

## Moore-Love, Karla

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**From:** Daniel Brown (10PC) [dan.brown@gsa.gov]  
**Sent:** Wednesday, September 28, 2011 5:40 PM  
**To:** Moore-Love, Karla; Hardy, Douglas  
**Cc:** Lindsey Snow (10PRAB); Elizabeth Godfery; JJunkin@gsblaw.com  
**Subject:** Fwd: ICE detention facility Appeal of Case LU11-124052 CU PR

**Attachments:** ICE Letter release plan 9-26.pdf; Macadam Updated Release Plan9-28.pdf



ICE Letter



Macadam

lease plan 9-26.pdf; Macadam Updated Release Plan

Ms Moore please accept this re transmission of my earlier email, I inadvertently transposed two letters in your email address.

----- Forwarded message -----

**From:** Daniel Brown (10PC) <dan.brown@gsa.gov>  
**Date:** Wed, Sep 28, 2011 at 4:38 PM  
**Subject:** ICE detention facility Appeal of Case LU11-124052 CU PR  
**To:** Karla.moore-love@portlandoregon.gov, douglas.hardy@portlandoregon.gov  
**Cc:** "Lindsey Snow (10PRAB)" <lindsey.snow@gsa.gov>, Elizabeth Godfery <elizabeth.godfrey@dhs.gov>

I am writing to transmit a response to the September 21, 2011 Portland City Council hearing on the Proposed Immigration and Customs Enforcement Facility Case LU 11-124052 CU PR. GSA is transmitting a response to proposals made by the Bureau of Development Services for the Conditional Use Permit and transmitting a revised Custody release plan

Please accept the attached information for the subject appeal and acknowledge receipt.

--

Daniel R Brown  
Assistant to Regional Commissioner Planning and Policy  
253-931-7321 Cell 253-709-5086

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Daniel R Brown  
Assistant to Regional Commissioner Planning and Policy  
253-931-7321 Cell 253-709-5086



GSA Northwest/Arctic Region

SEP 28 2011

The Honorable Commissioners  
City of Portland  
1221 SW Fourth Avenue, Room 140  
Portland, OR 97204

Attention: Council Clerk

Dear Commissioners,

Case File Number LU 11-124052 CU PR (Immigration and Customs Enforcement Detention Facility)

I am writing in response to questions raised at the September 21, 2011 Public Hearing before the City Council on the proposed Immigration and Customs Enforcement (ICE) facility. During the hearing, proposals were made by Douglas Hardy of the Bureau of Development Services (BDS) regarding revisions to the ICE custody release plan, dated August 2011. ICE is committed to providing a safe and secure environment for the Portland Community and the detainees in their custody. The attached ICE Custody Release Plan has been revised to provide a commitment from ICE to follow the Security Plan and their release procedures within the City of Portland.

One of the proposed conditions by the BDS was a log of all detainees released from the site. ICE cannot agree to the log. ICE monitors and records detainees at the facility, but the information requested contains Personally Identifiable Information that is protected under Privacy Act provisions, which restrict the information. As far as individuals logging complaints concerning released detainees, the suggested log would not provide additional benefit as there would be no way for the general public to know if individuals leaving the facility are United States citizens, lawyers, family members or individuals with legal status. More effective than providing a log is the attached commitment by ICE to comply with the Security plan and the Custody Release Plan. ICE and the City, having the mutual goal of protecting the security and safety of citizens and in respect of each other's operational needs, can rely on our respective commitments to provide a safe environment. The Portland Police Bureau has reviewed the Security plan and the Custody Release Plan. They determined that the ICE facility and operations would not pose an unreasonable safety threat to nearby uses and residents.

U.S. General Services Administration  
400 15<sup>th</sup> Street, SW  
Auburn, WA 98001-6599  
[www.gsa.gov](http://www.gsa.gov)

GSA and ICE are committed to being a good neighbor in the community and providing a safe environment. Thank you for consideration and cooperative efforts with GSA. Should you have any questions on this project contact me at (253) 931-7321.

Sincerely,

A handwritten signature in black ink, appearing to read 'D.R. Brown', written in a cursive style.

Daniel R. Brown  
Assistant to the Regional Commissioner for Planning and Policy

cc: Douglas Hardy, Bureau of Development Services  
Nathalie R. Asher, US Department of Homeland Security/Immigration and Customs Enforcement  
Rodeny Grinberg, Lindquist Development Company

ICE CUSTODY RELEASE PLAN  
SEATTLE FIELD OFFICE  
MACADAM SITE – PORTLAND, OREGON

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The Immigration and Customs Enforcement (ICE) building located at 4310 Macadam will operate in conformance with the Security Plan that was submitted to the City and labeled A-8. As an addendum to the approved Security Plan, Immigration and Customs Enforcement will adhere to the following when releasing eligible persons from ICE custody:

- From time to time, ICE releases certain eligible persons from custody pending decisions on their removal (deportation) cases.
- Telephone calls are permitted for detainees to arrange transportation away from the Macadam site upon release.
- Release from ICE custody may be limited to designated release times and will be affected under the following conditions:
  - Subject released and transported from the site to family, friend, attorney or non-governmental organization.
  - Subject transported by ICE and released from custody at mass transit location with funds sufficient for transportation fare.
  - Subject transported by ICE and released from custody at other mutually agreeable location within the city of Portland.
- ICE will prominently post notices in the processing area advising detainees of these site-specific release procedures.

APPROVED:

*Nathalie R. Asher*

Nathalie R. Asher  
Field Office Director  
US Department of Homeland Security  
Immigration & Customs Enforcement  
September 2011



**Moore-Love, Karla**

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**From:** Tamara King [TKing@gsblaw.com]  
**Sent:** Wednesday, September 28, 2011 2:07 PM  
**To:** Moore-Love, Karla  
**Cc:** Hardy, Douglas; John Junkin; Rees, Linly  
**Subject:** [User Approved] HO 4110014 ICE Facility  
**Attachments:** 11SS-COLOR\_EXCHANGE\_09282011-135824.pdf

Hello,

I am attaching the applicant's submittal in the above-referenced matter. Could you please confirm your receipt and that it is accepted into the record.

Thank you ~

**TAMARA KING**

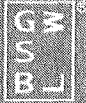
*Legal Assistant* | 503.228.3939 x 3177 Tel | 503.226.0259 Fax | [tking@gsblaw.com](mailto:tking@gsblaw.com)

GARVEY SCHUBERT BARER | 11th Floor | 121 SW Morrison Street | Portland, OR 97204 |

► [GSBLaw.com](http://GSBLaw.com)

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A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

Please reply to JOHN M. JUNKIN  
*jjunkin@gsblaw.com*  
DIRECT DIAL 503 553 3131

September 28, 2011

**VIA EMAIL**

Mayor Sam Adams and Portland City Council  
c/o Council Clerk  
1221 SW Fourth Avenue  
Portland, OR 97204

Re: Appeal of Hearings Officer Decision HO4110014 (LU-11-124052)

Dear Mayor Adams and Commissioners:

At the conclusion of the September 21st hearing on the above matter, you directed that the record be left open to allow any party to submit "rebuttal" evidence in response to any "new" evidence that may have been submitted subsequent to the decision of the Hearings Officer. In regard to the claim that "new" evidence had been submitted, the applicant does not believe that the ICE Release Policy, submitted as part of the applicant's appeal, constituted new evidence, as it was submitted for purposes of proposing conditions of approval in response to the Hearing Officer's decision recommending that there be conditions imposed addressing the direct release of detainees in the event the conditional use was granted. Further, the August 31, 2011 Portland Police Bureau memorandum, by its own terms, constituted clarification and affirmation of the PPB's position in the record that the "detention facility" does not pose an unreasonable safety threat to nearby uses and that the proposed conditions of approval set out in the ICE/DRO Release Plan regarding the direct release of detainees "provides additional assurances of safety." The applicant, however, appreciates the Council's desire to allow all parties to provide "rebuttal" evidence as a manner of assuring that the parties had a chance to respond.

