

DECONSTRUCTION REQUIREMENTS FOR HISTORIC HOUSES & DUPLEXES

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

NAME (PRINT)	ADDRESS AND ZIP CODE (Optional)	Email (Optional)
✓ JERRY PARKER	P.O. Box 13503 97213	parkerj2012@gmail.com
✓ Shedrick Wilkins	945 NW Naita Pkwy, Apt 134 Portland, OR	wilkinsshedrick@yahoo.com
J. Vernon Bernier	627 NW 18 th Portland, Oregon 97205	Email:
✓ Barbara Kerr	1150 NE Faloma Rd, PHd 97211	kerrclifford@hotmail.com
✓ ALICE Paul Grove	15555 SW Barclay, h.o.	
✓ MIKE MITCHELL	2211 SE STOKANE	

Moore-Love, Karla

From: Sylvia Bogert <sylvia@swni.org>
Sent: Wednesday, June 29, 2016 2:19 PM
To: Hales, Mayor; Commissioner Fritz; Commissioner Saltzman; Fish, Nick; Commissioner Novick; Council Clerk – Testimony
Cc: Sam Pearson; Gibbon, John; Jan Wilson
Subject: Council Agenda Item 772: Deconstruction of Historic Homes
Attachments: SWNI Letter to City Council Re- Deconstruction of Historic Homes.pdf; ATT00001.htm

Dear Mayor Charlie Hales and members of the Portland City Council

SWNI is concerned about the health and safety concerns generated by the demolition of homes by backhoe. The release of asbestos, lead, dust and other harmful substances is a danger to our residents. In addition architecturally important mid-century homes are being lost. Deconstruction not only reduces the amount of exposure to these substances to the community but also increases the reuse of valuable and historically significant building materials.

Limiting deconstruction to homes built in or prior to 1916 or designated historic is not sufficient. These structures represent a very small portion of the houses slated for demolition. We request the city council to include all homes built prior to 1970, with the date to be moved forward in five-year increments each year. This will increase the number of houses that are deconstructed rather than demolished, giving the deconstruction industry time to increase its capacity.

Sincerely,

Sam Pearson
President
Southwest Neighborhoods, Inc.

Sylvia Bogert
Executive Director
Southwest Neighborhoods, Inc.
7688 SW Capitol Hwy., Room 5
Portland, OR 97219
503-823-4592
sylvia@swni.org



Southwest Neighborhoods, Inc.

7688 SW Capitol Highway, Portland, OR 97219 (503) 823-4592

www.swni.org

June 29, 2016

Mayor Charlie Hales and members of the Portland City Council
City of Portland
1221 SW 4th Avenue
Portland, OR 97204

RE: Council Agenda Item 772: Deconstruction of Historic Homes

Southwest Neighborhoods, Inc. is a nonprofit coalition that provides services to 17 neighborhood associations and three business associations within southwest Portland. SWNI's mission is to empower civic action to improve and maintain the livability of southwest neighborhoods.

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Sincerely,

Sam Pearson
President
Southwest Neighborhoods, Inc.

Moore-Love, Karla

From: Paul Grove <PaulG@hbapdx.org>
Sent: Wednesday, June 29, 2016 1:11 PM
To: Council Clerk – Testimony
Subject: Decon Comments
Attachments: Deconstruction Testimony_6-29.pdf

Good afternoon,

Please find the HBA's comments for this afternoon's hearing on the deconstruction proposal. Thank you!

Paul Grove
Home Builders Association of Metro Portland
t 503.684.1880 | f 503.684.0588 | hbapdx.org



Home Builders Association
of Metropolitan Portland

June 29, 2016

Portland City Council
City of Portland
1221 SW Fourth Avenue
Portland, OR 97204

Re: Deconstruction Proposal

Mayor Hales and Commissioners,

The Home Builders Association of Metro Portland (HBA) appreciates the opportunity to comment on the deconstruction proposal before City Council. We recognize the efforts by the Bureau of Planning and Sustainability (BPS) to increase deconstruction awareness and activity, and the draft proposal is a commendable step to further the recovery and reuse of materials.

The HBA actively encourages initiatives and building practices that promote sustainability and a healthy environment for our residents. We work closely with Energy Trust of Oregon to promote better building practices, to include energy efficiency and the construction of lasting, durable homes across the region. We see the deconstruction proposal as an effort that compliments these ongoing activities.

However, there is much work that remains and outstanding questions that must be addressed to ensure an effective and efficient policy proposal. Specifically, there are foundational concerns around capacity, timing and cost that must be addressed before any deconstruction requirements go into effect.

