

## Christe White

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**From:** Van Dyke, Jim <Jim.VanDyke@portlandoregon.gov>  
**Sent:** Monday, September 23, 2013 4:21 PM  
**To:** Christe White; Iparraguirre, Roland  
**Cc:** Beaumont, Kathryn  
**Subject:** RE: Call Today

Christe:

Thanks for your email. I agree that it is good to discuss our expectations on this matter.

By way of background, the City is in the process of settling litigation with R2DToo and property owners where R2DToo is located. That proposed settlement agreement, which has been publically released, contemplates further negotiations between R2DToo and the City about a "use agreement." At this point the discussions between R2DToo and the City over that use agreement are confidential, like all settlement discussions. In the meantime, there has been some public disclosure about a proposed move by R2DToo and a zoning confirmation letter submitted by your clients and R2DToo.

Although I appreciate your statement that you are not currently preparing any litigation against the City, media reports state that your clients are considering litigation. For example Willamette Week stated: "Neighborhood Association president Patricia Gardner tells WW the group is weighing whether to sue the city or challenge it at the state's land-use board. She says pledged co-litigants include Williams & Dame, the Pearl and South Waterfront development firm run by Homer Williams and Dike Dame, as well as design company Ziba and condo developer Hoyt Street Properties."

While the media is not always accurate in reporting stories, we believe it is reasonable for us to assume there is at least some chance of litigation on this subject from your clients. Given that, our expectation and request is that your contact with our clients be directed to the City Attorney's office. Having your secretary contact City Commissioners to set up a meeting with your clients is direct contact on your part. Therefore, in the future, please contact us if you want to schedule a meeting with City employees and/or City Commissioners on this matter. We will faithfully let our clients know of your request and they can then decide whether or not to meet with you.

On a more substantive note, your email does not state what kind of questions you or your clients have for the City, or for City commissioners. It is reasonable for us to believe that these discussions will be about R2DToo's relocation and/or the zoning issues you have raised. It is also reasonable for us to assume that if something is said during the meeting your clients might try to use such statements against the City in the litigation or in the press. This gives us some pause. Nonetheless, we will inform City commissioners that they may meet with your clients, and if they decide to meet we will caution them about the possibility of litigation and that any communication may later be considered a "ex parte" contact that might have to be disclosed.

As far as meeting with BDS staff or city employees, we do not believe that is appropriate at this time. As I previously informed you, we want you to wait until you receive the letter responding to your zoning confirmation request. If at that time, you have additional questions, you may forward those questions to BDS provided you copy us with those questions at the same time.

Your email also states that you want us to disclose if R2DToo is meeting with Commissioners. Although I don't have personal knowledge of this, I believe the answer is likely to be "yes" because the parties need need to discuss the "use agreement" contemplated in the settlement agreement. As noted above, these are confidential settlement negotiations.

Finally, to make sure we are clear, we do not necessarily agree with your characterization that a request for a zoning confirmation letter is the equivalent of a "pending land use application." Therefore, whatever the normal process might be in regard to working with BDS in regard to land use review applications, that same process is not necessarily applicable here and certainly not applicable when your clients are threatening litigation.

Please let me know if this is unclear or if you have additional questions.

Thanks,

Jim

James H. Van Dyke  
City Attorney  
Phone: (503) 823-3025  
Fax: (503) 823-3089 : [Jim.VanDyke@portlandoregon.gov](mailto:Jim.VanDyke@portlandoregon.gov)

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**From:** Christe White [mailto:CWhite@radlerwhite.com]  
**Sent:** Monday, September 23, 2013 9:25 AM  
**To:** Van Dyke, Jim; Iparraguirre, Roland  
**Cc:** Beaumont, Kathryn  
**Subject:** Call Today

Jim and Roland, please let me know if we can talk today about your expectations for how we get through the rest of the land use proceedings now pending before BDS and the Council given your concern about pending litigation. Again I am not currently preparing any litigation against the City. Instead, I am representing a client in front of the City on a pending land use application and matter. I would agree that we are in uncharted territory and this process is unprecedented in my practice. Normally there is an expectation that I would talk with the City planners about the application. For instance, when we have pre-apps, answer questions from the planners, call the planners and ask questions ourselves, respond to completeness checks, we never call the City Attorney's office. If you want to take a different route on the land use piece, I would like to fully understand your position so I do not run afoul of your reasonable expectations. Today I see that one meeting was set up with Commissioner Fish and my clients on October 1, 2013 at 11:00. At

this time, I do not plan on attending that meeting but my clients will be attending. To better understand my client's rights I would like to know if Right to Dream is meeting with the Commissioners or with Commissioner Fritz. My secretary Amber has been directed to respond to any call back from a Commissioner's office by directing them to you and not responding herself. I can be reached at any time today on my direct line 971-634-0204 or cell 503-730-2547. Thanks. Christe

RADLER WHITE PARKS  ALEXANDER LLP  
ATTORNEYS AT LAW

**Christe C. White**

**111 SW Columbia Street, Suite 1100**

**Portland, OR 97201**

**T 971.634.0200 F 971.634.0222 Direct 971-634-0204**

We advise you that any discussion of federal tax matters in this email is not intended or written to be used, and may not be used by you or any taxpayer, to (a) avoid penalties under the Internal Revenue Code, or (b) promote, market or recommend to any other party any transaction or matter addressed herein. All taxpayers should seek independent tax advice.

September 30, 2013

**SENT VIA EMAIL/  
CERTIFIED U.S. MAIL, RETURN RECEIPT REQUESTED**

David R. Frank  
Senior Project Coordinator  
Portland Development Commission  
1900 SW Fourth Avenue, Suite 7000  
Portland, Oregon 97201-5304

Portland Development Commission  
Attn: Eric Iverson, General Counsel  
1900 SW Fourth Avenue, Suite 7000  
Portland, Oregon 97201  
Email: iversone@pdc.us

Re: 720 NW Lovejoy Court/Right 2 Dream Too Camp  
NOTICE OF DEFAULT BY THE PDC

Dear Messrs. Frank and Iverson:

Our law firm represents Pearl Hotel Investors, LLC ("PHI") and Hoyt Street Properties LLC ("HSP"), in connection with a dispute regarding the proposed use of the PDC-owned surface parking lot located under the Broadway Bridge Lovejoy Street ramp ("Lot 7") as a relocation site for the Right 2 Dream Too ("R2DToo") camp. PHI and HSP are signatories or assignees to the Disposition and Development Agreement for Station Place Redevelopment, made as of September 27, 2002 ("DDA"). We write on their behalf to provide notice, pursuant to Section 11.1.2 of the DDA, that the PDC is in default by permitting R2DToo to relocate its camp to Lot 7 in violation of Sections 3.1.2 and 10.2.2 of the DDA.

Allowing anyone, including R2DToo, to use Lot 7 for something other than parking is inconsistent with the Site Plan incorporated into the DDA and is therefore a breach of the DDA. *See* Section 3.1.2 ("All development on the Property pursuant to this Agreement shall be consistent with the Site Plan, unless otherwise agreed to by the Parties ..."). Allowing relocation of the R2DToo camp is also a breach because it is inconsistent with the DDA's covenant that Lot 7 would be used as surface parking for surrounding property owners and



tenants. *See* Section 10.2.2 (“PDC shall construct an estimated forty (40) surface parking spaces under the new Lovejoy Ramp that will be made available to tenants in the Rental Component.”). Nothing in the DDA or its amendments permit the PDC to unilaterally allow the surface parking spaces in Lot 7 to be converted to camping sites or to any other purpose inconsistent with the uses set forth in the DDA and the Site Plan.

Furthermore, the current actions of the PDC, in cooperation with the Bureau of Development Services (“BDS”), and the City of Portland (the “City”), to relocate the R2DToo camp to Lot 7 undermine not only the DDA but a series of Type III Central City Parking Review (“CCPR”) decisions concerning Lot 7 that date back to 2001. The most recent CCPR, dated November 27, 2012, contains specific allocations of 411 parking spaces in the Station Place Parking Garage, and 65 surface parking spaces on Lot 7.

According to the November 2012 CCPR, “In order to construct the garage and an adjacent parking lot under the Lovejoy ramp just south of the garage, a Central City Parking Review (PR) was required.” *See* Decision of the Hearings Office in Uncontested Case, LU 12-179799 PR (HO 4120028) (“Decision”), at 2. The Decision additionally explains that, because “[t]he site is subject to parking-related regulations in the Central City, ... the changes in the types of parking and which lots they serve creates the need to amend the prior land use approval under LUR 01-00406 PR.” *Id.* at 3.

Just as a CCPR was required to reallocate parking spaces on Lot 7, a subsequent CCPR would be required for any proposed use that deviates from the only use of Lot 7 (*i.e.*, parking) that was approved under the Decision. This would include using any part of Lot 7 for any purpose (such as a relocation site for R2DToo) other than parking. Neither the PDC nor the City has the authority to ignore the City’s own land use regulations, the violation of which will, among other things, have the effect of harming the clear contractual rights of parties such as PHI and HSP.

Moreover, the PDC may not alter the terms of the DDA, or allow a use not permitted under the Decision, simply through a private agreement with a third party. Although a third party, such as REACH, with rights in the surface parking spaces on Lot 7 may be willing to relinquish those in order to allow the spaces to be used by others or for another non-parking purpose, that party’s willingness to do so is irrelevant, because neither PHI nor HSP—parties or assignees to the DDA—has agreed to any such changes to the use of Lot 7. The DDA itself provides that “[a]ny modifications to this Agreement shall be made in writing and executed by all Parties, and approved by the PDC Commission.” DDA, Section 12.14. And land use reviews such as the Decision cannot be modified by private agreement; they can only be changed by going through another formal land use review. The PDC itself, in Amendment Number 3 to Disposition and Development Agreement for Station Place Redevelopment, effective as of December 14, 2011 and signed by Patrick Quinton on behalf of the PDC (“3d Amendment”) acknowledges that PDC will need to obtain “an amendment to the Central City Parking Review to clarify or update the allowable uses in the Parking Component as necessary to accommodate

the parking contemplated under the lease referenced in Section 11 above." *See* 3d Amendment at Section 16(d).

Because we have received no response to our letter dated September 10, 2013 and it appears discussions are taking place regarding the modification of the use of Lot 7, we hereby request any and all documents regarding any use of Lot 7 in a manner other than as specified in the DDA. Please consider this request pursuant to the DDA and as a public records request under Oregon law.

Pursuant to Section 11.1.2 of the DDA, the PDC has 30 days after receipt of this notice of default to confirm that R2DToo will not be allowed to relocate to Lot 7, and that the PDC will not allow Lot 7 to be used for any purpose other than parking. If the PDC does not cure its default, PHI and HSP will initiate arbitration under Section 11.9.1 with the Arbitration Service of Portland. That arbitration must be completed within 30 days after the request for arbitration.

In the interim, if the PDC does not cure its default and, instead the City Council passes the resolution scheduled for vote on October 3, 2013 and the PDC thereafter fails to prevent use of Lot 7 in a manner inconsistent with the DDA prior to a decision by the arbitrator, PHI and HSP will also seek emergency injunctive relief in circuit court pending the outcome of arbitration.

We look forward to receiving confirmation of PDC's intent to cure its default.

Very truly yours,



Keith S. Dubanevich

KSD:dh

cc (sent via email only):

Mayor Charlie Hales  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Steve Novick  
Commissioner Dan Saltzman  
James Van Dyke

<http://www.amandafritz.com/node/1540>

## Next Up at City Council, June 4 - 5, 2008

Submitted by Amanda Fritz on May 31, 2008 - 9:07am.

