

## **The Oregonian**

### **Portland to vote on \$350,000 legal settlement linked to lawsuit over earthquake warning signs**

*By Everton Bailey Jr.  
November 15, 2019*

The Portland City Council will vote next week on whether to pay \$350,000 in attorneys' fees for a nonprofit coalition of brick building owners who sued the city last year so they wouldn't be forced to put signs on their structures warning they are seismically unsafe.

The settlement comes after commissioners voted in October to end the warning sign rule -- spurred by a federal judge siding with the plaintiffs five months earlier and ordering the policy be put on hold indefinitely to prevent possible constitutional rights violations. The city policy, originally approved in October 2018, required building owners to notify prospective rental tenants if the structure is made up unreinforced masonry.

"Based on the successful outcome of the suit, plaintiffs are entitled to their reasonable attorney's costs and fees," said a city ordinance outlining the terms of the agreement.

A deputy city attorney declined to comment on the proposed settlement. Three attorneys representing the masonry building owners of Oregon did not immediately respond to requests for comment.

The lawsuit remains active as of Friday, court records show.

The policy affected more than 1,600 structures in the city that were deemed likely to partially or fully collapse in a big earthquake. The buildings on average are 90 years old.

The building owners argued that being required to post placards on their front doors violated their First and 14th Amendment Rights because they were forced to promote the city's message and were denied opportunities to appeal.

Other opponents said requiring high-cost seismic upgrades could foster gentrification.

### **Homeless first responder team to be housed in Portland fire bureau under new proposal**

*By Molly Harbarger  
November 15, 2019*

Portland will likely soon deploy a two-person team in Lents to would respond to 911 calls about homeless people in the Southeast Portland neighborhood.

Commissioner Jo Ann Hardesty released a report Friday that details what Portland Street Response -- a program intended to reduce contact between police officers and homeless people -- might look like.

It is loosely based on a 30-year-old Eugene program called CAHOOTS, which sends out two teams of two people -- a medic and a crisis counselor -- at all hours of the day and night. The unit operates independently of any public safety agencies, other than receiving dispatches from the main 911 center.

CAHOOTS fields about 20% of calls that come in to 911 and the non-emergency line. Only about 10% of CAHOOTS responses require help from other public safety agencies.

However, Portland's pilot project will be markedly different in that respect.

Hardesty's proposal, which was developed in conjunction with Mayor Ted Wheeler's office and through a coalition of nonprofit leaders, advocates and representatives from various city and county agencies, would place the program under the jurisdiction of the fire bureau.

Portland Fire & Rescue's Tremaine Clayton, an emergency medical services specialist, would work with a yet-to-be-hired crisis worker. The proposal says that a second team, with unspecified roles, could be deployed later during the pilot.

Clayton and the crisis worker would work 10 a.m. to 6 p.m. Monday through Friday to handle calls to the city's 911 or non-emergency line that don't involve weapons, suicide or violence toward other people.

That could include calls about someone lying in the street, someone yelling in a park or someone suspected of using drugs.

The team could also self-initiate calls, show up in outreach worker's role to connect a homeless person to services or act as a mental health worker, as dispatched through Multnomah County's crisis line. They also would respond if requested to join police or another first responder on a call.

While Clayton and the crisis worker would roll around in a van equipped with medical supplies, as well as snacks and hand warmers, they would not constantly be on the road as CAHOOTS is, according to the proposal. However, they will likely spend the majority of the time not responding to calls, looking for people to help.

Portland Street Response was born out of an analysis by The Oregonian/Oregonlive that showed 52% of all arrests in the city in 2017 were of homeless people, despite homeless people making up less than 3% of the city's population. The vast majority of those calls were for low-level crimes.

Portland homeless accounted for majority of police arrests in 2017, analysis finds

Most often, Portland officers arrested homeless people on property, drug or low-level crimes. The vast majority of the arrests, 84 percent, were for non-violent offenses, the analysis found.

Calls to 911 about homelessness-related issues have also increased steeply.

"The current response to these low-priority service calls are costly, inefficient and often end in criminalizing rather than helping those in crisis," said Hardesty's summary. "We are not currently sending the right first responders to all of the right incidences."

The proposal will be introduced to the full City Council next week. The mayor dedicated \$500,000 to the pilot project in the 2018 budget.

