

EXTEND HOUSING EMERGENCYIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Aleina Langford	119140 SE ASH ST Apt. 104 Portland, OR 97216	aleinalangford@gmail.com
✓ Margot Sammy Black	2244 SW Vermont St., Portland, 97219	Samson Margot @pdx.tu.org
✓ Chloe Erdaly		
✓ Lynn Hager	5124 SW 45th Ave Unit B	lhager@pdx.edu
→ Margot Sammy Black	2244 SW Vermont St., Portland, 97219	margot Samson @pdx.tu.org
→ Pete Hybertsen	97214	petehybertsen@gmail.com
✓ Jamie Partridge		
✓ Paula Medden	PO 9666 - PDX 97207	
✓ CHRIS TREJBAL	OVERLOOK NEIGHBORHOOD	
✓ Michael Withey	Micro Community Concepts	michaelwitheyjr@gmail.com
✓ Hyung Nam	97214	hyung_nam@hoo.com

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✓ Kelsey Schomberger	6322 SE 83rd ave Portland 97266	
✓ spoke Lorie Grasso	517 St Portland 97202	loriegrasso@gmail.com
✓ Ptery Lieght	Hazelnut Grove	
✓ DAVID DAVIS		
✓ JOE WALSH		
✓ Lightning Watchdog PDX		
✓ Tegulah Gordon		
✓ Robert West		
✓ Sharon Nasset	1113 N Baldwin St PDX 97217	SHARONNASSET@aol.com
✓ Doug Bennett	415 SW Alder St Apt 508 97204	DougBennett@congregation-of-non-contradiction.org
✓ spoke Meg Garcia	Hazelnut Grove	None

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23) ✓	Charles Johnson	on file	
spoke ✓	Ibrahim Mubarak	7x I	
✓	Jessie Sponberg	on file	
✓	Robert Schulte	P.O. Box 66783 Portland OR 97290 (Lents)	
✓	Leo Rhodes		
✓	Mike O'Callaghan		
✓	Nancy Newell		
✓	Diane Keefauver	1835 SE Insley #42 97266 (LENTS)	dlikafer@yahoo.com
spoke ✓	Zoe White	Hazelnut Grove 3120 N Greeley Ave N. Portland OR 97209	
✓	RICHARD ROBINSON	1720 N. LaBrea Ave., #217, Hollywood, CA	(323) 850-0831
✓	Sam Resnick	7414 N Oakley Ave 97217	

187973
8/31/16
sp

Speech for City Hall on 8/30/2016:

Despite what has been said on previous occasions in City Hall, we have a homelessness crises in the city of Portland. Too often we respond to this as a if it were a problem caused by the homeless. Too often we respond only to the needs of business owners afraid of a loss of customers, of neighborhood groups concerned with a reduction of property values. For these reasons our solutions are too often focused on moving the problem around; of shuffling homeless persons to less and less visible places. So that the issue of homelessness might be forgotten. So that these people might be forgotten. Although this is an acute circumstance in Portland, our situation is; in a broader sense; a microcosm of the larger problem with our responses as a society, to the plight of those less advantaged.

Portland has a reputation for handling homelessness better than other places in this country, between our mild weather, our progressive, compassionate thinking and our embrace of individuality and individual needs; we are seen often as a sort of haven. We have every reason to be proud of this, but it also means that we have become, for many people, the end of the line. We are the city that other cities shuffle their homeless to. We are the place where those who have suffered the worst unkindness and indifference of this country escape these conditions. For this reason, it is even more important that we not become complacent. It is even more urgent here, than in other places, that we not continue to endlessly pass the buck. They we not continue to endlessly find delays and excuses to make this tomorrow's problem. Although we can do this, escape responsibility for finding solutions today, by giving to our successors a more dangerous and expensive version of the crises to manage; every time we do so, we make life harder than it has to be for real living people who must wait in institutional limbo.

We fail to respond effectively, again and again, because we see the homeless first as a category of people, or even an abstract "problem" rather than as individual citizens sharing the condition of homelessness. For this reason we invent only institutional solutions, like homeless shelters, group homes and; in our better moments; clinics and soup kitchens. We treat homelessness as something that must be treated with a universal approach. In doing so, we fail to see that the needs of any given homeless person differ as widely from the needs of any other homeless person as do the needs of any given citizen with a home from those of any other such citizen.

We must acknowledge that any person can face financial ruin. Any child can be born into a home full of fear and abuse, and thus seek to escape. We must acknowledge that many people who do not have a safe and reliable place to sleep are still very independent and capable, that THEY DO NOT NEED INSTITUTIONALIZATION. These people do not need to be moved to the industrial corners of our city to await, for three years, a better answer that may never come.

They need the same things anyone does. They need places to store their possessions where they will not be stolen. They need restroom facilities and places to bathe. They need places to wash their clothes and to throw away their trash. They need opportunities for gainful employment. They need the protection of their police and the support of their communities. Furthermore, they need these things in the parts of the city where they already live. They don't need to be moved around again while a state of emergency is extended indefinitely so that we can exploit this problem for unrelated financial and political gain while ignoring, for another three years, the actual people and their actual needs.