The Portland City Council Agenda this coming week kicks off with five people speaking under *Citizen Communications* about the "Sit-lie" ordinance. "Sit-lie" (formal title "Sidewalk Obstructions", City Code 14.50.030), combined with the "anti-camping" regulation, 14.50.020, makes it illegal to fall asleep on public property. There are not enough shelter beds to give every homeless person a place where they are allowed to sleep at night. Most non-profits and private property owners would need a Conditional Use permit to allow large numbers of people to congregate to sleep at night. Where are people without homes supposed to sleep, under the current regulations and programs?

I learned an interesting fact, talking with OHSU nursing students in a class this past Thursday. Studies have shown that up to 75% of homeless women left their previous residence because of domestic violence. Do we all agree that women and children should have safe places to sleep?

I support the Council in dedicating most resources to permanent supportive housing rather than temporary shelters. The Ten Year Plan to End Homelessness is surely the right overall approach. But people without homes should be allowed to sleep *somewhere* legally, in a city with more homeless people than shelter beds. I'd like the committees working on this issue to propose amendments to the anti-camping ordinance, to address this need.



# City of Portland

## Bureau of Development Services

1900 SW Fourth Avenue, Suite 5000  
Portland, OR 97201  
Telephone: (503) 823-7300 Fax: (503) 823-3018

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# PERMANENT RULE

## RELATING TO

**Title 14A.55 Parade Event Marking**

## FOR INFORMATION CONTACT

**Code Enforcement (503) 823-2633**

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**TOPIC: Access to Public Property for a Parade Event**

### **AUTHORITY:**

PCC 14A.55.010 Access to Public Property for a Parade Event As follows:

In order to carry out the duties set forth in Section 14A.55.020 Enforcement and Notice of Violation, the Bureau of Development Services is authorized under Section 14A.55.070 to promulgate administrative rules and take other actions reasonable and necessary to enforce Portland City Code Chapter 14A.55.

### **CITATION:**

PCC 14A.55.010 allows camping overnight to reserve space in the public right-of-way along side of a parade route, as set forth in administrative rule. The purpose of this administrative rule is to establish a time limit for the exception to PCC 14A.50.020 Camping Prohibited on Public Property and Public Rights of Way and 14A.50.030 Sidewalk Obstructions.

### **FINDINGS**

1. The designee of BDS worked with the City Attorney's Office to determine the content necessary to draft an administrative rule in support of the implementation of City Code Chapter 14A.55. At the conclusion of the rule writing process, the draft rule was distributed to the work group responsible for writing the Ordinance and Code. The work group expressed no opposition to the proposed permanent rule.
2. BDS published a notice of public hearing in the Oregonian and the Daily Journal of Commerce, both newspapers of general circulation, from March 25 through March 27, 2008. BDS also distributed a notice of public hearing to the Office of Neighborhood Involvement notification list, posted the hearing on the BDS website, and made the draft administrative rule available to the public in the BDS Development Services Center. The notice included all the elements required by this Title. BDS then held a public hearing to receive comments on April 24, 2008, more than 30 days after the first published notice. This meets the notice requirements of Title 14A.55.
3. The designee of the BDS Director received no comments during the public hearing or by any other communication format while the record was held open. The requirement for public comment and involvement is therefore satisfied.

**CONCLUSION**

As provided in Title 14A.55, the Director of BDS hereby adopts the Administrative Rule.

**EFFECTIVE DATE:** This Administrative Rule shall be effective May 15, 2008.

[Paul L. Scarlett]  
**Paul L. Scarlett, Director**

5/1/08  
**Date**

## ***Administrative Rule***

### **Parade Event Marking**

#### **1. Authority**

**A.** PCC 14A.55.070 authorizes the Bureau of Development Services to promulgate administrative rules and take other actions reasonable and necessary to enforce access to public property for a parade event.

#### **2. Camping Time Limit**

**A.** Camping, as set forth in PCC 14A.55.010, will be allowed for a period of time no longer than twenty-four (24) hours prior to the day of the parade event.

**B.** Campsites, as defined in PCC 14A.50.020, and other obstructions to the right of way used for the purpose of camping must be disassembled and removed from the public right of way three (3) hours prior to the scheduled starting time of the parade event.

**Exhibit A**  
Code Chapter 14A.55 Parade Event Marking

**14A.55.010 Access to public property for parade event.**

- A. It is unlawful to paint, tape, or otherwise mark public property or place objects in the right-of-way for the purpose of reserving space for a parade event.
- B. City of Portland may remove unauthorized materials left on public property or the right-of-way.
- C. Camping overnight, to reserve a space in the public right-of-way along side the parade route, may be allowed as set forth in administrative rule. Overnight camping under this section is a limited exception to Portland City Code 14A.50.020 and 14A.50.030.

**14A.55.020 Enforcement and Notice of Violation.**

- A. The Director of the Bureau of Development Services, or designee, upon determining that a violation of this code or administrative rule has occurred, may issue a notice of violation by direct delivery of said notice to the violator.
- B. The violator shall, upon receipt of a notice of violation, correct the violation and pay to the City a civil penalty as set forth in Portland City Code 14A.55.030.

**14A.55.030 Penalties.**

Violations of this Chapter may be punishable by fines as follows:

- A. A \$100 fine for the first violation;
- B. A \$500 fine for each subsequent violation.

**14A.55.040 Administrative Review.**

A person, who is issued a notice of violation, may challenge the findings in the notice by requesting an administrative review from the Bureau of Development Services.

**14A.55.050 Appeals to the Code Hearings Officer.**

A determination issued pursuant to Portland City Code 14A.55.040 may be appealed to the Code Hearings Officer, as provided for in Chapter 22.10 of Portland City Code.

**14A.55.060 Further Appeals.**

All appeals from the Code Hearings Officer's determination pursuant to Portland City Code 14A.55.050 shall be by writ of review as authorized by Portland City Code 22.04.010 and ORS 34.010 – 34.100.

**14A.55.070 Additional Regulations.**

The Bureau of Development Services is authorized to promulgate administrative rules and take other actions reasonable and necessary to enforce this Chapter.

**ORDINANCE No. 181684 AS AMENDED**

Prohibit marking public property or right-of-way, using paint, tape or other methods or objects to reserve viewing space for a parade event (Ordinance; add Code Chapter 14A.55).

The City of Portland ordains:

**SECTION 1. The Council finds that:**

1. Marking public property or blocking the public right-of-way for the purpose of reserving viewing space in advance of a parade event has become a widespread practice in Portland.
2. Marking public property or right-of-way, for the purpose of reserving seating in advance of a parade event, results in high volumes of garbage, additional demands on clean-up crews, creates the potential for unnecessary conflict between members of the public, and generally diminishes a person's ability to freely enjoy these public events.
3. Using tape, paint, or objects to reserve space on public property or right-of-way in advance of a parade is unfair to other members of the public who have an equal right to utilize public space.
4. Allowing equal access for viewing parade events on a first-come, first-served basis is reasonable, encourages family friendly activities, and is consistent with the community spirit of the parade.
5. The practice of individuals who reserve public space on the day of the parade by remaining in the public space shall not be considered in conflict with this ordinance.
6. The need to increase and maintain circulation of traffic flow for mass transit, vehicles, pedestrians, and business access during parade events is vital.
7. Council will convene a work group whose purpose is to review this ordinance by December 31<sup>st</sup>, 2008.

NOW, THEREFORE, the Council directs:

- a. Portland City Code Chapter 14A.55 Parade Event Marking shall be added as shown in Exhibit A.

Passed by the Council: March 19, 2008

**Gary Blackmer**  
Auditor of the City of Portland  
By: /s/ Susan Parsons

Deputy

Commissioner Randy Leonard  
Sara Petrocine :sp  
March 6, 2008



BACKING SHEET INFORMATION

AGENDA NO. 342, 374-2008

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 181684 AS AMENDED

ACTION TAKEN: MAR 12 2008 PASSED TO SECOND READING AS AMENDED MAR 19  
2008 9:30 AM

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
ADAMS	X	
LEONARD	===	===
SALTZMAN	===	=====
STEN	X	
POTTER	X	

DAVID A. LOKTING  
922 NW 11<sup>th</sup> Avenue, Apt 1201  
Portland, Oregon 97209

October 1, 2013

Charlie Hales, Mayor  
e-mail: [mayorhales@portlandoregon.gov](mailto:mayorhales@portlandoregon.gov)

Steve Novick, Commissioner  
email: [Steve.Novick@portlandoregon.gov](mailto:Steve.Novick@portlandoregon.gov)

Amanda Fritz, Commissioner  
e-mail: [amanda@portlandoregon.gov](mailto:amanda@portlandoregon.gov)

Dan Saltzman, Commissioner  
e-mail: [dan@portlandoregon.gov](mailto:dan@portlandoregon.gov)

Nick Fish, Commissioner  
e-mail: [Nick@portlandoregon.gov](mailto:Nick@portlandoregon.gov)

RE: Right 2 Dream Too Homeless Camp

Dear Mayor Hales and City Council Members:

If your goal is to destroy the citizens' faith in the integrity and competence of their City government, you are succeeding.

I am a resident of the Pearl District and Chair of the Owners' Association for Park Place Condominiums in the Pearl. I am writing to ask you to quit this divisive and slipshod plan to relocate Right 2 Dreams Too's homeless encampment to the Pearl District.

Let's first be clear what this controversy is about. It is not truly about helping the homeless. Rather, it is about settling a lawsuit and pursuing a settlement that was hastily devised and ill-considered. It starts with a sex shop – Cindy's – located next to the China gate, a revered City landmark. Former Commissioner Randy Leonard did not like the sex shop. So he tore it down. Apparently out of spite, the property owner decided to permit a homeless camp to be established on the now vacant site. In the eyes of the City, the camp was no better than the sex shop. Former Mayor Adams and Commissioner Saltzman encouraged business owners to register complaints, and said that the City would take action, which is exactly what occurred. The City fined the property owner for having an "illegal" camp and for not applying for and obtaining required City permits. A lawsuit ensued.

After two years of litigation, the City decided to give up the fight over fines. But it did not have the political will to shut down the camp or, better yet, to simply transition the camp occupants out of the camp, through the services of Bud Clark Commons or other resources, until the camp was no longer needed. Instead, without seeking any input from affected stakeholders, Commissioner Fritz decided she would just move the Right 2 Dream Too camp to City-owned property located underneath the Lovejoy ramp to the Broadway Bridge in the Pearl District.

Predictably, the residential and commercial property owners of the Pearl District raised objections over both the lack of process, the legality of the proposed and the wisdom of this decision. Now we have a formal report and purported confirmation of the zoning

requirements from the Director of the City's Bureau of Development Services (the "Director's Report"). In a leap through the looking glass, the Director's Report concludes that the homeless camp is permitted as of right as a "Community Service" under the Portland Zoning Code principally because the camp is so ephemeral and provides so little to achieve the legal requirements of habitability that it cannot be considered a structure. Because nothing new will be constructed, there is nothing to consider for design review purposes. These are extraordinary conclusions, and are reached only by stretching the language of the Code beyond credulity.

It is evident reading the Director's Report as a whole that it is biased and is intended to reach a desired result. On top of being disingenuous, it is ironic that it is this very same Director who determined that the existing Right 2 Dream Too camp required permits and was illegal and should be fined without them – further evidence of the Director's bias. Clearly, a conflict of interest exists, because moving the camp is now an essential element (perhaps even a contractual requirement) of the City's objective to settle the lawsuit. Although I do not have access to the settlement agreement, it would surprise me if it did not contain a release of claims against the City for having torn down the sex shop.