In regard to conditions of approval, the Bureau of Development Services proposed, at the September 21 hearing, a condition of approval that a log of directly released detainees be maintained by ICE, and made available for City compliance review. ICE has now informed the applicant and the City that, for operational reasons, it will not maintain a log for City review as proposed. ICE also maintains that such a log would not provide effective monitoring to assure compliance with the Release Plan. The applicant hopes the City can appreciate the operational needs and authority of ICE in this regard and requests that this condition of approval not be imposed.

Finally, the Council requested that both the tenant and the applicant provide a commitment to comply with the conditions of approval in regard to the Security Plan, including the procedures for the direct release of detainees. ICE has provided that commitment in the form of the "ICE Custody Release Plan"



GARVEY SCHUBERT BARER

Mayor Sam Adams and Portland  
City Council  
September 28, 2011  
Page 2

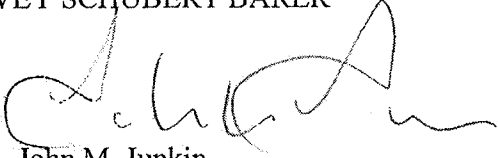
it is submitting, signed by Field Office Director Nathalie Asher, which includes a commitment to the Security Plan (Ex. A-8). The applicant is obligated to comply with any conditions of approval, and failure to do so provides the City with several remedies against the applicant. However, as the applicant's legal representative, this letter is to provide further commitment by the applicant to comply with the terms and conditions as set forth in the Security Plan (Ex A-8) and the ICE Custody Release Plan submitted this day by Daniel Brown on behalf of GSA and ICE.

The evidence clearly establishes that the proposed detention facility does not pose an unreasonable safety threat to nearby uses and residents. The applicant requests that the conditional use for the detention facility be granted. Thank you for your consideration of this matter.

Very truly yours,

GARVEY SCHUBERT BARER

By

  
John M. Junkin

JMJ:tk

cc: Douglas Hardy

PDX\_DOCS:471919.1 [38085.00100]

Emailed to  
Council  
9/27/11

THE FOLLOWING STATEMENT IS MADE AT THE REQUEST OF MAYOR SAM ADAMS AT A  
HEARING HELD ON SEPT. 21, 2011 CONCERNING THE MATTER CAPTIONED  
LU-124052 CU PR (HO 4110014)

Concerning the matter cited above the only document germane, in total,  
to the matter at hand is " The Decision of the Hearings Officer" prepared  
by Mr. Gregory J. Frank and dated Aug. 3, 2011. It is generally agreed  
that Mr. Frank is the superior authority of land use code in this matter.

On page 2 of his decision Mr. Frank wrote that "the record was held  
open until 4:30 p.m. July 13, 2011 for new written evidence and until  
4:30 p.m. on July 18, 2011 for Applicants' rebuttal. The record was  
closed at that time."

On or about Aug. 17, 2011 the lawyer for the applicant presented a  
2+ page rebuttal as well as a document titled "ICE Custody Release Plan,  
Seattle Field Office, Macadam Site-Portland, Oregon and dated only as  
August, 2011. Although he well knew that the record had been closed for  
a month Mr. Douglas Hardy, BDS Staff, chose to ignore that primary fact  
and placed those documents as well as a letter from the Portland Police  
Dept. into the record under false flag which has served only to  
bring confusion and obliqueness to the matter at hand.

In fairness to all parties involved City Council must only consider  
those documents and evidence which were properly placed in the record no  
later than Aug. 18, 2011 and of which Mr. Frank has access to so as to  
arrive at his decision.

Therefore the South Portland Neighborhood Assoc. objects to any and  
all documents and evidence placed into the record after 4:30 p.m.  
July 18, 2011 and further makes claim that City Council shall not  
consider nor reflect upon those documents that were entered into the  
record after July 18, 2011 in their deliberations.

Jim Davis per South Portland Neighborhood Assoc.  
Sept. 26, 2011

The Honorable Commissioners  
City of Portland

Attention: Council Clerk

Case File: LU 11-124052 CU PR

AUDITOR 09/27/11 AM 9:44

FW TO COUNCIL  
9-27-11 sp



Council Clerk

DATE

Case File: LU 11-124052 CU PR

Two pieces of new evidence are: The ICE Custody Release Plan dated August 17, 2011 (part of a submission by applicant attorney Joh Junkin) and August 31, 2011 letter from Portland Police addressing the Plan. As specifically stated by the Hearings Officer's Decision on page 17 final paragraph these items were not in the file.

As was pointed out by the City Attorney new evidence was submitted in oral testimony by Ms. Godfrey in her reference to Multnomah County detainee Releases on a daily basis.

Since so much new evidence has been mixed in with old evidence to argue their points, clarification or addendums this seems to violate the City's Requirement of: no new Evidence can be presented to the City Council after the file was closed July 18, 2011 4:30 p.m.

In all fairness the City Council should exclude all

written and oral testimony submitted after July 18, 2011 or at least go line by line, as suggested by the City Attorney, to eliminate any new evidence.

This allows the application to be decided on the one submitted to the Hearings Officer and the Appeal to the City Council was made.

The latest version of the application with its new evidence should be resubmitted and start the Conditional Use process over so no decision could be tainted by illegal new evidence.

William Danneman

William Danneman  
623 S.W. Caruthers St.  
Portland, OR. 97201  
503-228-9868

**OPPOSE  
APPEAL**

APPEAL OF RODNEY GRINSBERG RE

IMMIGRATION & CUSTOMS ENFORCEMENT DETENTION FACILITY

4310 SW MACADAM AVE LU 11-124052 CU PR

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

4 ✓	William Danneman	623 S.W. Carothers St. 97201	
	<del>CLIFFORD GRAY</del>	<del>3</del>	
12 ✓	Irene TINKER	3550 SW Bond Ave #1508 97239	
12 ✓	CHARLES BARKER	0841 SW GAINES #419 97239	
1 ✓	PERRY WALKER	3550 SW BOND Ave #1503 97239	
10 ✓	LEONARD MICHON	0841 SW GAINES #1906 97239	BOMBONE@COMCAST.NET
9 ✓	Jim Rudolph	7350 SW Bond Ave #2107 97239	
8 ✓	Laura Bracke	BB1244 St. Helens 97051	laurabracke@hotmail.com
7 ✓	Krista Rodriguez	15273 SW Greenfield Dr 97224	hillside_imports@yahoo.com
6 ✓	Scott Kelly	P.O. Box 1253 St. Helens OR 97051	scottalanekelly@hotmail.com