I, myself, grew up in an institution which treated me only as a component of a larger abstraction. "The Fairview Home for the Feeble-minded and Criminally Insane". In the years since Fairview closed, I have achieved a largely independent life. I own a home and a car. I am an advocate and activist involved deeply in this community. I have held gainful employment and contributed to my community with organizations such as "Food Not Bombs" and "Oregon Care Works". I have achieved this, in large part, because I have received assistance for the needs I actually have as a person with Cerebral Palsy, instead of the needs it was assumed the "feeble-minded" would have as an abstract category.

It is time we, likewise, stop assuming we know what the category of "the homeless" need and that we can provide those needs exclusively with large scale institutions and shelters and instead look at how to deliver needed infrastructure, assistance and public services to those people who have no common qualities except a lack of a reliable home.

4 minutes 24 seconds.

Laddie Reed.

7925 SE Woodstock Portland OR, 97206

happyLaddieread2@gmail.com

Written with the assistance of R. Daniel Schnelle

August 31, 2016

Steven L. Pfeiffer
SPfeiffer@perkinscoie.com
D. +1.503.727.2261
F. +1.503.346.2261Portland City Council
Council Clerk Karla Moore-Love
1221 SW Fourth Avenue, Room 130
Portland, OR 97204

AUDITOR 08/31/16 PM 3:08

Re: Agenda Item 989: Three-Year Extension of Housing Emergency

Dear Mayor Hales and Members of the Portland City Council:

This office represents Fore Property Company ("Fore"). In two letters dated August 9, 2016 and August 10, 2016 (attached), Fore objected to the City Council's proposed use of the prime waterfront industrial property at Terminal 1 North ("T1N") as a temporary and permanent mass shelter under Resolution No. 37225. One of the many, still relevant concerns we raised in these letters was that the 2015 Housing Emergency Ordinance (Ord. 187371) did not allow the City to authorize the lease of T1N to the Housing Bureau because that ordinance will expire on October 7, 2016. The City now proposes to extend the 2015 Housing Emergency Ordinance for three years (the "Extension Ordinance"), presumably to address this issue.

Fore objects to the City's proposal to extend the Housing Emergency and waive the Zoning Code for an additional three years in order to allow warehousing of homeless Portlanders on industrial land with contamination concerns. The City's waiver of the Zoning Code through an extended Housing Emergency ordinance is tantamount to a Zoning Code text amendment and a zone change for the T1N property that is not reviewed and enacted through the required state and local procedures and is not based upon findings and evidence demonstrating compliance with applicable local and state approval standards. The Extension Ordinance is also defective because it is being adopted pursuant to amendments to City Code Title 15, which were also improperly reviewed and enacted.

For these reasons, the City Council should not adopt the Extension Ordinance. Thank you for your attention to the points in this letter.

Very truly yours,



Steven L. Pfeiffer

SLP:AJR

Enclosures

cc: Lee Novak, Fore Property Company (via email) (w/ encls.)



1120 NW Couch Street
10th Floor
Portland, OR 97209-4128

T +1.503.727.2000
F +1.503.727.2222
PerkinsCoie.com

August 9, 2016

Steven L. Pfeiffer
SPfeiffer@perkinscoie.com
D. +1.503.727.2261
F. +1.503.346.2261

Portland City Council
Council Clerk Karla Moore-Love
1221 SW Fourth Avenue, Room 130
Portland, OR 97204

Re: Terminal 1 North Mass Shelter Use

Dear Mayor Hales and Members of the Portland City Council:

This office represents Fore Property Company (“Fore”), owner of the Riverscape Development located at 2220 NW Front Avenue (Terminal 1 South), which is adjacent to Terminal 1 North (“T1N” or the “Property”). Beginning in 2013 Fore has constructed projects on lots 9-12, lot 1 and lot 8, totaling 650 new residential units at a value of 130 million dollars and we believe that this investment will stimulate new urban development in the North Pearl area. Fore has the objections set forth below to the Housing Bureau’s proposal to lease T1N from the Bureau of Environmental Services and develop this Property as an immediate temporary mass shelter and eventual site of the Trail of Hope project (a permanent mass shelter and short term housing use). These objections are summarized as follows:

- The Property is contaminated with hazardous substances, but has been cleaned up to a degree that allows industrial uses, as reflected in the No Further Action (“NFA”) letter that burdens the Property and assumes only industrial uses will take place. To allow shelter or housing use, the NFA must be revised, which will very likely require significant environmental remediation at considerable cost to the City. Additional time and investigation is needed to understand the extent of this cost obligation and the City’s potential liability. Moving forward with opening a shelter prior to when this investigation occurs could pose a human health risk to residents of the shelter.
- The proposal fails to address significant safety, sanitation, public infrastructure and funding needs that the shelter will require. According to the City’s own Housing Emergency, a vacant industrial warehouse is not fit for human habitation.
- The City’s proposed shelter use is prohibited by the Property’s zoning and comprehensive plan designation. The City’s Housing Emergency ordinance does not permit this use.
- The proposal would remove high value and water-dependent related industrial land from employment use, thereby further increasing the shortfall of industrial land, and particularly such lands with these unique site characteristics in the City. This is contrary to the City’s Goal 9 obligations, the adopted Buildable Lands Inventory (“BLI”), Employment Opportunities Analysis (“EOA”), Comprehensive Plan and Metro’s Title 4.