## **The Portland Tribune**

### **Council poised to pay \$350,000 to URM building lawyers**

*By KOIN 6 News*

*November 16, 2019*

#### **Legal fee payment will settle lawsuit that prevented Portland from enforcing earthquake warning requirements**

The City Council is poised to approve paying \$350,000 in legal fees to the attorneys who fought the earthquake warning signs on unreinforced masonry buildings.

The attorneys represent a group of URM building owners opposed to the warnings. The council repealed the required signs and other warnings in October after the attorneys obtained a preliminary injunction against their enforcement from a federal judge.

An ordinance to pay the fees is included on the consent agenda for the council meeting on Wednesday, Nov. 20. The payment will finalize the settlement.

"Based on the successful outcome of the suit, plaintiffs are entitled to their reasonable attorney's costs and fees," reads the ordinance.

URM buildings are those without structural support behind brick or other stone facades. Such buildings are considered to be at high risk of partial or full collapse in the event of an earthquake.

The owners argued the warnings would reduce the value of their buildings and violated their federal free speech and due process rights. When he issued the injunction, U.S. Magistrate Judge John Acosta indicated the owners were likely to win their lawsuit to permanently prevent the city from enforcing the requirements.

When the council repealed the requirement, it also passed a new plan to form a committee to deal with the nearly 2,000 unreinforced masonry buildings in the city. The Bureau of Emergency Management 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.

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

The bureau is expected to provide quarterly updates throughout their process.

"We are very pleased and look forward to a better process that is inclusive of the owners of these buildings as opposed to just city staff and those in the retrofit business," said John DiLorenzo, a Portland attorney representing local building owners, who had previously obtained an injunction in federal court preventing the city from enforcing the requirements.

You can read the ordinance at <https://www.portlandoregon.gov/auditor/article/747237>.

## Willamette Week

# Mayoral Candidate Sarah Iannarone is Requesting \$8.74 from Portland Strippers

*By Kelsey Harnisch  
November 14, 2019*

**The challenger's ask is aimed at highlighting Portlanders' support for campaign limits—and her support for sex workers.**

Mayoral Candidate Sarah Iannarone is Requesting \$8.74 from Portland Strippers

Mayoral candidate Sarah Iannarone today requested all Portland strippers donate \$8.74 to her campaign.

The move follows incumbent Mayor Ted Wheeler's announcement yesterday that he will limit contributions from individuals to \$5,000—and will not accept money from people involved in "adult entertainment."

Iannarone's campaign manager, Greg McKelvey, announced the ask on Twitter today.

"@tedwheeler announced yesterday that he will not accept campaign contributions from strippers. He will however accept checks up to \$5,000 from the ultra wealthy. In contrast, @sarah2020 supports decriminalizing sex work and is asking every stripper for \$8.74," tweeted McKelvey.

The unusually specific amount is a reference to the 87.4 percent of Portlanders who voted in 2018 in favor of capping individual campaign contributions in city races at \$500. McKelvey says Iannarone would like to get a similar contribution from all voters.

"We're asking everybody in Portland, including sex workers, full-service or not, to commit to giving our campaign \$8.74 per month," he says.

The ploy is a nod to an Iannarone policy to decriminalize sex work in Portland and a wink at Wheeler's willingness to accept campaign donations over \$500, "so long as they are not [from] sex workers," says McKelvey.

As WW reported yesterday, Wheeler will take contributions of more than the \$500 limit voters approved but which is currently the subject of a court challenge. He will not, however, accept campaign donations from certain industries including tobacco, firearms and adult entertainment.

"We do believe that because of his announcement to demonize and continue to stigmatize people engaged in the adult entertainment industry that it is worth it for us to reach out and double down on our commitment to de-stigmatize that industry," McKelvey adds.

# Portland Mayor Clarifies: I Will Take Money From Strippers

*By Aaron Mesh*  
*November 15, 2019*

**"We welcome contributions from ANY working person."**

Facing criticism for his unsolicited pledge earlier this week to refuse donations from the adult entertainment industry, Portland Mayor Ted Wheeler's reelection campaign this afternoon clarified his position: He will accept campaign contributions from sex workers, including strippers.

"We are not taking donations from the corporate side of the adult entertainment industry," says campaign spokeswoman Amy Rathfelder in an email to WW. "We welcome contributions from ANY working person."

