

IMPACT STATEMENT

Legislation title: *Waive Portland Zoning Code requirements for the ground floor/first floor of buildings located in the Design Overlay Zone for the installation of lighting and security gates on exterior facades during COVID-19 emergency (Ordinance; waive Code Chapter 33.420)

Contact name: Matt Wickstrom, Senior City Planner

Contact phone: 503-865-6513

Presenter name: Matt Wickstrom

Purpose of proposed legislation and background information:

The proposed ordinance is not a permanent legislative action; it is limited to waiving certain zoning regulations during the COVID-19 emergency to remove barriers for the installation of safety and security measures such as exterior lighting and security gates. The ordinance is supported by current City policy regarding Crime Prevention Through Environmental Design and the 2035 Comprehensive Plan.

Financial and budgetary impacts:

The proposed ordinance does not result in a permanent legislative action; instead it remedies Portland Zoning Code requirements that certain exterior safety and security measures in the Design Overlay Zone receive approval through a Design Review. The ordinance does not allocate any resources to implementation or any resources to assist in the installation of safety and security measures.

Community impacts and community involvement:

The proposed ordinance will remove barriers to allow more expeditious installation of exterior safety and security measures for businesses at a time when many are struggling due to the health, safety and financial burdens of the COVID-19 emergency and recognizes that increased vandalism in Portland has added another significant burden. The proposed ordinance will apply in areas of Portland located within the Design Overlay Zone. The ordinance applies to large and small businesses and may include retail businesses and offices. Allowing more expeditious installation of safety and security measures can improve safety and perceptions of safety. Direct community involvement has not occurred, the proposed ordinance instead relied on research and media accounts of vandalism and business needs.

100% Renewable Goal:

The proposed ordinance should have no impact on the City's total energy use.

Budgetary Impact Worksheet

Does this action change appropriations?

☐ **YES:** Please complete the information below.

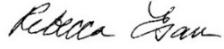
☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

MEMORANDUM

February 23, 2021

To: Mayor Ted Wheeler
 Commissioner Jo Ann Hardesty
 Commissioner Mingus Mapps
 Commissioner Carmen Rubio
 Commissioner Dan Ryan

From: Rebecca Esau, Director 
 Bureau of Development Services

Subject: Business Support – Safety and Security Ordinance

The Bureau of Development Services has prepared an ordinance to support -businesses during the COVID-19 emergency. This is the first of two ordinances and focuses on safety and security measures. The next ordinance will focus on uses and allowances for small businesses during the COVID-19 emergency.

Background:

The COVID-19 pandemic has had an adverse effect on Portland's businesses. Many have been impacted by required temporary closings, significant reductions in customers, decreased pedestrian activity and operational modifications. At the same time, vandalism in Portland's commercial districts has seen a significant increase adding additional pressures to already burdened businesses and necessitating safety and security improvements. Most commercial districts in Portland are located in the Design Overlay Zone which would require approval of exterior safety and security measures through a Design Review which adds time and expense for businesses prior to applying for a building permit.

Ordinance Summary:

The ordinance waives Design Overlay Zone requirements for lighting and security gates on the ground floor/first floor exterior of buildings. The ordinance applies practical requirements for these improvements so that they do not detract from the pedestrian environment. The ordinance does not apply to Historic Landmarks or to contributing resources in Historic Districts. Nonconforming upgrade requirements are also waived for these improvements as a means to allow expeditious issuance of permits.

This ordinance is filed as an emergency so that businesses can expeditiously begin installation of certain safety and security measures.

ORDINANCE No.

*Waive Portland Zoning Code requirements for the ground floor/first floor of buildings located in the Design Overlay Zone for the installation of lighting and security gates on exterior facades during COVID-19 emergency (Ordinance; waive Code Chapter 33.420)

The City of Portland ordains:

Section 1. The Council finds:

1. Mayor Ted Wheeler executed a Declaration of Emergency for the City of Portland on March 12, 2020 due to the continued spread of the COVID-19 virus, which creates an extreme risk to public health, government and business continuity, and the local economy of the City of Portland and across the entire City. The Declaration of Emergency has since been extended every two weeks.
2. The purpose of the Portland Zoning Code is to implement Portland's Comprehensive Plan and related land use plans in a manner which protects the health, safety and general welfare of Portlanders (PZC 33.10.010).
3. The COVID-19 pandemic has had an adverse effect on the health, safety and general welfare of Portlanders, including establishments in commercial districts. In many cases, businesses have been impacted by required temporary closings, significant reductions in customers, decreased pedestrian activity and operational modifications to address the public health crisis.
4. Vandalism in Portland's commercial districts increased 47 percent from March 2020 to November 2020 according to a report from the Oregonian based on Portland Police Bureau statistics. Burglaries increased 32 percent during the same time period. Vandalism is not limited to downtown Portland. Mass vandalism events have been reported in almost all commercial districts including SE Hawthorne Avenue, NE Alberta Avenue, NE Martin Luther King Jr. Boulevard, and the Hollywood District. Boarded up street-facing facades are now a common sight in Portland. These commercial districts, as well as most in Portland, contain the Design Overlay Zone.
5. Pedestrian counts in downtown Portland declined 82 percent between the December 2019 and December 2020 counts according to figures released by the Portland Business Alliance and the Downtown Portland Clean & Safe District. Declines in pedestrian activity in other Portland commercial districts have been reported as well.
6. Repair costs associated with vandalism, reduced pedestrian activity (and therefore revenue), and burglaries are among the many issues impacting Portland's businesses during the COVID-19 emergency. Significant increases in insurance premiums resulting from claims associated with vandalism are also reported, leaving

businesses, many of which are already under financial distress, even more burdened.

7. ~~The City of Portland has adopted policy to incorporate Crime Prevention Through Environmental Design (CPTED) principles and practices into the design, construction and operation of businesses and development projects to enhance the quality of life and to reduce both the incidence, and the fear, of crime (ENB 22.01 and 2035 Comprehensive Plan Policy 4.13). The overlapping elements of CPTED are: Natural Surveillance, Territoriality, Access Control, Activity Support, and Management and Maintenance. These concepts sometimes rely on mechanical strategies such as lighting, locks, security cameras, security gates, and fencing to achieve intended results and increase safety and perceptions of safety. When property surveillance and surrounding activity is reduced, such as through a significant decrease in pedestrian activity or employees in commercial districts, reliance on mechanical strategies may become more necessary.~~
7. The City of Portland has adopted policy, design guidelines and Portland Zoning Code regulations related to creating and maintaining a positive pedestrian environment in Portland. The City of Portland has adopted policy related to crime-preventive design (2035 Comprehensive Plan, Policy 4.13). This policy encourages building, site, and public infrastructure design approaches that help prevent crime.
8. The City of Portland has adopted policy related to the pedestrian environment (2035 Comprehensive Plan Policy 4.21). This policy is in part accomplished through Portland Zoning Code regulations limiting blank walls on the ground floor/first floor of buildings and requiring a percentage of storefront windows on street-facing facades in order to provide a pleasant, rich, and diverse pedestrian experience by connecting activities occurring within a structure to adjacent sidewalk areas.
9. ~~Applying certain CPTED measures on the exterior of an existing building, such as lighting and security gates, in the Design Overlay Zone may require approval through a Design Review application, which depending on the review type and the value of the project, can add a significant number of weeks or months to the process of obtaining a building permit because the Design Review must be completed before a building permit application is submitted. Interior installation of lighting and security gates does not require approval through a Design Review application.~~
9. The Central City Fundamental Design Guidelines includes a Protect the Pedestrian guideline to “develop integrated identification, sign, and sidewalk oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian” (Central City Plan Fundamental Design Guidelines, B2). The Community Design Guidelines include a Crime Prevention guideline which is in part accomplished by providing a lighting system that includes pedestrians (Community Design Guidelines, D5).
10. The Portland Zoning Code implements the Comprehensive Plan and includes development standards to provide “a more pleasant pedestrian environment by

preventing large expanses of blank facades along streets” (PZC 33.130.230). The zoning code also includes regulations related to ground floor active uses (PZC 33.415.200) and the pedestrian environment (PZC 33.130.240).