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The City will forego millions in rent or sale proceeds that the Property would generate if leased or sold to an industrial use.

The T1N Property is not a legal or appropriate site for a shelter. This proposal will subject occupants to unsafe conditions and create considerable liability for the City in terms of human health risks and compliance with environmental and land use planning laws. We urge the Council to require City Bureaus to conduct additional investigation into these matters, and demonstrate that these issues are resolved, before taking action on this proposal. We request that you include this letter in the record of the City's proceeding on the proposed Resolution, and provide us notice of your final decision.

1. No Further Action Letter Authorizes Industrial Uses Only.

The T1N Property is the subject of a No Further Action letter issued by the Oregon Department of Environmental Quality ("DEQ") that requires no further environmental remediation, *as long as the site is used in accordance with the NFA assumptions*. The DEQ determined that no further action was required at the site based on its understanding that the "current and reasonably anticipated future use of the facility is industrial." (See No Further Action Letter from T. Gainer to D. Leisle and L. Scheffler (April 16, 2012) at 2). In the event that an unanticipated use occurs, such as the City's proposed residential shelter use, the DEQ has authority to rescind the NFA determination or require additional remedial action at the site to meet the applicable residential risk-based contaminant concentrations. (See NFA Letter page 3 (no further action is required unless new or previously undisclosed information becomes available); ORS Chapter 465 (establishing DEQ's broad authority to order removal and remedial actions)). DEQ's August 8, 2016 e-mail to BES confirms the limited uses permitted by the NFA, and that "...the City is aware of their obligation as a property owner of the former Terminal 1 North site and that DEQ will need to be engaged if site uses are to change, including coming into agreement on the scope of work needed to ensure the site remains protective to human health and the environment." (See August 8, 2016 correspondence from Erin McDonnell to Kim Cox).

Based upon Fore's experience on the adjacent property, we expect that in order to allow non-industrial uses (such as a mass shelter) on the site, the NFA letter will need to be revised and significant environmental remediation will be required. Fore's Terminal 1 South property, which is adjacent to T1N, required the previous owner (the Port of Portland) to remove more than 33 million tons of contaminated soil from Terminal 1 South in order to allow future land use consistent with that site's assumption for residential use. After acquiring Terminal 1 South, Fore did extensive site investigation and excavated 77,900 cubic yards of contaminated soil at a cost of many millions of dollars. Based on historic activities in that area of the waterfront, we strongly suspect that similar contamination exists on the T1N site that will require similar cleanup actions in order to allow housing or shelter uses. The Resolution does not contemplate the additional costs and liability the City will assume by using contaminated property to house

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homeless Portlanders. Failure to complete additional remediation work before housing people on the T1N Property will subject the City to enforcement action by DEQ, create human health and environmental risks, and create liability to homeless who may be harmed by living on contaminated property that the City.

The Resolution's proposed PHB Lease, Section 4, provides that "PHB shall, in the use of the Premises, comply with all rules, regulations, and laws in effect by any local, state or federal authority having jurisdiction over the Premises. PHB is solely responsible for obtaining any other permits or approvals as may be necessary for the use of the Premises." DEQ's August 8, 2016 correspondence demonstrates that the City has an obligation to conduct a risk assessment for a use that diverges from the NFA prior to occupying a shelter at T1N. It is very likely that the NFA will require additional remediation at the T1N site to allow non-industrial uses (such as a shelter). By the very terms of the lease, PHB will be required to comply with DEQ clean up directives before the site can be used as a shelter.

It is fiscally irresponsible¹ for the City to enter into a lease (which also takes the Property off the market before the ongoing open bidding process has concluded) prior to completing the required risk assessment and understanding the scope and timing of required additional remediation. We request that the City conduct an investigation of these NFA-related matters before authorizing a lease to the Housing Bureau.

2. The Proposal Fails to Address Significant Safety, Sanitation, Public Infrastructure and Funding Needs.

The Housing Emergency ordinance declares an emergency based in part on the fact that homeless Portlanders were found sleeping in "abandoned buildings, or other places not meant for human habitation." Almost a year later, as a purported solution to this emergency, the City now proposes to house homeless Portlanders in what amounts to an abandoned warehouse on a likely contaminated, heavy industrial-zoned site. The City has not demonstrated how the T1N Property

¹ In addition to acknowledging the high cost of remediation and establishing a habitable facility at T1N, the City also must consider the lost revenue from a sale or lease of T1N for its intended industrial use. Recently reported lease figures estimate that due to the low vacancy and supply of industrial land in the City and especially the working harbor, the T1N site should fetch approximately \$1,196,328 per year for a lease of the property and dock moorage. "Fish, Saltzman Spar Over Lease Cost of Proposed Homeless Warehouse," *Portland Tribune*, August 3, 2016. The City must acknowledge the loss of this revenue as a cost of using this unsuitable property for a shelter.