Wheeler's campaign waded into controversy this week when it promised to reject donations from the "adult entertainment" sector. The campaign made that pledge while announcing it would set a cap on campaign donations: \$5,000, a number 10 times higher than the one Portland voters approved in 2018. (That \$500 contribution cap is held up in the courts.)

While making that announcement, Wheeler's campaign volunteered to reject donations from several industries: "Pharma, oil, coal, firearms, tobacco, and adult entertainment."

That pledge appeared to be intended to blunt criticism of Wheeler accepting large donations. It did not.

Instead, Wheeler's leading challenger Sarah Ianarrone criticized Wheeler as being dismissive of sex workers—and asked every stripper in the city to donate \$8.74 to her campaign. (That number is a reference to the 87.4 percent of Portland voters who approved a \$500 contribution limit.)

With a long week nearly over, Wheeler's campaign today said it would also accept stripper money—and added that it would seek a bill to protect strippers from wage theft.

Wheeler's campaign says it welcomes "the opportunity to speak with any leader or resident of Portland who wants to engage in a substantive policy discussion with the State of Oregon in crafting legislation that would prevent these workers—and employees in any service industry—from suffering from wage or tip theft, and other mistreatment."

Such reforms have been attempted in Salem before—and resulted in a bitter battle between the affected dancers.

## **The Portland Mercury**

### **As City Resets Conversation Around Neighborhood Associations, Public Asks for Transparency**

*By Alex Zielinski*  
*November 18, 2019*

City Council has hit the reset button on what's been a fraught and divisive conversation about civic engagement in Portland.

At a Thursday Council meeting, City Commissioner Chloe Eudaly extended the timeline of a plan to update the Office of Community and Civic Life's (OCCL) city code—a document that defines a bureau's key function—by at least one year.

A large city-appointed committee, tasked with rewriting the 45-year-old code to be more inclusive of minority communities, had finalized the code language in July—and City Council was prepared for an October vote on the update.

The new code cut previous language that named neighborhood associations and business districts as the sole community groups that bureaus were required to share information with—and collect feedback from—when making significant city decisions. The committee had hoped that, by removing the special privileges for neighborhood associations from the code, the city would seek more input from minority community groups (ie: groups representing communities of color, immigrants, houseless citizens, disabled Portlanders, or LGBTQ+ residents)—along with the majority-white, affluent neighborhood associations.

“This is not a referendum on neighborhood associations. It’s asking, ‘What other groups haven’t been invested in by our city?’” said OCCL Director Suk Rhee at an earlier meeting. “When communities have not been named in policy and others have, that has had devastating impacts on their ability to be represented in this country. We have a moral obligation to remedy this.”

But after community members accused OCCL of intentionally excluding Portland’s 95 neighborhood associations from the rewrite process—and shirked public meeting laws along the way—Eudaly, who oversees the OCCL, introduced a new timeframe. Instead of rushing a Council vote, Eudaly has introduced a resolution directing staffers from multiple city bureaus to convene a year-long workgroup where they will draft citywide guidelines on how to equitably pursue public feedback on city decisions.

City Council won’t hear those recommended guidelines until November 2020.

“I’ve been encouraged to hear that my colleagues, community groups, and neighborhood associations all affirm that our civic engagement structures need to be more equitable and inclusive,” Eudaly said at the start of Thursday’s meeting, held offsite at North Portland’s Self-Enhancement Inc (SEI). “The challenging question ahead of us is, ‘How do we get there together?’”

The meeting was meant as a forum for community members to comment on Eudaly’s new resolution before it headed to a City Council vote, meaning commissioners spent most of the two-and-a-half hour event quietly listening from some 50 constituents.

Most comments fell into one of two categories: either people expressing disappointment that the update had been delayed, or neighborhood association members urging commissioners to make the process more transparent.

“There have been twenty years of calls to improve civic engagement to include groups that have been historically marginalized and underrepresented,” said Molly Mayo, the former director of SE Uplift Neighborhood Coalition (one of seven coalitions that oversee regional clusters of neighborhood associations). “Let’s take that cycle of repeat and press forward.”

Mayo resigned from SE Uplift in September, citing challenges with the “outdated” code her organization had to adhere to.

“[I hope] this process continues to be an open and transparent process in the future so we don’t make the same mistakes as before,” said Amy Wilson, chair of the King Neighborhood Association.

Wilson was referencing a problem cited by several neighborhood associations during the recent code renewal process: that the city failed to alert neighborhood associations about public meetings on the code change, or upload meeting minutes or agendas on the OCCL website—which goes against state open meeting laws.

