

The Oregonian

Portland ends requirement to publicly label buildings seismically unsafe

*By Everton Bailey Jr.
October 23, 2019*

The Portland City Council voted Wednesday to end a city policy requiring signs on brittle brick buildings warning they may collapse during a major earthquake.

The council also opted to create a new community group to help brainstorm ways to aid building owners who want seismic upgrades.

City officials said the end of the warning sign rule, approved in October 2018 and subsequently delayed until fall 2020, is hoped to resolve a federal lawsuit filed against the city by some owners of the more than 1,600 structures deemed likely to partially or fully collapse in a big quake.

Those owners of buildings officially designated as “unreinforced masonry” structures argued having to post the placards on their front doors violated their First and 14th Amendment Rights because they were being forced to promote the city’s message and were denied opportunities to appeal.

A federal judge in May put an indefinite hold on the policy to prevent possible constitutional rights violations.

Other opponents of the proposal, including the NAACP, noted that seismic upgrades are too expensive for the average building owner, that the placards could hamper securing financing or selling property, and the labeling of Portland’s unreinforced masonry buildings appeared to echo the city’s past that made buildings in historically African-American neighborhoods more susceptible to be sold to developers who’d redevelop them and force out longtime residents.

Seismic experts say the greater Portland area has about a one in four chance of suffering a major 8.0-or-greater earthquake in the next 50 years. People inside or near brittle brick buildings without extensive reinforcements and bracing are likely to suffer injuries in a quake of that magnitude.

The city policy would also have required building owners to notify prospective rental tenants when they apply for a lease if the structure is made up unreinforced masonry and other changes. City records show Portland’s unreinforced masonry buildings on average are 90 years old.

Among the vulnerable brick buildings identified are restaurants, churches, apartments, performance venues and schools.

The council voted 4-0 to repeal the ordinance and to formally create an unreinforced masonry workgroup. Mayor Ted Wheeler wasn’t at the city council meeting because he was in Japan visiting Portland’s sister city, Sapporo.

Commissioner Jo Ann Hardesty, who oversees the Portland’s Emergency Management Bureau and helped lead the city effort to repeal the ordinance, said the city is still committed to making sure residents are safe in the event of a major earthquake. But, she said, the policy revisions will allow the city to work hand-in-hand with the community to identify more opportunities to make buildings seismic safe.

“Quite frankly, we need more time,” said Hardesty. “We need a better process. We need to be able to make sure that we’re bringing the community along with us in this process.”

She also said the city’s planned placarding rules had “become a distraction from the primary purpose.”

The workgroup will consist of about two dozen appointed volunteers who will be split into two subgroups: one focused on solutions for non-profit businesses and the other on for-profit businesses. At least around half a dozen people on the workgroup are to be owners of brick buildings at risk of collapse, and the workgroup’s meetings are planned to be open to the public.

The workgroup is planned to give recommendations to the city council in 2020.

Hardesty said the city can’t afford to retrofit all of Portland’s private unreinforced masonry buildings.

Jim Atwood, who was part of the coalition that filed the lawsuit, said it spent at least \$500,000 fighting trying to stop the policy. He said he appreciated the city repealing the ordinances and that he thought “It was the right thing to do.”

Angie Even, an unreinforced masonry building owner and co-founder of group Save Portland Buildings, said the lawsuit was a last resort because the community didn’t feel listened to. She said she heard former city commissioner Dan Saltzman testify during one federal court proceeding that one purpose of the placards was to put economic pressure on building owners to make their buildings seismically safe.

Saltzman was one of three council members who voted for the ordinances in October 2018. Wheeler and Commissioner Amanda Fritz were the other two votes. Commissioners Nick Fish and Chloe Eudaly were absent at the time.

“I don’t think there are any winners and losers, but I do think the whole city loses when communication breaks down,” Even said. “The building owners have spent the last two or three years just trying to be heard.”

The workgroup group is expected to hold its first meeting in November

Neighbors of planned Portland water plant urge city not to buy nearby \$800,000 house

*By Everton Bailey Jr.
October 23, 2019*

People who live near the site of Portland’s planned water treatment plant in the Gresham area urged the Portland City Council on Wednesday to delay voting whether to spend \$800,000 to buy a large nearby house until more information about the project is finalized.

The council is scheduled to decide next Wednesday whether to buy the 1.87-acre property. City officials said the rationale is to acquire the land, which they said could provide pipeline or construction access to the plant. They don’t have a clear need for the nearly 4,000 square feet of living space the house and separate garage provide.

The city is unsure what specifically it would do with the property at 35319 SE Carpenter Lane near the Sandy River east of Gresham. The water treatment plant the city plans to build on adjacent city-owned land hasn’t been designed and pipeline routes haven’t been finalized.

But the majority of the city's options for piping treated water toward customers in Portland involve sending the water through pipes in the public right-of-way under Southeast Dodge Park Boulevard. Owning the land on which the house stands would give the city a route to that right-of-way that wouldn't cross private property.