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will be made safe for human habitation before it begins housing people at the existing warehouse on the site.

The proposal and lease do not provide for policing or other safety precautions at the Property. Beyond the contamination issues discussed above, the proposed temporary shelter carries a high risk of safety issues for the residents of the shelter, as well as nearby employees and residents, including the residents of Riverscape. The City's homelessness crisis has seen a rise in crime and safety concerns in homeless camping areas such as the Springwater Corridor. The City must take reasonable safety precautions if it chooses to locate a large-scale shelter adjacent to established housing and business uses in the City.

Sanitation issues are also not addressed. The proposal will provide a temporary facility for homeless Portlanders to live, but does not address how toilet, shower, garbage and other sanitary needs will be met on site. If the City proposes to address the housing emergency on this site, it must do so in a way that is actually fit for human habitation.

Finally, the proposal does not address the infrastructure needs of the future sheltered residents. This Property is an industrial site far from transit and City social services that are crucial for homeless Portlanders. While we understand that the Trail of Hope project would propose co-location of some of these social services on-site, these services are not available now and are not proposed to be developed before the Property is used as a temporary shelter for up to a year and a half.

The City must acknowledge that a similar facility in San Antonio (the Haven for Hope, upon which the Trail of Hope is modeled) reportedly cost upwards of \$100,000,000 with ongoing operational costs of \$18,000,000 per year. Before the City moves forward with dedicating the T1N Property for shelter use and a future site for the Trail of Hope, the City must identify a funding source for the considerable cost of implementing such a program.

3. Mass Shelter and Short Term Housing Uses are Prohibited on the T1N Site by the Comprehensive Plan.

The T1N Property, located at 2400 NW Front Street, is zoned IHi (Heavy Industrial with a river industrial overlay) and has a Comprehensive Plan designation of Industrial Sanctuary. Per Portland City Code ("PCC") Section 33.130.030.D, this zone is intended to provide "areas where all kinds of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance." Consistent with this purpose, the IHi zone *prohibits* short term housing and mass shelter uses. (See PCC 33.140.100.B.11 and Table 140-1). Both the temporary and permanent use proposed for this site are correctly classified as mass shelter or short-term housing uses and are therefore prohibited in the Property's IHi zone. The Resolution

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does not explain how the proposed shelter use can be legally located on heavy industrial zoned land, and we are unaware of any necessary findings which provide such explanation.

To the extent that the City assumes it can ignore the PCC under the Housing Emergency (Ord. 187371), any authority the City claims to have to establish temporary emergency shelters under PCC Section 33.296.030.G, *is valid only for the duration of the Housing Emergency*. Under PCC Title 15 (Emergencies), a housing emergency may be declared for up to one year. The Housing Emergency ordinance declared a housing emergency beginning on October 7, 2015 for one year, and will expire on October 7, 2016, the very date that the six-month lease of the T1N site to the Housing Bureau for a temporary shelter would begin. Because the lease will commence after the expiration of the Housing Emergency, the shelter cannot be authorized by the 2015 Housing Emergency declaration. The City is not permitted to authorize a lease for temporary shelter purposes for a period after October 7, 2016 at this time.

Even with a reauthorized Housing Emergency in place (which requires the City to make further findings at that time that “circumstances create an immediate need to provide adequate, safe, and habitable shelter to persons experiencing homelessness”) the City’s acknowledged Comprehensive Plan prevents the City, as a matter of current policy, from using needed employment land in the industrial sanctuary for a conflicting use, such as a shelter. (See Comprehensive Plan Policy 2.14, Purpose of the Industrial Sanctuary). In order to revise the Comprehensive Plan and implementing regulations allow this use, the City must enact and receive acknowledgement of a Post Acknowledgement Plan Amendment. The City has neither undertaken or completed this objective or even proposed the same, and therefore, cannot authorize a shelter use on the T1N Property.

4. The Proposal Will Remove High Value Harbor Access Industrial Land From Employment Use, Further Increasing the Shortage of Industrial Land Supply in the City and the Working Waterfront.

The T1N Property is more than 14 acres, is zoned Heavy Industrial, contains an existing industrial warehouse facility, and has considerable frontage along the Willamette River. The Property is located in a crucial part of the working harbor and has considerable potential to create industrial jobs, which is why it was included in the City’s recently adopted BLI and EOA as needed Harbor Access Land, and is designated by Metro as a Regionally Significant Industrial Area (“RSIA”). As discussed above, this site is ill-suited for housing use and appropriately zoned for waterfront industrial employment uses. The City has a deficit of Harbor Access Land. The City’s proposal will remove 14 acres from the supply of Harbor Access Land inventory of industrial property, which further increases the City’s land deficit, inconsistent with Goal 9, its rules, Metro Title 4 and the City’s recently adopted comprehensive plan (and supporting documents).

