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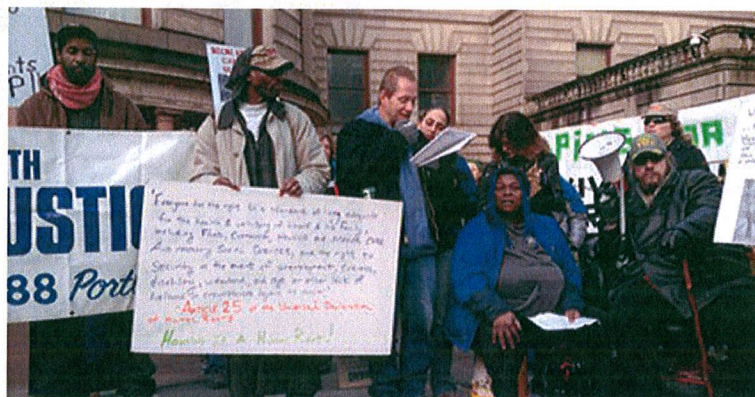
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THURSDAY, JUNE 6, 2013

NEWS / CITY HALL Will Amanda Fritz Help Rescue Right 2 Dream Too?

POSTED BY DENIS C. THERIAULT ON THU, JUN 6, 2013 AT 11:59 AM



DENIS C. THERIAULT

As noted in **Hall Monitor** this week, Commissioner Amanda Fritz, newly assigned the Bureau of Development Services, has inherited one of the most awkward and seemingly intractable issues vexing Portland City Hall: **the fate of Right 2 Dream Too**—the well-run, self-managed "rest area" for the homeless down on NW 4th and Burnside.

It's been a sticky mess for several reasons. Absent political direction from BDS' previous commissioner-in-charge, Dan Saltzman, the city has decided to treat Right 2 Dream Too like an illegal "recreational" campsite—and, **thus, fine it thousands of dollars**. Then, after months of failed talks, **the group sued the city last winter**.

Lurking beneath all the back and forth is the city's distaste for the site's main landlord, Michael Wright, who ran an adult bookstore on the lot before knocking it down amid a code push by then-City Commissioner Randy Leonard (whom Wright has also sued). And, for good measure, the Portland Business Alliance hates the idea that the camp exists in so visible a place; Chinatown neighbors, who like the site, aren't in love with its location beneath the Chinatown gate; and the developer who owns the building across the street, David Gold (relying on city money), has complained the rest area is making it too hard to sell retail space on NW 4th.

So you can understand why, even though the city and the cops actually like the site, this has been such a problem. But Fritz's jurisdiction could prove interesting. **She was an early**

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advocate for the site, trying and failing last year to broker a compromise with her colleagues that would end the code fines.

"The next thing she heard was no one else was open to much discussion," says Michael Moore of affiliate group Right 2 Survive. "And that's where it got dropped."

But now that BDS is Fritz's to run, she's got a freer hand. And her staff says it's going to look anew at helping.

"We'd always been talking with other colleagues on council about other possibilities," says Fritz's chief of staff, Tom Bizeau. "We've always been trying to figure out a solution. And we still are. Now that we've got it in our portfolio, we'll dig down and see if there's any way to resolve what's really been an impasse."

R2DToo's backers are clearly intrigued by the potential breath of fresh air.

Says Moore: "I would have hoped that Saltzman would have seen that as his role, addressing the bigger issues."

But it's clear nothing will probably happen until the group's lawsuit against the city is resolved. That could happen as soon as next month—and it's actually likely the city will prevail. A hearing is set for July 11.

According to Mark Kramer, R2DToo's attorney, the city has asked Multnomah County Circuit Judge Karin Immergut to **toss the lawsuit on procedural grounds [pdf]**. The city argues Right 2 Dream Too should have "exhausted" all available appeals before filing its suit. After the first fines were assessed, R2DToo chose not to raise \$1,215 for a what it saw as an unlikely appeal in front of a city hearings officer.

"They didn't have the money," Kramer says. "The city says, 'Too bad. Now you can't go to the court to seek relief.' Even though, if this were in the courthouse, you could seek a fee deferral or waiver."

Kramer is hoping to convince Immergut that R2DToo was too broke. And also that, because of Fritz's efforts, it had decided to wait for a political solution instead of something bureaucratic.

If the lawsuit is booted, it could be a silver lining. Kramer says he contacted Mayor Charlie Hales' office earlier this year and that he exchanged emails with staffers Matthew Robinson and Baruti Artharee, Hales' public safety director and, until Tuesday, housing bureau liaison.

"They were warm. They wanted to sit down," he says.

Until, that is, "they spoke with the city attorney. And next they were cold and harsh. 'We're not going to do anything for you.'"

Right 2 Dream Too is currently in its second annual lease on Wright's property. The group first rented the lot, for a buck, in October 2011. The current lease expires this year. Among its terms: Even though Wright and his business partners are technically on the hook for the city's fines, Right 2 Dream Too is in charge of paying them.

Dozens of people a night stay at the site—enjoying a safe place to sleep and, in some cases, using that as a springboard for getting their affairs in order and seeking out jobs and schooling and permanent housing.

Last I reported on the fines, they were up to \$17,000. The group is putting money in escrow, money that it says could be spent on other needs, including site improvements. Even without all the money, organizers and volunteers have been busy. Another code issue, the site's eight-foot fence of donated doors on Burnside, has been fixed so it now complies with the city's six-foot rule. And the places has slowly evolved and improved its overall appearance.

Moore and Kramer both say they'd welcome discussions about finding some other place to run the site, provided it's near social services and transit, unlike Dignity Village. The city has been tepidly interested, they say, but hardly proactive.

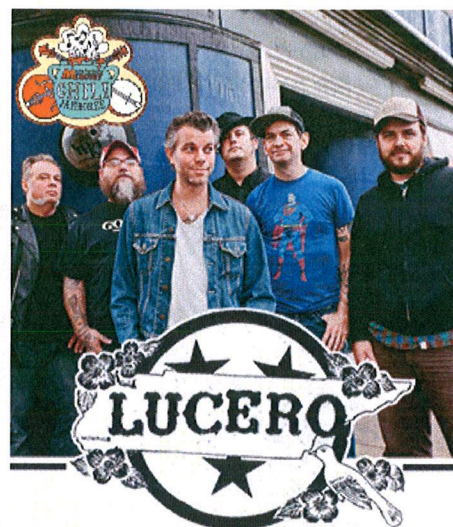
"I don't think anyone believes we'll be there forever," Moore says. "The whole point is to demonstrate that we can do this. There are super-low-cost ways to deal with the crisis while it's still happening, and it still is. There are alternatives to people being criminalized for sleeping in parks and doorways. That's always been the point."

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Still Dreaming

Despite Snag, Talks for Moving Old Town Homeless Rest Area Push On

by [Denis C. Theriault](#)

@theriaultpdx



DESPITE LAST WEEK'S 11th-hour snag in legal wrangling—and new protests from a handful of surprised Pearl District neighbors—a city-brokered deal to move Old Town's homeless rest area, Right 2 Dream Too, could emerge as soon as this week, sources tell the Mercury.

The Mercury reported on the outlines of that deal, pushed by Commissioner Amanda Fritz, last week ["[Under the Bridge?](#)" News, Aug 28].

Right 2 Dream Too would move from NW 4th and Burnside to a portion of a parking lot beneath the Broadway Bridge's Lovejoy ramp. A lawsuit filed against the city by the group and its current landlords would be dropped. And more than \$20,000 in code enforcement fines—the city declared the site an illegal "recreational" campground soon after it opened in October 2011—would be waived.

"Progress is being made," Fritz told the Mercury late Friday, August 30, in what she termed an "official statement" flowing from a meeting between her office, the city attorney's office, Right 2 Dream Too's board members, and Mark Kramer, the attorney representing both Right 2 Dream Too and its current landlords.

"We hope to have a settlement agreement next week," she said.

Another source close to the talks told the Mercury early Tuesday, September 3, that a deal could be in place as soon as that day or the next. No deal was in place as of press time.

Because the Portland Development Commission controls the new site, the proposed deal also needs Mayor Charlie Hales' approval. Hales' spokesman, Dana Haynes, said the mayor supports a relocation deal but hadn't been briefed as of press time.

"He's anxious to find out how it's gone," says Haynes.



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From the Archives

A Complaint Close to Home

The mayor and police chief reach out after a city employee's son files a police brutality complaint.

by Denis C. Theriault

10 comments »

Of course, this also wouldn't be the first time hopes were high—only to fade away.

The tentative agreement nearly fell apart last Tuesday, August 27, after the site's current landlord, Michael Wright, balked at the city's insistence he agree not to host another group of homeless campers.

Kramer said Wright wanted the city to remain "silent" on what he can or can't do with his property—with the understanding that if Wright did try hosting more campers, the city could come back with code inspectors and levy more fines and start the legal process all over again.

That "silence" was one of three options Kramer presented the city. Wright had asked the city to consider buying his land. He also sought permission to install a food cart pod.

Fritz said she was willing to strip language banning camping from the agreement, while still insisting that whatever came next would comply with current city codes, rules, and laws. The city's view was that language would still rule out knowingly hosting campers or food carts on the lot. The deal went sideways when Wright realized that his interpretation of that clause was different from the city's.

It was unclear as of press time how the two sides resolved that impasse. The city and Fritz would clearly be loath to see another rest area spring up on Wright's vacant land after the expense and political effort involved in moving Right 2 Dream Too. But a deal also couldn't go through without Wright's buy-in. He's a co-plaintiff in the lawsuit against the city and organizers have agreed to hold him harmless for any code fines that have accrued. The city won't waive those fines if it can't agree with Wright on the future of his current land.

The proposed deal has been giving Fritz mild heartburn for another reason. The Pearl District Neighborhood Association, outraged by the closed-door talks surrounding the plan and concerns about legal camping, began a letter-writing campaign last week accusing the city of violating "our trust and its own integrity."

The city is allowed, under law, two "transitional housing" campgrounds. Right 2 Dream Too would join Dignity Village on that list.

Some neighbors lashed out directly at Fritz, suggesting they'd work against her re-election in 2016. Fritz, in a letter back to one of those neighbors, obtained by the Mercury, reminded foes that Right 2 Dream Too has been a model neighbor in Old Town. She also reminded them about her promise last year not to seek office again.

"I'm not running for anything ever again, just so you know," she wrote. "I act to do what I believe is right and in the long-term public good, which is not always what is popular with voters."

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Maybe ending a long legal fight, Amanda Fritz offers a new home to Right 2 Dream Too.

by Denis C. Theriault

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I live near the proposed relocation site and like my neighbors believe it's an ill-advised arrangement. The Lovejoy cul de sac is a main pedestrian travel corridor that has always attracted trouble associated with drinking, drug use and camping. The view-blocking hedges was a stupid choice for landscaping. Many people walk in the street instead of on the sidewalk to avoid close interaction with transients, many with bad tempers. The benches along the sidewalk should be removed and the hedges replaced with ground cover. The streetcar passing above is amplified into an earth-shaking high-decibel rumbling below that will disturb the peace and rest that homeless people need. The space below the Lovejoy ramp and Broadway Bridge is dank, dirty and dismal. If the city can't find a more suitable site to relocate Right2Dream too, they're either not looking or they are looking for sites that are more punitive than protective.

report

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Posted by [Art Lewellan](#) on 09/05/2013 at 11:08 AM

To respond to your concerns Art Lewellan, you may find that the area surrounding this cul de sac becomes much more safe and comfortable if R2Dtoo relocates there. Right 2 Dream Too has 24 hour security. In the current location, Dreamers have been approached by housed people who were needing safety -

you know, women fleeing harassment from some guy at the bar, and the like. Housed and unhoused people in the neighborhood have come to know R2Dtoo as a safe place, and I believe you will too.

