreciate the gesture, but want the city to go further.

While the Aug. 17 alt-right rallies and counter-protests didn't lead to the violence the community had feared, they did cost businesses a total of about \$3 million in revenue and additional costs that day, according to a survey commissioned by the Portland Business Alliance. In response, the city launched the "Shop. Eat. Play" promotion the following Aug. 24, with free parking on the street and at SmartPark garages, as well as complimentary Biketown rentals and a number of promotions at local shops and restaurants.

The day was meant to be a bright spot after a weekend marked by fear, according to Mayor Ted Wheeler.

“We lost something else,” Wheeler said at a press conference held in front of Travel Portland’s newly opened Director Park Visitor Center on Aug. 21. “We lost the ability to be in our city, in our home, and to enjoy it and experience it the way we should be able to on an August Saturday.

“We’re here today to help take back our city.”

Some minority-owned businesses were enough outside the fray, and are less dependent on a leisurely customer base, that they didn’t notice an interruption to business on the day of the protests. Nor did they notice an uptick in sales last Saturday. Lenora Hall, who owns G Station American Diner inside the Greyhound Station downtown, said that because most of her clientele are Greyhound riders, she didn’t close her restaurant. She also said she was not aware of the “Shop. Eat. Play” initiative.

And while many business owners appreciated the effort, some said they wished that the city had done more to promote it -- and given them time to promote it as well.

“I don’t remember hearing or seeing any brands or businesses talk about it,” Ian Williams, owner of Deadstock Coffee on NW Couch Street, told The Skanner.

Williams decided to keep his shop open during the rally.

“That day ended up being really, really, really slow, to where I was mad we were even open,” Williams said. “But if we had closed, we were going to be giving power to (the far-right rally). We would’ve been succumbing to what they wanted.”

Like Hall, Williams said he did not feel personally threatened by the presence of White nationalists downtown, and said he felt the rally was largely “a lot of noise.” His coffee shop acted as a check-in point for an activist friend who attended the counter-protest, and as a venue for the local Age to Come Apparel’s pop-up shop. Williams regrets that the latter did not get more foot traffic, and that another local business -- Kate’s Ice Cream -- canceled plans to temporarily set up outside.

Williams appreciates the city’s effort, and hopes it sets a precedent for assisting with future interruptions to business.

“It was cool that they did that, but nothing was done when we had all the snow a few years ago,” Williams said. “There was no ‘Hey, let’s make parking free for a week!’ or whatever. We drop down to 25% of our business for almost a whole month” during inclement weather.

“Nobody had any support, I feel like,” Williams added. “The roads were terrible, the sidewalks were dangerous from the ice. It was so bad. Nothing happened then. Because of some protesters on one day, because Starbucks closed eight or nine locations, is that what has to happen? It’s ridiculous. I’m critical of it.

“I’m thankful and appreciative of the move that was made, but I think more has to happen.”

Randall Willhite, owner of PoBoyz food cart on Southwest 3rd Avenue, did not have the option to stay open, as he reports law enforcement asked him and other food cart owners to close down the day of the rally.

“It was not my choice; it was something I had to do for safety,” Willhite told The Skanner.

He said he saw a 10% increase in revenue during Saturday's "Shop. Eat. Play" promotion. Rather than free parking days, he wants to see the city become more proactive in preventing disruptive rallies, and in making the area around his food cart safer in general.

Willhite says he has seen a number of fights break out among individuals loitering in front of his food cart, and that police only intervene once altercations start.

"I'd say about 40% of my business comes from out-of-town tourists," Willhite said. "Their number one complaint is that the homeless are scaring them away. When they stand out in front of my cart, I get no business at all. There are no-loitering signs, but the police don't enforce them."

Willhite added, "I think Portland's becoming a target (for demonstrations), and they're actually making this a place to make a point because the city is a little too relaxed on that. I think (the city) needs to be proactive on taking a stance against that."

Rolando Mingledoff owns hip-hop club Mingle Lounge on Northwest Everett Street. While he didn't see impact on business due to the club's later hours of operation, he says that in general, the two biggest complaints he hears from other proprietors are parking issues and the city's insufficient response to homelessness downtown.

"There's a lot of spaces that aren't permitted to be used, and that's huge," Mingledoff told The Skanner. "And then business owners feel there's a green light downtown when it comes to homelessness. It would be very hard for me to open and operate during the daytime because of it. I'm not impacted the way I hear a lot of other businesses that struggle with it are, but I hear that a lot, and I see it a lot."

Sales figures from Saturday were still coming in as of press time. Portland Business Bureau's retail program director reported that in a casual survey of downtown businesses, some stores saw as much as a 20% increase in sales over the same weekend last year.

Iris Hodge, a spokesperson for Main Street Alliance of Oregon Action Fund, praised the city's efforts to pull together the initiative on such short notice. She called it "a good first step."

"This swell of hate and fear permeating our national dialogue both during and after the most recent presidential election is dangerous," Hodge said in an emailed statement. "We believe it must be met head-on with clear statements of principle from local business owners, because we are leaders in our communities."

OPB

Portland Oil Terminal Looks To Pipe Biofuels

*By Cassandra Profita
September 3, 2019*

Zenith Energy says it wants to add renewable fuels and what it calls "a liquid intermediate" to the list of products it handles at its crude oil terminal in Portland.

The Houston-based energy company moves crude oil from rail cars to storage tanks and outgoing ships at its Portland terminal, but the company has been talking to city officials about adding new pipes to its facility in the Northwest Industrial Area.

But neighbors and environmental groups have been distrustful of the company's motives, suspecting that what it characterizes as efforts to diversify operations are actually a veiled attempt to expand fossil fuel handling at the site. Portland city leaders have looked for ways to tighten oversight of Zenith, and project opponents are hoping the city can use its authority to stop Zenith's crude oil operations.

According to Zenith, the pipes would be used to handle renewable fuels like biodiesel and ethanol, as well as "a liquid intermediate that will be used to make adhesive for the manufacture of plywood and particle board."

"This project is not related to crude oil in any way," the company's project manager wrote twice in one letter to city officials.

The pipes would have to cross NW Front Avenue to reach the McCall dock on the Willamette River, and that requires city approval.

E-mails between the company and city officials suggest the liquid the company plans to pipe is methylene diphenyl diisocyanate, or MDI. That class of chemical can pose an inhalation hazard and has been documented to cause asthma and lung damage, according to the U.S. Environmental Protection Agency.

Alex Cousins with the Portland Bureau of Development Services said the company has had conversations with city officials about its plans but hasn't submitted a permit application.

"Zenith is currently exploring whether they are going to be allowed to install some additional piping at the facility to transport other liquids," Cousins said. "They will have to go through a land-use review process first, and they haven't requested that review."

Notes from a meeting between city officials and the company earlier this year suggest Zenith gave the city false information about whether its Portland terminal was handling crude oil from tar sands in Canada.

Cousins said in reviewing any new permit applications, "the city can only use judgment in our actions based on good faith from the applicant."

Nick Caleb, a staff attorney with the environmental group Center for Sustainable Economy, says Zenith's renewable fuel proposal may be an attempt to "greenwash" the crude oil terminal as he says other fossil fuel terminals across the country have done.

"One tactic they'll often use is they'll have a small piece of their operation that looks like it's in the green category so then they can say: 'Don't you like this green energy project?'" he said. "Maybe it's a legitimate operation, but we're comfortable saying this is primarily a tar sands export terminal."

He and others are urging the city to be careful in reviewing any company proposals and to look for opportunities to use their permitting authority to "rein in" the company's crude oil operations.