The most pressing issue that must be tackled involves capacity – both institutional and workforce. As noted in February, there are a limited number of firms engaged in this activity and no data presented that confirms that the institutional means are, or will be, in place to address the potential increase in activity and materials. As such, we must have a degree of certainty as to the number of certified firms able to perform the work to guard against undue delays in the process.

With respect to workforce capacity, discussions are still ongoing as to the training and certification program. As with certified firms, this involves having a firm grasp on the number workers needed, as well as determining an appropriate length of time to adequately train individuals. We should not rush this component and ensure it is developed in a careful, deliberate fashion to promote workplace safety and facilitate proficiency in deconstruction activities.

That said, there is a tremendous opportunity to partner with organizations to develop a comprehensive workforce development program – one that provides a career pathway for individuals that perform deconstruction, as well as other opportunities in the housing and construction industry. It is incumbent,

as practitioners and policymakers, that we develop this facet of the program in a thoughtful manner that provides the potential for career growth.

This leads to a second concern – the timing of the proposal. As contemplated, the new deconstruction requirements go into effect on October 31, 2016. However, as noted, there are still a number of outstanding, foundational issues that must be addressed. Sound policy development requires a clear understanding and resolution of those issues and concerns before any program implementation.

Lastly, there are additional cost considerations associated with deconstruction. While it varies by site, often these costs can impact a project by \$8,000-\$10,000. Unfortunately, the added expenses are incorporated into the cost of housing and ultimately borne out in the price of a home. In the midst of an affordability crisis, the last thing we want is a policy that results in an unintended consequence of impacting housing affordability in Portland.

As such, we'd ask Council to consider the following items to help refine the proposal:

- Delay the effective date. At present, there are too many outstanding issues to meet the October 31st start date. The level of uncertainty around capacity warrants a reconsideration of this date.
- Provide clarity around the Director's authority to suspend or modify the program to ensure certainty in the process and guard against undue delays.
- Provide clarity in the exemption process to allow Certified Contractors and Responsible Parties the ability to work in concert with the Director to determine if materials are suitable for reuse.
- Reward better building practices. If new development receives an Energy Performance Score (at least 10% or more efficient than code), a rebate is provided for the cost of deconstruction.
- Examine a sustainable incentive program to mitigate additional costs associated with deconstruction to help achieve the shared goal of housing affordability.
- Include a reporting requirement to Council (and sunset date) to examine the progress of the program and determine if the stated objectives are being achieved.

The HBA and its members have taken a leadership position in promoting policies and practices that further the city's sustainability objectives. We feel the above-noted items can assist in helping achieve these goals and serve to refine the proposal to meet its stated objectives.

The HBA values our relationship with the City. Thank you for your consideration of the proposed items.

Respectfully,



Paul Grove
Director of Government Relations
Home Builders Association of Metro Portland

Moore-Love, Karla

From: Benjamin Kerensa <bkerensa@gmail.com>
Sent: Tuesday, June 28, 2016 9:44 PM
To: Council Clerk – Testimony
Subject: Agenda Item 772 Testimony (Adopt requirements for deconstruction of the city's oldest and most historic houses and duplexes)

Hello City Council,

I am writing to you to implore you not to set this requirement as I believe it will only further aggravate the cost of housing in Portland. At a time when we are facing a major supply gap and some of the highest housing costs in the country it doesn't make sense to adding thousands of dollars to a project and slow down the creation of new supply.

I could not find any other city on the west coast that has such a deconstruction requirement and I think it is flawed and should only apply to homes that are historic in nature not just old.

--
Benjamin Kerensa



Home Builders Association
of Metropolitan Portland

June 29, 2016

Portland City Council
City of Portland
1221 SW Fourth Avenue
Portland, OR 97204

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The HBA values our relationship with the City. Thank you for your consideration of the proposed items.

Respectfully,



Paul Grove
Director of Government Relations
Home Builders Association of Metro Portland

TERRY PARKER
P.O. BOX 13503
PORTLAND, OREGON 97213-0503

1 8 7 8 7 6

Subject: Testimony to the Portland City Council related to mandating deconstruction, June 29, 2016.

The preservation of existing affordable single family homes needs to be one of the City's top priorities. Way too many of Portland's quality built, viable and starter homes are being demolished. Most of them by using diesel smoke belching excavators that create clouds of lead paint and asbestos dust. That dust then lands on neighboring properties, including homes, yards and schools. If a house is to be torn down, the sustainability and preservation tools must be found within a deconstruction tool box.

In the 1920s, Portland was in the midst of a new home building boom. These homes are of high quality construction built with old growth lumber. Another building boom took place after World War II. When one of these homes is slated for demolition, it is a crime to not to preserve the reusable materials, irreplaceable lumber and historical artifacts such as period window frames, interior moldings and trim, and other materials of character that otherwise could not be replaced.