**OPPOSE  
APPEAL**

APPEAL OF RODNEY GRINSBERG RE

IMMIGRATION & CUSTOMS ENFORCEMENT DETENTION FACILITY

4310 SW MACADAM AVE LU 11-124052 CU PR

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

5 ✓ Kristian Pearlman	4614 SE 32nd Ave, Portland, OR 97202	kristianpearlman@swcharter.org
4 ✓ ROSE Kelly	POB 1244 St. Helens	none
3 ✓ Mark Siegel	3601 S.W. River Pkwy, #2600 Portland, OR 97239	Siegelm@peoplepc.com
✓ Tom Noguchi	3578 SW River Pkwy #1013, Port, OR 97239	noguchitom@gmail.com
1 ✓ Chanda Stone	6940 SW Juniper terr Beaverton OR 97008	Chandalier32@yahoo.com
✓ Jim Davis	7337 SW 6th PDX 97201	JD



**SUPPORT  
APPEAL**

APPEAL OF RODNEY GRINSBERG RE

IMMIGRATION & CUSTOMS ENFORCEMENT DETENTION FACILITY

4310 SW MACADAM AVE LU 11-124052 CU PR

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

✓ JAMES GONNEWOLD	1623 E J St Jaloma WA	
✓ Pat Prendergast	3720 SW Bond Ave #3000 Portland 97239	PRP3000@comcast.net
John Junkin <small>App Rep</small>	121 SW Morrison St 1100 97207	Jjunkin@gsblaw.com
✓ Elizabeth Godfrey	511 NW Broadway Portland 97209	
✓ DAN BROWN	GSA 400 15TH STREET SW AUBURN WA 98092	dan.brown@gsa.gov
<del>Left</del>		
✓ David August	300 NW 8 <sup>TH</sup> AVE #207 PORTLAND 97209	daugust@pearlliving.com



9/21/11

Appeal of Hearings Officer decision HO 4110014 (Conditional Use Hearing LU 11-124052 CU PR)

Testimony of:

Mark P. Siegel

3601 S.W. River Parkway, # 2600

Portland, OR 97239.

I have reviewed the appellant's letter of August 17, 2011 appealing the Hearings Officer's decision on this case.

The attachment, entitled "ICE-Custody Release Plan, Seattle Field Office, Macadam Site, Portland, Oregon" attempts to address concerns raised in this case about release of detainees. The applicant's proposal still does not fully address the Public Safety criterion needed to grant a Conditional Use Permit per 33.815.205 Detention Facilities

The attachment tries to give the ICE some flexibility with out being specific in its actual use with regard to released detainees.

Items 5.0 through 5.4 attempt to meet the concern about released detainees. Item 5.3 uses the word "may" and not the word "shall." This appears to give ICE discretion as to release times. This does not appear to give the level of protection that one would hope for in order to meet the conditional use criteria

Item 5.3.2. uses the phrase "released from custody at mass transit locations" The lack of definition of "mass transit location" could mean to simply place released detainees at the nearby # 35 bus stop or at the nearby streetcar stop where the Matisse Apartments are. Again, where is the level of reassurance and protection for the immediate neighborhood?

Item 6.0 uses the word "may", not "shall." One's reaction is that this gives ICE a great deal of unilateral discretion as to the release gratuity award. There needs to be some minimal threshold that ensures that released detainees are able to be transported home or elsewhere.

James Davis  
9-21-11

6-18-11

THE OREGONIAN

# U.S. plans to raise bar on who gets deported

After much criticism, immigration officials will focus more on serious offenders

By **JULIA PRESTON**  
NEW YORK TIMES NEWS SERVICE

Moving to repair an immigration enforcement program that has drawn rising opposition from governors and police chiefs, senior immigration officials Friday announced steps they said would focus the program more closely on deporting immigrants convicted of serious crimes.

In unveiling the changes, John Morton, the head of Immigration and Customs Enforcement, said the deportation program would continue to expand as planned in order to be operating nationwide by 2013, despite criticism from many police chiefs and from the governors of Illinois, New York and Massachusetts, who sought to withdraw their states.

But in making course corrections to the program, known as Secure Communities, Morton acknowledged the groundswell of local resistance, including opposition from Latino and immigrant groups, to an effort that is central to President Barack Obama's approach to controlling illegal immigration. Critics said the program was casting too wide a net and had strayed from its goal of bolstering public safety by expelling illegal immigrants who committed the most dangerous crimes.

In a fix likely to have broad practical effect, Morton is-

sued a memorandum that greatly expanded the factors immigration authorities can take into account in deciding to defer or cancel deportations. Agents are now formally urged to consider how long an illegal immigrant has been in the U.S., or whether the immigrant was brought here illegally as a child and is studying in high school or college.

In practice, the memorandum gives immigration agents authority to postpone or cancel, on a case by case basis, deportations of illegal immigrant students who might have been eligible for legal status under a bill stalled in Congress that is known as the Dream Act.

Authorities also are instructed to give "care and consideration" to veterans and active duty members of the military, especially if they have been in combat, and to their close relatives.

Morton also expanded the authority of federal lawyers who handle cases in immigration courts to dismiss deportation proceedings against immigrants without serious criminal records.

"We believe in this program, we think it's the right program, and we intend to continue it," Morton said Friday. "But obviously we are listening to the concerns raised by the governors, members of Congress and community groups."

Also on Friday, Obama extended the deployment of some 1,200 National Guard troops who are backing up immigration agents along the Southwest border.

7-11-11

# School feared fuss over ICE location

Speaking against an immigration facility next door could have cost Southwest Charter its lease

By BRAD SCHMIDT  
THE OREGONIAN

There's a reason officials for a Portland charter school haven't been public about their discomfort over a U.S. Immigration and Customs Enforcement facility that may move in next door.

They feared being shut down.

But now that a key lease provision has expired, leaders for the Southwest Charter School are speaking out about the difficult process it took to find their new home.

Their path, they say, required navigating city politics, working within federal guidelines and facing what sometimes felt like intimidation from a local development representative. The day after students and parents testified against the ICE plan, for example, renovation work on their school mysteriously stopped.

"We couldn't afford to lose our school," said Kristian Pearlman, the school's board president. "It's just not an option."

The tussle is another development in a months-long controversy over the ICE proposal. Federal officials say the 114,279-square-foot center at 4310 S.W. Macadam Ave. would be mostly offices, though it would include a 5,198-square-foot detention facility for suspected violators of customs and immigration laws. No detainee would stay more than 12 hours or spend the night, they say.

Nearby residents, though, say the center would be a jail, making it a poor fit for the neighborhood. The Portland City Council in February agreed that the facility should undergo more review.

School leaders found their space

Please see **SCHOOL**, Page A5

## School

Continued from Page One

— what had been a warehouse in the chic South Waterfront district — in fall 2009. After launching the rare state-sponsored charter school in 2007 and growing out of a space in the nearby Johns Landing neighborhood, officials were eager to find long-term stability.

But uncertainty followed when the U.S. General Services Administration picked a neighboring property for the proposed ICE offices and detention facility with four holding cells.