There are people without housing currently camping below that bridge, as you have mentioned. Right 2 Dream Too is a community with a code of conduct, and the experience and to talk to other houseless people about respecting the perimeters of their community. The Dreamers have heard the street car rumble above the bridge. That noise stops long before the mayhem at the bars surrounding the current location. Some people find such rumbling preferable, even relaxing, compared to drunk people screaming and loud music. Bridges provide shelter, which is why you will find many people sleeping under them all over the city. In the case of R2Dtoo, the bridge will provide cover as people go to the porta-potty, or use the kitchen. It is difficult to get dry and warm when you live outside, and many feel this will be a positive feature. The proposed site is also wheel chair accessible. Since so many people living with disabilities also need emergency shelter, this is an added plus.

If you actually talk with people at R2Dtoo, you will learn more about their vision for providing a safe place, and the realities that they deal with each and everyday. You will gain a new perspective. As a potential neighbor, I hope you can open your mind and your heart. We are already hearing about residents and business owners in the Pearl who have visited R2Dtoo and want to support this amazing community.

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Posted by [florencia roquera](#) on 09/06/2013 at 10:47 AM

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FRIDAY, SEPTEMBER 6, 2013

HOMELESS / NEWS / CITY HALL **City, Right 2 Dream Too Will Announce Deal on Monday**

POSTED BY DENIS C. THERIAULT ON FRI, SEP 6, 2013 AT 8:23 PM



DENIS C. THERIAULT

As we reported in this week's paper, City Commissioner Amanda Fritz's push to move Right 2 Dream Too beneath a Broadway Bridge ramp was **moving along after a snag in discussions** with the site's current landlord almost sank the deal.

As of tonight, a source close to the talks informed the *Mercury*, those negotiations have been put to bed. All sides are expected to announce a deal at 12:30 pm Monday. The deal, **as we've reported**, would move the Old Town rest area from NW 4th and Burnside, see a lawsuit filed against the city dropped, and see the city waive more than \$20,000 in code violation fines—levied because the city declared the site an illegal "recreational" campground.

It's a major breakthrough in a nearly two-year spat with the city, which had long fought with the site's Old town landlord but quickly came to respect the work of R2DToo's board members in helping dozens of people each night find a safe place to sleep, and even get some of those people into housing and jobs. The push for a deal came when Fritz took over the city's code enforcers, in the Bureau of Development Services.

I'm awaiting confirmation from the attorney representing both R2DToo and the current landlord, Michael Wright—as well as more information about the tradeoffs Wright might have made. Wright had wanted to put up either another homeless camp or a food cart pod—and had even asked the city to buy his land. I'm also waiting for confirmation from Fritz.

Pearl neighbors also reportedly weighed in. Sources have said Fritz spoke with neighbors this week. I'm also waiting to confirm that with her.

Update 8:45 PM: Seems *Willamette Week* has been in touch with Kramer, who told them a

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SUNDAY, SEPTEMBER 8, 2013

HOMELESS / NEWS / CITY HALL **Right 2 Dream Too Statement Declares "Victory" Over Planned Move**

POSTED BY DENIS C. THERIAULT ON SUN, SEP 8, 2013 AT 12:19 PM

Though Commissioner Amanda Fritz threw up some minor caution as **news emerged late Friday that a solid deal to move Right 2 Dream Too had been reached**, officials with the site, this weekend, have drafted a statement "declaring victory" and shedding some more light on the terms.

And one detail has changed since Friday's post. The press conference is now expected to go off at 1 pm Monday, not 12:30 as I'd reported.

The agreement—to move the rest area beneath the Broadway Bridge, drop a lawsuit, and waive thousands in code fines—puts to rest weeks of negotiations among Fritz, Right 2 Dream Too, current 4th and Burnside landlord Michael Wright, and Mark Kramer, the attorney representing both R2DToo and Wright. Late disagreements surfaced over the fate of Wright's land and the fundamental legal issue presented in Kramer's suit challenging the city's code fines: whether the city had correctly labeled the site a "recreational" campground.

The statement doesn't make clear what will happen to Wright's land. He had proposed three options to the city: 1) Keeping open, technically, his right to host another homeless camp. 2) Putting food carts on the land despite rules forbidding it. 3) Or having the city buy the land.

But it does spell out that dropping the lawsuit shouldn't be seen as an admission, by Kramer or his clients, that the city was legally correct in fining the current site.

"There were a number of complicated hurdles to overcome in order to get this very positive result," Kramer said in the statement, obtained by the *Mercury*. "Although the lawsuit was dismissed, all parties acknowledged that the issue is still open as to whether homeless people, with the permission of the owner, have the right to sleep safely on private property without interference by the city."

Moving beneath a bridge ramp—the Lovejoy ramp off the Broadway—also was a tough sell for the site and its members. The 23-month-old site is part rest area—providing refuge and safe sleep for dozens of people a day—and part protest. It's NW 4th and Burnside location has kept the group and the issues it's trying to address, homelessness and poverty, thrust squarely into the city's face.

But the group's statement makes the best of what was clearly a difficult tradeoff.

"The site under the Lovejoy on-ramp to the Broadway Bridge has many positive aspects,"



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board member Trillium Shannon said in the statement. "Services and buses are within walking distance and the overpass will provide excellent protection from the elements. This is an historical first in Portland. Previously, the City demanded that Dignity Village locate their site in East Portland far from services and convenient public transportation."

Fritz had some help from Hales in getting a deal in place. She's supported the site tacitly since it opened, even with colleagues like Nick Fish, the city's former housing commissioner, and Dan Saltzman, the current one, expressing misgivings about how and whether the rest area fits among the city's other housing priorities.

Saltzman, when I sat down with him to talk about housing issues last month, told me he was skeptical of efforts. He'd come out as a big back of adding shelter capacity and permanent housing—softening that, in the face of criticism, to also embrace short-term rent assistance. R2DToo says it's goal is helping people who aren't well enough to join or otherwise don't fit with the social services system. (It also provides a refuge for people who find themselves unsheltered because of waiting lists and limited capacity.)

"It's still a camp and that's not where we want to be spending our money," he said. "I wouldn't want to see short-term rent assistance money being diverted to Right 2 Dream Too."

At the time, it wasn't clear whether any city money would be spent on relocation. Fritz has since told the *Mercury* that some costs will probably be incurred—from things like setting up the new site with electrical and water service. Any deal would have to come to council for approval, too, Fritz has said.

"That's why I'm trying to keep a wall of separation between the housing bureau" and the site, Saltzman said. "It may just happen. My colleagues may say this is how it's going to be and I'll just live with it."

Ibrahim Mubarak, spokesman for the site, said the tentative agreement shows that some people in the city, at least, have begun to see the light on Right 2 Dream Too's work.

"Since October 2011 Right 2 Dream Too has provided shelter and other services for an average of 60 people per night who otherwise would have been forced to sleep on the streets," he said. "This self-organized grassroots model is both legal and effective. But even with our success, a recent study revealed that close to 1,900 children, women and men in Portland are without a safe place to sleep every night. This agreement shows that the City is acknowledging the problem and starting to work with us instead of against us."

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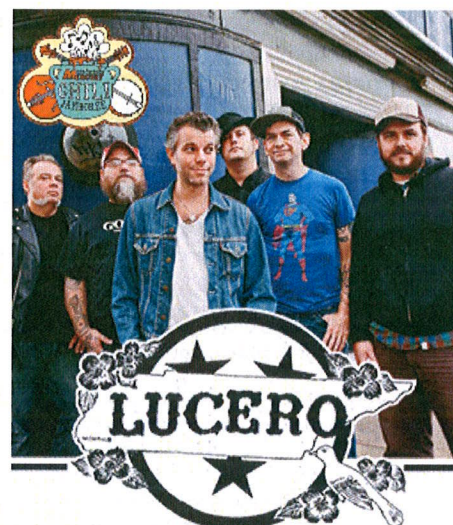


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MONDAY, SEPTEMBER 9, 2013

HOMELESS / NEWS / CITY HALL **It's Official: Right 2 Dream Too, Portland Settle Lawsuit, Formally Agree to Move**

POSTED BY DENIS C. THERIAULT ON MON, SEP 9, 2013 AT 1:29 PM



Michael Wright, co-owner of the current site at NW 4th and Burnside, signs legal papers dropping his law suit against Portland.

A little before 1 this afternoon, representatives of Old Town homeless rest area Right 2 Dream Too, joined by their current landlord on NW 4th and Burnside, formally agreed to settle a months-old lawsuit challenging thousands of dollars in city code fines—**clearing the way for an equally controversial move to a Pearl District parking lot beneath a Broadway Bridge feeder ramp.**

Details about the settlement have been leaking out all weekend, after a Friday night negotiation session—waiting to become official until the city attorney's office gave its assent to the terms this morning. Commissioner Amanda Fritz was expected to join the group in a city hall press conference at 1:30.

The six-page document—handed out after Ibrahim Mubarak, Amber Dunks, and landlord Michael Wright put their names on it—confirms many of them. Unpaid fines levied against R2DToo will be waived. And everyone has agreed that the the issue driving R2DToo's lawsuit against the city—whether Portland correctly labeled the site at 4th and Burnside an illegal recreational campground—will "need to be resolved by a court in a future case." That was a major sticking point as **negotiations** intensified in recent weeks.

The other major beef had to do with Wright's land. The city was pretty firm in its desire that Wright not host another camp on the site, which he had threatened to do. And after some back and forth, Wright and his co-owners agreed to "prohibit any and all future camping

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activities" while any of them hold some stake in the land. (Or until, if another legal case emerges, someone tells them it's legal to put up a camp.)

Wright has made no secret he wants to unload his lot. He told me, outside city hall, that there has been some discussion about the Portland Development Commission purchasing it. His land has been a hot subject in city hall for years. It used to house an adult bookstore that Randy Leonard had shut down because of code violations. Wright tried food carts, too, but city rules prohibit them on the site. The camp was his way, he's told me before, of getting the city's attention. It may have worked.



PHOTOGRAPHS BY DENIS C. THERIAULT
Ibrahim Mubarak of Right 2 Dream Too signs a settlement agreement paving the way for the homeless rest area's move from Old Town to the Pearl.

The agreement does not spell out a strict timeline for the move. It does say, however, that the city will put fences and "no trespassing" signs up around Wright's land for six months. And that the city won't pay for Right 2 Dream Too's move out of the property. Fritz had told me there might be some money involved in setting up the new site with water and electrical service. It's unclear if that's still part of the deal.

Fines previously paid by the group—I'm currently unsure of how much—will not be recouped, attorney Mark Kramer told someone outside city hall before the presser. "We had to give a little to take a little," he said.

Fritz's office sent a **release (pdf)** before the conference with a statement and a copy of **the settlement**. It says the PDC will allow the city to use the lot beneath the bridge and that a public process over a "use agreement" for the move would be launched. Pearl neighbors have complained about the move—and the lack of public process. The use agreement is spelled out in the settlement paperwork. The move would happen 30 days after a use agreement emerges.

"Previously, the policy was to impose fines on the property owners **leasing** to R2DToo, without reaching long-term solutions," her statement said. "I have long believed we need to expand our thinking and approaches to providing safety for the 1,800 people living outside in Portland. This settlement plan is a pilot project aimed at supporting an alternative solution for people living outside which has proven its effectiveness."

Update 3:55 PM: Mayor Charlie Hales, name-checked by Fritz for his and his office's help in securing a settlement (he's head of the PDC), seems likely to back Fritz as she works with skeptics in the Pearl over a use agreement. And as commissioner in charge of the Bureau of Planning and Sustainability, the yin to the yang of Fritz's Bureau of Development Services, Hales also seems ready to help Fritz untie some **gnarly code and zoning knots** associated with the new site.

"I commend Commissioner Fritz, and the organizers of Right To Dream, for seeing these negotiations through. It is clear that no one answer will solve the homelessness issue in America. But the Right to Dream has one answer, for one segment of the homeless population," Hales says. "We look forward to the next phase—the relocation of Right To Dream—and the public input process. I support her commitment to meet with the neighbors and businesses, prior to executing the use agreement, and to develop a good neighbor agreement."