The proposed deconstruction policy only applies to approximately to one-third of the homes that are demolished nearly every year. Extending and amending the deconstruction mandate to include homes built with old growth lumber in the years from 1917 to 1930, and then to full implementation that would include all homes demolished, can not come soon enough. These homes must not continue to be crunched up into a pile of debris only to be dumped in a landfill. Deconstruction, as opposed to mechanical demolition needs to become the standard and the norm.

Finally, instead of accepting a delay and claptrap excuses coming from the development community, grasp the **opportunity** today to reduce lead paint dust and other hazmat issues, create new jobs and add even more vibrancy to an already thriving reuse marketplace. There is an unmet demand of reusable product for both restoration and repurposing uses. Take the field of dreams approach, implement a fast paced track to a full implementation of the deconstruction mandate, and then watch sustainability soar to new heights!

Respectively submitted,

Terry Parker
Northeast Portland

June 29, 2016

TESTIMONY for "Deconstruction for the City's Oldest and Most Historic Houses and Duplexes"

Good afternoon,

My name is Barbara Kerr. I am the United Neighborhoods for Reform representative to the Deconstruction Advisory Group.

UNR is excited that the ordinance begins requiring deconstruction for houses if they must be demolished. However, the ordinance does not include a commitment to move beyond houses built prior to 1917 or that are historic. Neither does it yet address multi-family housing, accessory dwellings, accessory structures, or commercial buildings. In light of our increased awareness of the toxins in our air and the dangers of lead and asbestos, this is no longer acceptable, and, in fact, highly irresponsible. Within two years, the cutoff needs to be moved up to 1978, the year lead was banned in consumer products.

SCOPE Houses built prior to 1917 are one-third of our current demolitions. Requiring the next one-third by Fall of 2017 would take us to 1940. From there to 1978 by Fall of 2018, would reach a milestone in keeping lead out of our air, along with asbestos and other toxins.

Builders, like glass manufacturers, need to be responsible for the pollution they produce. Deconstruction is an easy way for them to do it. Is the inconvenience of working deconstruction into a schedule and the possible increased cost at a small fraction of the price of a house (especially if the price is what the market will bear, anyway) more important than the learning disabilities that can result for even one child from even a tiny amount of lead?

Once the deconstruction industry ramps up to meet increased demand this year, they will have met the initial, most difficult challenges. If later, substantial problems arise, the schedule can be delayed. The impact on public health and the environment, however, cannot be delayed.

To make the transition to deconstruction a success, quality standards must be set from the beginning. The training programs will be a major influence, but the code needs to set a higher standard and enforcement needs to be stronger.

TRAINED PERSONNEL The Certified Deconstruction Contractor who is assigned to the project needs to visit the job on a daily basis if the work is being done by a crew not trained in deconstruction.

EXEMPTIONS The ordinance allows exemptions for buildings deemed by BPS to be unsuitable for deconstruction if "more than 50 percent (by weight) of otherwise reusable materials in the

structures are not suitable for reuse because they are damaged, deteriorated, hazardous, or missing.” To meet the goals of the ordinance, however, the only reason not to deconstruct is potential danger to the deconstruction crew. Materials being deemed not reusable has nothing to do with their potential to pollute the neighbors if pulverized by mechanical demolition, especially if the materials are damaged or deteriorated by mold or fire. Not having enough materials has nothing to do with keeping what is there in the reuse stream and out of the landfill. Exemption based on missing materials invites further incidence of the current problem of houses being stripped of easily removed, valuable parts before demolition permits are granted, in order to avoid regulation.

ENFORCEMENT The fines are too low. Deconstruction doesn't always cost more, but on some jobs even \$10,000 can be less than the difference, which doesn't deter smashing a house.

INSPECTIONS The ordinance calls for inspections 'as necessary'. There need to be inspections as there are with electrical, plumbing, etc., with at least one before the job starts so inspectors will have knowledge of materials and initial condition of the house.

We are on our way, but the stakes are too high to take our time. We are asking you to set a two year timeline to a 1978 cutoff, strengthen the enforcement code, and empower Shawn and the BPS to support this vital transition.

Thank you,
Barbara Kerr
United Neighborhoods for Reform

Parsons, Susan

From: Washington, Mustafa
Sent: Thursday, June 23, 2016 12:48 PM
To: Wiggins, Rachael; Council Clerk – Testimony
Cc: Moore-Love, Karla
Subject: FW: Deconstruction Ordinance
Attachments: LT Hales re deconstruction ordinance.PDF

Mustafa Washington

Constituent Services Specialist
Office Of Mayor Charlie Hales
P: 503-823-4120
mustafa.washington@portlandoregon.gov

From: Rachel Lee [mailto:rach.c.lee@gmail.com]
Sent: Wednesday, June 22, 2016 7:42 PM
To: Hales, Mayor <mayorcharliehales@portlandoregon.gov>
Subject: Deconstruction Ordinance

Mayor Hales,

Attached please find a letter from the Sabin Community Association regarding the proposed deconstruction ordinance that we understand is scheduled to come before City Council on June 29.