School officials worked to sign a lease with Stuart Lindquist's Lindquist Development Co., which they say had been interested in buying the warehouse. But Lindquist dropped those plans, and a company headed by J.D. Watumull of Hawaii bought it.

School officials signed a 10-year lease May 20, 2010, agreeing to pay \$180,000 a year. They say the decision was rushed because they had to finalize a location or face losing their charter and shut down.

### A warning

The wrinkles? The feds had signed a lease with Lindquist, who owns the building next door, for \$2.2 million a year. And the school's lease with Watumull gave the feds unusual sway.

"It is understood," the lease read, "that if the G.S.A. takes specific land use or legal action to contest the occupancy of the space by the Tenant in the subject property, the Landlord may terminate the lease within the first 12 months."

In the months that followed, the South Portland Neighborhood Association challenged

plans for the ICE facility. School officials, with renovations on their space unfinished by contractors with ties to both Watumull and Lindquist, tried to stay out of the way.

That's because, they say, a representative for Lindquist, whom they declined to name, gave them a warning in a conference call. School office manager Marlene Dorfman can't remember the exact wording but said the remark was to the effect of, "You need to control your people."

But school parents testified the next day, Jan. 19, at a City Council hearing on the ICE proposal. So did students at the K-8 school, including a fifth-grader who told politicians she wanted to "feel safe while I'm playing" outside.

The next day, work on the school building stopped, school officials say.

So what do Lindquist, federal officials and Watumull have to say? Messages left with Lindquist's company and his attorney went unreturned. His broker declined to comment, citing a message he received from the company and the attorney.

But GSA spokeswoman Chelsea Turnbull, asked about the school's lease provision, said, "We have no idea where or why that came into being in their lease."

Watumull said he couldn't recall why that clause was added, either, other than he wanted to notify the school about the proposed facility next door. Asked about adding a clause that could force the school out, he said, "You don't want to fuss with the federal government, do you?"

### Unusually close

Federal officials said ICE typically doesn't open a facility within 300 feet of a school. In this case, the school and building would be separated only

by an old rail line and fencing, close enough to chuck a baseball back and forth.

Turnbull said she couldn't point to another location where a school would be so close to an ICE building. The distance isn't for safety, she added, but more to "avoid some of the confusion and misinformation that we've had to handle with this project."

Watumull, asked whether work stopped after parents and students testified, said, "Not to my recollection." He said it was his company that served as the general contractor on the school renovations but Lindquist "was helping me out with some subs," which he said meant giving him names of subcontractors.

Anne Gurnee, the school's education director, said she knew Lindquist wouldn't be happy that so many parents and students spoke out. "I can't honestly say we were terribly surprised," she said of the work stoppage. "But we were devastated."

Gurnee stopped short of calling it retaliation, however, praising Lindquist and Watumull for helping them at the warehouse. For reasons unknown, Gurnee said, the workers reappeared after a day or two, and classes began at the new location March 1. The lease provision giving the feds a say also expired.

If the ICE center is approved, it could open in late summer or early fall 2012. School officials say they hope to turn it into a teaching moment on immigration and even bring in federal officials to speak.

"It's an important issue in the community right now, so I think it could be pretty cool," Gurnee said. "Or at least there is that potential."

Brad Schmidt, 503-294-7628  
bschmidt@oregonian.com  
Twitter: @cityhallwatch

**Parsons, Susan**

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**From:** Wonmi Woo [wmwoo@comcast.net]  
**Sent:** Wednesday, September 21, 2011 12:04 PM  
**To:** Moore-Love, Karla  
**Subject:** LU-11-124052 CU PR

Dear all City Council members,

Thank you so much for your service for our beautiful city Portland.

Unfortunately, I have been very concerned for the last 13 months that a "High Security" detention facility would be very close to my new peaceful condo home. I moved to the South Waterfront community to have a more peaceful and secure life. I never dreamed that the high security detention facility would be the South "gateway" to my community.

My specific concerns are as follows:

1. I understand that the proposed facility is located less than 100 feet of the charter school. I am afraid that the proposed detention facility is so close to the school that the direct release of detainees from the detention facility can pose any unreasonable safety risk to the school children as well as residents.
2. I am afraid of traffic congestion and safety issues at the corner of Bancroft, Moody and Macadam. When considering the proposed detention facility, the traffic could be much heavier in mornings and evenings, especially with fast-moving traffic on Macadam Avenue, which runs perpendicular to Bancroft."
3. Some real estate folks estimate a 10% further reduction to our already depressed home prices. Especially since the facility is located at the South "gateway" to our community.
4. Developers and residents have each invested well over \$600 million in South Waterfront. City of Portland several hundred million as well. Further depressing prices will reduce much needed tax collections and delay further investments and related jobs.

Above all, I am greatly afraid that the entire South Waterfront future development might be hindered by the detention facility because the facility could be an immediate turnoff for future developers, investors or homebuyers.

I would really appreciate it if you consider all the negative effects which the proposed detention facility will have on the entire South Waterfront community.

Thank you so much for your time.

Sincerely,

Wonmi Woo  
0841 SW Gaines St. #502  
Portland, OR 97239

9/22/2011



**Parsons, Susan**

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**From:** MMARMADUKE@aol.com  
**Sent:** Wednesday, September 21, 2011 8:38 AM  
**To:** Moore-Love, Karla  
**Subject:** I.C.E Siting (done sp)

To whom it may concern:

I feel that this facility is a negative for this neighborhood. It doesn't provide any services for members of this very dense community and may cause a concern for safety, although they claim to be safe. With several apartments and condominiums, three child care sites, and numerous commercial establishments, this facility doesn't add anything to the livability of the neighborhood and may detract from it as a desirable place to live.

Mary Ellen Marmaduke  
Health Education Consultant  
Resident of the John Ross  
October 21, 2011



**Parsons, Susan**

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**From:** s [swalenza@gmail.com]  
**Sent:** Wednesday, September 21, 2011 8:39 AM  
**To:** Moore-Love, Karla  
**Subject:** case #: LU 11-124052 CU PR ICE facility hearing testimony for Sept 21 (done sp)  
**Attachments:** ICE.rtf

Please attention: Hearing for ICE Detention Center

RE: case #: LU 11-124052 CU PR

Dear Mayor and City Council:

Please deny the conditional use permit for the ICE facility detention center. The facility is to be located at the bottleneck point that many walkers and cyclists go by each day as they pass between SOWa and the Macadam riverfront trail. The proposed detention facility is right across from an elementary school (which is a wonderful addition to our neighborhood and which we would hate to lose due to this proposed project), a block from housing under construction, and at the entrance to our new neighborhood still struggling to attract business, retail, and a grocery store to balance our high density housing. How can the construction of the detention facility, which is to be surrounded by an 8 foot tall steel fence, possibly be conducive to livability and safety in SOWa?