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The City cannot rely upon T1N as part of the land supply that provides an adequate supply of employment land in the Harbor Access Lands geography, as required by Goal 9, for the purposes of Periodic Review, while simultaneously converting that same land to a residential use on an interim basis, with plans to later seek a comprehensive plan and zoning designation amendment to convert the industrial land to another use.

In sum, we request that the City Council reject the proposed Resolution authorizing a lease of the T1N Property to the Housing Bureau. The proposed use of the Property is not allowed by the City's Comprehensive Plan or Code or the Property's current NFA letter. Authorizing the shelter use subjects the City to potential legal action. We urge the City to conduct additional investigation into the legality of the proposed use, and the cost of environmental remediation, safety and sanitary facilities, and City revenue and potential jobs that will be lost by removing the Property from industrial use.

Very truly yours,



Steven L. Pfeiffer

SLP:cr1
Enclosures

cc: Erin McDonnell, Oregon DEQ, Cleanup Program Engineer (via email) (with encs.)
Lee Novak, Fore Property Company (via email) (with encs.)



1120 NW Couch Street
10th Floor
Portland, OR 97209-4128

T +1.503.727.2000
F +1.503.727.2222
PerkinsCoie.com

August 10, 2016

Dana L. Krawczuk
DKrawczuk@perkinscoie.com
D. +1.503.727.2036
F. +1.503.346.2036

VIA EMAIL (KARLA.MOORE-LOVE@PORTLANDOREGON.GOV)

Portland City Council
Council Clerk Karla Moore-Love
1221 SW Fourth Avenue, Room 130
Portland, OR 97204

**Re: Follow Up Testimony -- Terminal 1 North Mass Shelter Use
(Agenda Items 923-924, August 10, 2016 City Council Hearing)**

Dear Mayor Hales and Members of the Portland City Council:

This office represents Fore Property Company ("Fore"), owner of the Riverscape Development located at 2220 NW Front Avenue (Terminal 1 South), which is adjacent to Terminal 1 North ("T1N" or the "Property"). This testimony supplements Fore's August 9, 2016 testimony. Please include this testimony in the record of the above referenced proceeding.

As discussed in our previous correspondence on this matter, the proposed lease of the Property to Portland Housing Bureau to allow a temporary mass shelter and eventual mass shelter and short-term housing use (the "Proposal"), is not allowed in the Property's IHi zone. The IHi zoning is an appropriate zone for this Property which has a Comprehensive Plan Designation of Industrial Sanctuary (IS) and is designated as part of a Regionally Significant Industrial Area (RSIA) by Metro under Title 4.

The proposal will allow an incompatible, non-industrial use in the RSIA, which is contrary to the purpose and intent of Metro's Title 4 (See Metro's Urban Growth Management Functional Plan, Section 3.07.410). RSIA designated sites are "those areas near the region's most significant transportation facilities for the movement of freight and other areas most suitable for movement and storage of goods," and, to ensure that land is actually reserved for these industrial purposes, the RSIA rules in Section 3.07.420(d) impose a 20,000 square foot limit on "places of assembly." The proposed warehouse which will be used for assembling homeless Portlanders is approximately 90,000 square feet and is therefore not allowed in the RSIA. Consistent with this RSIA designation, the Property's Comprehensive Plan designation and zoning prohibit this proposed use.

The Proposal is Tantamount to a Zone Change

The City's Proposal to utilize T1N for uses prohibited by the zoning code is tantamount to a zone change, and the City has failed to comply with the required process and approval criteria in the

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City's Comprehensive Plan, the City Code, Statewide Planning Goal 9 and its rules, and Title 4 standards. Additionally, to the extent that the City is relying upon the Housing Emergency Ordinance (Ordinance No. 187371), as applied to the Property, the ordinance amends the code without complying with applicable procedural and substantive standards. For example:

- To approve a zone change for this property to a zone that would allow the mass shelter use, the City is required to find that adequate public services, including police and fire protection, transportation facilities and sanitary facilities. (See PCC Section 33.855.050.B). This City has not made findings regarding these required criteria, and based upon the evidence in the record, we do not think it is possible to make such a finding.
- For land in the Industrial Sanctuary that Metro has designated as part of a Regionally Significant Industrial Area (such as the Property), the limit for a Comprehensive Plan Map change through a quasi-judicial process is 10 acres. Therefore, a change for a 14-acre parcel like T1N would require a legislative Comprehensive Plan change. Similarly, amendments to the text of the zoning code that would allow the use must also be processed pursuant to the legislative procedure. PCC 33.835.030. Under PCC Chapter 33.740, a legislative procedure requires notice and hearing before the Planning and Sustainability Commission and City Council action only upon a recommendation from the PSC. The City has not followed this required process.
- For a legislative Comprehensive Plan Map Amendment or code text amendment, the amendment must be consistent with the goals and policies of the Comprehensive Plan, Metro's Urban Growth Management Functional Plan, the Statewide Planning Goals, and any relevant area plans adopted by the City Council." PCC Section 33.810.050.B and PCC 33.335.040.A. The City has not considered or made findings as to how a Comprehensive Plan change for this Property or a text amendment to allow a mass shelter could meet these criteria. For example:
 - Comprehensive Plan Goal 5, Economic Development, requires that the City "foster a strong and diverse economy which provides a full range of employment and economic choices for individuals and families in all parts of the City." A temporary or permanent mass shelter does not meet this goal to use industrial and employment lands for those designated uses.
 - Statewide Planning Goal 9 and its associated regulations require amendments that impact 2 acres or more of land must demonstrate compliance with the most recent economic opportunities analysis and comprehensive plan. The recently adopted EOA and comprehensive plan are not yet acknowledged, but indicate a deficit of the Harbor Access Land, such as the Property. LUBA and the Oregon Court of Appeals have previously held that the acknowledged EOA and