Aside from the bias, the Director's Report is inherently flawed in many respects.

First and foremost, the Director's Report only addresses the effects of the Zoning Code, Title 33 of the Portland City Code. Other portions of the Portland City Code apply as well.

Title 24 provides for Building Regulations and establishes minimum building standards for all structures in the City. In this regard, Title 24 has its own, all inclusive definition of "structure":

**24.15.200 Structure.** A structure is that which is built or constructed, an edifice or building of any kind, or any piece or work artificially built up or composed of parts joined together in some definite manner.

The proposed use of the Lovejoy ramp and parking lot includes both the constructed edifice of the ramp to provide shelter, as well as the erection of tents and other composed parts beneath the ramp for living purposes. Published photos of the existing camp show that pallet foundations have been constructed to keep the tents off the ground, and there are community tents and a newly constructed community room on site. The new camp will similarly be a structure for purposes of Title 24 and therefore, to be considered legal, it must conform to all of the fire and life safety protections and habitability requirements of the Building Regulations. The facility should and must have walls. It should and must have plumbing and heating and comply with seismic requirements. It must be designed and constructed to meet minimum habitation requirements of residential uses under the Code.

Title 29 of the Portland City Code provides Property Maintenance Standards for all properties in the City. It contains the same definition of "structure" as is found in title 24. Additionally, Title 29 clearly provides that it is illegal to promote habitation in tents. Section 29.50.050 proscribes illegal residential occupancies and provides:

**29.50.050 Illegal Residential Occupancy.** When a property has an *illegal residential occupancy, including but not limited to occupancy of tents, campers, motor homes, recreational vehicles, or other structures or spaces not intended for permanent residential use* or occupancy of spaces constructed or converted without permit, the use shall be abated or the structure brought into compliance with the present regulations for a building of the same occupancy.

Not only does this Code section further support the conclusion that tents are structures (and therefore must comply with all requirements applicable to structures), it also clearly states that temporary occupancy of tents for residential purposes is illegal, whether the tents are structures or simply occupied “spaces.”

Clearly, this proposed temporary camp is illegal and, if established, it “shall be abated.”

I could end the discussion there, but the Director’s Report is flawed in other significant respects.

First, consider the logical extension of the Director’s Report. The Director’s Report concludes that any temporary Community Service is allowed outright, and, as long as the service provided is so minimal as to not include the occupancy of a structure, it will not be considered and subject to the requirements of Short Term Living or a Mass Shelter under the Zoning Code and does not require **any** approval or permit from the City whatsoever. The most apparent extension of this logic is that, if this use is permitted in the Employment and Industrial zones, it is also permitted in the Commercial zones, including where the camp is currently located. Community Services are allowed as of right in the Commercial zones as long as they do not involve Short Term Living or a Mass Shelter. PCC 33.130.100B.8. As a result, based on the Director’s reasoning, the Right 2 Dream Too camp would be perfectly legal where it currently is located and does not need any City permits to continue in place. It can stay right where it is. Interestingly, this also means that the City was wrong to have fined Right 2 Dream Too and the property owner in the first place, they in turn were right to sue the City, and the City would have and should have lost the lawsuit. Maybe the City was wrong to have torn down the sex shop as well – but the City undoubtedly received a release in the settlement agreement for that rush to judgment.

The Director conveniently distinguishes the camp from Short Term Living or Mass Shelter uses by calling the camp an “overnight rest area” and noting that it provides occupancy of “one day or more” and has no constructed “structure.” In truth, the camp is the place of residence for the population it serves, and there is no requirement that its residents cannot continue occupancy for more than a month. The camp furthermore does incorporate the structure of the ramp to provide shelter. If the zoning code is going to be interpreted, its use of the term structure should be consistent with the definitions found in Title 24 and 29. The camp does provide Short Term Living; it is a Mass Shelter.

The Director’s Report also fails to consider that Community Services are “Institutional” uses. PPC 33.920. Institutions, by their nature, are permanent and long standing, as is shown by the examples of the various uses that are considered institutional uses under the Code. The City and R2DToo have represented that the camp will exist for no more than one year. It defies all logic to say that this temporary, one-year camp is an institutional use, unless the City’s true goal is to turn the camp into an institution. The Pearl District neighborhood rightly fears that is the unstated agenda. Whether it is an

agenda or not, we are justified in concluding that, if the City does not have the political will to end the encampment where it currently is located, it will not have the will to end it when the City has actively aided and supported the camp's move to the City's own property.

The City knows how to provide services to the homeless in an institutional setting. Bud Clark Commons is the example and the epitome of this effort. At a cost of \$47 million and with a "Platinum" LEED certification, the City has created the gold (or platinum) standard for homeless shelters, financed and made possible by the tax base of the Pearl District. In doing so, the City involved all stakeholders, including the neighborhood, and vetted the project in every way and at all levels. It complied with the Zoning Code and design review requirements, and it complied with the building code. It engaged the city's most experienced homeless and affordable housing service providers – Home Forward, Central City Concern and Transition Projects – in the creation and operation of the center.

That is not to say that there is no room for others or that Right 2 Dream Too does not do good work. However, we know little about Right 2 Dream Too. Its filings with the Attorney General show that it has no funding whatsoever – zero revenues, zero assets. The R2DToo homeless camp is proposed to be constructed at nearly no cost, as compared to the \$47 million spent to create Bud Clark Commons, yet both operations will house nearly the same number of people. The R2DToo camp will be infinitely more difficult to manage – it will have no running water, it will have no showers or bathroom facilities other than portable toilets, it will have no heat or electricity, it will have no assurances of sanitation, it will have no required security, and it will be operated by an organization that has no employees and no assets, that undoubtedly has no insurance to pay claims of persons who may be injured or harmed at the site or by its occupants, and that has no history other than operating the existing camp that the City spent two years trying to shut down as illegal.

Moreover, as the Director's Report points out, the camp will have no requirements for admission or occupancy. It will be open to anyone. The city of Portland has a large population of chronically homeless individuals living outside – larger than most cities of its size or even larger cities. Now is not the time to examine the reasons for that, but Portland also has a large and swelling population of younger marauding street people, who travel in packs, hang out on the sidewalks and live on the streets by choice. They are panhandlers and engage in various forms of aggressive and intimidating, not to mention violent, behavior. The Mayor and other Council members are on record as recognizing the need to eliminate this freeloading, street population from our city. *The Oregonian* just last week commended the Mayor for this effort. Yet what is to keep this group from taking over the R2DToo camp? What is to prevent them from forming their own non-profit organization, staffing it within their own population as "volunteers" and establishing camps anywhere they can find land in the Commercial or Employment/Industrial zones without having to obtain any permission or approval from the City? According to the Director's Report, all of this would be allowed.

Commissioner Fritz's hasty and ill-conceived plan to force this camp on the Pearl District is not the way to address homelessness in the city. The Director's Report is a disingenuous about face. The path that Commissioner Fritz has pursued not only violates the City Code and land use requirements, it violates the high standards that Portland has for establishing and implementing public policy, and it violates the public

trust by being conceived and rammed through behind closed doors and without public involvement or consideration of the long-term and collateral effects of the action.

Based on the Director's analysis, a camp would be permissible in any commercial zone and even in a residential neighborhood as a conditional use. As an alternative, the City could ask its workers to walk to work or ride a bike or take public transportation and turn the parking garage of The Portland Building over to R2DToo. If Commissioner Fritz is so enamored with the idea, she can put the camp literally in her back yard, and we can see if she has the persuasive skills to convince even her own neighbors to allow it to exist in their neighborhood. But let's be honest. No one is going to want a homeless camp established in their neighborhood. It's not because we don't care about the homeless; it's because we do care about our neighborhoods. What Commissioner Fritz has done is take a city-wide issue of people living on the streets and moved it to and concentrated it in the Pearl District, so that it will now be just the problem of the Pearl District. The rest of the community need not be concerned because it will not be in their neighborhood, the Chinese community can have their gate (free of both the camp and the sex shop), and the City can move the camp off its main thoroughfare and resolve a messy little lawsuit.

This is not the way create policy or establish long-term solutions. It is not the way to run a respected and responsible city government. The entire process to date has lacked openness, truthfulness and integrity. You should disapprove this plan and go back to the drawing board.

Sincerely yours,

***David A. Lokting***

David A. Lokting



**NO CAMPING**  
**NO FIRES**  
**NO DUMPING**

**MULTNOMAH COUNTY BRIDGE SECTION**

**PROHIBITED  
BRIDGE  
ACTIVITIES**

It is unlawful for any person, to affix objects to, climb on, hang, swing, or jump from any county operated or maintained bridge over the Willamette River, Willamette Slough, Multnomah Channel or Sandy River, or remain in areas of the bridges not intended for public access, unless engaged in bridge maintenance work or otherwise authorized or permitted by the county.

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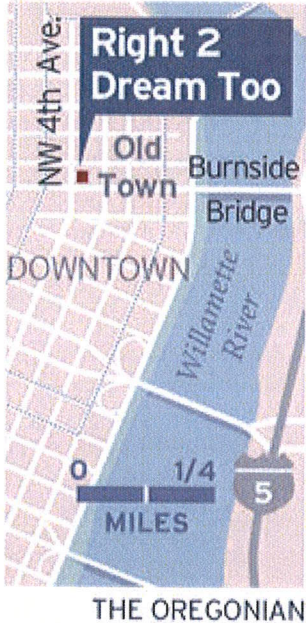


## Ruling delayed in Right 2 Dream Too homeless camp suit

Kimberly A.C. Wilson, The Oregonian By Kimberly A.C. Wilson, The Oregonian

Email the author | Follow on Twitter

on July 11, 2013 at 2:03 PM, updated July 11, 2013 at 5:57 PM



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A Multnomah County judge said Thursday it'll be a few weeks before she decides the fate of a group that has operated a homeless encampment near Portland's Chinatown neighborhood since 2011, racking up more than \$25,000 in fines for running what the city considers an unpermitted campsite.

**Right to Dream Too**, an advocacy group for the homeless, argued before Judge Karin J. Immergut that the site at the corner of Northwest Fourth Avenue and Burnside Boulevard is not a recreational campsite and should not be subject to monthly city fines topping \$1,500.

The group, along the landlords of the undeveloped plot, **sued the City of Portland in December** to waive the fines and allow the encampment to continue operating.

In court Thursday, Senior Deputy city attorney William W. Manlove said the encampment's organizers failed to obtain permits before settling about 90 homeless

people at the site nightly. The suit leapfrogged city procedures governing zoning and code disputes, Manlove explained.

"They decided they were going to take the political route. They made a conscious decide not to take the administrative route," he said.

Immergut said she would decide on the matter in two to three weeks.

The delay frustrated Ibrahim Mubarak, 56, one of Right to Dream Too's founders. Mubarak said he had hoped for a ruling in favor of the camp that afternoon.

"This is a civil rights issue," he said after the 90 minute hearing in a court room packed with supporters. "We're fighting for the rights of the homeless community. We're not going anywhere,"

- Kimberly A.C. Wilson

### More

**Continuing coverage of the Right 2 Dream Too camp for the homeless in Portland's Old Town-Chinatown neighborhood.**



## Nonprofit Right 2 Dream Too sets up homeless camp in Old Town-Chinatown neighborhood

Molly Hottle, The Oregonian By Molly Hottle, The Oregonian

on October 10, 2011 at 1:27 PM, updated August 27, 2013 at 6:30 PM



[View full size](#)

Molly Hottle/The Oregonian

Ibrahim Mubarak (right) stands with other Right 2 Dream Too staff Monday morning as they prepare to open the homeless camp at Northwest Fourth Avenue and West Burnside.