Fritz will need help. During the press conference, she said she doesn't believe the new site's zoning will present any impossible code or legal challenges. But a letter from land use attorney Christie White of Radler White Parks Alexander, sent to City Attorney Jim Van Dyke on August 28, shows not everyone agrees.

The six-page **letter (pdf)**, obtained by the *Mercury*, breaks down the code and zoning rules for the kind of lot the city wants to move R2DToo. It says a site like R2DToo is not allowed and that the city could face legal challenges if it tries to bend or amend its rules without going through proper, long, and bureaucratic channels.

"If the city intends to follow the current rules, a homeless camp at the Lovejoy Property is not permitted under City Code," it says. "And, even if permitted, would be required to seek and obtain design review approval before any use or development could occur."

Later it says, "The city cannot simply move the camp without the appropriate reviews. Such an action violates city code and will likely precipitate legal action that will prevent the relocation."

Update 4:46 PM: Fritz tells me that the city attorney's office has been deeply involved in the decision to offer Right 2 Dream Too the Lovejoy lot as part of the settlement talks. She also says the lawsuit wouldn't be dropped until the move goes off—and that won't happen without proper approvals, meaning the attorney's office was providing guidance on feasibility the whole way.



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"I would not be entering into the agreement if I weren't confident that it would happen and that it can happen," she says.

Fritz also said she's not sure yet what all the steps toward approval might be—there could be different routes to a "use agreement"—but that the city attorney's office will remain involved, along with Portland Development Commission attorneys. She wouldn't comment when asked what routes to an approval she might be considering.

"I want to make sure we do everything correctly," she says.

One major issue Fritz was decidedly clear about? Her colleagues on the council will vote on *something* related to the agreement, with the public given an opportunity to talk to the city commissioners. But it very likely won't be the negotiated use agreement with Right 2 Dream Too itself.

Most use agreements between tenants and the Bureau of Development Services never receive council scrutiny, she says. And, she said, she and Hales both agree that "I don't want to set the precedent that everything development services permits has to come before the council."

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Phew, I'm glad that issue is now totally resolved because we moved it a few blocks! And closer to where a bunch of people live. Yep, this is all nicely resolved for good....

report

 20 likes, 6 dislikes [like](#) [dislike](#)

 Posted by [Blabby](#) on 09/09/2013 at 1:39 PM


Say, Mubarak -- when was the last time you submitted a resume' out there to work any sort of job anyway?
How hard are you working to get off the street?
Or are you just professionally unemployed and homeless?

report

 4 likes, 4 dislikes [like](#) [dislike](#)

 Posted by [frankieb](#) on 09/10/2013 at 7:14 AM


The City of Portland and Right 2 Dream Too have made a mockery of the "houseless", their name not mine, situation that exists in Portland. Those whose residence is logistically closest to the site chosen to house the new Right 2 Dream Too 'rest area, have reason to be concerned. Ms. Fritz has chosen to belittle our concerns and treat us condescendingly.

Our concerns are for the health and well-being of the rest areas' permanent residents and for the persons who come to rest temporarily, and for existing safety issues.

The site is dark day and night, the wind blows through constantly, water pours off of the ramp during rain storms, streetcars pass overhead every 11 minutes from 6a.m. to 1a.m., Amtrak trains arrive at Union Station hourly during the day and at night there is a constant stream of freight trains. The health threats, attributed to the pigeon droppings, are real and not figments of the imagination! Lastly, we already contend with drunks on benches, needles in bushes, trash, and the filthy pigeons!

To add insult to injury Commissioner Fritz has expressed concern that, resident's of our apartment community, would be mean and not helpful to our 'new neighbors!

I attended the press conference yesterday and found myself amidst a hostile group who photographed and filmed the faces of persons not with the Right To Dream Too entourage. At conclusion of the news conference the group assembled outdoors to smoke, talk on their cellphones, and block the sidewalk.

I rode home by streetcar, arriving in time to hear the 'breaking news' report of the robbery at the bank where Social Security Disability check is deposited. So much for living in a 55+, low income apartment in 'the Pearl'. So much for the 'reward' after working your ass off all the rest of your life!

Amanda Fritz came to our apartment building to put to rest our concerns regarding the site change for the current Right 2 Dream Too encampment for homeless persons, which is now the Right 2 Dream Too rest area for houseless. The change of wording from encampment to rest area is because the city does not have zoning for camping. She introduced herself as having been a psychiatric nurse for 24 years and then proceeded to destroy our dignity. Life's a bitch sometimes!

report

 6 likes, 0 dislikes [like](#) [dislike](#)

 Posted by [Laura Jean Griffiths](#) on 09/10/2013 at 3:42 PM

Vince Gilligan on Last Night's Final Episode of Breaking Bad by Wm.™ Steven Humphrey

The FINAL Breaking Bad Chitty-Chat Club! by Wm.™ Steven Humphrey

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Pearl Developers Plan to Challenge Right 2 Dream Too Move by Denis C. Theriault

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Finally the city is doing something that is both smart financially and helps all the citizens. The Right to Dream rest stop has provided safe haven to 60 people every night for almost two years....and hasn't cost the city one cent. It has made the neighborhood it is in much safer to everyone. We need more intelligent solutions instead of the knee jerk fears and hate mongering. HomOphobia is finally receding in Portland....next we need to get rid of homeLESS phobia.

report

0 likes, 6 dislikes like dislike

Posted by [Jean A. Stacey](#) on 09/10/2013 at 8:56 PM

Just because we are over 55 in Portland seems we do not have a right to dream that where we live will be fairly safe. Taxes we paid during our working life started the social services for the homeless problem -is met as useless by the demeaning attitude of Amanda Fritz and the Right 2 Dream Leader toward we who reside just across the poorly lit alley.

The area was pressure cleaned of pigeon poop without we who live here being informed to close our windows. Call that respect? Being older does mean some of us are medically fragile, and sending pigeon poop particles into the air to land in our apartments is a positive sign of the lack of respect City Hall has for us.

The area is closer to the river and the rat population that resides there; shows little respect for the homeless who are to move into a very windy and cold area totally full of noise.

Insinuations of electricity and water would be put into place - BUT that is the area of another City Hall area, not Fritz'.

Does this 'rest area' nomenclature give the right to anyone to stay day and night in all the rest areas in Oregon?

Seems like a can of worms has been opened making the first problem really small in comparison - sa group of people camping on Burnside. The first view of those who travel by train to Portland will be the homeless sight!

report

2 likes, 0 dislikes like dislike

Posted by [Irene Londraville](#) on 09/11/2013 at 4:08 AM

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Comments are closed.**phoenix1378**

Um, this is not my favorite part. There is way so much to say about...

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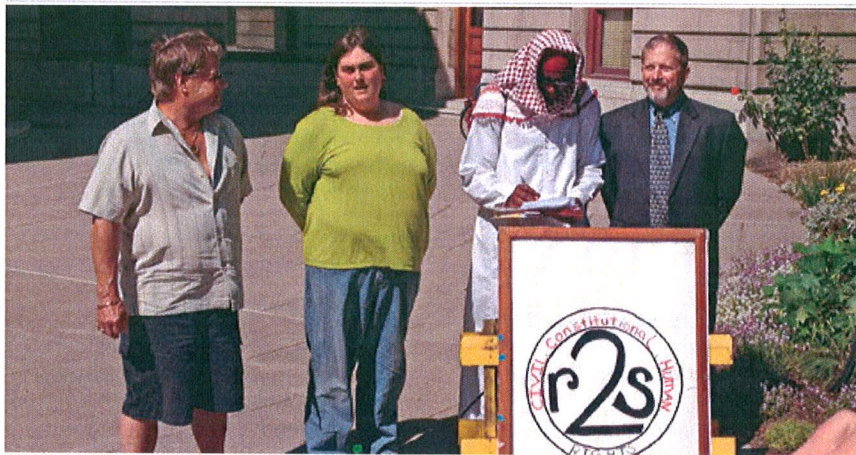
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The Stuff of Nightmares

Right 2 Dream Too Faces Steep Hurdles Before It Can Move

by [Denis C. Theriault](#)

@theriaultpdx



WAITING TO TAKE the lectern in a Portland City Hall conference room, wearing a slight smile for the dozens of activists and reporters who'd gathered at her request, Commissioner Amanda Fritz was unusually ebullient.

She held off until precisely 1:30 pm on Monday, September 9—only then announcing what seemed like a happy ending after weeks of negotiations over the future of Old Town homeless rest area Right 2 Dream Too [["Still Dreaming,"](#) News, Sept 4].

Less than an hour before, R2DToo members had triumphantly signed papers agreeing to drop a lawsuit challenging some \$20,000 in code violation fines. In exchange, Fritz would waive those fines and help the site leave Old Town for a new, legal home on city land beneath a Broadway Bridge off-ramp.

"There is currently nowhere in the city where it's legal to sleep and be homeless," Fritz told the room, often to applause. "That cannot be. In a community that cares about individuals, I believe when you have a safe place for people to be in a rest area, that is an appropriate alternative other than doorways and sidewalks."

It's a major milestone—capping a fight that erupted almost immediately after the site sprang up in October 2011 on NW 4th and Burnside. But here's the rub: Any move is still weeks away—if it happens.

- Pearl District neighbors have railed at Fritz for keeping them out of the loop when she offered the rest-area land in their neighborhood, and must be pacified.

"Once they move it they are complicit in it, and they are violating every code," Patricia Gardner, president of the Pearl District Neighborhood Association, told the Oregonian.

- Fritz, who leads the Bureau of Development Services, has yet to divine the precise legal



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The brief life of Camp Cascadia.

by Dirk VanderHart

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Parsing what really matters in the Jeff Cogen affair.

by Denis C. Theriault

path she'll have to cut through the city's thicket of zoning and code rules. Neighbors and land-use attorneys have already written the city suggesting there's no route to a legal campsite. One letter, obtained by the Mercury, says "camping is a prohibited use" on the lot the city's chosen, and that changing the zoning to allow that would be hypocritical and subject to legal action.

- Some city money—likely from Portland Development Commission, not utility bureaus—must be found to hook up water and electrical service to the lot.

- Neighbors and R2DToo must also devise a "use agreement" governing how they'll use the site—and they'll have only 30 days to hammer out those details and prepare for the move once the legal agreement is final. Reaching an accord will require disabusing some Pearl District neighbors of their fears and stereotypes of the homeless—crime around Right 2 Dream Too's current spot has gone down.

Fritz says that process will be public, and likely will include some kind of city council hearing—but that the use agreement itself might not go before council for approval.

Still, she'll need council backing for whatever emerges. Her colleagues, so far, are waiting and watching. Her most vocal support has come from Mayor Charlie Hales, who runs the PDC and also the Bureau of Planning and Sustainability.

"We look forward to the next phase—the relocation of Right To Dream—and the public input process," he says. "I support her commitment to meet with the neighbors and businesses."

Fritz, asked about those concerns in an interview, insists everything will work out and on time.

"I would not be entering into the agreement if I weren't confident that it would happen and that it can happen," she says. "The city's attorneys will be very involved."

