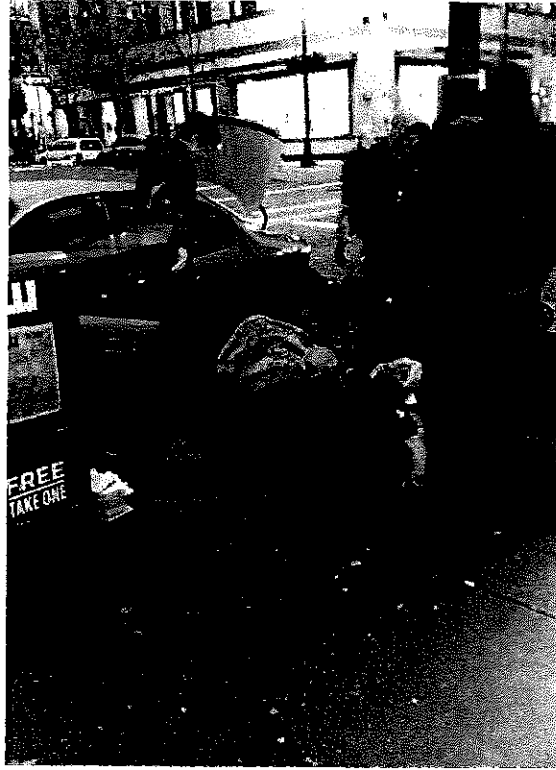


## HB 2963

Providing the opportunity for a  
community discussion about creative  
solutions to the management of  
sidewalk conflicts

Good afternoon, I am Lynnae Berg, The Executive Director of Downtown Clean & Safe and the Vice President of Downtown Services for The Portland Business Alliance. I am also a retired police officer who spent 28 years serving the Portland Community. I am testifying in support of HB 2963 which will provide the opportunity for a community discussion about creative solutions to the management of sidewalk conflicts.

# Resolving Conflicting Use of Sidewalks



Our goal with HB 2963 is to provide cities with additional tools in resolving conflicting use of public sidewalks by clarifying that it was not the intention of the legislature to preempt local jurisdictions from employing those tools when it enacted the disorderly conduct statute.

## Better tools needed



Because some courts have inferred that the legislature intended to preempt cities from employing local violations to manage sidewalks, we are left with sidewalk management tools that are so constrained in their application that they are essentially ineffective in resolving conflicting uses.

## No tools to address these issues



Disabled drivers – and all drivers for that matter – face the prospect of “running the gauntlet” to get to and from their cars. As we saw in the first slide, big groups and big dogs are just part of the issue.

# The Oregonian

## Guide dogs for blind people attacked in Portland

Tuesday, February 16, 2010

By Lynne Terry, The Oregonian The Oregonian

During his training as a guide dog, Ellery, a black Lab, was attacked this month in downtown Portland by another dog, apparently owned by a homeless youth. Guide dog trainers have run into an increasing number of aggressive street dogs in recent months. Crystal Lange was training a guide dog near Pioneer Courthouse Square in downtown Portland when her black Lab was attacked by a street dog.

The dogs that often accompany these groups create other kinds of problems as well, occasionally attacking guide dogs or other service animals, as was documented in the Oregonian in 2010. once attacked, most guide dogs can not be retrained – meaning an investment of thousands of dollars and hours of volunteer time is wasted. As recent as April of 2012 another guide dog was attacked.

# Damaging the Economy

“Some days I actually feel like it’s a war zone out there.”

“I have not been to any other city that had so much panhandling. It is annoying and intimidating.”

“What the heck is going on out there with the pan handlers in the Oregon Convention Center?”

“They could not stop talking about their first and strongest impression of Portland—panhandlers and homeless people.”

“Here were more panhandlers than she’d ever seen before, and they were much more aggressive and intimidating.”

“We’re all starting to talk about the possibilities of moving the office to a cleaner, safer location

The impact on the economy is significant. We hear from conventions that they will not return to Portland because their attendees had such a negative experience. Visitors to Portland regularly email to say that they loved the city – but would hesitate to return due to the downtown environment. Long-time downtown firms are struggling to stay because their employees don’t feel safe. Shop owners, who work tirelessly to compete with suburban locations with free parking and controlled environments, are losing customers who simply won’t tolerate the fear and intimidation of the downtown sidewalks.

## Different Opinions

- “I think it is constitutional”
- “I think the various provisions are very reasonable in light of what the City Council had to try to resolve, a major dispute between various kinds of interests, and that’s what politics is all about.
- It was the legislative branch taking the normal give and take from various parties, and fashioning an ordinance.

There are differing opinions about the city’s previous efforts to craft a compromise sidewalk ordinance. Although one judge inferred state preemption, another judge, Multnomah County Circuit Court Judge Terry G. Hannon found (*State of Oregon vs. Correy Gene Newman*, December 3, 2008) that the ordinance was not only constitutional but was a good example of balancing the needs of various sidewalk users.