When he walks on Portland's streets, Ibrahim Mubarak's heart aches for the homeless people trying to live and sleep without shelter.

It's a sight he's used to witnessing, but recently, Mubarak decided to offer a solution: Create a homeless camp on private property where homeless people can come to get a good night's sleep.

And at 1 p.m. Monday, Oct. 10, the same day as **World Homeless Action Day**, Mubarak's **homeless camp opened in a lot at Northwest Fourth Avenue and West Burnside**. The camp was organized and will be monitored by Right 2 Dream Too, a newly

founded nonprofit organization supported by **Right 2 Survive**, also a Portland-based nonprofit that works to empower and inform the homeless population.

"We got permission from the landowner to set this up so we can have houseless people come and get a decent rest," said Mubarak, a co-founder of Right 2 Survive and a Right 2 Dream Too board member. "As I was walking, I kept seeing the houseless people and I know people get moved and don't get to sleep."

Right 2 Dream Too is renting the land from the owner, who Mubarak said has had trouble developing and selling the property. The homeless camp will be located there until the land is sold.

On Monday morning, Right 2 Dream Too staff were preparing the site for opening by filling in holes and moving debris. Mubarak said the camp will likely consist of both tents and structures for people to sleep in.

People are welcome to the site anytime of the day, but Mubarak said it's only a temporary shelter for the homeless. Right 2 Dream Too staff will monitor the camp, and there is a code of conduct visitors will be asked to follow, including abstaining from fighting, stealing and the use of drugs and alcohol.



In addition to providing shelter, staff at the camp will provide information to homeless people about services and help available to them.

"It's more than a place to sleep," Mubarak said. "A lot of people who are on the street don't know where to go to get help."

-- **Molly Hottle**; Twitter: **@nwpxreporter**

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Molly Hottle/The Oregonian

Right 2 Dream Too staff helps organize planks of wood and move debris off a lot in Northwest Portland that was turned into a camp where homeless people can sleep.

## Homeless camp in downtown Portland brings organizer back into conflict with city

Molly Hottle, The Oregonian By Molly Hottle, The Oregonian

on October 14, 2011 at 3:06 PM, updated January 18, 2012 at 4:40 PM



[View full size](#)

Benjamin Brink, The Oregonian

The Right2Dream Too homeless camp has sprouted at West Burnside Street and Northwest Fourth Avenue. The city says the gathering, just east of the Chinatown gate, violates several laws.

Ibrahim Mubarak is familiar with both homelessness and run-ins with the law.

The 55-year-old is known for helping the homeless population in Portland, after being homeless himself off and on for years. He also has a criminal past, including drug and disorderly conduct convictions.

His latest conflict with the authorities, however, involves a homeless camp he opened Monday in downtown Portland, next to the **Chinatown** gate. Through his newly organized nonprofit **Right2Dream Too**, Mubarak started a new service: creating a camp on private property where homeless people can come to rest under shelter.

But the gathering, on a vacant gravel lot at West Burnside Street and Northwest Fourth Avenue, has pitted organizers against city officials who say it is an illegal campground.

Mubarak and Michael Wright, the owner of the lot, say they're only getting the homeless out from the doorways and under some shelter. And besides, another campsite recently popped up across downtown -- occupying two city parks right next to City Hall -- that authorities seems to be fine with.

"We're going to stay there and continue to do what we need to do, what we're compelled to do," said Mubarak, who opened the camp on World Homeless Action Day. "They're going to have a fight on their hands if they try to kick us out."

Mubarak has aided in several homelessness projects, including helping to establish the **Dignity Village** tent city on Portland's east side and co-founding the nonprofits **Right2Survive** and Right2Dream Too. His legal problems include convictions for possessing and dealing drugs. He has had several run-ins with police for disorderly conduct and possessing drugs in a drug exclusion zone, among other charges.

He says he is a different person now and doesn't worry about his past tarnishing his leadership at the camp.





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Benjamin Brink, The Oregonian

Karen Creed, 49, and Billi Creed, 36, debate how to dry out their mattress, which got soaked during rain this week. The two were among the first campers to move in and used two shopping carts to create shelter for themselves and their dogs, Berry and Good Girl (left). The Creeds are hoping for a warm, sunny day and for one of the tents recently donated to the camp.

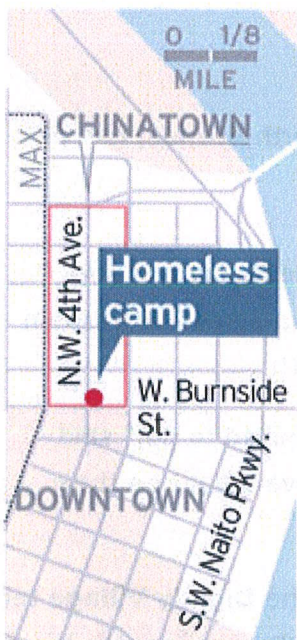
"We all do things," he said. "I changed my ways. I don't do that anymore. Anyone can become a leader if you change your ways."

Wright has had his own conflicts with city officials. He has encountered numerous issues with developing the lot, which has been empty since 2007 when the city forced him to tear down two buildings there.

In 2010, Wright set up the space for a food cart pod, but the city told him the carts could not operate on gravel. They also said the land couldn't be paved because of a downtown moratorium on new parking lots.

So when Mubarak approached him recently about renting the unused space for the homeless camp, he said yes. Wright said

he'd rather fill the space with a business or other investment, but he's had too much trouble with the spot to pass up the opportunity.



THE OREGONIAN

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"It's my property, and I'm willing to let them be out of the rain and out of the doorways," Wright said. "They're not even trespassing on my property, and they have a lease."

Mubarak said he plans to keep the camp there until the land is sold.

"We got permission from the landowner to set this up so we can have houseless people come and get a decent rest," Mubarak said. "As I was walking (around town), I kept seeing the houseless people, and I know people get moved and don't get to sleep."

Ross Caron, the city's **Bureau of Development Services** spokesman, said the camp violates several laws. The organization does not have a building permit for the wall of old doors that separates the camp from Burnside, and overnight camping is not allowed anywhere in Portland, even on private property.

"We said we would look at this further," Caron said. "Can you operate a homeless shelter in another fashion? That remains to be seen."

Caron said the bureau was not contacted about construction of the camp, nor were organizers "very open to sharing information with us" when inspectors talked to them on the property.

A complaint about the camp and media inquiries tipped the bureau off, Caron said.

Mubarak pointed to the **Occupy Portland** protesters across town, saying the city is not quickly pushing them out of their illegal encampment.

"They're allowing other people to have tents," he said. "They're allowing (homeless people) to sleep on the street, to sleep outside and be attacked by the cold."

Late this week, 42 tents had been set up on the property. Mubarak said people are welcome to the site anytime but added that it's only temporary. Right2Dream Too staff will monitor the camp, and a code of conduct is asked of visitors, including abstaining from fighting, stealing and using drugs and alcohol.

Staff at the camp will provide information to homeless people about services available to them.

"It's more than a place to sleep," Mubarak said. "A lot of people who are on the street don't know where to go to get help."

-- **Molly Hottle**

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## Old Town-Chinatown leaders, residents meet with Right 2 Dream Too organizers about homeless camp

Molly Hottle, The Oregonian By Molly Hottle, The Oregonian

on October 26, 2011 at 5:30 PM, updated August 27, 2013 at 6:30 PM



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Molly Hottle/The Oregonian

Mike De, center, president of Right 2 Dream Too, addresses the crowd at Wednesday's meeting of the Old Town-Chinatown Land Use, Livability and Safety Committee. The meeting was held to discuss the homeless camp that Right 2 Dream Too established at Northwest Fourth Avenue and West Burnside Street.

Neighborhood leaders and residents from Northwest Portland's Old Town-Chinatown area on Wednesday expressed both support for and concerns about a homeless camp recently set up near the Chinatown gate.

The camp's existence, set up by the newly organized nonprofit **Right 2 Dream Too**, was discussed during a meeting of the **Old Town-Chinatown Land Use, Livability and Safety Committee**. Members of the committee and leaders of other neighborhood organizations who spoke at the meeting agreed that the camp organizers were well-intentioned but that the location was not sustainable.

Some also said they want the camp to go through the approval process all developments face when opening in the neighborhood.

Howard Weiner, owner of Cal Skate Skateboards and chairman of the committee, said the meeting was held to open a dialogue between Right 2 Dream Too board members and the neighborhood.

"What we've done today is to get folks to start building relationships," Weiner said.

The camp was organized and is being monitored by Right 2 Dream Too, a group supported by **Right 2 Survive**, also a Portland-based nonprofit that works to empower and inform the homeless population. The camp opened in mid-October and has stirred controversy. The **Portland Bureau of Development Services** said the camp appears to be violating laws, including having a building without a permit and camping, which is not legal on any land in Portland.

At the meeting, Mike Liefeld, the bureau's enforcement manager, said the bureau is looking into the camp. If a citation is sent out for a structure deemed illegal, the landowner will be cited for not following city codes. If the structure still remains, the case could be sent to a code hearing officer, who could increase fines and order the illegal structures removed.



"We will send a citation if there are things that don't follow the law," Liefeld said.

Aside from that, the Old Town-Chinatown Land Use, Livability and Safety Committee has its own rules for new structures coming into the neighborhood. Because the camp lies in a historic area of the neighborhood, it must go through a design review process.

"All developments, until this time, have gone through a process," Weiner said. "They were initiated, and good neighbor agreements were formed, and relationships were built."

Stephen Ying, president of the **Chinese Consolidated Benevolent Association**, said he was concerned that the neighborhood was not informed of the camp before it was formed.

"We have no idea what happened," Ying said. "I went to look at (the camp) Sunday to find out what's going on. We need to go through the neighborhood process."

Ying, who also said he was speaking on behalf of restaurant owners in the area, said he had received some complaints about the camp.

"Business owners are complaining," he said. "They don't mind the camping site, but they want them to be a good neighbor."

**Portland Police Bureau** officer Amy Bruner-Dehnert said she had been receiving complaints from restaurant owners who say they have noncustomers using their restrooms.

Several members of Right 2 Dream Too attended the meeting, including board member Ibrahim Mubarak and president Mike De. Mubarak did not address the crowd, but De offered a short statement.

"Many of our allies, supporters and board members are here to listen, document and, in the future, address any of the comments, concerns, criticisms and compliments for what's happening at Fourth and Burnside," De said.

Weiner and others said the large homeless population in Portland is a problem, and they understand the need for shelter. But Weiner said the location of the camp is not a long-term solution.

"It's private property, and it's zoned for other things, and I don't think it gives the dignity that these folks deserve," he said. "I don't know where we go from here, but the need is there."

De said the group plans to bring a proposal regarding the camp's goals and future before the Old Town-Chinatown Neighborhood Association at a meeting some time this year.

10/2/13

Old Town-Chinatown leaders, residents meet with Right 2 Dream Too organizers about homeless camp

-- **Molly Hottle**; Twitter: **@nwpxreporter**

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## Right 2 Dream Too rest area for homeless is racking up fines for Portland code violations

Molly Hottle, The Oregonian By Molly Hottle, The Oregonian

on January 18, 2012 at 10:00 PM, updated August 27, 2013 at 6:31 PM

Loading Photo Gallery

An **area set up for homeless people under the Chinatown gate** has begun racking up fines doled out by city officials, who call it a nonpermitted campground that violates city codes.

Organizers have clashed with the city for three months over the **"Right 2 Dream Too"** camp. The **Portland Bureau of Development Services** considers the set-up a recreational campground that must have proper permits and routine inspections.