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The move violates the city's own code. Are they going to fail to follow their own laws that they impose on the rest of us? The property is zoned EX. Whether R2D2 is called a rest area, a campground, or temporary housing, it is not a permitted or conditional use in an EX zone. To change the zoning and potentially get a conditional use permit requires public notice, letters sent to surrounding property owners, a statutorily required waiting period for public testimony and comments, and a public hearing. This can't legally be done in 30 days - and it should never be a forgone conclusion without first getting public feedback. Shame on Fritz for trying to exercise dictatorial powers and violate the city's development code. The end does not justify the means.

report

14 likes, 1 dislike like dislike

Posted by [Eric Williams](#) on 09/14/2013 at 8:50 AM



Looks like grounds for another lawsuit against the City, but by some other faction, which will probably just result in another out of court, settlement.

report

2 likes, 1 dislike like dislike

Posted by [Dina Gourmand](#) on 09/14/2013 at 2:32 PM



Mubarak - that your name man? -- when was the last time you applied for a job anyway?

report

2 likes, 5 dislikes like dislike



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THURSDAY, SEPTEMBER 12, 2013

HOMELESS / MEDIA / NEWS **We Cover Homelessness Issues. They Say It Like It's a Bad Thing**

POSTED BY DENIS C. THERIAULT ON THU, SEP 12, 2013 AT 12:29 PM

The *Portland Tribune* has reported something of interest in **the recent saga over Right 2 Dream Too's relocation from Old Town**. Something a bit close to home.

Jim Redden, in his **"Sources Say"** column, quotes from what he says is an August email, sent from Commissioner Amanda Fritz to Right 2 Dream Too and others, that discusses a bit of media strategy:

"I believe both you and I desire to talk to *Street Roots* and the *Mercury* first, when the time comes, to appreciate their attention and concern on houselessness issues."

Redden offers this up as as a suggestion Fritz was shopping for favorable media coverage, at a time when other reporters were looking into the story. He also notes, sorely, "for the record," that his paper was the first to publish a story on the effort, back in October 2011.

"Government transparency and equal access don't appear to be high on her list, according to sources involved in the negotiations," he says. "Favorable press, on the other hand, rates way up there."

Okay. Fine. Here's the thing. He's right about one thing. The *Mercury* was the first and, for a time, **only outlet with quotes and details from Fritz confirming** what was then a tentative relocation offer. I'm sure other reporters noticed, especially when, from what I've read, Fritz was still declining to comment. I also quoted from **internal emails from Right 2 Dream Too**. I always figured both of those things spoke for themselves.

But, on the other hand, the negotiations and Fritz's role in them weren't exactly closely guarded state secrets.

Her office 'fessed up to plans to help **way back in June**, when I thought to ask. Other potential sites had been mentioned. Olive branches to city hall, despite a lawsuit filed by the site, had been reported. And not every source who knew a few details about the deal was, in media jargon, "close to the negotiations." Remember, Fritz had several **meetings** on this in her office in late July and early August. People talk. And sometimes even to reporters.

Moreover, city hall routinely plays (always temporary) favorites with the media all the time—sending statements to one reporter or another before all the others, or leaking things that wouldn't otherwise be public, setting off a media feeding frenzy in the leak's aftermath. Often times, it's because a reporter happened to start asking first or because it involves a development on a beat a reporter has been working closely. Redden should know this very well.

I've not seen the email Redden is citing. But I can't fault Fritz's reason for her willingness to talk to the *Mercury* and *Street Roots*. It's a pretty good one. She wrote down that she and Right 2 Dream Too wanted to talk to us first because of the issues we cover and for the

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way we've covered them.

Street Roots does it better and smarter than anybody. But **we've been on the beat for years**—long before Right 2 Dream Too was a glimmer in Michael Wright's and Ibrahim Mubarak's eyes. That's not changing.

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They also have a headline that reads "Kafoury leans in to county chair race," so I wouldn't be too offended.

report

1 like, 0 dislikes like dislike

Posted by [Drunk & Write](#) on 09/12/2013 at 12:43 PM



I don't even know what the Portland Tribune is, so fuck 'em.

report

4 likes, 0 dislikes like dislike

Posted by [cat & beard](#) on 09/12/2013 at 12:49 PM



It does sound like Fritz was shopping for favorable media coverage. Never heard of a politician doing that before.

report

4 likes, 3 dislikes like dislike

Posted by [Todd Mecklem](#) on 09/12/2013 at 12:56 PM



The benefits of advocacy journalism

report

4 likes, 1 dislike like dislike

Posted by [Chuck Garabedian](#) on 09/12/2013 at 3:15 PM

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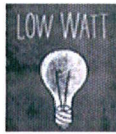
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FRIDAY, SEPTEMBER 13, 2013

HOMELESS / NEWS / CITY HALL **As Threatened, Pearl Neighbors Inching Toward Lawsuit Over Right 2 Dream Too**

POSTED BY DENIS C. THERIAULT ON FRI, SEP 13, 2013 AT 2:14 PM

Stung by Commissioner Amanda Fritz's insistence that moving Right 2 Dream Too onto a city-owned lot in the Pearl District sometime this fall will be perfectly **legal**, the Pearl District Neighborhood Association last night voted to free up \$10,000 in rainy-day funding for a potential lawsuit.

As the *Mercury* **already revealed this week**, a land-use **attorney** working on behalf of neighbors sent a **letter** to the city last month threatening such a response. That was soon after the *Mercury* reported the outline of Fritz's deal with Right 2 Dream Too. Since then, neighbors have written letters to Fritz urging her not to do the deal. Many are concerned about process—others seem more concerned about the specter of homeless people living nearby.

The latest development, which came at last night's neighborhood association meeting, was **first reported** by KGW early this morning. The *Oregonian*'s Brad Schmidt posted a link to the piece in his well-read daily city hall roundup.

"That's not how the city of Portland works and that's not how the state of Oregon works," neighborhood president Patricia Gardner said, according to KGW. "Public process is part of our DNA and it should be respected."

The *Oregonian*, in a later post, points out that **Pearl neighbors are making common legal cause with Williams & Dame Development**—run by Homer Williams, a **major fundraiser for Mayor Charlie Hales** and one of the **major forces behind the creation of the Pearl** as we know it. Hales has so far publicly supported Fritz's effort to move Right 2 Dream Too, telling the *Mercury* he looked forward to seeing how the public process, now that a lawsuit over the current site on NW 4th and Burnside is set, works out.

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The City needn't be concerned about lawsuits. Everybody knows that you can't sue City Hall and win. There really is no need for anyone to have to sleep under a bridge, anyway. Come on up to Portland State University and sleep in our high rise parking structures. There are even plenty of public toilets so you don't have to shit in the doorway of a nice restaurant somewhere. Don't worry about the PSU Safety Patrolters. We'll just get them a nice, box of donuts. In fact, lets send out for pizza for everybody!

report

0 likes, 1 dislike [like](#) [dislike](#)



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Posted by [PSfnU](#) on 09/16/2013 at 6:03 PM

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THURSDAY, SEPTEMBER 19, 2013

HOMELESS / NEWS / CITY HALL *Street Roots* Has Audio from Pearl
 Neighbors' Meeting on Right 2 Dream Too

POSTED BY DENIS C. THERIAULT ON THU, SEP 19, 2013 AT 11:44 AM

In this week's *Mercury*, you'll find a **lengthy interview with Patricia Gardner, president of the Pearl Neighborhood District Association**. Gardner sat down with me the afternoon after her group officially voted to spend \$10,000 from its scrupulously saved contingency fund on a potential legal fight against Commissioner Fritz's plan to move Right 2 Dream Too beneath a Broadway Bridge ramp.

In that interview, Gardner very reasonably said her neighbors would rather see the homeless rest area move into a Pearl building instead of the lot, with their tents, that Fritz and Mayor Charlie Hales have picked out. Their biggest beef is over process, and whether the city's respecting it, and not, she says, over the mere arrival of dozens of homeless Portlanders.

Yesterday, about the same time as our interview went up, *Street Roots* director Israel Bayer **posted a column quoting from audio of that September 12 meeting**, something he says was passed on to his publication. That audio largely matches up with Gardner told me when we talked. But certain quotes shed a bit more light on the PDNA's motives and strategy, and they're worth pointing out.

"What we want to do is focus in on the politics. That's the quickest and easiest way to get rid of this."

Gardner told the crowd. "My opinion is that their lawyer at the city is telling them to avoid process so they don't open up. That's our challenge moving forward."

"What we've been telling people to do is write to their commissioners," says Gardner. "Let's talk about process, the lack of following their own laws. That's really the root of the issue here."

Gardner goes on to talk about the neighborhood being the victim in this process, "Because of the misunderstanding of this neighborhood, we will never be understood. I don't care if your income is zero. You live in the Pearl, you must be rich. It doesn't matter. You're never going to win the argument. Everybody starts from nothing. We all started from nothing. We have great empathy."

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Bayer, responding to those remarks correctly acknowledges that the Pearl is not a monolithic bastion of wealth, no matter how posh some of its boutiques and condo towers really are. Neighbors have welcomed several low-income and affordable buildings. And Gardner gave me Census data showing the Pearl, compared to the rest of Portland, with lower median rents, a lower median household income, and higher rates of residents below poverty.

Bayer also notes that Gardner and others are talking loudly about the need to focus on longer-term policy changes on housing and homelessness. But he's urged the neighbors not to shut off the possibility of Right 2 Dream Too as an immediate and important stopgap, reminding them, also, that few Portlanders openly welcomed *Street Roots* when it started up 15 years ago. Now *SR* is **one of the biggest advocates for social services in city hall.**

Like them or not, R2DToo is an example of a group of people experiencing homelessness that are pulling themselves up from the bootstraps. They may not be providing the living conditions that most Portlanders might consider healthy, or that Gardner or some politicians speak of, but believe me, **the conditions at R2DToo are gold compared to being alone and isolated on the streets....**

Change is seldom easy. When *Street Roots* began, many businesses disapproved, some people in the city were disinterested or against it altogether. Others saw a good idea. Fifteen years later, and having helped house hundreds of people and offer an alternative income to those who have nothing, we have a positive effect on Portland every single day. There's no reason to believe that Right 2 Dream Too can't do the same.

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FRIDAY, SEPTEMBER 20, 2013

NEWS / CITY HALL **Fritz Sets Date for Public Hearing on Right 2 Dream Too; Portland Business Alliance Opposed**

POSTED BY DENIS C. THERIAULT ON FRI, SEP 20, 2013 AT 10:14 AM

Facing questions over the legality of her plan to move Right 2 Dream Too to the Pearl District, Commissioner Amanda Fritz this morning has promised a public airing of the steps she and the tent city might take toward a permit by early next month.

The Bureau of Development Services will present the Portland City Council with its analysis of R2DToo's "zoning confirmation request"—a form would-be developers and tenants regularly submit to the city asking what uses might be legal and how—on the afternoon of October 3. The council will discuss BDS' response and take public testimony. The response will be made public next Friday, September 27, when the city council agenda for the following week is posted.

"Many neighbors, as well as the applicants for use of the new site, are wondering what the rules are with respect for Zoning Code, Building Code, and state regulations," Fritz says in a statement. "This public hearing will give everyone the opportunity to review the City's analysis and comment on it to the entire Council."

Public outcry is putting a fair amount of pressure on Fritz and her colleagues, including Mayor Charlie Hales, who's been a staunch backer of Fritz's plan. **As we've been reporting**, Pearl District neighbors are in a bit of a state over Fritz's plan—claiming the city isn't following its own building permit processes, acknowledging some concerns about safety, sending letters saying there's no way the site could ever be legal, and moving to spend money on a potential legal challenge.

The *Mercury* has also learned the Portland Business Alliance also formally opposes relocating Right 2 Dream Too from Old Town. A **letter (pdf)** from PBA leader Sandra McDonough, obtained via a records request, says property owners will suffer from having tents nearby and urges the city to spend more money on emergency shelters. The city and county currently prioritize programs like rent assistance and rapid rehousing programs as more cost effective.

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We are well aware of the need for temporary housing for those experiencing homelessness, but we do not believe that allowing a camp in our downtown is the appropriate – or most humane – way to approach this problem. Instead, it is time to re-examine the practices instituted under the 10 Year Plan to End Homelessness adopted by City Council some nine years ago. At that time, Council made it a city policy to invest housing funds in the development of permanent housing, and virtually no investment was made in additional temporary shelters. While that policy may have made sense at the time, it is clear today that the city needs additional emergency housing options, including additional temporary shelter capacity. We hope Council will re-examine its policy and develop a more comprehensive approach that includes both permanent housing and temporary shelters.