11. Best practices exist with regards to the design and application of ~~CPTED~~ safety measures so that ~~these measures~~ they do not detract from the pedestrian environment or negatively impact those working, living or staying above the ground floor/first floor, such as directing exterior lighting to illuminate the sidewalk rather than the surrounding vicinity and grille-style security gates, rather than solid panel security gates, to provide transparency and avoid blank building facades or surfaces for graffiti. Sensible exterior building modifications to improve safety and security are those that achieve objectives while maintaining a positive pedestrian experience.
12. To protect and secure persons and property by allowing the installation of lighting and security gates on the exterior of buildings at business entrance(s) in an expedited manner, the City Council must waive provisions of the Portland Zoning Code that require Design Review approval for exterior alterations within the Design Overlay Zone (PZC 33.420.025). The City Charter authorizes the Council (2-101), acting on behalf of the City, to take actions necessary or appropriate to secure the protection of persons and property and to provide for the health, peace and good order of the City (2-105(a)(2)), to regulate the use of buildings and structures for the better protection of the lives and health of the public (2-105(a)(35)) and to regulate uses of land and structures within the City (2-105(a)(36)). Further, the Mayor has authority to order such other measures as may be necessary to protect life, safety and health of persons and property. Code Section 15.08.020.B.11. As discussed in these findings, expedited allowance of security features in the City’s commercial districts is necessary and appropriate to protect and secure persons and property and to maintain the health and good order of the City during the COVID emergency.

NOW, THEREFORE, the Council directs:

- a) The regulations of PZC 33.420 which require Design Review for lighting and security gates on the ground floor/first floor exterior of buildings in the Design Overlay Zone, are waived to allow businesses more expeditious installation of needed security during the COVID-19 emergency, provided the conditions outlined below are met.
- b) Permit and inspection requirements of the Bureau of Development Services and all other requirements of City Bureaus must be met.
- c) Exterior lighting must be directed downward toward the sidewalk, parking area or other exterior area. Appropriate fixtures include gooseneck lights and sconces. No flashing lights or lights that project above the ground floor/first floor are allowed.

- d) Exterior security gates must be of the open-grille variety and at least 70% transparent. Security gates may only be located on the portions of building facades that contain entrances intended for pedestrian use and any windows associated with the entry portion of the building facade. Allowances of this ordinance do not include solid-panel security gates.
- e) Gateboxes that house security gates when not in use must be hidden behind an awning or if no awning is located on the ground floor/first floor building facade, the gatebox must be painted to match the building.
- f) Allowances of this ordinance do not apply to designated Historic Landmarks or to contributing structures in Historic Districts.
- g) Allowances of this ordinance expire when the Declaration of Emergency for the City of Portland first issued on March 12, 2020 is no longer in effect. Improvements made during the duration of this ordinance will be considered Nonconforming Development subject to the requirements of 33.258 Nonconforming Situations once the allowances of this ordinance expire.
- h) In order to promote expeditious issuance of building permits associated with the allowances of this ordinance, Nonconforming Development regulations of PZC 33.258.070.D.2 do not apply.

Section 2. The Council declares that an emergency exists because businesses need urgent relief from the costs and time involved in seeking Design Review approval as they try to secure their property, promote safety and security, and stay in business through the economic crisis associated with the COVID-19 emergency, and while the State of Emergency, declared by Mayor Ted Wheeler on March 12, 2020 is in effect. Therefore, this ordinance shall be immediately effective upon its passage by Council.

Passed by the Council:

Mayor Ted Wheeler &
Commissioner Dan Ryan
Prepared by: Matt Wickstrom, BDS
Date Prepared: February 23 17, 2021

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

Black Leaders Decry Vandalism, Fires Along Portland's Martin Luther King Jr. Boulevard

“Do not do this and think you are doing black people a favor.”



A rioter on May 30, 2020. (Wesley Lapointe)

[By Nigel Jaquiss](#) |

Published June 26, 2020

Updated June 26, 2020

Mayor Ted Wheeler and Portland Police Chief Chuck Lovell spoke this afternoon at the corner of Northeast Martin Luther King Jr. Boulevard and Killingsworth Street about the attack last night on the Portland Police Bureau's nearby North Precinct and a number of adjacent businesses, which officials say are owned by people of color.

Related: Hundreds of Protesters Barricade the Portland Police Bureau's North Precinct in Hostile Standoff

Wheeler said that when protesters nailed and barricaded doors shut and set the North Precinct on fire with people inside the building, they moved from the realm of legitimate protest to reckless criminality.

"Last night was about arson, destruction and endangering lives," Wheeler said.

Lovell, who earlier this month became the bureau's fourth Black chief, called the protesters' actions "evil."

The police description of what happened last night along Northeast Martin Luther King Jr. Boulevard was complicated by firsthand reports. While city officials described a focused attempt to destroy the precinct and harm those inside, two reporters told *WW* that some protesters set a fire and others tried to put it out, until police munitions drove them away.