Several people who live in the area of the planned facility, some of whom reside in Clackamas County, oppose the construction. They cite construction impacts, disruption of their rural lifestyle and the possibility for decreased property values. There are 24 homes or other privately held properties adjacent to the water plant site.

The city plans to build water filtration plant on 95 acres of land that the city has owned since the 1970s and currently leases to a tree nursery.

Thirteen people testified Wednesday in opposition to the proposed house purchase, most of whom live nearby. Some wore teal-colored shirts with "Nursery Plants, Not Industrial Plants" written on the back.

David Peters, project director of the Bull Run Water Filtration Project, said he believed buying the house would be "the most financially appropriate way to move forward."

Commissioner Jo Ann Hardesty noted that the most likely alternative to gaining similar access to Dodge Park Boulevard would be condemning property through eminent domain. That, she said, could be more expensive than buying the house.

Lauren Courter, a neighbor of the plant site who said pipes are expected to run through her family's property, said she opposes the home purchase because it would be for an industrial purpose in a residential community and because the city hasn't yet received land use approval for the plant.

"You're not permitted yet to build this facility here. Yet here we are talking about the purchase of a home to run pipes through for something that hasn't been approved yet," said Courter, whose property is in Clackamas County.

Carol Bartha, another community resident, described Dodge Park Boulevard as a "curvy, narrow country road," that can be slick from fallen leaves in the fall and ice in the winter and has had trees falling in the area.

The Carpenter Road property went on the market in March for \$799,900 and the city reached an agreement to buy the house for \$800,000 in June, city records show. The contract calls for the deal to close by Dec. 20.

The city is estimated to also pay around 3% in closing costs if the council approves the purchase. The city has already spent \$30,000 in a non-refundable cash deposit to secure the property.

The money from the Gresham-area property purchase would come from the water bureau's 2019-20 fiscal year budget as part of the filtration plant project.

The council voted in 2017 to build the water filtration plant after the Oregon Health Authority revoked Portland's longtime exemption from rules requiring drinking water to be treated because the parasite cryptosporidium was detected multiple times in its untreated Bull Run water supply.

In order to comply with state and federal water quality rules, the water bureau has to build a water filtration plant by Sept. 30, 2027. The project is currently in the planning phase with design work planned to begin in 2020 and last until 2022. The next five years are planned for constructing the plant and getting it up and running.

Bureau officials estimated in 2017 the plant would cost around \$500 million, but told the council in September that the cost will likely be closer to \$850 million.

Commissioner Amanda Fritz, who oversees the Portland Water Bureau and favors the home purchase, described it as part of a larger picture.

“This project is designed to provide safe and abundant water for a million people for many generations to come, and that’s what’s at stake here.”

The Portland Tribune

Council repeals URM warnings, creates new committee

October 23, 2019

Bureau leaders hope its new proposal will lead to an incentive program that will sweeten the pot enough to convince building owners to fork out the money to retrofit their buildings.

The Portland City Council unanimously passed a new plan to form a committee to deal with the nearly 2000 unreinforced masonry buildings in the city.

The plan, put forth by the Bureau of Emergency Management, repealed one of the most contentious parts of the city's current ordinance: requiring owners of unreinforced masonry buildings to post signs warning they are dangerous in earthquakes.?

Bureau leaders hope its new proposal will lead to an incentive program that will sweeten the pot enough to convince building owners to fork out the money to retrofit their buildings.

The council vote was 4-0. Mayor Ted Wheeler was not present for the vote.

A total of 70 people applied to be on the committee. Their work group meetings will be open to the public and 5 owners of unreinforced masonry buildings are on the work group.

They'll be expected to present their findings and will provide quarterly updates throughout their process.

The Portland Mercury

Hall Monitor: What Election?

By Alex Zielinski

October 24, 2019

So, you found a ballot in your mailbox.

Don't panic. We're still a whole year away from the day we get to boot Trump out of the White House and elect at least one new commissioner to Portland's city council. Those races have absolutely nothing to do with this year's ballot, or the upcoming November 5 election.

And yet! Like any election in our imperfect democracy, the choices being made on November 5 are important. The measures Portlanders will vote on this year are remarkably uncontroversial (unless you're the Oregonian editorial board), but they still threaten to impact your tax dollars, drinking water, schools, and favorite wild places. Here's a rundown on what's on your ballot:

Portland Public Schools Levy Renewal

In 2014, Portland voters passed a levy, charging homeowners \$1.99 for every \$1,000 of their home's assessed value. That means if a home is worth \$400,000—slightly lower than the current median home price for a Portland-area home, which in September was \$410,000—owners pay \$796 annually. These funds cover the salaries for the tireless teachers at Portland Public Schools (PPS). Since 2014, the levy has employed an annual average of 825 teachers. This ballot measure asks Portlanders to renew the PPS levy for another five years.