The walkway just outside the proposed fence for the detention center site connects us to the Macadam area, the Willamette waterfront trail and all of its nature, and further south to John's Landing. The proposed detention facility site is the bottleneck point where alternative development would allow a connection between the Macadam housing area along the Willamette River and the SoWa neighborhood. To allow the detention facility will serve to dissect a neighborhood that is already quite isolated. It could be much stronger, safer, and more livable by joining together through more appropriate development, rather than by dissection by a steel-fenced detention facility. Surely this neighborhood is transitioning away from its industrial character. Why create a new "industrial" use detention facility at the entrance to our still developing new neighborhood? We need vibrancy and connection in this long skinny stretch of neighborhoods, not a prison at an important point of articulation between the two neighborhoods.

How would a quality grocery store- a real asset to our neighborhood- be deterred by the location of this ICE facility, and the transportation challenges it brings to the neighborhood?

So many ICE employees are required to carry firearms. This is a concern and does not build a sense of safety and security to a new neighborhood. Meanwhile, private companies have spent 20 million lobbying dollars to push for more stringent arrest criteria in order to fill their private holding facilities, creating a greater burden on ICE facilities as well, and this portends that ICE facilities will be gaining business in years to come. Indeed the rate of growth of these detention

9/22/2011

facilities has been significant over the past 5 years.

This decision involves the lifeplan of our neighborhood- one whose future seems needlessly jeopardized at this fragile point in its development. Please deny the conditional use. Thank you.

Yours truly,

Susan Walenza

3570 SW River Parkway unit 1705

Portland, Oregon 97239

503 467 7520

Please attention: Hearing for ICE Detention Center  
RE: case #: LU 11-124052 CU PR

Dear Mayor and City Council:

Please deny the conditional use permit for the ICE facility detention center. The facility is to be located at the bottleneck point that many walkers and cyclists go by each day as they pass between SOWa and the Macadam riverfront trail. The proposed detention facility is right across from an elementary school (which is a wonderful addition to our neighborhood and which we would hate to lose due to this proposed project), a block from housing under construction, and at the entrance to our new neighborhood still struggling to attract business, retail, and a grocery store to balance our high density housing. How can the construction of the detention facility, which is to be surrounded by an 8 foot tall steel fence, possibly be conducive to livability and safety in SOWa?

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This decision involves the lifeplan of our neighborhood- one whose future seems needlessly jeopardized at this fragile point in its development. Please deny the conditional use. Thank you.

Yours truly,

Susan Walenza

3570 SW River Parkway unit 1705  
Portland, Oregon 97239  
503 467 7520

**Moore-Love, Karla**

---

**From:** Hardy, Douglas  
**Sent:** Tuesday, September 20, 2011 4:48 PM  
**To:** Moore-Love, Karla  
**Subject:** FW: Appeal of HO Decision 4110014  
**Attachments:** 11SS-COLOR\_EXCHANGE\_09192011-171629.pdf

Karla,

If the above attached letter isn't already in the record for the ICE hearing, could you include it?  
Thanks.

Douglas

---

**From:** Tamara King [mailto:TKing@gsblaw.com]  
**Sent:** Monday, September 19, 2011 5:19 PM  
**To:** Hardy, Douglas  
**Cc:** Beaumont, Kathryn; John Junkin  
**Subject:** [Approved Sender] Appeal of HO Decision 4110014

Please replace the letter I sent a moment ago with the attached, which has the correct date of October 28. Sorry for the inconvenience.

**TAMARA KING**

*Legal Assistant* | 503.228.3939 x 3177 Tel | 503.226.0259 Fax | [tking@gsblaw.com](mailto:tking@gsblaw.com)

GARVEY SCHUBERT BARER | 11th Floor | 121 SW Morrison Street | Portland, OR 97204 |

► [GSBLaw.com](http://GSBLaw.com)

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A PARTNERSHIP OF PROFESSIONAL CORPORATION

Please reply to JOHN M. JUNKIN  
jjunkin@gsblaw.com  
DIRECT DIAL 503 553 3131

September 19, 2011

**VIA EMAIL AND U.S. MAIL**

Douglas Hardy  
Senior Planner  
City of Portland Bureau of Development Services  
1900 SW 4th Avenue  
Suite 5000  
Portland, OR 97201

Re: Appeal of Hearings Officer Decision HO4110014 (LU-11-124052)

Dear Mr. Hardy:

I am writing on behalf of the appellant/applicant in the above matter. As you know the above matter has been scheduled for hearing before the City Council for September 21. The applicant has previously extended the 120 day deadline for a final decision by the City in this matter in order to accommodate this hearing date and assure that the appeal would be considered by a full City Council. We were recently informed that one of the Commissioners will not be in attendance on September 21, but that all Commissioners will be in attendance on October 5. However, there is already a lengthy matter scheduled for the Council on that date.

It is imperative that we proceed to a final decision by the City as soon as possible, therefore, in order to assure that a full Council will consider this matter and to accommodate the City the appellant/applicant is agreeable to proceeding with the hearing on September 21, with the hearing to be continued to the Council's October 5 meeting at which time all Commissioners will be present to deliberate and decide this matter. We understand that the Commissioner who will not be in attendance on September 21 has committed to review the record of September 21 and be prepared to deliberate and decide with his fellow Commissioners. In the event the Commissioner can participate in the September 21 hearing by telephone, we would hope a tentative decision could be made that day. We appreciate the City Council's efforts in this regard.

Therefore, in the event a tentative decision cannot be obtained on September 21, the appellant/applicant hereby agrees to further extend the 120 day deadline to October 28. We understand that by so doing the entire Council can deliberate and make a tentative decision on October 5 and that the findings in support of the decision can then be prepared and brought back for final decision and adoption of findings.





GARVEY SCHUBERT BARER

Douglas Hardy  
September 19, 2011  
Page 2

Thank you for your cooperation in this matter.

Very truly yours,

GARVEY SCHUBERT BARER

By 

John M. Junkin

JMJ:tk

cc: Client  
Kathryn Beaumont, Sr. Assistant City Attorney

PDX\_DOCS:471460.1 [38085.00100]



**U.S. Immigration  
and Customs  
Enforcement**

*FW to  
Council  
Office  
SP*

September 20, 2011

Portland City Council  
C/O Karla Moore-Love  
Council Clerk Office  
1221 SW 4<sup>th</sup> Avenue, Room 140  
Portland, OR 97204

AUDITOR 09/20/11 PM 4:24

**Re: Appeal of Hearings Officer Decision HO 4110014 (LU-11-124052)**

Dear Mayor Adams and Commissioners,

In response to the City Auditor Hearing Officer's decision issued August 3, 2011, we developed and presented Immigration and Customs Enforcement (ICE) Custody Release Plan (enclosed) to address the concern raised over the direct release of detainees from the proposed location of the new ICE facility. In addition to that plan, I am providing the following information in an effort to hopefully dispel any concerns over the release of ICE detainees from the proposed location or another mutually agreeable release site, on a case-by-case basis.

ICE Enforcement and Removal Operations (ERO) met with the Portland Police Bureau (PPB) Central Precinct Commander and the City Attorney with the purpose of discussing the Security Plan (found on page 33 of the Staff Report), ICE Custody Release Plan and to ensure that they had an accurate understanding of the ICE ERO mission and practices. I informed them of the changes in procedures that we were willing to make as they relate to the release of some detainees from the Portland Sub-Office, pending the outcome of these individuals' Removal Proceedings. The meeting with PPB was very constructive and the Security Plan and the ICE Custody Release Plan were favorably received. Based on the PPB letter dated August 31, 2011 (enclosed), the PPB concluded that on the question presented by City Code 33.815.205(B), the ICE facility and operations will not pose an unreasonable safety threat to nearby uses and residents.