A Police Bureau representative tells *WW* that officers did not deem the threat sufficient to evacuate the building.

Still, the direct attack on a police building and Black-owned businesses rankled several of the city's longtime civil rights leaders.

The leaders spoke in even stronger terms of protesters—some of them white—who were ostensibly acting in the interest of racial justice and against police brutality.

"We have got to call terrorism 'terrorism,'" said the Rev. Steven Holt, senior pastor at the Kingdom Nation Church.

Tony Hopson, co-founder and CEO of Self Enhancement Inc., a nonprofit that works primarily with Black youth, said the violence was "a distraction," and detrimental to the national movement for racial justice catalyzed by George Floyd's May 25 death at the hands of a Minneapolis police officer.

"It's against Black Lives Matter," Hopson said.

Ron Herndon, who has led reform movements against police brutality, inferior schools and other forms of discrimination against Black Portlanders since the 1970s, spoke from the perspective of decades on the front lines.

"When I hear about something being burned down, that is an act that has always been used against Black people," Herndon said. "They burnt down our businesses, our churches and our schools. That is a tactic that has been used to destroy Black people, not help Black people."

His remarks this afternoon, coordinated with City Hall, made plain a disagreement about tactics in the uprising against police violence.

Herndon said there's no question that police reform is necessary, as is school reform and the reform of financial institutions that discriminate, but burning any structure brings no racial justice.

"Do not do this," Herndon said, "and think you are doing Black people a favor."

Businesses across Portland raising alarm about surge in vandalism, burglaries

Updated Jan 16, 2021; Posted Jan 16, 2021



Work crews on Saturday, Nov. 21, 2020, clean up damage and board up windows in Northeast Portland's Hollywood District after vandals damaged 27 businesses and workspaces, police said.

Facebook Share

Twitter Share

1,162

shares

By [Jamie Goldberg | The Oregonian/OregonLive](#)

Window repair company Speedy Glass has never seen times like these.

Their Portland emergency crews have been on call every weekend and employees have sometimes worked 15-hour days boarding up windows as the city has faced a conspicuous jump in burglaries and vandalism. Over the summer, Speedy Glass was booked out a month and a half for window replacements.

The wait time has since dropped to two to three weeks, but regional manager Kelly Hewitt said that is at least in part because some businesses are opting to leave boards up rather than replace windows that could be smashed again.

Portland vandalism reports are up nearly 50% and many other property crimes are spiking, too, amid an unchecked crime wave that is unnerving the city's businesses and prompting some to consider walking away.

On Jan. 3, Speedy Glass lost the window on one of its own front doors when an intruder shattered it and burst into the empty shop on Northeast Broadway. The alarm sounded immediately and the intruder fled after rifling through some drawers and grabbing a handful of candy.

The burglar was long gone when police arrived more than an hour later. Hewitt said the business was lucky to sustain only \$450 worth of damage, acutely aware that other businesses have faced much greater losses over the last nine months.

"Throughout the pandemic, businesses have been asked to put up more and more money just to be able to operate and deal with the COVID guidelines," Hewitt said. "And then they continue to take an added loss because people keep breaking things."

Police response

Downtown Portland business owners have been complaining for months about a sharp uptick in vandalism and other crime, often committed by people who have used protests for racial justice as a cover. Portland Mayor Ted Wheeler promised to take a tougher stance on vandalism after more than a dozen businesses and buildings were damaged during back-to-back nights heading into the New Year, but admitted this week that the city and police [are ill-equipped to crack down](#) on the criminal destruction.

While downtown may be the epicenter of that activity, business owners throughout the city are raising alarm about a shocking increase in window smashing, vandalism and brazen burglaries that have taken place during the pandemic, with a muted response from the city and police.

Reports of vandalism within Portland were up 47%, while reports of burglaries were up 32% from March to November 2020 compared to the same period a year prior, [according to data](#) from the Portland Police Bureau. And as burglaries rose, so did the response time from the police. Officers took an average of [87 minutes](#) to respond to burglaries from July through November 2020, up from 44 minutes in the previous fiscal year.

Police Bureau spokesman Lt. Greg Pashley said the city has seen an uptick in crime across the board since the start of the pandemic, but the police simply haven't had the resources necessary to adequately respond to the criminal activity.