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comprehensive plan are unable to support a reduction in industrial land.
Gunderson LLC v. City of Portland, 243 Or App 612 (2011) and *Gunderson LLC v. City of Portland*, 62 Or LUBA 403 (2011).

- Title 4 also imposes amendment requirements that have not been addressed, such as the amendment will not reduce the employment capacity of the city. MC 3.07.450(c).

The Proposal is Inconsistent with City, Metro and State Requirements.

Our August 9th testimony detailed how the Proposal does not comply with the city's comp plan or code.

As noted above, Title 4 prohibits non-industrial uses in RSIA's. The Proposal's noncompliance with Title 4 could subject the City to enforcement by Metro, as well as appeals by stakeholders. MC 3.07.850.

Moreover, the Proposal's conversion of Harbor Access Land to no-industrial uses calls into question the City's ability to demonstrate how Tasks 3, 4 and 5 of Periodic Review comply with Goal 9 and its rules. For example, Harbor Access Lands have special siting characteristics, and the Proposal fails to protect the Property for intend uses and limiting uses that interfere with water-dependent development. OAR 660-009-0020(8).from conflicting

Thank you for your consideration of these requests.

Very truly yours,



Dana L. Krawczuk

DLK:crl

Moore-Love, Karla

187973

From: thomas cody <tom@projectpdx.com>
Sent: Wednesday, August 31, 2016 6:52 AM
To: Council Clerk – Testimony; Commissioner Fish; Commissioner Fritz; Novick, Steve; mayorcharliehales@portlandoregon.com; Commissioner Saltzman
Subject: Testimony to City Council meeting of August 31st, 2016, on agenda item 989 regarding extending the housing emergency declared by Ordinance 187371
Attachments: 08.31.16 Council Testimony.pdf; ATT00001.htm

Good morning. Please see attached testimony for today's Council meeting. Thank you for your consideration.
Best,
TC

EFFECTIVE JUNE 15 OUR NEW ADDRESS IS:
1116 NW 17th Avenue Portland OR 97209

thomas cody
tom@projectpdx.com
www.projectpdx.com
503.260.3740

project^

August 31, 2016

RE: Testimony to City Council meeting on agenda item 989 regarding extending the housing emergency declared by Ordinance 187371

Mr. Mayor and Commissioners:

Since the City Council's decision August 10th, 2016 to authorize the use of Bureau of Environmental Services property at Terminal 1 as a mass shelter run by Trail of Hope, clarifying information has continued to emerge including:

1. Mass shelter at Terminal 1 was promised as "temporary" and would "not use any public funding". That is clearly not the case. In fact City Council has allocated significant staff hours, adversely impacted a sale process for Terminal 1 and asked Metro for public funds for pre-development work on Terminal 1.
2. Housing and homelessness advocates continue to express serious concern and/or oppose mass shelter at Terminal 1.
3. The number of homeless people to be served at Terminal 1 has continued to be reduced. At the August 10th Council meeting it was 400 or more persons. Media reports today now say Terminal 1 will now be for 100 people.
4. Trail of Hope has yet to produce a plan, a service provider, a budget or demonstrate where private funds will come from and how much they have raised. No evidence exists that this is a good idea.
5. Numerous other obstacles to using Terminal 1 as a shelter have emerged including a revised opinion by DEQ, a Notice of Intent to Appeal filing to the State Land Use Board of Appeals on the council's motion and a ruling yesterday by LUBA on a similar land use action in Portland's central eastside industrial district.

Rather than continue to pursue a flawed idea with precious government resources as we quickly head toward winter weather we urge the City Council to end the pursuit of Terminal 1 as a homeless shelter in favor of viable ideas and sites. Such sites do exist.

We know that a combination of public and private resources is available to address the immediate need for temporary shelter. We know the private sector can respond and point to the successful model of the Menashe family's Peace Shelter implementation this past winter.

Based on the Peace Shelter we offer the following "Portland Idea" for reaching out to the private sector to help with this urgent community need. We see this action as a bridge to the longer-term goal of building sufficient affordable housing for all members of our community. It is viable, fast, responsible, humane, equitable, and can be tailored for population specific needs. I urge you, please stop pursuing the "shiny object" from Texas and move to a Portland Idea.