But Right 2 Dream Too organizers call the site a "rest area" where the homeless stay temporarily. They contend that obtaining a permit — which includes requirements such as connecting to city sewage lines — would be nearly impossible.

Regardless, the city has levied \$641.30 in fines for January and plans the same for February, then the fine will double for subsequent months unless they are paid and violations corrected.

To pay the fines, Right 2 Dream Too founder Ibrahim Mubarak said organizers must dip into the food fund for the camp, which sits on the northeast corner of Northwest Fourth Avenue and West Burnside Street.

"This is the whole cliché of the rich getting richer and the poor getting poorer," Mubarak said. "They're extracting money from people who don't have money. They want us to pay for our rights, our rights for a place to sleep."

Mubarak said he worries the fines will become overwhelming, the city will put a lien on the property, and site owner Michael Wright will be forced to evict them.

Ross Caron, bureau spokesman, said the fines would cease and the camp would be considered legal if organizers simply obtained a recreational camping permit.

"Ultimately, our bureau's goal is to have them come into compliance," Caron said. "If they want to maintain the type of activity there, there is a recreational camping permit available to them."

The camp has endured since mid-October despite the demise of the similarly unauthorized Occupy Portland camps, which the city cleared from downtown in November. City officials say they have allowed Right 2

### More

The Oregonian's continuing coverage of the Right 2 Dream Too camp for the homeless in Portland's Old Town-Chinatown neighborhood.

Dream Too more leeway because its site is zoned for commercial uses, unlike **Occupy Portland's** camps, which were on property designated as open areas.

Additionally, Right 2 Dream Too organizers say their strict prohibition of alcohol, drugs and violence in the camp makes it safer than Occupy Portland.

Joe Green, a Right 2 Dream Too overseer, said the rules are strict and diligently enforced.

"If you shove someone, you're going to be booted out for 12 hours," Green said. "If I walk by and see that the kitchen is dirty, I put the sign up that says the kitchen is closed until it's cleaned up."

The camp has running water, portable toilets, a kitchen with food, and a clothes closet. Organizers say the camp has helped some residents find work and housing, including Green, an electrician who had been out of work for three months until he came to the camp.

Nonetheless, the Development Services Bureau says city code compliance is a must.

A fence made of old doors on the camp's south side is taller than six feet, which requires a building permit or approval from the Historic Design Review.

And the permit's requirement that the camp connect to the city sewer line is beyond the camp's ability, organizers say. Additionally, the city in the past has told Wright, the landowner, that the lot has potential archeological significance, so before any ground work he must first perform an expensive excavation.

Wright doesn't want to do that, and he fears the city wouldn't allow the camp to dig to the sewer line, anyway, thus roadblocking the permit process. But he wants to see the camp continue.

"For the first time in a long time, they've had some place to sleep," Wright said about the residents. "I'd like them to be there until someone buys the property."

For now, Right 2 Dream Too organizers say they will research the campground permitting process. And they plan a rally at 8:30 a.m. on Feb. 1 in front of Portland City Hall to protest the fines.



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Benjamin Brink/The Oregonian

People gathered at the Right 2 Dream Too rest area in Old Town-Chinatown watch Wednesday morning as water is pushed off a shelter tarp after snow fell overnight. The camp provides temporary respite for homeless people.

As for the city, Development Services spokesman Caron said there are no plans for enforcement or eviction beyond the violation fines.

Mubarak, meanwhile, said he objects to officials forcing the camp to define itself by the city's terms and acquire a campground permit.

"They always want to put people in categories and label them," Mubarak said. "Why don't they just say what we are? We're houseless people, trying to survive."

-- **Molly Hottle**; Twitter: **@nwpxreporter**

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## Dan Saltzman draws ire of Right 2 Dream Too property owner: Portland City Hall roundup

Beth Slovic, The Oregonian By Beth Slovic, The Oregonian

Follow on Twitter

on May 31, 2012 at 9:38 AM, updated August 27, 2013 at 6:31 PM



Beth Slovic/The Oregonian

The sign at the Right 2 Dream Too site in Old Town/Chinatown takes aim at Commissioner Dan Saltzman because he oversees the Bureau of Development Services, which issued fines to the site.

A sign at the site of the 7-month-old **Right 2 Dream Too homeless encampment** accuses Commissioner Dan Saltzman of not caring for the poor.

"Commissioner Dan Saltzman is effectively taking the food out of the mouths of the homeless," the sign under the Chinatown gates reads.

It's a response to a long-running dispute between the owner of the Right 2 Dream Too site and the city over code violations at the camp, and in a weird way it links Saltzman to Commissioner Randy Leonard, Saltzman's frequent foe on the Portland City Council.

First, some background:

Saltzman oversees the Bureau of Development Services, which started issuing fines to the site's owner, Michael Wright, in January. BDS says the encampment violates city codes. But it hasn't taken action to evict the dozens of campers at the site.

This isn't Wright's first dispute with the city.

The site used to be the home of Cindy's Adult Bookstore until city officials in 2007 forced Wright to close it down because of **chronic violations**. Wright then razed the building.

The lot sat empty for years "like a missing tooth in the city's downtown smile," **the Portland Tribune wrote five years later**.

In 2011, Wright allowed a food cart to set up shop on the property. But city code-enforcement officials had a problem with that, too, saying the lot wasn't suitable for food carts. Eventually, the food cart moved on and the lot sat empty again.

At the time, Leonard ran the Bureau of Development Services. Wright's response? Another huge sign under the Chinatown gates: "Stop Randy's use of city bureaus for his personal gain and agendas."

\*

### Reading:

The New York Times: **New York plans a ban of big sizes of sugary drinks**

The Portland Tribune: **Portland's change to park rangers raises some concerns downtown**

The Oregonian: **Portland police fail to learn from past mistakes in officer-involved shootings, review says**

-- **Beth Slovic**

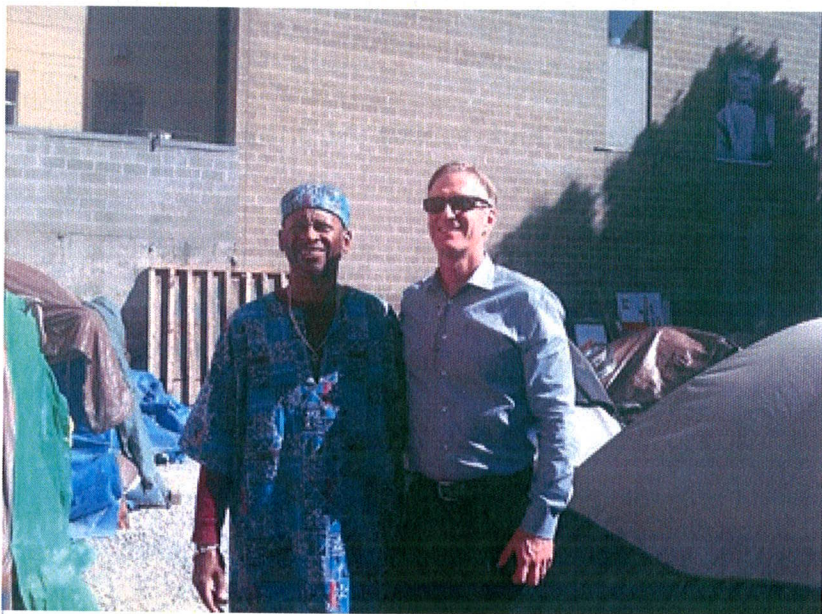
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## Ted Wheeler drops in at Right 2 Dream Too in Old Town Chinatown

Rebecca Koffman, Special to The Oregonian By Rebecca Koffman, Special to The Oregonian

on October 03, 2012 at 3:17 PM, updated August 27, 2013 at 6:31 PM



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Rebecca Koffman/ Special to the Oregonian

Right 2 Dream Too camp founder Ibrahim Mubarak with state treasurer Ted Wheeler at the camp in Northwest Portland.

Oregon Treasurer Ted Wheeler made a recent, spontaneous visit to the **Right 2 Dream Too** camp at Northwest Fourth Avenue at Burnside Street.

Wheeler arrived at the camp gate last week, with Leland Larson, a camp supporter.

Larson had suggested a quick visit to the camp during a meeting with Wheeler. Camp founder, Ibrahim Mubarak, jumped at the chance to show them around.

Also on the impromptu tour, this reporter and a friend visiting from England. We had stopped by to find out more about the **Inside Out art project** featuring camp residents. Read that story on **Oregonlive's Northwest blog** tomorrow.

The tour began at the camp's entrance: Mubarak explained that he refers to the camp gatekeepers as, "responsible people. We don't like the word 'security.'" The group then visited the kitchen, the library -- it's collection supplied by **Street Books**, and the computer lab -- computer courtesy of **Free Geek**.

Along the way Mubarak pointed out the portapotties, the single men's tent, the women's tent and the couples' tent. Permanent residents have their own tents towards the back of the lot.

There's a clothes closet where camp users can help themselves to warm clothes and rain gear. "We can always use rain gear," said Mubarak.

He introduced us to a resident named Jeremy, who was gathering his possessions in preparation for moving into an apartment, and to Mama Chewy whose portrait looks down on the camp from the wall of the Union Gospel Mission.

We admired the chili peppers growing in wooden tubs near Smoker's Corner.

Wheeler mentioned that he spent several years volunteering at Goose Hollow Family Shelter.



At one point the state treasurer asked Mubarak if he would characterize the illegal rest area's relationship with the City as "a détente?"

Mubarak replied that the city is fining the land owner \$2,500 per month for being in violation of recreational camping regulations. Right 2 Dream Too camp is using donations, and money from their food fund to pay these fines.

He told the group that in order to get a recreational camping permit and thereby avoid the fines, the rest area would need, among other things, to be connected to the sewer lines.

"But the city told us we can't dig because there's Chinese artifacts down there," he says.

Wheeler inquired about the for sale sign nailed to the fence of doors that form one wall of the site.

Yes, the landowner has put the lot up for sale. But, the group wondered, might the possible presence of artifacts complicate a sale. Would there need to be an archeological excavation before the land could be declared buildable?

After handshakes all round, the two men took their leave.

**Rebecca Koffman**

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## Old Town's Right 2 Dream Too camp celebrates one year with lease renewal

Rebecca Koffman, Special to The Oregonian By Rebecca Koffman, Special to The Oregonian

on October 11, 2012 at 7:01 AM, updated August 27, 2013 at 6:29 PM



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Photos by Rebecca Koffman/Special to  
The Oregonian

Ibrahim Mubarak, co-founder of the Right 2 Dream Too camp, addresses supporters Wednesday outside City Hall at a rally to mark the camp's one-year anniversary.

**World Homeless Day** is Oct. 10. On that day last year, when official attention was on the Occupy Portland encampments at Chapman and Lownsdale Squares, **Right 2 Dream Too** quietly established itself at Northwest Fourth Avenue and Burnside Street as a tented camp for the homeless.

"They said we wouldn't last a month," camp co-founder Ibrahim Mubarak told residents and supporters at a one-year anniversary celebration Wednesday. "It's been a long month."

The Dreamers, as they call themselves, marked the day by protesting outside City Hall about fines being imposed on the camp, testifying before the City Council then returning to the camp to sign another one-

year lease with property owner Michael Wright.

"Pennies, nickels, dimes, Dan Saltzman waive those fines" was the chant that about 50 camp residents, wearing zombie makeup, shouted over and over in front of City Hall in the morning.