Roughly 100 sworn members left the bureau in the second half of 2020, he said, leaving the police with 850. Pashley said that is far too few for a city Portland's size. At the same time, he said the bureau was forced to pull officers away from their regular jobs last year to respond to nightly protests where people often clashed with police. Pashley said that forced other crime victims to wait -- sometimes even when there [was an immediate threat to life](#).

“Had the pandemic been the only contributing factor, the response would have been different,” Pashley said. “It was not the pandemic that drew all resources to certain parts of the city night after night. ... It was also not the pandemic that caused the bureau to lose so many of its sworn staff.”

“We said throughout the second half of 2020 that we couldn’t provide the service we desired and that the community expects from its police,” he added. “The Police Bureau is doing what it can to serve with the resources we have.”

The [uptick in crime](#) has added insult to injury to business owners who are struggling to navigate the economic fallout from the pandemic.

In some cases, business owners have had to repeatedly deal with property damage, finding themselves cleaning up graffiti or replacing windows over and over again. Aaron Smith, general manager at Mt. Hood Glass, said his company has returned to some stores four or five times in the last nine months to replace windows.

Law enforcement buildings have also been a major target of window smashers. According to Willamette Week, Multnomah County will [pay \\$35,000](#) to replace a large window that vandals broke at the county’s brand-new, \$324 million courthouse on Jan. 6.

But in other cases, businesses have suffered much more than property damage.

Billy Galaxy, the owner of a vintage toy shop downtown that bears his name, said burglars broke into a storage unit at his store on both July 27 and 28 of last year. Police were occupied responding to protests elsewhere downtown. He said he walked in on the burglars on the second night, prompting them to flee, but that they had already taken tens of thousands of dollars in merchandise, some of which he had spent years collecting.

Galaxy said he soon found some of his items being sold online and was able to track down the storage unit where he believes his vintage toys are being stored. He provided the police with that information, but found himself frustrated with their limited response. Six months later, the case remains open and no arrests have been made.

“I don’t want to drag the police through the mud,” Galaxy said. “I get they have a lot going on, but so does everybody else. That doesn’t mean that they’re exempt from doing their job, even if their job is harder than it normally is.”

Repeated damage

Pam Coven, the owner of [Imelda’s and Louie’s Shoes](#), had her Alberta store burglarized three times between April and September of last year. On Oct. 24, two men then backed an SUV into her Hawthorne store, shattering the windows and causing structural damage to the building. Police responded quickly, but the intruders had already thrown as many purses and shoes as they could into the car and fled. Coven provided security footage to investigators, but the case remains open and no arrests have been made.

Coven has already paid to install tempered glass at her Hawthorne store and is in the process of putting bars on the windows. But those steps didn't prevent the store from being vandalized [during a Thanksgiving protest](#). Multiple Hawthorne businesses had their windows smashed and graffiti sprayed on their storefronts during that incident. Coven said she understands the desperation that people are feeling during the pandemic and hopes crime will dissipate as the pandemic recedes. But she also said she wants to see the city take a more forceful approach toward the criminal activity, especially when it comes to those engaging in indiscriminate property destruction.

"The vandalism drives me nuts because it's biting the hand that feeds you, to attack the small businesses or any retailer or restaurant, that's where people work," Coven said. "If you sabotage those businesses, you're going to take that opportunity from someone who needs that job."

Businesses have continued reporting break-ins in the first two weeks of 2021.

Earl Ninsom, owner of PaaDee, a well-known Thai restaurant on Southeast 28th Ave., said someone used a crowbar to break in Jan. 3. The person stole \$150 in cash before casually walking out while the restaurant's alarm was going off, Ninsom said.

It was the first time that the restaurant had been broken into since opening a decade ago, but it wasn't the first time that Ninsom had dealt with property damage in the last year. His other restaurants, Hat Yai and Eem, both had their windows smashed last year, costing the businesses hundreds of dollars to replace.

The break-in prompted PaaDee to invest more into installing security cameras and lighting. The added investment comes at a time when the restaurant's sales are down 40% and it is preparing for what could be especially slow winter months with indoor dining still banned.

"The restaurant industry, we all know how hard it is to survive this pandemic," Ninsom said. "There will be a lot of restaurants and food carts that won't make it. To have to be worried about (break-ins) too, it's just sad."

A limited response

Renata, [an acclaimed Italian restaurant](#) in Portland's Central Eastside, was broken into twice last year.

The first break-in came in May, when an intruder managed to get through the restaurant's patio door and [steal an iPad](#). The suspect, Shayne Edward Orvis, 26, failed to turn off the location tracker on the device, which enabled police to locate and arrest him.