Thomas E. Cody / Managing partner

A Portland Idea

There is no doubt the City of Portland faces an immediate and pressing need to provide safe, functional and well-located temporary emergency shelter. The Joint Office of Homeless Services has a stated target of adding 650 beds for the upcoming winter season. These are the policy makers and professions in the space- lets invest in them.

The Peace Shelter at the Menashe owned Washington Center is a replicable model of a public-private partnership- quickly mobilizing to address an immediate need. The City of Portland can and should pursue this successful example of leveraging currently empty buildings or sections of buildings to provide humane temporary shelter for our most vulnerable citizens. Outreach to private sector real estate owners is the best path toward quickly securing appropriately scaled ready-to-inhabit sites located throughout our City.

The Peace Shelter was 20,000sf of open space that housed 250-300 persons for the winter. Similar sized sites exist throughout the city, unused during various stages of pre-development, planning, and/or permitting. The Peace Shelter model, as well as the Sears Army Reserve Center, demonstrated that together the private sector and the City can mobilize an effective temporary shelter plan.

Implementing a sufficient number of temporary shelter sites provides a bridge to locating and funding needed permanent shelter as well as transitional housing with supporting services to facilitate our most vulnerable community members' path back to an independent and productive life.

Property owners need a clear understanding of how this public-private shelter program would work. Incentives to property owners could serve to increase the pool of available properties. For example, the framework below could be quickly implemented.

Property Owner's Obligation

1. Provide land and/or a building for the temporary use as a homeless shelter
2. Commit to one of the following periods: 6 month, 9 month or 12 month period
3. Allow the City to run programs as needed for the temporary shelter (housing, food services, security, medical)
4. Sign a simple lease form with the City for only \$1.00 for the entire period
5. Property insurance to cover the building itself
6. No obligation to bring the building "up to code" or provide for any code related issues

City's Obligation

1. Tax abatement for land owner for a 1 year period of time
2. Liability insurance to cover the occupants during the specified period
3. Indemnity against any issues that arise due to the occupants
4. Guarantees moving out occupants at end of lease term, at City's cost
5. Returns building to like near conditions at end of lease
6. Will not pursue code compliance issues related to housing occupants

Moore-Love, Karla

From: happyladdieread . <happyladdieread2@gmail.com>
Sent: Tuesday, August 30, 2016 11:55 AM
To: Moore-Love, Karla
Subject: Fwd: Here is the speech

Good day to you, Ms. Moore-Love;

Here is the speech I intend to give tomorrow at City Hall

Despite what has been said on previous occasions in City Hall, we have a homelessness crises in the city of Portland. Too often we respond to this as if it were a problem caused by the homeless. Too often we respond only to the needs of business owners afraid of a loss of customers, of neighborhood groups concerned with a reduction of property values. For these reasons our solutions are too often focused on moving the problem around; of shuffling homeless persons to less and less visible places. So that the issue of homelessness might be forgotten. So that these people might be forgotten. Although this is an acute circumstance in Portland, our situation is; in a broader sense; a microcosm of the larger problem with our responses as a society, to the plight of those less advantaged.

Portland has a reputation for handling homelessness better than other places in this country, between our mild weather, our progressive, compassionate thinking and our embrace of individuality and individual needs; we are seen often as a sort of haven. We have every reason to be proud of this, but it also means that we have become, for many people, the end of the line. We are the city that other cities shuffle their homeless to. We are the place where those who have suffered the worst unkindness and indifference of this country escape these conditions. For this reason, it is even more important that we not become complacent. It is even more urgent here, than in other places, that we not continue to endlessly pass the buck. They we not continue to endlessly find delays and excuses to make this tomorrow's problem. Although we can do this, escape responsibility for finding solutions today, by giving to our successors a more dangerous and expensive version of the crises to manage; every time we do so, we make life harder than it has to be for real living people who must wait in institutional limbo.

We fail to respond effectively, again and again, because we see the homeless first as a category of people, or even an abstract "problem" rather than as individual citizens sharing the condition of homelessness. For this reason we invent only institutional solutions, like homeless shelters, group homes and; in our better moments; clinics and soup kitchens. We treat homelessness as something that must be treated with a universal approach. In doing so, we fail to see that the needs of any given homeless person differ as widely from the needs of any other homeless person as do the needs of any given citizen with a home from those of any other such citizen.

We must acknowledge that any person can face financial ruin. Any child can be born into a home full of fear and abuse, and thus seek to escape. We must acknowledge that many people who do not have a safe and reliable place to sleep are still very independent and capable, that THEY DO NOT NEED INSTITUTIONALIZATION. These people do not need to be moved to the industrial corners of our city to await, for three years, a better answer that may never come.

They need the same things anyone does. They need places to store their possessions where they will not be stolen. They need restroom facilities and places to bathe. They need places to wash their clothes and to throw away their trash. They need opportunities for gainful employment. They need the protection of their police and the support of their communities. Furthermore, they need these things in the parts of the city where they already live. They don't need to be moved around again while a state of emergency is extended indefinitely

so that we can exploit this problem for unrelated financial and political gain while ignoring, for another three years, the actual people and their actual needs.