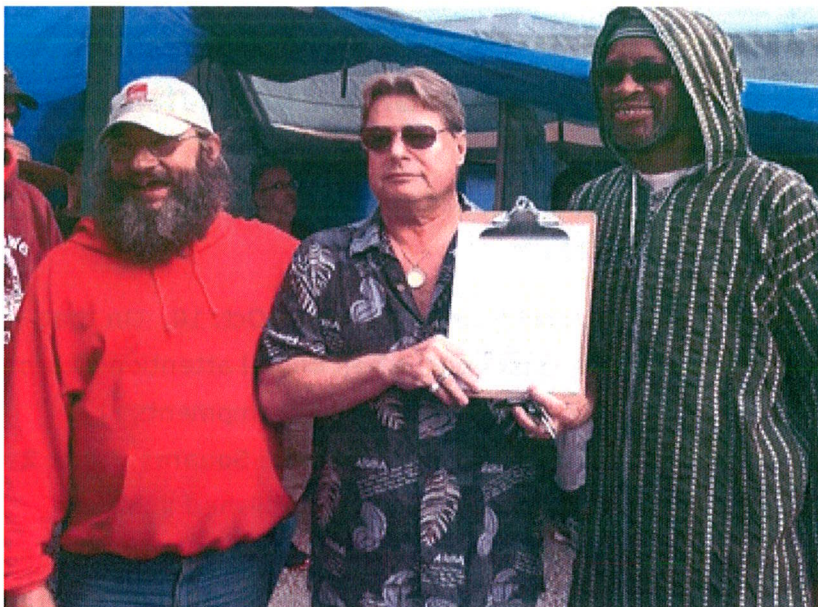
Commissioner Saltzman runs the **Bureau of Development Services**, which is fining Right 2 Dream Too \$1,200 a month for violating recreational campground code.

"This is not about recreation, this is about survival," Mubarak called through a bullhorn, to cheers from the zombies. Why zombies?

"It's a way of showing solidarity with the sleep-deprived houseless people who lack shelter or affordable housing," said Lisa Fay, a camp organizer.

About 90 people a night sleep undisturbed at the site, which has a security desk, a kitchen, a clothes closet, tents for men, women and couples, a smokers' corner and a computer.





#### View full size

Brad Gibson, Dignity Village vice chairman, (from left) Michael Wright, owner of the property underneath the Right 2 Dream Too camp, and Ibrahim Mubarak, co-founder of Right 2 Dream Too, show the renewed one-year lease for the property.

During the course of the first year, according to Mubarak, 24 residents secured housing and 17 found work.

We don't just sleep there, we help each other, was the message many of the campers brought to City Hall.

By 9:30 a.m. the council chamber was filled with zombies. Three camp residents testified.

Their message: There is not enough affordable housing in the city. This kind of transitional housing works. "We call for the city to work with us, not against us," said resident Amber Dunks.

Back at the camp, party preparations were in full swing. On the menu -- barbecue hotdogs, chicken and hamburgers, vegan and regular. Also ratatouille, apple crisp and cake.

And lots of soda and bottled water. The camp is a drug and alcohol-free zone.

Campers quickly assembled a makeshift stage in an area normally occupied by tents. A large wooden pallet was covered with tarps and carpet scraps. It would serve as a podium for speeches, runway for the afternoon's fashion show, and dance floor.

But first, Mubarak and Wright signed another one-year, rent-free lease.

Wright is an unusual philanthropist. His property is at the center of a long-running feud with the city. It had been home of Cindy's Adult bookstore. In 2007, city officials forced Wright to shut the business down because of chronic code violations.

Wright demolished the building and later tried to establish a food cart pod at the site. But city officials put the kibosh on that idea also -- saying the lot wasn't suitable for such a use.

So he leased the lot out as a tent city for homeless people. Annual rent: \$1. The campers are responsible for paying the fines. "Our agreement is that the property will remain lien-free," Wright said.

"Initially," he said, "part of my agenda was to upset the city, but this has taken on a life of its own with me. It's gone way smoother than my expectations. They have done everything they said they would as far as behavior and offering help to people. They have done more good down here with nothing than some city

agencies do with taxpayer dollars."

The property is for sale, but Wright said there has been little interest from prospective buyers. Another complicating factor: He said the state has called for a complete archaeological excavation before the site can be built on. He is skeptical of claims that the property may be the home of Chinese artifacts.

He made a short speech to the campers, then he and Mubarak signed the lease. "Give 'em that John Hancock," called out one man in the crowd, and everybody cheered.

After that it was party time.

**-- Rebecca Koffman**

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## Right 2 Dream Too homeless campers sue city of Portland to end fines

Rebecca Koffman, Special to The Oregonian By Rebecca Koffman, Special to The Oregonian

on December 10, 2012 at 4:09 PM, updated December 10, 2012 at 5:43 PM



Enlarge

The Associated Press

The Grove Hotel (rear left) rises near the entrance to Old Town Chinatown and across the street from the Right 2 Dream Too homeless camp. The Old Town neighborhood association is urging the city to come up with a long-term solution for the homeless camp (front left). Benjamin Brink/The Oregonian

**Right 2 Dream supporters march on city hall** gallery (13 photos)

Homeless people and supporters marched on **Portland City Hall** on Monday morning after filing a lawsuit that argues their downtown camp is not recreational and should not be subject to a monthly city fine.

About 100 people, many of them campers at the **Right 2 Dream Too** homeless camp at Northwest Fourth Avenue and Burnside Street, gathered to hear lawyer Mark Kramer explain that he had filed a lawsuit Monday "on behalf of unified tenants and landlords against an unsympathetic city."

Right 2 Dream Too leases the land for \$1 per year from landlords Michael Wright and his partners, Linda, Daniel and Donna Cossette.

The suit states that Right 2 Dream too is not a recreational campsite, as the city deems it.

"Right 2 Dream Too is not a Boy Scout Camp or a KOA, it's a temporary shelter, there because the city cannot meet people's housing needs," Kramer said to cheers from the crowd, some of whom carried signs. "Camping for survival is not recreation," said one sign, and "Housekeys not Handcuffs," said another.

Property owners of the campsite, established in October 2011, are being fined \$1,346 per month by the **city's Bureau of Development Services** for violating recreational campground codes. Fines, which campers are expected to pay from donations they receive, are currently nearing \$10,000.

The suit asks the judge to declare that the campsite is not a recreational park and waive all fines. It also argues the site should be designated as transitional housing accommodation under Oregon law, which allows for two such sites within a city – the first is Dignity Village.

Recently the campsite has come under increased scrutiny since developer David Gold, along with the Old Town Chinatown Neighborhood Association, sent a letter last week urging the city to come up with a

longterm solution to the campground.

Gold plans to turn the **Grove Hotel**, opposite the campsite, into a youth hostel. The Portland Development Commission has approved a proposal to loan Gold and his partners almost \$2.65 million for the project.

Gold says that the success of his project depends on leasing ground floor space to a restaurant. But a restaurant there would overlook the campsite. So as long as the campsite is there, he says, he will not get a tenant. Speaking several days before the rally, he said that city officials had told him that more complaints would spur the city to action.

Camp landlord Michael Wright, interviewed at the rally, said that "the city listens to people with power and money; they need to listen to people like this who have come together to do something good at that site."

After the speeches the Dreamers, as they call themselves, surged into city hall aiming to present their lawsuit to city commissioners. Security guards, unable to stop them getting inside, blocked them in the lobby. The police were called and briefly shut down the street outside.

In all the confusion, camp founder Ibrahim Mubarak managed to get up to the mayor's office to present the suit.

The mayor's reaction?

"He told us that he would be passing it along to the next mayor," Mubarak said.

– **Rebecca Koffman**

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## Right 2 Dream Too homeless camp residents seek to change Portland policy

Rebecca Koffman, Special to The Oregonian By Rebecca Koffman, Special to The Oregonian

on December 14, 2012 at 7:00 AM, updated August 27, 2013 at 6:29 PM

Loading Photo Gallery

An ongoing conflict over the location of Right 2 Dream Too, a makeshift homeless tent city in the middle of **Old Town Portland**, heated up this week.

Business owners near the homeless camp, established in October 2011 at Northwest Fourth Avenue and Burnside Street, acknowledge the campers are good neighbors, but feel that the camp itself harms livability and business.

David Gold, whose project to redevelop the Grove Hotel is partly financed by the city, argues the camp's location threatens the success of his project. Against this backdrop, the property owners and tenants of **Right 2 Dream Too sued** the city Monday, arguing the camp is not recreational and should not be subject to monthly city fines.

The campers run a tight ship. No one gets past the roped reception area without scrutiny. Visitors must sign in, and people looking for a bed for the night are escorted by a camp member to the men's tent, the couples' tent or the women's tent.

There's a separate area, just behind the 24-hour reception desk - they don't like to use the word security - where battered women, some of them escaping from dangerous situations, sleep.

And there are rules: no alcohol, drugs, violence, threats of violence or discrimination of any sort.

Long-term residents, or members, sleep in their own individual tents set up behind the communal tents for visitors. Between 60 and 80 people sleep at the camp every night. There's a garbage bin, two portable toilets, a clothes closet with donations, a covered smoking area, and a well-furnished kitchen with fully stocked pantry, knife block, and pots and pans hanging from one tent wall. At this time of year, big puddles are everywhere. Keeping clothing and bedding dry requires constant vigilance. An orange warning cone marks a large, deep puddle.

Members have jobs - taking a shift at reception, cleaning up the camp or the streets surrounding it.

"We clean outside the restaurants on our block," Dale Hardway says. "That explains our love/hate relationship with our neighbors," he says. "They like what we do, but they don't like our location."



## \$1 lease

Right 2 Dream Too leases the land for \$1 a year from Michael Wright and his partners, Linda, Daniel and Donna Cossette.

The city deems the site a recreational campground and, acting on complaints from the public, has been fining the property owners \$1,346 a month for code violations. Fines are nearing \$10,000.

Gold last week sent a letter urging the city to come up with a long-term solution to the campsite. And acting on advice, he says, from the offices of Mayor Sam Adams and Commissioner Dan Saltzman that more complaints will spur further city action, he attended an **Old Town Chinatown Neighborhood Association** meeting to urge members to step up complaints about the campsite.

Gold plans to turn the Grove Hotel, opposite the campsite, into a youth hostel. He says he will not be able to pay his mortgage without rental income from leasing ground-floor space to a restaurant. But a restaurant there would overlook the campsite. So as long as the campsite is there, he says, he will not get a tenant.

The city also has a stake in the success of the youth hostel project. The **Portland Development Commission** has approved a proposal to loan Gold and his partners almost \$2.65 million for the project.

The city acquired the building from **Home Forward**, the Portland housing authority, in 2010 for \$3.71 million. A 2012 appraisal puts the building's value at \$660,000. But officials approved selling it to developers for \$555,000, citing a deduction to replace the roof.

Gold argues that the city should enforce its own land-use regulations.

## Land-use debate

Land-use definitions are at the heart of the lawsuit filed Monday by Right 2 Dream Too property owners and tenants against the city, Saltzman and Paul Scarlett, director of the **Bureau of Development Services**. The suit asks a judge to declare that the city's designation of the site as a recreational park is invalid and to waive all fines. It also argues the site should be designated as transitional housing accommodation under



The Right 2 Dream Too camp at Northwest Fourth and Burnside is well-organized with a roped reception area, and rules against alcohol, drugs and violence. The doors that block off the traffic side of the camp have mostly been decorated with themes that speak to homelessness and poverty.

Benjamin Brink/The Oregonian



Oregon law, which allows for two such sites within a city; the first is Dignity Village.