The arrest came two months after Orvis was arrested for a burglary at a Pearl District apartment building, before being let go on a supervised pretrial release. As of November, Orvis was back on the streets and there was a warrant out for his arrest but police didn't know his whereabouts, records show.

Another person broke Renata's front door window in December before trying to flee as the alarm system went off. Sandra Arnerich, the restaurant's co-owner, said police responded immediately and managed to catch the suspect trying to leave on a bike.

But the second break-in prompted a frustrated Arnerich to email Mayor Wheeler.

"I sent an email to the mayor telling him what we're experiencing as business owners in Portland and how hard this insecurity makes it for us to operate, especially when we are really hanging on with a thread," Arnerich said. "It's really frustrating as a business owner, paying the amount of taxes we have to pay to the city, and having this amount of insecurity around us."

Tim Becker, a spokesman for Wheeler's office, said the mayor is aware of the increase in crime against local businesses. He said police are in the process of increasing the number of patrol officers, with the hope of having 365 available within the next few months. He also said that the mayor has asked the Police Bureau and Bureau of Emergency Communications for an assessment and evaluation of response times to 911 calls.

"We are processing the report to determine whether further resources and strategic adjustments may be needed to enhance safety and security for local businesses and neighborhood business districts," Becker said.

But business owners have yet to see concrete action from the city that they say is needed.

Even when Renata was open before the pandemic, Arnerich said customers and employees regularly suffered break-ins to their vehicles. Since the pandemic began, she said the amount of trash and graffiti in the neighborhood has grown exponentially, as have the number of people camping on the streets. Arnerich said it took hours for the police to respond when a woman outside the restaurant was having a mental health crisis several weeks ago.

During the pandemic, Renata has repositioned itself as a frozen pizza business. While the restaurant is moving forward with that concept, Arnerich said she has considered moving away from Portland due to the insecurity she feels within the city and isn't sure if there's a future for Renata as a restaurant in the Central Eastside.

"This city definitely feels less safe to me," Arnerich said. "I don't know why our city leadership isn't doing more to keep the city in better shape."

-- [Jamie Goldberg](#) | jgoldberg@oregonian.com | [@jamiebgoldberg](https://twitter.com/jamiebgoldberg)

Crews clean up damage after protest in NE Portland's Hollywood District

Updated Nov 22, 2020; Posted Nov 21, 2020

By Catalina Gaitán | For The Oregonian/OregonLive

Crews cleaned up broken glass and boarded up shattered windows Saturday in Northeast Portland after [demonstrators marched through the area](#) the previous night. Wooden boards covered broken windows and doors of multiple buildings along Northeast Sandy Boulevard, including a State Farm, Chase Bank, Whole Foods, Wells Fargo and Rite Aid. The Portland Police Bureau on Saturday said 26 businesses or workspaces and one apartment building were damaged with graffiti, broken windows or both in the Hollywood District.

A cleaning crew inside a bank and employees at a grocery store both called 911 when demonstrators began smashing windows of the buildings they were inside of Friday night, police said.

Demonstrators also spray-painted several names and messages on windows and buildings, including the words “Black trans lives matter” and the name of Tete Gulley, a Black trans woman. Friday was Transgender Day of Remembrance, which honors and memorializes trans people who were killed or who have died by suicide.

Gulley was found dead in Rocky Butte Park last year. The medical examiner’s office initially ruled her death a suicide, but police later opened an investigation after multiple requests from her family, who don’t believe she committed suicide.

The Hollywood Theatre on Sandy was spray-painted with Gulley’s name. In a statement Saturday on social media accompanied by a photo of the building, the theater said, “Don’t be upset by graffiti; be angered by injustice.” Letters in the theater’s marquee spelled out the words, “Black Lives Matter.”

Shortly before the Northeast Portland protest, another group of demonstrators had gathered in downtown Portland. They marched to the Consulate General of Mexico on Southwest 12th Avenue and Jefferson Street and spray-painted the words “asesinos,” “no mas” and “ni una” on the building’s windows and exterior, translating to “assassins,” “no more” and “not one.” The graffiti was likely referencing #NiUnaMas, a women’s rights movement protesting femicide in Mexico.

The group then marched to and spray-painted the Multnomah County Courthouse on Southwest 1st Avenue. Demonstrators reportedly dispersed when police responded to the scene.