Metro Bonds

Behold, the only slightly contentious measure on the ballot: An ask to redirect property taxes to fund conservation work on public lands owned by Metro, the regional government agency for Multnomah, Clackamas, and Washington counties. The bond charges homeowners 19 cents per \$1,000 of their home's value (if a home is worth \$400,000, that's an annual cost of \$76) to continue Metro's work creating native fish habitat in local rivers, restoring wetlands, maintaining trails and parks, and continuing a program that helps communities restore wild spaces in their neighborhoods.

This bond won't necessarily increase taxes, as it's replacing a Metro bond that's about to expire. Yet extending the duration of apparently any tax is something local libertarian organizations refuse to get behind: Both the Cascade Policy Institute and the Taxpayer Association of Oregon have come out in opposition to the bond, as has the Oregonian Editorial Board, which says the measure is too vague.

Bull Run Watershed Protection

The City of Portland is currently required by the state to protect the Bull Run Watershed—the city's primary source of drinking water—from pollution caused by public use. That state mandate, however, is set to expire in 2027. This measure would enshrine Portland's requirement to protect the Bull Run in the city charter, making it much harder to undo. The alternative is putting this off until 2028, when you're showering in sewage water.

Emergency Mutual Aid Agreement

When that earthquake we're all living in fear of actually hits, all of Portland's drinking water could be contaminated with toxic sludge. Overnight, those smart jerks who stocked up on filtration systems and water jugs will become our Water Overlords, and we, the dehydrated masses, will have no choice but to initiate the Great Water War. Or we could pass a ballot measure that will ensure that, in times of crisis, Portland is able to receive emergency water from other cities. The choice is yours.

The Portland Observer

New Youth Violence Prevention Leader

October 22, 2019

Nike Greene will start her new job on Nov. 12

Mayor Ted Wheeler has appointed Nike Greene as the new director of the Office of Youth Violence Prevention. Greene is currently the director of Education and Community Engagement for the Portland's Center for the Performing Arts, is a licensed marriage and family therapist, and co-pastors with her husband Herman Greene at the Abundant Life PDX Church.

Greene, who has four children and coaches girls' basketball at Roosevelt High, will bring "healing, inspiration and a message of hope to all she serves through her tireless community engagement," Wheeler said. "We're confident she will continue the positive and powerful work being done by the OYVP to support communities to live free from violence and to offer trauma informed care to those who need it most."

Greene will start her new job on Nov. 12. She replaces Antoinette Edwards who retired in July after 10 years as director of the office.

OPB

Portland Officials Say Mandatory Retrofitting Won't Be In New Committee Recommendations

*By Rebecca Ellis
October 23, 2019*

The Portland City Council is taking another stab at trying to figure out what to do with the roughly 1,600 old brick and stone buildings that are likely to come crumbling down during the next major earthquake.

As expected, at Wednesday's City Council meeting commissioners voted to walk back an ordinance passed last fall, which required building owners to post large warning signs on these vulnerable structures, officially known as "unreinforced masonry buildings" or URM's.

The council has now decided to take a different approach after a lawsuit was filed by a group of these buildings owners who accused the city of unjustly devaluing their property. After voting to amend the ordinance, the council voted to create a new committee tasked with figuring out how to reduce the risks posed by URM's.

In a stark break from previous thinking on the topic, council members said they don't predict the work group will come back with a policy that mandates owners retrofit their buildings. City officials said such a mandate would likely result in the displacement of residents and would be too costly for the city.

"I don't expect anything to come out of the work group that has the recommendation that the city will foot the bill because we just won't, and we can't," Commissioner Jo Ann Hardesty said. "I believe we will have greater success working with all parties if no one is negotiating under that kind of pressure."

This goes against a resolution passed last June that would have required owners of unreinforced masonry buildings to retrofit their properties. Under the resolution, building owners would have had up to 20 years to remodel their properties in a way that would allow the building to withstand an earthquake with little damage.

In a presentation to the council, Jonna Papaefthimiou, a program manager with the Bureau of Emergency Management, said the bureau found these retrofits are happening slowly in Portland. Eighty percent of the city's building stock still hasn't been retrofitted, she said.

Mayor Ted Wheeler did not attend the vote to appoint the new committee. All four commissioners voted in favor, though commissioner Amanda Fritz made it clear she was "skeptical" about the effectiveness of a committee who would be unable to rely on city or state funding.

Hardesty, who oversees the Bureau of Emergency Management, framed the committee as a new chance to tackle the risky buildings, this time with buy-in from building owners.

“This is a new day, we have a new opportunity,” she said. “Let’s get it right this time because the lives of Portland [residents] depend on us getting it right.”

The task force will be charged with making recommendations to “reduce the life, safety risks posted by URM buildings and reduce displacement during a seismic event.” The group, comprised of volunteers, is expected to make recommendations to the city council in a year’s time.