Howard Weiner, owner of Cal Skate Skateboards in Old Town and chairman of the Old Town Chinatown Public Safety and Livability Committee, hopes the lawsuit will spur substantive public policy discussions about ways to deal with homelessness.

He says that he admires and is supportive of the good work done by campers, but he has never supported their location. The developer has "every right to develop the property across the street from camp," he said.

What is lacking, he feels, is city leadership. We really need to have discussions about alternative solutions, to deal with homelessness. "We need a champion in the city."

– **Rebecca Koffman**

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## Pearl District Neighborhood Association blasts city process in proposed Right 2 Dream Too move

Right 2 Dream Too

Commissioner Amanda Fritz's office is negotiating with the Right 2 Dream Too homeless camp in Old Town to move from its highly visible location at West Burnside Street and Northwest Fourth Avenue to under the west end of the Broadway Bridge. (*Benjamin Brink/The Oregonian*)

**Sara Hottman, The Oregonian** By **Sara Hottman, The Oregonian**

**Email the author | Follow on Twitter**

on August 28, 2013 at 1:30 PM, updated August 28, 2013 at 1:33 PM

The **Pearl District Neighborhood Association is asking its residents** to sign a letter opposing **Commissioner Amanda Fritz's efforts to move the Right 2 Dream Too homeless camp** from its highly visible location in Old Town to under the Broadway Bridge.

The association wrote to its members that **the letter opposes Fritz's proposal** "on the grounds that there has been no public process (deliberately, we learned) and the institutionalization of **camping violates** both the Portland Development Commission's mission and several city and state codes and zoning laws."

In emails to The Oregonian, Northwest Portland residents have expressed concern about crime rising in the proposed area, under the west end of the Broadway Bridge.

"If Amanda Fritz thinks this is such a good idea maybe she should move it to her neighborhood," one long-time resident wrote.

Negotiations, which started after the last court hearing in July, involve Fritz's office, Right 2 Dream Too leaders, and Michael Wright, whose lot at West Burnside and Northwest Fourth Avenue held Cindy's Adult Bookstore until the city forced it to close in August 2008.

The move would settle the lawsuit Right 2 Dream Too filed against the city last December, says Ibrahim Mubarak, chairman of Right 2 Survive and Right 2 Dream Too, sister outreach organizations. The city would waive the tens of thousands of dollars of fees it has levied against the camp, accusing it of unpermitted recreational camping.

Parties involved say negotiations are nearly finished.

Mubarak says the organization has mixed feelings on the move: While the fines would be waived, Right 2 Dream Too would lose visibility, part of the organization's mission to raise awareness about homelessness in Portland.

"It's ironic that they're chasing people from dwelling under the bridge, and asking us to move under the

bridge," Mubarak adds.

A one-night count in January found 16,000 people considered homeless in Portland -- couch surfing, in transitional housing, or on the streets. Each night, around 1,895 people sleep on the street; there are only about 700 shelter beds are regularly available. Right 2 Dream Too takes upward of 100 people off the street each night.

"Remember that the issue is not about property values," the neighborhood association writes to its members. "It's about the city's violation of our trust and its own integrity."

-- Sara Hottman

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## Right 2 Dream Too camp could move from Old Town to under the Broadway Bridge

Loading Photo Gallery

**Sara Hottman, The Oregonian** By **Sara Hottman, The Oregonian**

**Email the author | Follow on Twitter**

on August 27, 2013 at 5:45 PM, updated August 27, 2013 at 7:16 PM

Commissioner Amanda Fritz's office is negotiating with the **Right 2 Dream Too** homeless camp in **Old Town** to move from its highly visible location at West Burnside Street and Northwest Fourth Avenue to under the **west end of the Broadway Bridge**.

The move would **settle the lawsuit Right 2 Dream Too filed against the city** last December, says Ibrahim Mubarak, chairman of Right 2 Survive and Right 2 Dream Too, sister outreach organizations. The city would waive the **tens of thousands of dollars of fees it has levied** against the camp, accusing it of unpermitted recreational camping.

The city handled **Dignity Village**, a homeless camp that took shape at Northwest 17th and Savier Street in 2000, a similar way: City officials gave it land in Northeast Portland, where it's been since 2001.

Negotiations, which started after the last court hearing in July, involve Fritz's office, Right 2 Dream Too leaders, and property owner Michael Wright, whose lot held **Cindy's Adult Bookstore until the city forced it to close** in August 2008.

**Willamette Week reported today** that Fritz would not discuss the deal until it is finalized. Her office did not immediately return calls from The Oregonian.

Mubarak estimates negotiations are 95 percent complete. While his organization sees a victory in the city dropping the fines, he says they're losing viability -- part of the organization's mission to raise awareness about homelessness in Portland.

**A one-night count in January found 16,000 people are without homes in Portland** -- couch surfing, in transitional housing, or on the streets. Each night, around 1,895 people sleep on the street; there are only about 700 shelter beds are regularly available. Right 2 Dream Too takes upward of 100 people off the street each night.

"Our concept is visibility to gain solidarity," Mubarak says. "That's one thing I'm sad at. We can build a space anywhere."

"But maybe the city will stop looking at this as a monetary thing, but as a human thing."



-- Sara Hottman

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## Right 2 Dream Too could move; Upfor gallery in Pearl District: Downtown/Northwest Portland news

upfor.jpg

Upfor gallery owner Theo Downes-Le Guin is opening a gallery that fits his artistic interest: work that reflects on and uses technology. *(Sara Hottman/The Oregonian)*

**Sara Hottman, The Oregonian** By **Sara Hottman, The Oregonian**

**Email the author | Follow on Twitter**

on August 28, 2013 at 9:05 AM, updated August 28, 2013 at 9:15 AM

We've got a nice summer day ahead of us, **according to forecasts**: highs in the low 80s and sunshine, with just a few clouds. In other news:

**Right 2 Dream Too camp could move from Old Town to under the Broadway Bridge:** Commissioner Amanda Fritz's office is negotiating with the Right 2 Dream Too homeless camp in Old Town to move from its highly visible location at West Burnside Street and Northwest Fourth Avenue to under the west end of the Broadway Bridge. In exchange for moving, the city would waive fees it imposed on the camp and the camp's lawsuit to eliminate those fees.

While I got the camp's reaction, **Willamette Week has details** about the property owner, Michael Wright's, view. **The Mercury was the only news outlet** to get Fritz's thoughts on the plan.

**In the new Pearl District gallery Upfor, art will reflect on technology:** The owner of a new Pearl District gallery has an unusual niche: art that reflects on the impact of technology in our lives. "The high technology industry is always looking forward," says owner Theo Downes-Le Guin. "Artists are part of a small group of people who think about what is gained and lost as technology becomes part of our lives." Downes-Le Guin, son of author Ursula K. Le Guin, is opening a venue for such artists next week. Upfor gallery, 929 N.W. Flanders St., will feature digital art, new media, and other mediums that deliver a message about technology or use it in an unusual way.

**Firefighters respond to early morning fire at Portland's Chapman Elementary School:** Portland fire officials said they are at the scene of a fire in a second-floor classroom at Northwest Portland's Chapman Elementary School, Noelle Crombie reports. Fifth-grade teacher Kevin Bush, 47, said he arrived at the school at about 6 a.m. when he discovered four to five foot high flames. He pulled the fire alarm.

**Police say 'Where's Waldo Bandit' bank robber suspect in Portland bank robbery:** A convicted bank robber known as the "Where's Waldo Bandit" for his nerdy glasses, striped shirt and bowl-cut hairdo has allegedly struck again, Portland police said Tuesday, less than a week after his release from federal prison. Stuart Tomlinson reports Ryan Michael Homsley, 32, is a suspect in Monday's robbery of the U.S. Bank branch at 410 Southwest Harrison Street.

**Danner Boots comes to Union Way: Portland Monthly** reviews the new shop.

### **Film festival continues**

**The Portland Film Festival is officially kicked off and continues today** with screenings, network gatherings and classes. Today's screenings are at Living Room Theaters downtown and Bagdad Theater in the Southeast Hawthorne area. **Schedule here** and **tickets here**. Enjoy!

-- Sara Hottman

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## Right 2 Dream Too agreement calls for 1-year camp at Broadway Bridge

Brad Schmidt, The Oregonian By Brad Schmidt, The Oregonian

Email the author | Follow on Twitter

on September 09, 2013 at 1:30 PM, updated September 09, 2013 at 5:21 PM



Commissioner Amanda Fritz has reached a settlement with Right 2 Dream Too.

Benjamin Brink/The Oregonian

Read the updated story:

**Commissioner Amanda Fritz announced an agreement with Right 2 Dream Too that will waive nearly \$21,000 in fines and move the homeless camp to city-owned property for a year.**

### \* Original post below

The announcement means homeless campers will move from their current location, on a privately owned lot at Northwest 4th Avenue and Burnside Street, where they have lived since October 2011.

With fines by the city piling up, campers filed a lawsuit against the city. Monday's settlement agreement will waive those fines, move the campers to land underneath the Broadway Bridge ramp for one year, and ensure the existing camp is cleared out and fenced off for six months.

"Right to Dream Too has demonstrated the value of a new model in our community's ongoing challenge to provide safe shelter for people experiencing homelessness," Fritz said in a statement. "I believe moving R2DToo to the new location will increase safety for both housed and houseless people living and working nearby."

More to come after the 1:30 p.m. press conference.

-- Brad Schmidt

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## Portland, Right 2 Dream Too have agreement; Commissioner Amanda Fritz will speak at 1:30 p.m.

Brad Schmidt, The Oregonian By Brad Schmidt, The Oregonian

Email the author | Follow on Twitter

on September 09, 2013 at 10:05 AM, updated September 09, 2013 at 5:18 PM



PORTLAND, OREGON - JULY 23, 2013 - Matthew Hedgcoth, 26, from Everett, gets up by 6 a.m. so he can catch a meal at the Union Gospel Mission at 6:30 a.m. He and his girlfriend, Melissa Baker, 31, from Portland, sleep under one of the tents for couples at the Right 2 Dream Too area. Commissioner Amanda Fritz's office is negotiating with the Right 2 Dream Too homeless camp in Old Town to move from its highly visible location at West Burnside Street and Northwest Fourth Avenue to under the west end of the Broadway Bridge.

Benjamin Brink/The Oregonian

Read the updated story:

**Right 2 Dream Too deal for city-owned campsite 'appropriate alternative' in fight to end homelessness, Amanda Fritz says**

**\* Original below**

The city of Portland has reached an agreement to relocate homeless camp Right 2 Dream Too from its Chinatown home to a **new location underneath the Broadway Bridge ramp in the Pearl District.**

Details will be shared during a 1:30 p.m. press conference called by city Commissioner Amanda Fritz.

Right 2 Dream Too has spent about two years on the corner of Northwest 4th Avenue and Burnside Street, on property owned by Michael Wright that used to house an adult bookstore.

City officials have been fining the encampment. But today's announced agreement is expected to waive those fines and end a lawsuit filed by the group.

The group is expected to move to a publicly owned location held by the Portland Development Commission.

Return to OregonLive this afternoon for more details and reaction.

-- Brad Schmidt

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## Right 2 Dream Too deal for city-owned campsite 'appropriate alternative' in fight to end homelessness, Amanda Fritz says

Brad Schmidt, The Oregonian By Brad Schmidt, The Oregonian

Email the author | Follow on Twitter

on September 09, 2013 at 4:05 PM, updated September 10, 2013 at 10:23 AM



Commissioner Amanda Fritz, in charge of the Bureau of Development Services, has reached an agreement to move the Right 2 Dream Too homeless camp to city-owned property for one year.