“It’s not surprising that a lot of people were upset,” Sean Green, chair of the Northeast Coalition of Neighbors, told the Mercury. “The end result is one thing, but the transparency of the process is another.”

Many shared this frustration with the opaque process leading up to Thursday's meeting.

“I feel like there’s two versions of trying to create change,” said Mike Linman, a board member of the Maplewood Neighborhood Association. “One being to divide and denigrate, and one bringing everybody together and everybody forward. And I’ve been concerned that the process up to this point has been more of the former than the latter.”

Linman told commissioners that he, like everyone on his neighborhood board, is in favor of updating the code.

“But, what I am against is how we’re trying to divide and blame neighborhood associations for basically everything... they’ve become the scapegoat,” he said. “The fact as the matter is, I want this as much as anyone else.”

The Thursday meeting wasn’t an occasion for commissioners to comment on the proposed resolution—they’ll get that chance before voting on Eudaly’s resolution before the end of the year. But Commissioner Jo Ann Hardesty made her priorities clear before the meeting wrapped.

“I am looking for a solution that doesn’t disvalue any member of our community,” Hardesty told the crowded room. “I will not support anything that divides our community more. We have enough of that at the national level, we certainly don’t need to be doing that at the local level.”

## **City Reveals Proposal for New Homeless First Response Pilot Program**

*By Alex Zielinski  
November 15, 2019*

The details of a new emergency response system meant to reduce Portland officers' time spent following up on low-level 911 calls have begun to crystalize.

A report released this afternoon by City Commissioner Jo Ann Hardesty's office offers a primer on how a year-long Portland Street Response (PSR) pilot program might operate.

PSR was initially pitched to the city by the nonprofit Street Roots as a way to reverse Portland Police Bureau's (PPB) trend of arresting a disproportionate number of houseless people for low-level offenses by dispatching mental health experts, social workers, or physicians to certain 911 calls. In June, Portland City Council earmarked \$500,000 to create and run a PSR pilot program, but asked to see a preliminary plan on the new program before it began. Today's recommendations will need City Council's approval before going forward.

The new report, based on months of outreach, research, and brainstorming by a group of some fifty stakeholders, suggests the pilot program be housed in Portland Fire and Rescue, a bureau overseen by Hardesty. It recommends the two-person PSR team be comprised of Tremaine

Clayton, an Emergency Medical Services (EMS) specialist for the Fire Bureau, and a yet-to-be-identified crisis worker.

The report suggests that, for the duration of this one-year pilot, the team will only be responding to calls coming from a limited area spanning the Lents Neighborhood (also called "Fire Management Area 11"). Operators will receive extensive training prior to PSR's kick-off to know when and how to direct 911 calls to PSR staff.

And the report suggests there should be limits to who PSR will be dispatched to. It recommends PSR only respond to calls about people outside who appear passed out or agitated, people in need of an in-person mental health check-up, or people who need assistance accessing social services. It also suggests PSR be deployed as backup during calls where police officers or firefighters are the first to respond.

The report recommends PSR staff should not respond to calls when the subject has known access to weapons, is suicidal, or is being violent toward others.

The single PSR van should contain standard first responder equipment, as well as food, water, hand warmers, and blankets for people the team comes in contact with.

Kristin Johnson, a policy advisor to Hardesty, says the PSR team will be instructed to take as long as they need to effectively address an incident. In Eugene, staff for CAHOOTS (Crisis Assistance Helping Out On The Streets)—a 30-year-old street response program that inspired PSR—told Johnson that their calls usually last between 20 and 40 minutes.

Hardesty and Mayor Ted Wheeler will present these recommendations to the rest of City Council on Thursday, November 21. If approved by a council vote, the proposed plan should be up and running by spring 2020. Johnson doesn't expect the pilot will need any additional funding before the city's fiscal year ends in June.

Staff will update City Council on the program's success six months after it begins, using data collected and evaluated with help from Portland State University's Homelessness Research and Action Collaborative. In a press conference Thursday, Hardesty acknowledged that the work has just begun.

"When Portland Street Response starts, that doesn't mean that all of the problems that we have will magically disappear," Hardesty said. "We will be monitoring [PSR]... we want to do it right. We want to reduce harm. We want to take a humanistic approach to folks who are living on our street."