In terms of Right To Dream Too, the property owners and renters near the Broadway Bridge who faithfully comply with the city's zoning rules and rely on the city to uniformly apply those rules should not be made to suffer because the city has not prioritized shelter capacity. Instead of perpetuating the practice of ignoring or overriding established city rules regarding camping, the city should take immediate steps to alleviate the shortage of shelter beds to address the needs of those living at Right To Dream Too and others on our streets.

Fritz's statement says the Pearl District Neighborhood Association asked her not to meet with them until after the city's plan for the new site, at NW Lovejoy Court and Station Way, was clear. She says she hopes to meet with neighbors after the council meeting. Neighbors have told me they've not felt like Fritz was open enough to meeting with them.


Assuming that the zoning confirmation will affirm the requested use of the site, the proposed move will not occur until a Use Agreement specifying expectations for managing the site between the City and Right to Dream Too is finalized. A Good Neighbor Agreement between Right to Dream Too members and community stakeholders will be pursued at the appropriate time.

Update 10:40 AM: One strong possibility? R2DToo could very well embrace the recreational park/campground label it resisted during its long fight with the city over its current site at NW 4th and Burnside. Although code enforcers fined the site for operating as an illegal campground, until the agreement this month that saw those fines waived, **BDS had also told the group it could apply for a campground permit.**

R2DToo never took that step. That was, in large part, because it felt like the "recreational" label demeaned its mission of helping people on the streets get a safe night's sleep at a time of long waits for emergency housing. But it was also because the steps required to get legal in Old Town would have been expensive and difficult—historic design reviews and archaeological digging, plus the cost of adding water and power to a vacant lot.

Organizers will likely be persuaded to come around on the language of the code, which also allows for organizational camping under Oregon Revised Statutes. The new site requires a design review but isn't part of a historic district like Chinatown. And Fritz has already mentioned finding Portland Development Commission money for hooking up utilities.

This approach is especially interesting because it may help inoculate the city against likely legal action. Presuming BDS says recreational uses are allowed on the site—and Fritz probably wouldn't be moving this forward if she weren't fairly confident in that outcome—it would be up to the council to agree that Right 2 Dream Too decide whether Right 2 Dream Too fits those allowed uses. Courts tend to defer more to a governing body's interpretation of existing code than to special decisions that create new categories and/or codes.

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Under Familiar Stars Might Right 2 Dream Too Embrace "Campground" Label After All?

by [Denis C. Theriault](#) @theriaultpdx

STARING DOWN serious legal threats from skeptical neighbors and high-powered Pearl developers—and eager to avoid a grinding battle in the byzantine realm of land-use rules—Commissioner Amanda Fritz is finally ready to air out her controversial plan to move homeless rest area Right 2 Dream Too (R2DToo).

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MERCURY STAFF

On Friday, September 27, Fritz will release a city document laying out how R2DToo might legally use the site Fritz has offered it: a city-owned parking lot beneath the Broadway Bridge's Lovejoy ramp. That analysis—a "zoning confirmation" routinely sent to Portland's property owners and tenants—would then head before the Portland City Council on Thursday, October 3.

For an advisory discussion only.

"Many neighbors, as well as the applicants for use of the new site, are wondering what the rules are," Fritz said in a statement. "This public hearing will give everyone the opportunity to review the city's analysis and comment on it to the entire council."

Fritz hasn't said what route that analysis might take. But observers suggest it might look familiar: a path toward permitting R2DToo as a legal recreational campground.

The Bureau of Development Services, the city's code enforcement agency, made the same offer to R2DToo back in 2012, just before it began levying fines that ultimately topped \$20,000.

But organizers, at the time, resisted the offer. They felt like the "recreational" label demeaned its mission of helping people on the streets get a safe night's sleep. They also knew that getting legal, at their current site on NW 4th and Burnside in Chinatown, would have been expensive and difficult. It would have entailed archaeological digging and historic

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We're in the Money

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Dan Saltzman is the housing commissioner. Or is it actually Charlie Hales?

by Denis C. Theriault

reviews, in addition to the high costs of building structures and connecting to utilities.

This time, organizers seem ready to overlook the cold language of city code as a means to an end. Fritz has also mentioned money for improvements, funded by the Portland Development Commission (PDC). Mayor Charlie Hales, who oversees the PDC as well as the city office that writes code, the Bureau of Planning and Sustainability, has been closely [tracking](#) Fritz's push.

Twice since Fritz announced the planned move, Hales has attended lengthy status updates, including one focused on legal options.

Fritz and Hales both face a difficult chore in winning over Pearl neighbors—and opponents like Homer Williams, a major developer and political financier who has ownership interests in lots near the proposed new site.

A letter from prominent land-use attorney Christe White—who helped the city plot its South Waterfront development and once spent time working directly for Williams—has argued that city codes don't, in fact, list camping as an allowed recreational use.

White is working with the Pearl District Neighborhood Association (PDNA) and others. According to emails between Fritz and Patricia Gardner, president of PDNA, obtained via records request, the two have agreed they won't even meet until Fritz first shows her hand in public.

And aside from the pressure within the Pearl, the Portland Business Alliance has also weighed in against allowing tents.

"The practice degrades property values in the vicinity," it wrote to the council, "impacting the [investments](#) that individuals and businesses have made with the expectation that the city will faithfully enforce its rules."

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THURSDAY, SEPTEMBER 26, 2013

NEWS / CITY HALL **Parking Agreement May Add Wrinkle to Right 2 Dream Too Move**

POSTED BY DENIS C. THERIAULT ON THU, SEP 26, 2013 AT 2:29 PM

Powerful and prominent Pearl District developers, among them Homer Williams and Hoyt Street Properties, have joined neighbors in **raising doubts and threatening legal action** against **Commissioner Amanda Fritz's plan to move homeless rest area Right 2 Dream Too** onto a Portland Development Commission parking lot beneath the Lovejoy ramp of the Broadway Bridge.

That's because, according to city documents obtained by the *Mercury*, Williams and Hoyt Street both have significant stakes in land near the city's chosen site, at NW Lovejoy Court and Station Way. And, it seems, they might also have a say in how the Lovejoy parking lot is used.

Williams and Hoyt helped develop the Station Place development just across from the R2DToo's would-be home. Their names are on the original 2002 **"disposition and development agreement"** (pdf) allowing the project. The project also is bound by a separate-but-intrinsically-related parking agreement detailing some of the promises in the DDA. Since then, those agreements have been formally amended to make way for Williams, along with partner Dike Dame, to build **a new Marriott nearby at NW 9th and Marshall.**

And what might this have to do with Lovejoy Court? According to the original 2002 agreement on Station Place, the city has promised to provide 40 parking spaces for tenants of the nearby senior home so long as the building exists. The **related parking agreement** (pdf) for that property also repeats that promise.

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Lovejoy Land Parking. PDC agrees that upon completion of the Residential Component on the SP Land, 40 parking spaces on the Lovejoy Land shall be allocated to tenants of SP Tower living in the Rental Component located on the SP Tower Land. The 40 parking spaces are identified on the plan attached as Exhibit B. The parking located on the Lovejoy Land shall be paved, lighted, and otherwise shall be comparable to surface parking lots located in Portland, Oregon's urban core. Any additional spaces desired by SP Tower would need to be negotiated in writing with PDC.

- 4.1 The monthly rate charged to tenants of the Rental Component shall not exceed \$50 per month per space for the three-year period after a certificate of occupancy is issued by the City of Portland Bureau of Buildings for the Rental Component.
- 4.2 The obligation of PDC under this Section shall terminate on the date that the Rental Component on the SP Tower Land is razed and not rebuilt.

The Station Place parking agreement

PDC acknowledges that development of Parcels 1A and 1B is dependent on the successful and simultaneous development of Parcel 2 inasmuch as the Parking Garage will support the needs of Parcel 1 users. REACH and PDC anticipate that the parking for the Rental Component will be provided in two or three locations (depending on the final design of the Project). It is the intention of the parties that up to ninety (90) spaces be made available for use by the tenants of the Rental Component. REACH will provide an additional estimated 25 spaces on the ground floor of Parcel 1A which will be financed and built as part of that component. 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. Additionally, PDC will make available to tenants in the Rental Component approximately twenty-five (25) spaces in the Parking Garage Component. The rates for the surface parking under the Lovejoy Ramp will initially be \$50.00 per month and \$85.00 per month for the Parking Garage Component (both in year 2002 dollars). These rates will be adjusted over time to generally reflect market rates by PDC undertaking a survey of parking rates for parking serving comparable affordable housing

The DDA for Station Place

As you can see, those agreements about the disposition of the lot, and the minimum numbers of parking spaces to be preserved, are fairly clear. Although there does seem to be some wiggle room if spaces are unused.

Given that past changes in the project have required amendments, and formal approval from the PDC, some observers are wondering whether removing parking from the lot beneath the bridge ramp, to install R2DToo, might trigger that process. In that case, it would be highly unlikely that Williams, as an original signer of the DDA, would consent.

PDC spokesman Shawn Uhlman says he's working on obtaining rate and usage information for the Lovejoy Court parking lot. I've also asked if there's a sense from PDC, which appears to be going along with Fritz's effort, that there's more to these agreements than it seems.

The Bureau of Development Services, led by Fritz, will release its "zoning confirmation" analysis of R2DToo's proposed move tomorrow. When I briefly asked Fritz about the documents, she pointed to that document and said, about several lingering questions, "I guess we'll all find out Friday."

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FRIDAY, SEPTEMBER 27, 2013

NEWS Code Report: Right 2 Dream Too Is a "Community Service" Allowed on Lovejoy Site

POSTED BY DENIS C. THERIAULT ON FRI, SEP 27, 2013 AT 1:45 PM

A Bureau of Development Services analysis says homeless rest area **Right 2 Dream Too** should be allowed to move onto a city lot beneath a Broadway Bridge ramp, and without a lengthy design review, because the site is a "community service" that fits under current city zoning designations for its proposed spot.

My response first describes the site and your proposed use of it and then addresses the relevant questions and zoning code sections considered in my analysis. My recommendation is that the proposed rest area with tents to be located on Lot 7 should be classified as a Community Services use that is permitted outright in the EXd zone without any required land use review or building permit and, as a result, should be considered camping that is specifically authorized by the city code. Other permits, such as electrical and plumbing permits, may be required, but these require no land use review. If the rest area will include either a new fence or relocating the "fence made of doors" from Right to Dream Too's existing site, the fence may trigger design review or an adjustment, as discussed below in Section II.D.

The **letter (pdf)** is a response to inquiries by R2DToo and, interestingly, Dike Dame, one of the prominent developers with stakes in the property, at NW Lovejoy Court and Station Way, and in parcels nearby.

The letter and an accompanying **resolution (pdf)** will be heard by the Portland City Council this coming Thursday, from 2-5 pm and 6-8 pm.

Update 2 PM: This approach is precisely the same one the city council took last year in approving the **Portland Playhouse** in the King neighborhood, after code enforcers initially said the playhouse was a retail use. BDS Director Paul Scarlett says community services can have a housing component and must be run by nonprofits.

Scarlett also says **parking requirements for the lot** aren't as fixed as documents indicate and that some parking will remain on the lot. Fritz has said all along that R2DToo would occupy the portion of the lot farthest from the Union Station tracks.

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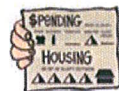
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MONDAY, SEPTEMBER 30, 2013

NEWS / CITY HALL **Clock is Officially Ticking for Right 2 Dream Too Move**

POSTED BY DENIS C. THERIAULT ON MON, SEP 30, 2013 AT 3:14 PM

Commissioner Amanda Fritz officially unveiled her plan to move Right 2 Dream Too out of Chinatown some three weeks ago—announcing, to a crowded conference room in city hall, **the end of a hard-fought legal fight** between the rest area, its landlords and the city.