Please let me know if you have any questions regarding our comment.

Thanks you for your consideration.

Regards,

Rachel Lee



June 22, 2016

VIA EMAIL

Charlie Hales
City of Portland
1221 SW Fourth Avenue, Suite # 340
Portland, OR 97204
mayorhales@portlandoregon.gov

Dear Mayor Hales:

We are writing to you on behalf of the Sabin Community Association, which is one of the 95 neighborhood associations empowered to make recommendations to the City on matters affecting the livability, safety, and economic vitality of Portland's neighborhoods. (City Code § 3.96.030(B).) Today, we urge you to vote in favor of the proposed deconstruction ordinance that is scheduled to be presented to City Council on June 29, 2016.

The Sabin Community Association supports the deconstruction ordinance. We have seen a large number of houses demolished in our neighborhood over the past several years and are strongly in favor of increasing the use of deconstruction rather than simply knocking houses down and carting all the materials off to the landfill. We believe that the proposed ordinance will be better for neighbors, better for the environment, and better for jobs.

Furthermore, if the proposed deconstruction requirement works well once implemented, the Sabin Community Association supports expanding its scope to cover post-1916 homes as quickly as reasonably possible.

Please feel free to contact us at clayveka@gmail.com or rach.c.lee@gmail.com should you have any questions about this recommendation by the Sabin Community Association. Thank you for considering our input.

Sincerely,

Clay Veka
President, Sabin Community Association

Rachel Lee
Chair, Sabin Community Association Land
Use & Transportation Committee

Parsons, Susan

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Wednesday, June 29, 2016 12:14 PM
To: Moore-Love, Karla; Parsons, Susan
Cc: Hales, Mayor; Novick, Steve; Commissioner Fritz; Commissioner Saltzman; Commissioner Fish
Subject: Please require deconstruction for all homes built before 1978, when the government banned lead paint in consumer uses.

772 TIME CERTAIN: 2:00 PM – Adopt requirements for deconstruction of the city's oldest and most historic houses and duplexes (Ordinance introduced by Mayor Hales; add Code Chapter 17.106) 2 hours requested

Mayor Hales, Commissioners:

This new rule isn't enough. Ask yourself who really benefits financially, when houses constructed between 1917 and 1978 are replaced with mega mansions and/or duplex for those within the MFI 61-80%.

My friends tell me Developers average net profit is 22.5%. Surely, they can provide safety glasses, masks, leather work gloves and ear protection for their hourly day workers. Take for example when the six-bedroom manor house at 2808 SE Belmont Street as crunched into several dumpsters, none of whom had safety gear to protect their eyes and lungs. Did I fail to mention it was replace by four skinny houses?

Like United Neighborhoods for Reform, I am asking City Council to **require deconstruction for all homes built before 1978, when the government banned lead paint in consumer uses.**

"When a house is demolished through mechanical demolition, lead is pulverized and sent up into the air and falls into neighbor's' years as dust," Said Barbara Kerr, the group's representative on the city's Deconstruction Advisory Group. It it's deconstructed, it poses little danger."

My fear is that key industry stockholders serving on the Residential Infill middle will be in opposition:

1. based on the costly deconstruction factors. Demolishing average cost is \$20,000, Deconstruction average cost is anywhere between \$14,000 to \$18,000.
2. It takes house that could be knocked down within two days into dumpster, while it may take up to 10 days to disassemble.

Furthermore, ONI's 95 neighborhoods will be at risk of losing greater numbers of single family houses demolished between 1916 and 1978.

To do otherwise is simply unthinkable. Please do not be manipulated by the Home Builder's Association, and key stakeholders who served on the RICSAC.

I am asking City Council to **require deconstruction for all homes built before 1978, when the government banned lead paint in consumer uses, and to require Developer's sub-contractors to provide safety glasses, masks, leather work gloves and ear protection for their hourly day workers...**

Kindest regards,
 Mary Ann Schwab, Community Advocate
 (503) 236-3522

Whoops, Did I fail to mention, requiring Developer's sub-contractors to use door hangers when notifying surrounding neighbors seven days prior to seeing dumpsters?
Commissioner Amanda Fritz has a great example of a door-hanger, provided by the contractor who remodel my neighbors bathroom.