Additionally, I think that it is important to note that the Multnomah County Sheriff's Office staffs and operates the Multnomah County Detention Center (MCDC) and Multnomah County Inverness Jail (MCIJ), not the PPB although they are co-located in the "Justice Center" building located at 1120 SW 3<sup>rd</sup> Avenue in downtown Portland. In order to provide information concerning other custody releases within Portland, I also spoke with the Multnomah County Sheriff's Chief Deputy for Business Services. Although written release procedures will, understandably, not be provided due to security considerations, he advised that all custody releases occur at MCDC (1120 SW 3<sup>rd</sup> Avenue) in downtown Portland. Based on the Monthly Jail Report for July 2011, which he provided,

Multnomah County averages around 90+ custody releases per day, far in excess of what ICE ERO Portland has been releasing per month, let alone per day. Most but not all ICE detainees considered for release will be non-criminals. However, those that are criminal aliens that are being considered for release will not be subject to active and/or extraditable warrants and will "have served their time." As such, they have the right to walk around the streets of Portland to include businesses, schools and residential areas (unless specifically prohibited by court order).

I hope that this information satisfies the Portland City Council's concern(s) over the release of certain ICE detainees. ICE ERO and its predecessor Immigration and Naturalization Service (INS) have been an active force within the City of Portland for decades. It is our aim to continue to be a good neighbor and an asset to the community by enforcing the law and ensuring that the individuals in our custody are afforded the basic human decency and due process that they are entitled to under the law.

Respectfully Submitted,



Elizabeth C. Godfrey  
Assistant Field Office Director

Criminal Alien Program for Oregon and SW Washington

cc: Douglas Hardy, Senior Planner



AUDITOR 09/19/11 AM10:37

GSA Northwest/Arctic Region

SEP 15 2011

The Honorable Commissioners  
City of Portland  
Attention: Council Clerk  
1221 SW Fourth Avenue, Room 140  
Portland, OR 97204

Case File Number LU 11-124052 CU PR (Immigration and Customs Enforcement Detention Facility)

Dear Commissioners,

I am writing on behalf of the U.S. General Services Administration (GSA) Public Building Service to support the appeal of the denial of the Conditional Use Permit (CUP) for the Immigration and Customs Enforcement (ICE) facility proposed at 4310 SW Macadam Avenue. Under GSA's authority to lease space for Federal Agencies, GSA has entered into a lease agreement with Lindquist Development for the new ICE facility.

GSA has a positive history of working with and investing in the City of Portland Central Business Area (CBA) and supporting downtown economic growth. Major investments include the modernization of the Pioneer Courthouse, the construction of the Mark O. Hatfield U.S. Courthouse, and the high performance green-building modernization of the Edith Green/Wendell Wyatt Federal Building.

GSA also supports Portland's CBA real estate market with leases at 33 Portland office buildings. Leases are competitively procured in accordance with Presidential Executive Order 12072 that requires GSA to first consider CBA locations designated by the City. GSA is currently leasing a new facility under construction for the Citizenship and Immigration Service (CIS) in the Pearl District. The CIS lease was located within the CBA at the specific request of City Commissioners, the Mayor, and the Portland congressional delegation in 2008. The proposed location for ICE in the South Waterfront is also within the CBA, in keeping with the Council's preference and the Executive Order.

Lindquist Development and ICE have addressed the safety concerns raised by the Hearings Officer in his decision memo dated August 3, 2011. The Portland Police Bureau (PPB) reviewed the building's safety plan addressing the limited release of detainees from the facility. The PPB concurred by letter dated August 31, 2011 that the

**U.S. General Services Administration**  
400 15th Street SW  
Auburn, WA 98001-6599  
[www.gsa.gov](http://www.gsa.gov)

ICE detention standards would protect nearby uses and residents from unreasonable safety threats. In the many years of ICE operations at the 511 federal building, there have been no problems resulting from release of detainees in the Pearl District. Also, GSA believes the Detention Facility and Central City Parking requirements have been met and supports Lindquist Development's appeal. The City of Portland should grant the appeal for a Conditional Use Permit for this project.

Should the City Council vote to deny the permit, GSA's ability to provide a lease space for ICE in the City of Portland will be at great risk. The Portland Bureau of Development Services has determined that a CUP would be required at all locations within the city of Portland. Denial of the CUP combined with significant unsuccessful leasing efforts create a prohibitive market in Portland. This also jeopardizes the Public Benefit Conveyance of the 511 Broadway Federal Building to the Pacific Northwest College of Art. The College is slated to receive the building as soon as GSA relocates ICE and CIS. If a new lease is necessary, it will delay this transfer for as long as two years as GSA seeks to find another location for ICE. GSA previously transferred the parking lot adjacent to the 511 building to the City for reuse as a park, pending relocation to the new lease. A lengthy delay could prevent the adaptive reuse of this historic building, and the culmination of Portland's park blocks in the Pearl District.

The ICE facility and its operations will be safe in the Southwest Waterfront and provide multiple benefits for the larger Portland community. GSA believes the developer and the Federal Government have satisfied the design review and conditional use concerns of the City, and we urge you to approve the permit for this critical project.

Thank you for consideration and cooperative efforts with GSA. Should you have any questions regarding GSA lease procurements please contact me at (253) 931-7321.

Sincerely,



Daniel R. Brown  
Assistant to Regional Commissioner Planning and Policy

cc: Rodeny Grinberg, Lindquist Development Company  
P.O. Box 43135, Portland OR 97204

**Moore-Love, Karla**

---

**From:** Gordon Caron [gordoncaron@me.com]

**Sent:** Sunday, September 18, 2011 4:00 PM

**To:** Moore-Love, Karla

**Subject:** File # LU 11-124052 CU PR

From: Gordon Caron, MD,  
0836 SW Curry St, # 1502,  
Portland, OR 97239.

I support the decision of the planing commission to deny the use of part of the property at SW Macadam and SW Bancroft ( reference subject line above) as a detention facility, on security grounds.

Several weeks ago, at a public meeting sponsored by the property developer at which ICE officials spoke, we were told that individuals who had been detained by ICE and brought to this facility for questioning, would be released into the neighborhood at the close of the business day if no evidence had been found that could lead to their further detention.

We were told that ICE had no funds to pay for bus fares for such subjects to return to those areas from which ICE had ( forcibly) brought them. ICE seemed to assume no further responsibility for them.

Several of my neighbors pointed out the potential security risk this involved.

It seems the Planning Commission has also seen this obvious security risk and I urge that this denial be maintained.

Gordon Caron MD



**Moore-Love, Karla**

---

**From:** Rilassi Coffee House [rilassi.coffeehouse@gmail.com]

**Sent:** Friday, September 16, 2011 12:33 PM

**To:** Moore-Love, Karla

**Subject:** SPBA ICE Letter

**Attachments:** SPBA ICE Letter.docx; IMG.pdf

Good afternoon Karla,

I am sending via e-mail a support letter from the SPBA, in relation to the Sept 21st City Counsel Meeting.