That tentative settlement, copies of which were distributed just before Fritz took the lectern, laid out an ambitious 30-day timetable for getting the highly controversial move wrapped up. If everyone had signed it then, that would have put the deadline in early October—or, you know, about a week or so from now. But, as it turns out, the document wasn't signed that day. One of the plaintiffs was in the hospital—putting things off.

So when *did* the settlement get legal? This weekend. Fritz tells me she finally wrote her name on it late Friday—the same day her office released the Bureau of Development Services' roadmap for the move—and just a week before a city council hearing that could determine if that plan goes forward. The actual deadline will now fall in late October.

"I wanted to be the last one to sign it," Fritz says.

The extra time has certainly helped. It gave BDS some lead time to **come up with a finding that Right 2 Dream Too is a "community service" allowed on the parking lot** Fritz is offering beneath the Broadway Bridge's Lovejoy ramp. Fritz's colleagues will approve or reject that approach this Thursday, giving the rest area's organizers a bit of a cushion as they negotiate a "use agreement" with the city, including a good neighbor agreement with Pearl neighbors.

But if the council disagrees with BDS—if the council *doesn't* think Right 2 Dream Too can open on the Lovejoy lot without a more rigorous and time-consuming land-use review? Fritz will be back in a room with lawyers. Is that likely? City hall sources suggest it's not, noting Fritz has been working closely with the mayor. But Fritz knows what the next step would be.

"If it can't be accomplished in short order," she says, "we would have to renegotiate the settlement agreement."

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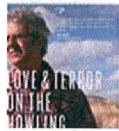
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MONDAY, SEPTEMBER 30, 2013

NEWS / CITY HALL **Pearl Developers Plan to Challenge Right 2 Dream Too Move**

POSTED BY DENIS C. THERIAULT ON MON, SEP 30, 2013 AT 6:08 PM

It's still a few days out, the Thursday afternoon Portland City Council meeting where city leaders will take up the fate of Right 2 Dream Too—debating a "zoning confirmation" letter released last week that appears to sanction the homeless rest area's move into the Pearl District by calling it an allowed "community service."

But prominent business interests fighting the move—controversially brokered by Commissioner Amanda Fritz—haven't been waiting to stock their quiver of counterarguments. Or threaten legal action.

John Mangan, a spokesman for Homer Williams and Dike Dame, and other businesses, including Hoyt Street Partners, says the consortium is prepared to formally challenge any vote that lets R2DToo move onto a city-owned lot beneath a Broadway Bridge ramp without a design review or any building permits.

"Yes," was Mangan's one-word answer when asked if a formal challenge was in the works.

Mangan says the group doesn't think the city is playing fair—especially by going back on parking agreements that appear to bind the lot Fritz has offered. He also says the principles—Williams and Dame are big political financiers and supported Mayor Charlie Hales—haven't gotten any traction in taking their case to city hall.

It's expected that Fritz can count on Hales to vote for the move—leaving just one other vote, from Dan Saltzman or Steve Novick, to pull it off. Commissioner Nick Fish, a former housing commissioner and R2DToo skeptic, will be at a small business conference Thursday.

"Yes, we have talked to the [Portland Development Commission]," which is overseen by Hales, says Mangan. "They agree with the move. And we have had no response from the mayor or the other commissioners."

"This isn't really about homelessness," he says. "There are other options."

"Why move this camp under a bridge ramp when there are facilities that might be available," he added specifically mentioning the Blanchet House.

Beyond his comments, Mangan provided the working outline of the business consortium's response to the city's zoning letter, taking it point by point and arguing that BDS director Paul Scarlett selectively overlooked other codes that prohibit a Right 2 Dream Too move. Interestingly, much of what Scarlett wrote comes from a similar offer made to R2DToo nearly two years ago, back when Saltzman ran BDS.



The list is after the jump.

Summary of BDS Report on the Homeless Camp Relocation

(Prepared by a consortium of businesses including Pearl Hotel Investors, ZIBA Design and Hoyt Street Properties)

The BDS Report is deeply contrived to meet a pre-determined conclusion. It is legally invalid in many ways. Most importantly, it represents a radical departure from the City's regulatory treatment of other applicants and sets a precedent for uncertainty and divestment in the downtown.

1. The City has determined that a homeless tent camp is a Community Service Use that is permitted outright in the EXd zone and does not require any building permit or design review.
2. While the City addressed only the EXd zone, each commercial, employment and industrial designation contains the same code language relied on by the Director. Therefore this interpretation can be used to site the same facilities without building permits or design review on any property zoned EG1, EG2, EX, IG1, IG2, IH, CN1, CN2, CO1, CO2, CM, CS, CG and CX.
3. The BDS Report misses an important and controlling code section that prohibits the use. City Code Section 14A.50.020 prohibits this campsite unless the Mayor declares an emergency or a campsite is "specifically authorized by this Code." The BDS Report skips over this rule and spends 4 pages conceding that there is no specific code language that authorizes campsites. In fact, the BDS Report states, "...The words 'rest area' and 'campsite' do not appear in the code." (See Director's Report page 4, paragraph 4).
4. To get around this clear prohibition, the Report relies on general interpretive guidance to find that a campsite is "close enough" to the definition of Community Service Use. PCC 14A.50.020 doesn't set the bar at "close enough." The tents are not specifically allowed and are therefore prohibited.
5. The Report concludes that a flagpole, fence or deck requires design review. But 100 tents in a parking lot in the middle of the River District do not. Two reasons are cited: (1) it is not new development because the site was previously improved with a parking lot; and (2) the tents do not require a building permit so they are all exempt from design review.
6. Again the Report misses an important citation to 33.700.005 which states that "changes in the type or number of uses require a building permit." The current use is parking; the new use is Community Service. That is a change in the type of use. The current use is 65 parking spaces; the new use is 100 tents. That is a change in the number of uses. The Report also states that the parking and tents can co-exist. That is increasing the types of uses on the site. Thus, a building permit is required and the tents require design review.
7. The Report states that the binding parking approval for the site should be viewed as only permissive and that the tents and parking spaces are "not mutually exclusive uses." The Director then continues that the proposed tents are not a "change from one type of parking to another, which would otherwise trigger a Central City Parking Review."
8. Thus the new rule in the City is if you change from one type of parking to another type of parking in the same garage or lot you would be required to amend your land use approval. But if you put a tent in that same parking space, no amendment is required. Every parking garage or lot in the City in this same zone can now ignore any "permissive" parking approvals and use those spaces for something other than parking as long as that use is also allowed in the code.
9. The Report calls the tents temporary. The code regulates temporary uses. None of that code is cited in the Director's Report. Tent camps are not on the list of allowed temporary uses in the EXd zone.
10. Based on the Director's Report, the tents are now an allowed use on the existing site at 4th and Burnside. Why then are they being moved?



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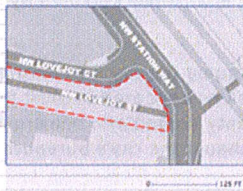
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TUESDAY, AUGUST 27, 2013

HOMELESS / NEWS **BREAKING: City Offers Right 2 Dream Too a New Site Under Broadway Bridge Ramp**

POSTED BY DENIS C. THERIAULT ON TUE, AUG 27, 2013 AT 11:18 AM

General Information	
Property ID	8532589
County	MULTNOMAH
State ID	1N1E348B 1307
Alt Account #	R193100350
Map Number	
Site Info	
Site Address	NW LOVEJOY CT
City/State/Zip	PORTLAND OR 97209
Owner Info (BOSBO)	
PORTLAND CITY OF (POC/LEASED)	
Owner(s) Name	SP TOWERS LLC
ATTN REAL ESTATE DEPT	
Owner Address	222 NW 5TH AVE
City/State/Zip	PORTLAND OR 97209-3812



Commissioner Amanda Fritz, working with Mayor Charlie Hales and the Portland Development Commission, is working to find Old Town homeless rest area Right 2 Dream Too a new home beneath the Broadway Bridge's Lovejoy Street ramp ([map](#))—but a dispute with one of the owners of the group's current site could unravel the complicated deal.

The deal, if reached, would mark a potential breakthrough in a nearly two-year fight in that saw the city **declare the vital site a recreational campground and fine its operators and landlords more than \$20,000**. It would include a tentative agreement to settle a lawsuit filed by Right 2 Dream Too last year.

Several details are still being worked out, including the status of the fines, the cost of providing electricity and water to the proposed new site, and the timing for any move. The proposal calls for the PDC to lease the land—a portion of an odd-shaped parking lot at NW Lovejoy Court and Station Way—to the city for an undetermined amount of money from September to next August. The city council, at the urging of Fritz, would then grant a permit to Right 2 Dream Too. That potential permit would require, among other conditions, a commitment to start discussing, by next June, whether the new site is working well or if another site should be found.

Update 1:10 PM: Hales' spokesman, Dana Haynes, has clarified that Fritz has been taking the lead on negotiations and that Hales or his staffers have yet to have a full briefing on the plan. The staff expects that to happen tomorrow. Hales, of course, has been out of town since last week. Haynes did say the office was aware of the broad brushes.

"We have not been briefed on the plan. We think that might happen tomorrow," Haynes says.///

But there's been a holdup involving Michael Wright, one of the owners of the current spot at NW 4th and Burnside. Wright wants a promise to be able to host another group of

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homeless Portlanders on the land, or food carts, in exchange for agreeing to drop the lawsuit (and have the fines he's facing waived).

He says the fines have been in abatement during the negotiation period, but interest continues to be tacked on. Wright says the group would like the city to extend some relief to his economic interests in exchange for their move. Wright has tried and failed to host food carts on the lot, but they're not allowed because it's unpaved.

"I don't care to waive any right to help the homeless at this point," Wright tells the *Mercury*. "They have not agreed to any alterations or variances that would help the property owners again. I don't want to give a way the only tool that's ever gotten a call from them, which is helping the homeless."

Update 11:28 AM: Fritz says the city has agreed to update its offer by taking out language specifically banning homeless camping on the site, instead offering to allow any legal use. She says the lawyer for Right 2 Dream Too, Mark Kramer, wasn't available so didn't know if Wright would accept that offer.///

Update 12:30 PM: Wright says he was contacted with news of the wording change by Right 2 Dream Too and believes it was spurred by media coverage—and now says "I think the deal will probably move forward"—pending the dotted I's and crossed T's that will turn the tentative agreement with the city into something final. "There's still some things not in writing."///

Since taking over the city's code enforcement and building bureau in June, Fritz has made **solving the impasse one of her top priorities**. Her **calendars** show various **meetings** on the **subject** over the past few weeks.

"It's giving permission ahead of time instead of seeking forgiveness," Fritz says. "The zoning on the new site is better—and the fact that we can set conditions to make sure it continues to operate as well as it has been.... It's recognizing that this has been a place where people can safely rest."

Right 2 Dream Too has been mulling over the relocation since earlier this month, hashing out concerns that the proposed location wouldn't be as visible as its current home—key for protesting and raising awareness about homelessness issues—and possibly not as easy to manage. The self-run site has flourished on the very prominent corner of NW 4th and Burnside, providing shelter and safe sleep to dozens of homeless Portlanders every night. Spokesman Ibrahim Mubarak did not immediately return a message seeking comment.

"A few of us went to view this site. It has great potential, however it takes away from our visibility," Mubarak wrote to board members on August 12, in an email obtained by the *Mercury*.

The group and its landlords filed suit in December 2012, arguing the city was incorrectly interpreting its code in fining Right 2 Dream Too. The two sides appeared in court this summer after the city filed a motion asking Multnomah County Judge Karin Immergut to toss the suit, arguing the site's organizers had failed to fully exhaust the city's bureaucratic process of appeals.



DENIS C. THERIAULT

The new home for Right 2 Dream Too?