I, myself, grew up in an institution which treated me only as a component of a larger abstraction. "The Fairview Home for the Feeble-minded and Criminally Insane". In the years since Fairview closed, I have achieved a largely independent life. I own a home and a car. I am an advocate and activist involved deeply in this community. I have held gainful employment and contributed to my community with organizations such as "Food Not Bombs" and "Oregon Care Works". I have achieved this, in large part, because I have received assistance for the needs I actually have as a person with Cerebral Palsy, instead of the needs it was assumed the "feeble-minded" would have as an abstract category.

It is time we, likewise, stop assuming we know what the category of "the homeless" need and that we can provide those needs exclusively with large scale institutions and shelters and instead look at how to deliver needed infrastructure, assistance and public services to those people who have no common qualities except a lack of a reliable home.

Laddie Reed.

7925 SE Woodstock Portland OR, 97206

happyLaddieread2@gmail.com

8/30/2016

Roughly minutes 24 seconds.

Parsons, Susan

To: Commissioners-testimony
Cc: Com testimony-staff
Subject: FW: Homeless solution = testimony Item 989

Susan Parsons
Assistant Council Clerk
City of Portland
susan.parsons@portlandoregon.gov
503.823.4085

-----Original Message-----

From: Tom Iden [mailto:tomiden@hotmail.com]
Sent: Monday, August 29, 2016 10:27 AM
To: Parsons, Susan <Susan.Parsons@portlandoregon.gov>
Subject: Homeless solution

Sent from my iPad ; Why not involve the churches? There are literally 100s of churches in the Portland area all with parking lots that sit vacant 6 days a week. Don't all faiths pretty much encourage some kind of compassion for the poor? And don't all church properties require some type of maintenance? And aren't all religions subsisting on a tax exempt status? Where is the trade off? I propose 10 percent of all church parking lots be designated for homeless relief in exchange for basic property maintenance. Not a big investment for the churches. A small 3 sided covering, a dumpster, and port a potties, perhaps an outside shower or whatever the church chose to provide in exchange for maintenance. Anything outside of the homeless enclave would be regarded as refuge and tossed in the dumpster. This proposal would distribute the homeless through out the area and distinguish between those who truly deserve help and those who choose the homeless lifestyle. It would also offer a personal ministry for those churches or organizations that are truly compassionate. I think the cost would be minimal and the rewards could be significant.

Parsons, Susan

From: Ken Cowdery <kenc@hbapdx.org>
Sent: Friday, August 26, 2016 10:49 AM
To: Council Clerk – Testimony
Subject: City Council Testimony
Attachments: Portland City Council.docx

Attached is testimony for the August 31qst City Council meeting. Thank you.

Ken Cowdery, Executive Director

The Home Builders Foundation

503-684-1880 ext. 7025

www.buildhopepdx.org

A HomeAid America Chapter

Portland Business Journal Top 100 Nonprofits

Oregon Ethics in Business Award Nominee

NAHB Association Excellence Award Winner (2015, 2016)



**HOME BUILDERS
FOUNDATION**

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HOME BUILDERS FOUNDATION

August 26, 2016

Portland City Council
City of Portland
1221 SW Fourth Ave.
Portland, OR 97204

Re: Development Fee Waivers for Homeless Shelter Construction

Mayor Hales and Commissioners:

The Home Builders Foundation builds and renovates shelters and transitional housing for those experiencing homelessness in the Portland metro area using donated labor and materials from the home building industry. We have built or expanded facilities that today provide shelter to over 500 individuals each year.

My understanding is that a proposal will come forward to you to waive development fees such as system development charges (SDC's) for shelter construction and renovation. We wholeheartedly support this proposal especially under the city's current homelessness state of emergency.

For example, we are currently renovating the Community of Hope shelter in St. Johns which is a shelter for women and their children. Development fees and what we believe are unnecessary building requirements total over \$40,000 for this project. For example, requirements include a neighborhood traffic study, widening a seldom used sidewalk by two feet, and planning trees on property that is currently full of trees. We do not suggest waiving code or health and safe building requirements, but rather those that are not necessary under a homelessness state of emergency.

By waiving development fees on shelters you will encourage shelter construction and renovation, allow shelters to save dollars that can be invested in case management, job training, and rental assistance, and expand bed capacity. We could expand capacity by two the three beds at the Community of Hope Shelter if they were not required to pay \$40,000. Since these beds typically turn over four or five times a year that's 15 more women and children who can have access to safe, dignified shelter to rebuild their lives.

Please consider the following. If an earthquake had hit Portland resulting in a state of emergency, would you impose development fees on emergency shelters?

Please support the waiver of development fees on shelters and transitional housing.

Sincerely,

A handwritten signature in black ink that reads "Ken Cowdery". The signature is written in a cursive, flowing style with a large initial 'K' and a long, sweeping underline.

Ken Cowdery, Executive Director
Home Builders Foundation
15555 SW Bangy Road
Lake Oswego, OR 97035
503-684-1880