I believe I also need to fax, and will when I find the fax number. Hope I'm doing this right.

Regards,

Kevin Countryman  
President  
SPBA (South Portland Business Association)

--

Kevin Countryman  
Rilassi Coffee House & Tea  
3580 SW River Parkway  
Portland, Or 97239

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9/16/2011



September 8, 2011

The Honorable Commissioners  
City Hall  
1221 SW 4<sup>th</sup> Avenue Room 110  
Portland, OR 97204

Via email: [karla.moore-love@portlandoregon.gov](mailto:karla.moore-love@portlandoregon.gov)

Dear Commissioners,

On behalf of the SPBA board vote, September 1<sup>st</sup> 2011. I am writing to advise the commissioners of our support for the application of Stuart Lindquist, owner of the property at 4310 SW Macadam Ave. to lease this building for an ICE facility. This will eliminate a major vacant building within our business district, and provide a significant number of jobs within South Portland.

We believe that the ICE proposal, to transport innocent released persons to a downtown location, should resolve issues previously brought forward.

We understand the 109 additional parking spaces in the updated design will help mitigate an already difficult parking situation within the South Waterfront Neighborhood. Furthermore, the landscaping improvements proposed, will improve appearance issues related to the very important and highly visible south entrance to the South Waterfront District.

Sincerely,

Kevin Countryman  
President  
South Portland Business Association

**Moore-Love, Karla**

**From:** Neil Smolen [njsmolen@me.com]  
**Sent:** Wednesday, September 14, 2011 7:00 PM  
**To:** Moore-Love, Karla  
**Cc:** Lee Daly Smolen  
**Subject:** Opposition to Homeland Security Ice Detention Facility #LU 11-124052 CU PR

City of Portland, Oregon

Bureau of Development Services

c/o The Hearings Officer

1900 SW Fourth Avenue, Suite 3100

Portland, OR 97201

RE: Case #LU 11-124052 CU PR

You are jeopardizing your investment in Portland. My wife and I are owners of a Meriwether Townhome in Portland's South Waterfront and we stand in opposition to the proposed Homeland Security ICE Detention Facility.

As a resident of the South Waterfront, I travel extensively for my employer throughout the domestic U.S. and have the ability to live in any major U.S. city. My wife and I carefully considered many wonderful options and chose Portland and the South Waterfront as our home and the place to raise our family. We subscribed to the vision and future of Portland as a city on the leading edge of environmental, civic, and social issues. We were impressed with Portland's commitment to it's past and future and the South Waterfront's enormous public and private investment in infrastructure, schools, transportation, greenways, parks, and the environment. Despite this enthusiasm and our pride in our new neighborhood, we are dismayed at the proposed Homeland Security ICE Detention Facility and are faced with a real decision to move away from our neighborhood because of the security and safety concerns we have.

The proposed Homeland Security ICE Detention Facility is a poor fit in this nationally recognized neighborhood. A gatehouse, armed guards, 10-15 detainees processed daily, leg restraints, 90% of employees armed with weapons, and detainee visitation areas all suggest something that is inconsistent with a neighborhood that is being established with new schools, recreational trails, and apartments homes all within eyeshot and a softball throw from the proposed facility.

We encourage you to consider our opinion, those of our neighbors, and your own investment in the South Waterfront. The ICE Detention Facility is a poor fit for this neighborhood and presents both real and perceived threats to our homes, our families, and our children. Protect your investment in Portland and the South Waterfront and deny the conditional use permit sought by the developers for the ICE Detention Facility.

Your understanding and cooperation are greatly appreciated.

Sincerely,

Neil J. Smolen and Lee Daly Smolen

0835 SW Pennoyer Street

Portland, OR 97239

9/15/2011

**Moore-Love, Karla**

---

**From:** MarkBlock [markblock1@gmail.com]  
**Sent:** Monday, September 12, 2011 6:21 PM  
**To:** Moore-Love, Karla  
**Subject:** Detention Center

Right idea, wrong place. Please reconsider your siting. The South Waterfront neighborhood is evolving from commercial to residential. The detention center would detract from that evolution and degrade the neighborhood.

Mark Block  
Meriwether Unit Owner

**Moore-Love, Karla**

---

**From:** Moore-Love, Karla  
**Sent:** Tuesday, September 06, 2011 1:16 PM  
**To:** Ansary, Raihana; Papaefthimiou, Jonna; Grumm, Matt; Edwards, Kenneth; Crail, Tim; Schmanski, Sonia; Beaumont, Kathryn  
**Subject:** FW: LU 11-115222 BOORA letter to Susan Lindsay  
**Attachments:** LU\_11-115222\_BOORA\_Ltr.pdf

Testimony for appeal hearing for ICE Detention Facility (LU 11-124052 CU PR) to be heard on Sept. 21 at 2:00 p.m.

**Karla Moore-Love**  
Council Clerk  
Office of the City Auditor  
503.823.4086

---

**From:** Poelwijk, Yvonne  
**Sent:** Tuesday, September 06, 2011 10:23 AM  
**To:** Anderson, Toni; Moore-Love, Karla  
**Cc:** Hardy, Douglas  
**Subject:** LU 11-115222 BOORA letter to Susan Lindsay

Please find attached exhibit I.5 which is letter from BOORA to Susan Lindsay dated September 2, 2011.

Yvonne L Poelwijk  
BDS, Records Management  
(503) 823-7814  
Office Hours: Mon - Fri, 7:00 AM - 3:30 PM  
Yvonne.Poelwijk@portlandoregon.gov

**Moore-Love, Karla**

---

**From:** Goldman, Steve [sgoldman@aii.edu]  
**Sent:** Tuesday, September 06, 2011 9:39 AM  
**To:** Moore-Love, Karla  
**Subject:** the 511 NW Broadway Building and PNCA  
**Attachments:** federal building.PDF

Please see the attached.

Thank you!

Steven Goldman, Ph.D.  
President  
The Art Institute of Portland  
1122 NW Davis Street  
Portland, Oregon 97209-2911  
503 382 4719 tel  
503 407 0998 cel  
503 228 4227 fax  
goldmans@aii.edu

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September 6, 2011

The Honorable Commissioners  
City Hall  
1221 SW 4<sup>th</sup> Avenue Room 110  
Portland, OR 97204  
Via email: [karla.moore-love@portlandoregon.gov](mailto:karla.moore-love@portlandoregon.gov)

Dear Commissioners:

I am writing on behalf of The Art Institute of Portland regarding the Federal Building at 511 NW Broadway. That building is located only a few blocks from our college's facilities on the Park Blocks and at our main campus on Davis Street. The Federal Building houses two agencies of the Department of Homeland Security, one of which is Immigration and Customs Enforcement (ICE). In the near-decade that the Art Institute has been in the Pearl District, we have had no problems concerning safety related to ICE's operations at the 511 NW Broadway facility. Nor are we aware of any of our neighbors or many colleagues in the neighborhood having any problems related to safety in connection with ICE.