The current site has been criticized by the Portland Business Alliance and other business interests (developer David Gold blamed it for the demise of a PDC-backed deal for a new hostel across 4th, on Burnside), and tolerated by Chinatown dignitaries who find the group quite neighborly but never liked that it sits beneath the Chinatown gate.



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Any tentative agreement for a move would come as the Lee Family Association, which represents Chinese Lee families in America and around the world, is planning its national convention in Portland for the first time in 86 years. The convention will be held in the Lloyd Center's Doubletree Hotel starting this Sunday. Gloria Lee Luebke, an Old Town/Chinatown neighborhood activist, says the group normally holds its parade in its host city's Chinatown but decided to hold its Portland parade on the east side.

"In part that's because of Right 2 Dream Too," she said, taking pains to say the organization "maintains a pretty decent place" is "very responsible," and has "participated in the community," including in a recent cleanup effort. But that, in her personal opinion, "the location is inappropriate" given the cultural importance of the gate.


Asked if the the Lee Family Association or any other group put pressure on Fritz's office to broker a deal based on the convention's arrival, she said "I don't think so. That's part of the problem of the culture, being Chinese. There's a tendency to not stand up and speak out."

The city and R2DToo have discussed various other sites in recent weeks. R2DToo at one point looked into moving into a building vacated by Transition Projects.

The site under consideration—a parking lot—does come with its own issues. It's very much out of sight and in an area with little traffic, abutting the north end of the US Postal Service yard. It's hardly a sunny place and gets a fair amount of noise from nearby trains heading past Union Station as well as streetcars passing on the ramp overhead. Car traffic, on the other hand, isn't so audible.

Mubarak wrote earlier this month he's also worried about the portion of the lot R2DToo wouldn't control (Fritz says they've been offered a portion of the lot away from the train tracks). The issue being whether the group would be responsible for people who might be turned away from the rest area but decide nonetheless to camp out right outside it.

But the proposed new site—provided a final agreement emerges and the council approves it—has the benefit of becoming legal. Fritz says it's zoned more flexibly than the current site, which is zoned for commercial uses and requires projects to undergo a historic design review. The proposed site is zoned for "employment," which allows industrial uses as well as group shelters and does not require a design review. Council approval is important, because commissioners have the right to interpret code as they see it.

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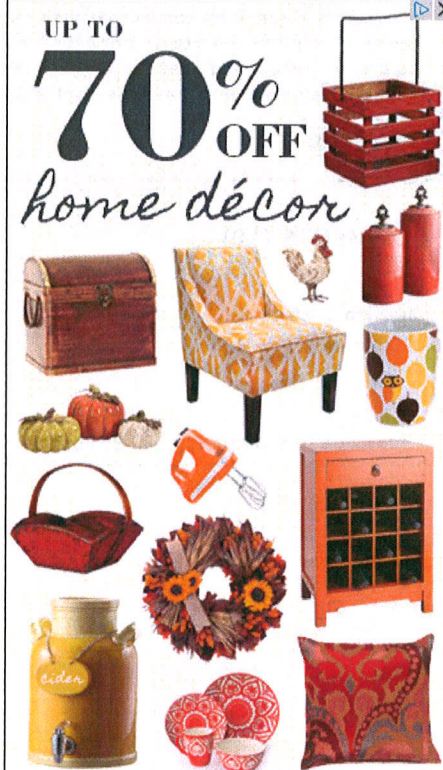


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Under the Bridge?

Fritz Offers New Home to Right 2 Dream Too

by Denis C. Theriault @theriaultpdx



COMMISSIONER AMANDA FRITZ has offered Right 2 Dream Too, Old Town's controversial homeless rest area, a new home beneath a Broadway Bridge off-ramp—a potential breakthrough meant to end a sticky legal fight that erupted after Portland declared the current rest area an illegal recreational camp and then piled on thousands in code fines.

But a last-minute disagreement over the group's current home, on NW 4th and Burnside, is threatening to unravel the complicated arrangement, now several weeks in the making.

And several other potentially deal-killing details were still being worked out as of press time on Tuesday, August 27, including the cost of providing electricity and water to the proposed site—a portion of an odd-shaped parking lot at NW Lovejoy Court and Station Way—and the timing for any move.

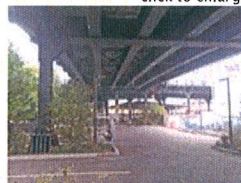
Moving would require the group and its landlords to drop a lawsuit filed last December, presumably in exchange for having the city waive what are now more than \$20,000 in fines and interest payments. The fines have been on hold during the negotiations.

Since taking over the city's code enforcement and building bureau in June, Fritz has made solving the impasse one of her top priorities ["Home Free?" News, June 12]. That effort intensified in recent weeks. Fritz's recent calendars show various meetings on Right 2 Dream Too, including sessions with Mayor Charlie Hales, Multnomah County Chair Jeff Cogen, and housing activists.

Fritz said she was hopeful an agreement could be reached, but acknowledged it was possible the negotiations could halt by Wednesday, August 28.

"It's recognizing that this has been a place where people can safely rest," Fritz says of her offer.

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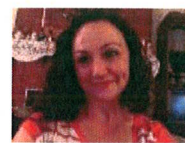
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The Meddlesome Public

The Portland Police Association really doesn't want you watching its contract talks.

by Denis C. Theriault

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The Doctor Is In

Steve Novick is busy. But he still wants to make you healthier.

The rough proposal calls for the Portland Development Commission (PDC) to lease the land to the city, for a still-undetermined sum, from September to next August. The city council, at the urging of Fritz, would then grant a permit to Right 2 Dream Too. That potential permit would require, among other conditions, a commitment to start discussing, by next June, whether the new site is working well or if another site should be found.

Fritz also needs buy-in from Hales, who oversees the PDC. Hales has been out of town since last week. Hales' spokesman, Dana Haynes, says Fritz been leading the negotiations and that Hales or his staffers have yet to have a full briefing. Haynes did say the office was aware of the broad strokes.

"We have not been briefed on the plan. We think that might happen tomorrow," Haynes said on Tuesday.

A major holdup, however, came during negotiations with 4th and Burnside property owner Michael Wright, one of the people legally on the hook for the city's fines. Wright says he insisted on being able to host another group of homeless campers. He also told the Mercury he was hoping to develop his lot, which once held a notorious adult bookstore, Cindy's, since demolished.

Wright once tried to turn the lot into a food cart pod and wanted to try again. But Fritz wouldn't waive rules banning wheeled carts—as opposed to the pushcarts the city is allowing outside city hall—on land that's not zoned as a parking lot.

"I don't care to waive any right to help the homeless at this point," Wright told the Mercury on Tuesday, August 27. "They have not agreed to any alterations or variances that would help the property owners. I don't want to give a way the only tool that's ever gotten a call from them, which is helping the homeless."

Fritz was willing to update the city's offer by taking out language specifically banning homeless camping. Instead, she says, it would allow "any legal use."

That language still doesn't appear to allow camping or a full-fledged cart pod. Wright's attorney, Mark Kramer, said that was a major setback, in fact. Kramer would have preferred the agreement be "silent" on what Wright can do with the property, presumably so Wright could, if he chooses, host more homeless people on the land—starting another code and court fight, if the city also chose to crack down again.

"I thought we had a breakthrough, but it turns out I was mistaken," he said.

Right 2 Dream Too quietly sprung up in October 2011, amid the glare of Occupy Portland, safely housing dozens of people nightly who might not qualify for or want shelter space (assuming there's even room).

The group has been mulling over a move for weeks, hashing out concerns that the NW Lovejoy site would be far less visible—key for protesting and raising awareness about homelessness issues—and more difficult to manage. Spokesman Ibrahim Mubarak did not immediately return a message seeking comment.

"A few of us went to view this site. It has great potential, however it takes away from our visibility," he wrote to board members on August 12, in an email obtained by the Mercury.

The group and its landlords filed suit in December 2012, claiming the city was incorrectly interpreting its code. The two sides appeared in court this summer. The city asked a judge to toss the suit, arguing Right 2 Dream Too had failed to exhaust the city's bureaucratic appeals process.

The current site has been criticized by the Portland Business Alliance and other business interests (developer David Gold blamed it for the demise of a PDC-backed deal for a new hostel across 4th, on Burnside). Chinatown dignitaries, who find the group quite neighborly but nonetheless hate its location beneath the Chinatown gate, have tolerated it.

The discussions come as the Lee Family Association, which represents Chinese Lee families in America and around the world, plans its national convention in Portland. The convention will be held in the Lloyd Center's Doubletree Hotel starting this Sunday. Gloria Lee Luebke, an Old Town/Chinatown neighborhood activist, says the group normally holds its opening parade in its host city's Chinatown. Not this year.

"In part that's because of Right 2 Dream Too," she says, taking pains to say the organization

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"maintains a pretty decent place" is "very responsible," and has "participated in the community," including in a recent cleanup effort. But that, in her personal opinion, "the location is inappropriate" given the cultural importance of the gate.

Asked if the the Lee Family Association or any other group put pressure on Fritz's office to broker a deal based on the convention's arrival, she said "I don't think so. That's part of the problem of the culture, being Chinese. There's a tendency to not stand up and speak out."

The city and R2DToo have discussed various other sites this summer. R2DToo at one point looked into moving into a building vacated by Transition Projects.

The Lovejoy site has its own issues. It abuts the north end of the US Postal Service yard. Noise booms from trains heading past and through nearby Union Station, as well as from streetcars passing overhead.

Mubarak wrote earlier this month he's also worried about the portion of the lot R2DToo wouldn't control (Fritz says they've been offered a portion of the lot away from the train tracks). The issue being whether the group would be responsible for people who might be turned away from the rest area but decide nonetheless to camp out right outside it.

But the new site—provided any kind of agreement emerges and the council approves it—would have the benefit of being legal.

Fritz says it's zoned more flexibly, allowing industrial uses as well as group shelters. Council approval is important, because commissioners have the right to interpret code as they see it.

"It's giving permission ahead of time," Fritz says, "instead of seeking forgiveness."

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WEDNESDAY, AUGUST 28, 2013

HOMELESS / NEWS / CITY HALL / NEIGHBORHOODS **Fritz Responds to Pearl Neighbors Over Right 2 Dream Too Proposal: "I Act to Do What I Believe Is Right"**

POSTED BY DENIS C. THERIAULT ON WED, AUG 28, 2013 AT 3:20 PM

Commissioner Amanda Fritz's **push to relocate Right 2 Dream Too beneath the Broadway Bridge's Lovejoy Street off-ramp** remains technically alive this afternoon—her office, when asked, had no updates saying the plug had been pulled—but it's causing a kerfuffle among Pearl District neighbors.

The *Oregonian's* Sara Hottman **reported this morning** that the neighborhood association is asking residents to sign a **letter** that argues Fritz's plan would break city law. The *Mercury* has since obtained Fritz's reply to some of the neighbors who've written her.

The sentiment: Stop freaking out. They've been good neighbors in Old Town. **Also, don't take it out on me, because I'm not up for re-election.** And this is the right thing to do.

Thank you for your message.

The negotiations for relocation of the Right to Dream Too rest area are related to settlement of a lawsuit, so I can't comment on specifics. I urge you to visit their current location and NW 4th/Burnside. There have been zero calls for police service to that site in 2013. Nearby property owners report decrease in crime, and fewer people sleeping in doorways because there is a safe place for people to sleep. Right to Dream Too has a drug-free, alcohol-free policy that is enforced by the residents. Their residents need access to basic services, including showers and laundry facilities at nearby Bud Clark Commons.

While I appreciate many Pearl District neighbors may be concerned about the new folks who may be moving in, if the move happens I hope you will give them a chance to be the good neighbors they've proven themselves to be in Old Town.

I'm not running for anything ever again, just so you know. I act to do what I believe is right and in the long term public good, which is not always what is popular with voters.