Michael Lloyd/The Oregonian

Saying Portland needs to face the reality that homelessness isn't going away, **Commissioner Amanda Fritz** announced an agreement Monday to move the Right 2 Dream Too homeless camp under the Broadway Bridge for a one-year trial.

The contract is the latest turn of events for the camp, which quietly sprouted on privately owned land in Chinatown two years ago. The camp has been racking up fines ever since, prompting owners and campers to file a lawsuit against the city.

**Fritz's deal** will end the lawsuit, waive nearly \$21,000 in fines and give dozens of homeless Portlanders a one-year stay

underneath an onramp for the Broadway Bridge, at what city officials are trying to label a "rest area" instead of a campsite.

"There is currently nowhere in the city that it's legal to sleep and be homeless in Portland," Fritz said Monday during a well-attended City Hall news conference. "And that cannot be. In a community that cares about individuals as much as we do, I believe that when you have a safe place for people to be in a rest area, that is an appropriate alternative other than doorways and sidewalks."

But residents of the Pearl District, where campers will move, aren't pleased with the city's plan or with being left out of negotiations.

"Once they move it they are complicit in it, and they are violating every code," said Patricia Gardner, president of the Pearl District Neighborhood Association. "It's a double standard."

Fritz said it will take about a month to work out details and ensure city rules are followed. The process-minded Fritz promised a City Council meeting and

**More**

**Continuing coverage of the Right 2 Dream Too camp for the homeless in**



neighborhood input for a "use agreement."

**Portland's Old  
Town-Chinatown  
neighborhood.**

When all the details are hammered out, Right 2 Dream Too will be Portland's second sanctioned homeless camp, along with Dignity Village in Northeast Portland near the airport. But Dignity Village required City Council approval and a key "transitional housing" designation, one of two authorized for cities under state law, which is something Right 2 Dream Too may not need.

Right 2 Dream Too originally moved to the corner of Northwest 4th Avenue and Burnside Street on Oct. 10, 2011, World Homeless Day, as public attention focused on the Occupy Portland protests near City Hall. Property co-owner Michael Wright, angry with the city for forcing his adult bookstore to close and then blocking food carts on the unpaved lot, welcomed the camp.

Portland's Bureau of Development Services labeled Right 2 Dream Too a recreational campsite and began assessing fines each month. The group sued in December, saying it should be designated for transitional housing, like Dignity Village. A **judge had yet to rule** when Fritz, who took over the Bureau of Development Services in June, began negotiating a deal.

As part of the settlement agreement, Portland will waive \$20,957 in fines against Wright and other property owners. The city will put up fencing for six months and the property owners will promise to prohibit camping on the site, which sits next to the Chinatown gate and across the street from **a stalled redevelopment effort -- the Grove Hotel** -- pushed by Portland's urban renewal agency.

In exchange, Right 2 Dream Too will move to property owned by the city's urban renewal agency, the Portland Development Commission. The site is under the Broadway Bridge ramp to Northwest Lovejoy Street, between Union Station, the U.S. Post Office and a parking garage.

Fritz said she isn't worried about the city's liability at the new location, adding that police haven't had problems with the campers.

Over the past two years, 71 "dreamers," as they're known, have found housing, 73 landed jobs, 10 completed treatment programs, five women kept their babies and six others are going to school, said Ibrahim Mubarak, who co-founded Right 2 Dream Too.

"Within two years this was accomplished because we were allowed to do good for ourselves," he said.

Fritz said the agreement is part of a new phase to help homeless Portlanders after the city's **"10-Year Plan to End Homelessness"** hasn't lived up to its ambitious, if unrealistic, name.

"It's very uncomfortable. I think we should acknowledge that," she said. "We've spent a lot of time over the last 10 years talking about the 10-Year Plan to End Homelessness, and the fact that we cannot is a challenge. And it hurts."

"Because we really, I think, would all prefer to have inside housing for everybody who wants it. We're not currently in that state. I believe that we need to accept that."

- Brad Schmidt

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## Pearl District readies for legal fight over Right 2 Dream Too

Brad Schmidt | bschmidt@oregonian.com By Brad Schmidt | bschmidt@oregonian.com

Email the author | Follow on Twitter

on September 13, 2013 at 12:19 PM, updated September 13, 2013 at 12:20 PM



PORTLAND, OREGON - JULY 23, 2013 - Right 2 Dream Too, located at 4th and Burnside, is made up of 21 smaller tents for members and then some very big tents for the day to day people who sleep overnight. Commissioner Amanda Fritz announced an agreement Monday to move the Right 2 Dream Too homeless camp under the Broadway Bridge for a one-year trial.

Benjamin Brink/The Oregonian

Portland Commissioner Amanda Fritz pledged this week that **all city rules would be followed** when homeless camp Right 2 Dream Too moves to city-owned property in the Pearl District.

Now neighborhood leaders are ready to spend \$10,000 to go to court to ensure the city follows through.

"They don't get to play by a different standard," said Patricia Gardner, chairwoman of the **Peal District Neighborhood Association**.

Gardner said the association authorized \$10,000 from its rainy day fund Thursday to pay for legal services tied to the pending

move of Right 2 Dream Too. Fritz negotiated a deal to move the camp from Chinatown to the Pearl District, where campers would be allowed to live for a year underneath a Broadway Bridge onramp.

Gardner said the group is also working with Williams & Dame Development and Hoyt Street Properties to explore legal options.

The city fined property owners at the current Right 2 Dream Too site for code violations. It's not entirely clear what hoops the city will need to jump through to move the camp, and what specific appeals the neighbors could pursue.

-- Brad Schmidt

### More

**Continuing coverage of the Right 2 Dream Too camp for the homeless in Portland's Old Town-Chinatown neighborhood.**

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## Portland officials explain how Right 2 Dream Too can move to Pearl District

rightttodream.JPG

Tents of R2DToo cluster on the private parcel near the Chinatown gate in downtown Portland. *(Benjamin Brink/The Oregonian)*

**Brad Schmidt | bschmidt@oregonian.com** By **Brad Schmidt | bschmidt@oregonian.com**

**Email the author | Follow on Twitter**

on September 27, 2013 at 2:07 PM, updated September 27, 2013 at 5:41 PM

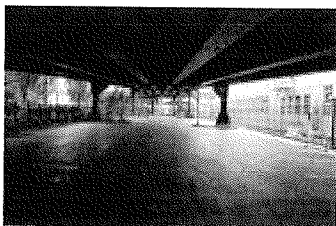
Have you spent time over the past few weeks wondering how the Right 2 Dream Too homeless camp can move to city-owned property in the Pearl District without getting caught up in bureaucratic red tape?

On Friday, the Bureau of Development Services -- overseen by Commissioner Amanda Fritz, **who orchestrated the move** -- started providing some answers.

The **explanation runs 12 pages and gets into the weeds of Portland's land-use rules**, but it can be easily summarized like this: Paul Scarlett, director of development services, thinks it's OK.

He believes Right 2 Dream Too can be classified as a Community Services use that is permitted by the existing zoning and does not need a land-use or design review.

But it's only a recommendation, and it'll be up to the City Council to decide. Neighborhood leaders in the Pearl District are fighting the process, as are prominent business leaders.



**View full size**

PORTLAND, OREGON - SEPTEMBER 10, 2013 - Commissioner Amanda Fritz announced an agreement Monday to move the Right 2 Dream Too homeless camp to this area underneath the Lovejoy ramp that connects to the Broadway Bridge. Right now the area is used as a parking lot. On the right side is the back of the post office.

The meeting is Oct. 3, from 2 to 5 p.m., and then 6 to 8 p.m.

Fritz has proposed moving Right 2 Dream Too from its current location, at the corner of Northwest 4th Avenue and Burnside Street, to underneath the Broadway Bridge's Lovejoy ramp.

-- Brad Schmidt

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### More

**Continuing coverage of the Right 2 Dream Too camp for the homeless in Portland's Old Town-Chinatown neighborhood.**



10/2/13

Portland officials explain how Right 2 Dream Too can move to Pearl District

Benjamin  
Brink/The  
Oregonian

## Fritz says Pearl District residents don't get final say on Right 2 Dream Too move

Possible new camp for Right 2 Dream Too

This parking lot underneath a Broadway Bridge onramp could be home to the Right 2 Dream Too camp. Commissioner Amanda Fritz said the zoning decision is sound, and said Pearl Residents don't get to choose their neighbors. *(The Oregonian)*

**Andrew Theen | [atheen@oregonian.com](mailto:atheen@oregonian.com) By Andrew Theen | [atheen@oregonian.com](mailto:atheen@oregonian.com)**

**Email the author | Follow on Twitter**

on September 30, 2013 at 7:11 PM, updated October 01, 2013 at 7:00 PM

UPDATE: Answer a poll question on this topic [here](#).

Barring any new information, City Commissioner Amanda Fritz expects a vote Thursday on **a zoning decision** that paves the way for the Right 2 Dream Too homeless camp's move to the Pearl District.

And Fritz says there's little neighbors can do about it.

Fritz says there are many reasons why the city is eyeing the Pearl District property. Principally, it's one of a handful of sites on the west side, owned by the city, that were available and reasonably close to services.

While she understands the concerns of neighbors about public process, and how a neighborhood looks and feels, Fritz said she stands behind the Bureau of Development Service's determination released last week. She also was hamstrung by an ongoing lawsuit.

The zoning document offers the rationale for moving the **Right 2 Dream Too** community from its current location to underneath the Northwest Lovejoy Street onramp onto the Broadway Bridge. Paul Scarlett, the Bureau of Development Services director, determined the camp does not need to go through design review, land use review or apply for building permits, because it qualifies as a Community Service.

On Monday, Fritz said she believes the document is sound.

"I might not like the development next to me or in my neighborhood," she said.  
"But if I don't have the right to stop it, I don't have the right to stop it."

The commissioner, who prior to elected office was a well-known community activist and retired psychiatric nurse, said she would've been "very upset" if a development proposed in her neighborhood required land use review but was exempted from the typical city process.



**View full size**

Commissioner Amanda Fritz says the R2D2 movement has proven itself. She termed the move "temporary" and a first step.

"I would've taken them to LUBA (Oregon's Land Use Board of Appeals) in a heartbeat," Fritz said.

But that's not the case, Fritz said, in the Right 2 Dream Too move.

"There's not going to be an opportunity for the neighbors to forbid this to happen," she said. "You don't get to decide who moves into the house next to you. For the most part, you don't even get to decide what kind of house is built next to you if there's a vacant lot."

The homeless camp currently at Northwest Fourth Avenue and West Burnside Street had to move for a number of reasons. The property owner wanted to sell the parcel, and he wasn't willing to do so without landing a location for the camp first. Fines of more than \$20,000 were waived as part of the legal settlement between Portland and the property owner.

Portland is trading one lawsuit for "multiple lawsuits," according to Keith Dubanevich, a lawyer with Stoll Berne representing a Pearl District developer. In an interview with The Oregonian Editorial Board on Monday, Dubanevich said the city was treating the homeless campers as "pawns." He said the city isn't respecting previous agreements about access to parking at the city-owned lot.

Patricia Gardner, Pearl District Neighborhood Association president, called the plan to move the camp under the bridge "reprehensibly lazy."

"Why tents, why this location, why now?" Gardner said. "I don't get it at all."

Fritz allotted six hours for discussion of the topic on Thursday afternoon, and she "always keeps an open mind" and could push back the vote if there's a need to.

The hearing begins at 2 p.m. at Portland City Hall.

Stay tuned to **oregonlive.com** for a longer story on this topic later this week.

-- Andrew Theen

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