Demonstrators in Northeast Portland also dispersed as police arrived. No arrests were made at either demonstration, police said.

Portland Mayor Ted Wheeler released a statement Saturday afternoon condemning the vandalism.

"The people who engaged in criminal destruction are an affront to our community. They are working in direct opposition to the needs of the people they say they speak for. They are criminals. They are being played by political forces who are set on preserving the status quo or worse. There is no excuse for the criminal destruction to 24 businesses along NE Sandy Boulevard. The Mexican Consulate and Multnomah County Courthouse were also targeted by violent groups. None of this should sit well with any thinking Portlander. To those participating in violence, I want to be clear: I denounce your actions. Law enforcement will do everything possible to find you and hold you accountable. We all agree racial justice is past due, but I absolutely denounce the violence and criminal destruction."

-- Catalina Gaitán, for *The Oregonian/OregonLive*

'It doesn't cover civil unrest': Downtown Portland businesses face rising insurance costs, decreased coverage after riots

Insurance underwriters are taking riots and damage into account when choosing whether or not to renew some policies.



Volume 90%

Author: Katherine Cook

Published: 11:26 PM PST January 5, 2021

Updated: 11:26 PM PST January 5, 2021

PORTLAND, Ore. — In downtown Portland, plywood and graffiti are the new cityscape. Only, it isn't new, anymore.

Since late last spring, businesses have been dealing with damage and looting from riots and protests, most recently a [New Year's Eve riot](#) organized by an anti-capitalist group. In May, [Mercantile Portland](#) on SW Alder suffered over \$1 million dollars in damage and looting during a riot in response to the death of George Floyd.

"Just getting everything cleaned up, accounted for and put back together, we didn't open until September 24," said Eric Murfitt, General Manager of Mercantile Portland.

Murfitt wanted to move forward and stay positive but then weeks later, the business experienced another blow.

"We got a letter of non-renewal from our insurance company," he said.

Murfitt said his insurance broker tried over a dozen top-tier carriers, but none of them were willing to insure the store. Finally, an insurance company from the wholesale market wrote them a policy.

"It was a really awful policy," said Murfitt. "It's four-times the premium we were paying and it doesn't cover things like civil unrest; the kinds of things that happened here will not be covered."

Barb Schimmel is a commercial insurance agent with AssuredPartners, the insurance broker that helped Mercantile Portland find coverage.

"We definitely had a front-row seat to a lot of loss this year and that's been hard," said Schimmel.

Schimmel said the reality in every market is that underwriters must assess risk in part by looking at trends and liability when considering providing coverage.

"Prior to the election, for example, some underwriters were waiting to see the outcome of the election," said Schimmel. "Some are looking at headlines. Some are very familiar with Portland, others are further away geographically."

Even outside of what happened in 2020, insurance brokers said they were already facing what they call a "hard market," created in part by liability losses

across the nation, including those caused by the California wildfires. That didn't leave insurance carriers a lot of wiggle room while they considering taking on more risk. As a result, some businesses are having to make tough decisions to compensate for increases in insurance costs.

"I decided not to have my earthquake policy anymore just to be able to keep my rates to a reasonable manageable level," said Steven Lien, owner of [UnderU4Men](#), on SW Washington. "A catastrophic earthquake hits then I'm kind of messed up."

Lien said his insurance rate went up 15% when he renewed last fall, after claiming just one broken window. Within weeks of renewing, he lost two more windows at nearly \$4,000 a pop.

"I kind of got lucky in the timing of the moment but I am concerned," said Lien. "They can still cancel you."

For many businesses, insurance deductibles are so high, the cost of fixing broken windows falls on them.

"It's the small businesses bearing the brunt of this burden, it's incredibly sad and very hard to watch," said Vanessa Sturgeon, CEO of [TMT Development](#). Sturgeon and [Melvin Mark Companies](#) CEO, Jim Mark, helped start [Rose City Downtown Collective](#), a group aimed at rebuilding the local economy and the spirit of downtown Portland. They started a [GoFundMe](#) to help small businesses replace broken windows as they continue suffering damage.

"It's an attack on all Portlanders and we need this revenue," said Mark. "Without a sales tax, the state needs healthy businesses."

Eric Murfitt hopes Mercantile Portland will thrive again, though with his current insurance policy, it feels a little like flying without a net.

"It makes us anxious, we're keeping the boards up... just to protect ourselves," said Murfitt. "Because the city's not doing that for us."