Sincerely,
Amanda

Update 12:20 PM Thursday: Fritz, at the *Mercury's* request, provided the email she was



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responding to (it wasn't a cookie-cutter answer). It seems her reply came after someone threatened to raise money to see her defeated in the next election—hard to do, since she's previously announced she isn't running for office again after her term concludes.

I am extremely disappointed in your office's clandestine attempt to move this group under the west end of the Broadway Bridge with no input from the many neighbors, both residential and business, in this area.

This is a high density area and certainly you do not want this to be a first impression as people disembark from the trains. What can you be thinking? How can you believe that this is any less "visible" than where they are on Burnside.

I can assure you that I will contribute **heavily** to anyone who runs against you in any and all up-coming elections.

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THURSDAY, AUGUST 29, 2013

HOMELESS / NEWS / CITY HALL **Attorney: Relocation Talks for Right 2 Dream Too "Will Continue"**

POSTED BY DENIS C. THERIAULT ON THU, AUG 29, 2013 AT 11:29 AM



DENIS C. THERIAULT

Maybe the new home of Right 2 Dream Too.

This much is true. **A seemingly surefire agreement that would move homeless rest area Right 2 Dream Too from Old Town to beneath the Broadway Bridge**, settle a nine-month-old lawsuit, and waive thousands of dollars in code enforcement fines hit a major snag during 11th-hour discussions with the group's current landlord.

Owner Michael Wright has been going back and forth with the city, and Commissioner Amanda Fritz, over whether he can put food carts or another homeless camp on his land at NW 4th and Burnside. **But despite reports that the talks have "crumbled"** because of that dispute, sources on all sides tell the *Mercury* that negotiations have yet to stop.

"Negotiations will continue to try to reach a settlement," attorney Mark Kramer, representing both Wright and Right 2 Dream Too, said early this morning.

Late Tuesday night, Kramer had told me, "I'm still in the game. There's a lot of goodwill." That echoes what I've been hearing all along from Fritz's office, as recently as last night, and from R2DToo spokesman Ibrahim Mubarak. Both have said the talks are ongoing.

Not that they still won't actually fall apart today or in the next few days. The issue Wright is pressing isn't an easy one to solve. Though Fritz and the city attorney's office were willing to remove language explicitly banning Wright from hosting more homeless Portlanders on

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his land, they still insisted, as I reported, that whatever he did next would comply with current city codes, rules, and laws. The city's view was that language would still rule out knowingly hosting campers or food carts on the lot.

Wright and Kramer, on Tuesday morning, said they had heard of the first part and were bullish on a deal. But they said they didn't realize theirs and the city's differing interpretations of the last part—essentially what would be "legal"—until it came back in writing from the city attorney's office. Hence the talk of a setback later that night.

Kramer says Wright wanted the city to be completely "silent" on what Wright could or couldn't do with the land—with the understanding that if he tried to put more campers there, the city could come back with code inspectors and levy more fines on Wright and start the legal process all over again. That "silence" was one three options Kramer presented the city—and seemingly the cheapest to consider.

The second idea was to have the city or PDC buy Wright's land, on a very desirable corner. The third was to let him pave his lot and host food carts for a couple of years, to make some money—waiving the city's moratorium on adding new surface parking lots downtown.

The impasse on what Wright can do with his land doesn't leave much daylight for the two sides to wriggle through. The city presumably would be loath to see another rest area return to the site after the effort and expense of moving Right 2 Dream Too and also would be unwilling to concede total victory to Kramer in the legal settlement of his lawsuit.

The dispute leaves R2DToo's board and clients in the lurch. The site needs Wright's buy-in because he's a co-plaintiff against the city and because its organizers have agreed to hold Wright harmless for the code enforcement fines his property has accrued, more than \$20,000 worth. Money for other services has gone into escrow and could be spent helping people if the fines are waived. The city won't waive the fines if it can't agree with Wright on the future of his current land.

Oh, and not to mention? **The city also has Pearl District neighbors on its back**—never mind that R2DToo has been a better neighbor in Old Town than most people are in any neighborhood.

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Home Free?

Change at City Hall Bodes Well for Right 2 Dream Too

by [Denis C. Theriault](#) @theriaultpdx and [Dirk VanderHart](#) @dirquez

WHEN ADVOCATES set up dozens of tents along SW 4th last week ahead of this year's Grand [Floral](#) Parade, it was business as usual in the fight for homeless rights in Portland.

For the past three years, organizers with the group Right 2 Survive have used the demonstration—on the one day of the year Portland openly allows sidewalk camping—to highlight the plight of Portlanders whose motivation for setting up tents is far removed from parade watching.

"Any other time someone does it as a means of survival, they are criminalized," says Ibrahim Mubarak, an organizer of the effort.

But if the message is the same, the political landscape may have subtly shifted in the advocates' favor.

That's because Commissioner Amanda Fritz, appointed as of June 3 to helm the Portland Bureau of Development Services (BDS), is now in charge of one of the most awkward and seemingly intractable issues vexing Portland City Hall: the fate of Right 2 Dream Too.

The well-run, self-managed "rest area" for the homeless down on NW 4th and Burnside has been a sticky mess ever since it sprang up nearly two years ago in the shadow of Occupy Portland. Absent clear political direction from BDS' previous commissioner, Dan Saltzman, the city has treated R2DToo like an illegal "recreational" campsite—fining it thousands of dollars. After months of talks that went nowhere, the group sued the city last winter.

But Fritz's jurisdiction could prove interesting. She was an early advocate for the site, trying and failing last year to broker a compromise with her colleagues that would end the code fines. Now that BDS is Fritz's to run, she's got a freer hand. And her staff says she's going to look anew at helping the effort.

"We'd always been talking with colleagues on council about other possibilities," says Fritz's chief of staff, Tom Bizeau. "We've always been trying to figure out a solution. And we still are. Now that we've got it in our portfolio, we'll dig down and see if there's any way to resolve what's really been an impasse."

R2DToo's backers are clearly intrigued by the potential breath of fresh air.

Says Michael Moore, of Right 2 Survive: "I would have hoped that Saltzman would have seen that as his role, addressing the bigger issues."

But it's likely nothing will happen until the lawsuit against the city is resolved. That could happen as soon as next month—a hearing is set for July 11—and it's likely the city will prevail.

According to Mark Kramer, R2DToo's attorney, the city has asked Multnomah County Circuit Judge Karin Immergut to toss the lawsuit on procedural grounds. City [attorneys](#) argue R2DToo should have "exhausted" all available appeals before filing its suit. After the first fines were assessed, R2DToo chose not to raise \$1,215 for what it saw as an unlikely appeal in front of a city hearings officer. The city, unlike the courts system, doesn't offer fee waivers or deferrals.



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by Dirk VanderHart

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"They didn't have the money," Kramer says. "The city says, 'Too bad. Now you can't go to the court to seek relief.'"

Kramer is hoping to convince Immergut that R2DToo was too broke to appeal. And also that, because of Fritz's efforts, it had decided to wait for a political solution instead of something bureaucratic.

If the lawsuit is bootied, it might not be all bad for the site. Kramer says he contacted Mayor Charlie Hales' office earlier this year and that he exchanged emails with staffers Matthew Robinson and Baruti Artharee, Hales' public safety policy director (who, until Tuesday, June 4, served as Hales' housing liaison.)

"They were warm. They wanted to sit down," says Kramer.

Until, that is, "they spoke with the city attorney. And next they were cold and harsh. 'We're not going to do anything for you.'"

Right 2 Dream Too is currently in its second annual lease on the property, owned by seasoned city antagonist Michael Wright. The group first rented the lot, for a buck, in October 2011. The current lease expires this year.

Among its terms: Even though Wright and his business partners are technically on the hook for the city's fines, Right 2 Dream Too is in charge of paying them.

Dozens of people a night stay at R2DToo—enjoying a safe place to sleep and, in some cases, using that as a springboard for getting their affairs in order and seeking jobs and schooling and permanent housing.

R2DToo has amassed serious fines in this fight—they'd topped \$17,000 as of April. The group is putting money in escrow, money that it says could be spent on other needs, including site improvements.

Even with all the money worries, organizers and volunteers have been busy. Another code issue, the site's eight-foot fence of donated doors on West Burnside, has been fixed so it now complies with the city's six-foot rule. And the place has slowly improved its overall appearance.

Moore and Kramer both say they'd welcome discussions about finding some other place to run the site, provided it's near social services and transit.

The city has been tepidly interested, they say, but hardly proactive.

"I don't think anyone believes we'll be there forever," Moore says. "The whole point is to demonstrate that we can do this. There are super-low-cost ways to deal with the [housing] crisis while it's still happening, and it still is. There are alternatives to people being criminalized for sleeping in parks and doorways.

"That's always been the point."

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An End and a Start

Political Fix Nears for Homeless Rest Area

by [Denis C. Theriault](#) @theriaultpdx



A LONG-BREWING [legal](#) fight over Right 2 Dream Too—the well-managed (but technically illegal) homeless rest area on NW 4th and Burnside—could come to an abrupt end later this month.

That's when Multnomah County Judge Karin Immergut is expected to rule on Portland's request to toss a lawsuit challenging the \$25,000-plus in code fines levied against the rest area and its owners. She made the announcement after spending close to two hours listening to attorneys from both sides make their case in court last Thursday, July 11.

But a defeat in court—which some observers see as likely—might not mark the end of Right 2 Dream Too. Ironically, supporters say, it may mark a new beginning: a chance to move the site from the vacant lot it's occupied since October 2011 and find a permanent home.

Mark Kramer, the [attorney](#) representing Right 2 Dream Too in its fight against the city, says the site and its backers are talking with a property owner about taking over a downtown building. Kramer wouldn't comment when pressed for details on that site, but Street Roots has reported the group is talking with Central City Concern about Transition Projects' former home at NW 5th and Glisan.

Negotiations over that site and the logistics of taking it over are expected to sharpen in the coming days, sources say.

"We're happy to try to relocate," Ibrahim Mubarak, the group's spokesman, said outside court. "We're trying to negotiate."

But to make it work, Kramer says, the city will have to waive the fines it's levied against the rest area. That kind of political discussion is more likely to happen with the lawsuit out of the way, although he's hoping the city will make the offer even with the legal case still alive.

"It depends on whether the city is part of a deal to have Right 2 Dream Too move," he says. "

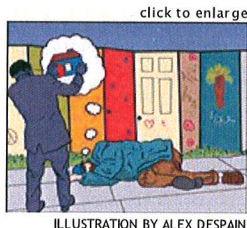


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[Right 2 Dream Too doesn't] want to move unless the fines are waived and canceled."

It's unclear whether the city's code enforcement bureau, the Portland Bureau of Development Services (BDS), has the discretion to waive the fine on its own or, because there's a lawsuit challenging the fines, if it needs the city council's permission first.

City Commissioner Amanda Fritz, a Right 2 Dream Too supporter, was placed atop BDS in June. She met with Kramer and others earlier this month, just before she left the country for several weeks, but Kramer says nothing substantial was discussed. Her office didn't respond to questions about Kramer's request in time for the Mercury's deadline.

"It was slightly more or less a professional courtesy," he says. "They won't seriously negotiate because they want this case dismissed."

Immergut's ruling may also give the site a chance to avail itself of a bureaucratic challenge to a city finding that the rest area is a "recreational" campsite. Right 2 Dream Too says its mission—providing dozens of people a safe place to sleep every night—is hardly "recreational."

The city argues Right 2 Dream Too should have appealed that finding to a code hearing officer before going to court; the group said it cost too much: \$1,215. Deputy City Attorney Bill Manlove said in court that the hearing officer has the discretion to accept appeals filed late and potentially waive fees—and implied that would happen if the suit is tossed.

Kramer, however, worries that a political fix to the mess over Right 2 Dream Too will obscure the question at the heart of the lawsuit.

"The code issue doesn't get resolved," he says. "If another entity establishes another campground, right now it's undefined. And it's up to the city to define it and call it a transitional housing accommodation."

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