Several of my colleagues and I had the chance recently to tour the 511 NW Broadway Building with PNCA President Tom Manley. President Manley also shared with our group – including arts leaders and business owners from the Pearl – planning documents for the future renovation of the facility and nearby grounds as part of PNCA's next steps in the neighborhood. We fully support these plans and welcome the very positive vision for the Pearl that Tom is leading. Keeping the ICE facility in Portland and facilitating the redevelopment of the 511 Building are both positive steps that we urge you to support.

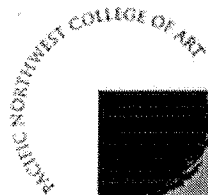
Thank you for your leadership on behalf of our vibrant community!

Sincerely,

Steven Goldman, Ph.D.  
President

**Moore-Love, Karla**

**From:** Tom Manley [tmanley@pnca.edu]  
**Sent:** Friday, September 02, 2011 11:34 AM  
**To:** Leonard, Randy; Commissioner Fish; Commissioner Fritz; Commissioner Saltzman; Adams, Mayor  
**Cc:** Moore-Love, Karla  
**Subject:** PNCA & 511 NW Broadway  
**Attachments:** Thomas Manley\_511 letter.pdf



1241 nw johnson street	503.821.8881 voice	www.pn
portland, oregon 97209	503.821.8914 facsimile	

**PNCA**

August 31, 2011

The Honorable Commissioners  
 City Hall  
 1221 SW 4th Avenue Room 110  
 Portland, OR 97204  
 Via email: karla.moore-love@portlandoregon.gov

Dear Commissioners,

I am writing on behalf of Pacific Northwest College of Art (PNCA) regarding the Federal Building at 511 NW Broadway. That building is located approximately five blocks from the College's main campus and houses two agencies of the Department of Homeland Security, one of which is Immigration and Customs Enforcement (ICE). Over the 14 years that our campus has been in the Pearl District neighborhood, we have experienced no problems concerning safety related to ICE's operations at the 511 NW Broadway Building. We are aware of others in the neighborhood who have experienced problems related to safety.

As you know, PNCA has good reason to be interested in 511 NW Broadway Building. The building was transferred to the College by the US Department of Education once the Federal agencies currently housed there are relocated. The building will provide the additional space to allow the College's enrollment to grow and that growth along with the renovation of an historic property will generate economic development for the City and tremendous momentum for PNCA. Keeping the ICE facility in Portland and facilitating the development of the 511 Building is therefore a clear win-win for the City and the College.

Thank you for your efforts in serving all of the residents of Portland!

--

[503.821.8880](tel:503.821.8880) | office

[503.821.8914](tel:503.821.8914) | fax

[tmanley@pnca.edu](mailto:tmanley@pnca.edu)

[www.pnca.edu](http://www.pnca.edu)

PNCA | Pacific Northwest College of Art  
1241 NW Johnson St | Portland | Oregon | 97209

PNCA prepares students for a life of creative practice



1241 nw johnson street  
portland, oregon 97209

503.821.8881 voice  
503.821.8914 facsimile

www.pnca.edu  
tmanley@pnca.edu

**PNCA**

August 31, 2011

The Honorable Commissioners  
City Hall  
1221 SW 4th Avenue Room 110  
Portland, OR 97204  
Via email: karla.moore-love@portlandoregon.gov

Dear Commissioners,

I am writing on behalf of Pacific Northwest College of Art (PNCA) regarding the Federal Building at 511 NW Broadway. That building is located approximately five blocks from the College's main campus building and houses two agencies of the Department of Homeland Security, one of which is Immigration and Customs Enforcement (ICE). Over the 14 years that our campus has been in the Pearl District neighborhood, we have experienced no problems concerning safety related to ICE's operations at the 511 NW Broadway nor are we aware of others in the neighborhood who have experienced problems related to safety.

As you know, PNCA has good reason to be interested in 511 NW Broadway Building. The building will be transferred to the College by the US Department of Education once the Federal agencies currently in residence there are relocated. The building will provide the additional space to allow the College's enrollment to grow, and that growth along with the renovation of an historic property will generate economic development for the City and tremendous momentum for PNCA. Keeping the ICE facility in Portland and facilitating the redevelopment of the 511 Building is therefore a clear win-win for the City and the College.

Thank you for your efforts in serving all of the residents of Portland!

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Manley".

Thomas Manley, PhD  
President

**Moore-Love, Karla**

---

**From:** Commissioner Fritz  
**Sent:** Sunday, July 03, 2011 7:54 PM  
**To:** 'cdguthrie@comcast.net'  
**Cc:** Moore-Love, Karla  
**Subject:** RE: I.C.E. Project

Dear Curtis,

Thank you for your message. The proposed ICE facility is being assessed in a Land Use Review, which is an objective process with previously-defined approval criteria. Since the matter may reach City Council on appeal, I cannot comment on your concerns or intervene in the process. Please direct your observations to the planner assigned to the case. Call 503-823-7300 and ask the Development Service bureau to connect you with the staff person working on this application. In order to have your opinions considered, you must send your comments to the Hearings Officer or appear in person at the hearing. I am copying the Council Clerk to ensure your comments and my reply are included in the record for this case.

I'm glad you found the Greenway project public process helpful. My staff in the Office of Healthy Working Rivers are involved in that project. Since the ICE facility is a building with no riverfront access, OHWR will not be working on this review. I recommend you contact not only Development Services but also the project staff assigned from Transportation. Call 823-4000 if you need help identifying that person.

Development, land use reviews, and building permits are governed by statewide rules. Neither the City Council nor the neighborhood has total control over allowed uses, and conditional uses such as the detention part of this facility are assessed only on whether the proposal meets the Approval Criteria in the Code. Ask the planner on the case to direct you to these written criteria. Per statewide land use planning rules, the Council is only allowed to consider neighborhood input that addresses the Approval Criteria, rather than opinions on whether the use is desirable or not.

I appreciate your engagement.

Sincerely,

Amanda

Amanda Fritz  
Commissioner, City of Portland

*The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.*

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests

7/5/2011

or visit [http://www.portlandonline.com/ADA\\_Forms](http://www.portlandonline.com/ADA_Forms)

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**From:** cdguthrie@comcast.net [mailto:cdguthrie@comcast.net]

**Sent:** Saturday, June 25, 2011 11:53 AM

**To:** Fritz, Amanda

**Subject:** I.C.E. Project

Dear

The Portland South Waterfront Community is growing with a diversity of residents and excellent livability. As the community grows so do the problems we have to address. Since the introduction of the I.C.E. building proposal the communication with the neighborhood has been very little and at best poor. So far the public information about what is happening and going to happen in the community has been a less than adequate meeting at the school next to the site. The facts given as to how the community will be effected were inadequate and raised more questions than answered. The visual presentation was very poor and hard to place into prospective. There have been rumors from the first knowledge of the project and the meeting raised many more.

The request was made at the meeting to provide detailed information and diagrams or models so the residents could study and discuss the project in order to ask adequate questions and give constructive input. If the rumors are not address and the residents of this community are not listened to there will always be a sour feeling that what we think does not matter. Will we ever have any input as to the development of our neighborhood or can governments do whatever they wish?

An example of good public relations and communication is the river greenway project.

Yours,

Curtis D, Guthrie

[cdguthrie@comcast.net](mailto:cdguthrie@comcast.net)



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