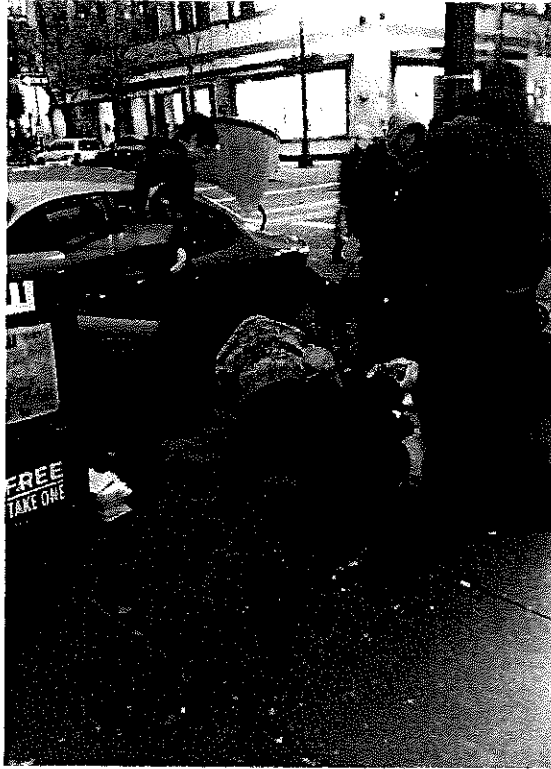
## Burden shouldn't be on those using the sidewalks for transportation



At the end of the day, the burden shouldn't be on those who are simply trying to use the sidewalks for their primary intended purpose – transportation – to enforce basic courtesy and decorum. But that's the effect of having the disorderly conduct statute preempting city ordinances.



## In search of a better way



We are asking for the opportunity to explore ways to address these conflicts that do not run counter to constitutionally protected rights of free speech and assembly and balance the needs of sidewalk uses. We think that there are ways to achieve that balance and with the passage of this measure, we will have the chance to explore them at the local level.

Melvin Mark  
111 SW Columbia St  
#1380  
Portland, OR 97201

March 29, 2013

Dear Elected Official:

I am writing to you this morning to ask that you support the legislation that will allow cities to have the ability to have a community discussion around crafting sidewalk management tools that are sufficient to the communities needs. We need the State's help. Cities need to be able to manage their sidewalks and craft a tool with stakeholders and community members to better manage their own sidewalks.

Please feel free to call or email me to discuss this important issue further.

Sincerely,

Peter Andrews  
Broker

My name is Chris Bebo and I am a Regional General Manager for Provenance Hotels. For the past 10 years I have managed hotels in Downtown Portland and at times, I have even called downtown Portland home. Like a lot of other workers and residents, I am increasingly concerned with the ever present problem of homelessness and the impact it has not only on those whose lives are directly affected by this condition but also on the residents, workers and visitors to this city whose daily lives and decisions are indirectly affected by this condition.

According to the most recent Point – in Time count of Homelessness, on any given night, nearly 3,000 people either sleep in emergency shelters or spend the night unsheltered in Portland and Multnomah County. We know of course, given the inherent difficulties of conducting such a count, that this number is likely higher. While the unprecedented economic challenges of recent years is a not too distant memory for most of us, increased housing costs, declining incomes and other factors continue to contribute to increases in the number of people who sadly call Portland's downtown city streets home.

My testimony here today, is in support of House Bill 2963. Passage of this bill will put the responsibility for enforcement back into the hands of those within the immediate and effected communities. This bill will make clear the original legislative intent not to preempt cities like Portland from working directly with stakeholders in their individual communities to identify, and apply fair and creative ways to manage sidewalks.

Every day I walk and work in Downtown Portland. I see first – hand the affects and consequences of homelessness. I am a part of a vibrant and active business community and I can state with certainty that we are very sympathetic to the issues of homelessness, poverty, mental illness and drug abuse; factors that are often precursors to sidewalk conflict. Increasingly, I am being asked by hotel guests whether or not Portland is a safe city in which to work, walk and travel. It is becoming harder and harder for me to answer "Yes" to this question. More than ever before, I am hearing stories from guests about increasingly aggressive encounters with people who seek to use our sidewalks, not for their intended purpose – transportation – but for purposes such as sleeping, camping and panhandling. These negative impressions help to support the growing sense among many out of town visitors to Portland that this once friendly, engaging and safe city is no longer such a safe and comfortable one in which to visit. In fact, many of the Homeless Service providers tell us that the begging and drug use associated with sitting and lying on the sidewalk hurt their efforts to move individuals out of poverty and destructive lifestyles.

Under the Multnomah County decision, the only tool available for managing these sidewalk confrontations is the state's disorderly conduct statute, a class B misdemeanor. This statute is not effective because it puts the burden on the pedestrian to not only report and enforce the rule but also prove intent. Simply put, this is not practical. Therefore, I urge you to pass HB 2963 and put the responsibility for enforcement back into the hands of those within the community as well as allow the many service and support agencies that focus on transitioning people out of poverty to more effectively do their jobs.

APIC Property Management, LLC  
KOIN CENTER  
222 SW Columbia Street, Suite 201  
Portland, OR 97201

April 1, 2013

Dear Elected Official:

Thank you for taking the time to hold a hearing on House Bill 2963 that would help cities better manage their sidewalks. I would be happy to take you on a walking tour of downtown Portland to see what happens when a city doesn't have the tools to properly manage and enforce simple ordinances governing common courtesy and decency. The sidewalks in the core are occupied by gangs of road travelers with their pit bulls harassing and panhandling the few courageous pedestrians that dare walk by them. Many of the high traffic corners and sidewalks are controlled by organized panhandling operations. They will stake out their turf, enforce it, and put a very downtrodden appearing person there to beg for money. The head of the group will make the rounds collecting the cash from the beggar and leave some food for the beggar to eat.

We as downtown supporters and business people fund homeless shelters, clinics, hire the homeless through Central City Concern to clean the streets and sidewalks to provide alternatives to their destructive lifestyle. Yet the tool we are missing to manage the sidewalks and bring livability and civility back to our downtown is found in House Bill 2963.

Thank you for your consideration.

Sincerely,

Ron Beltz  
Senior Vice President

# Transition Projects

My name is Doreen Binder and I am the Executive Director of Transition Projects – one of the largest agencies working on the issues of poverty and homelessness in the City of Portland.

The organization began in 1969 as a conduit for people living on the streets to begin to make changes in their lives. Seeing more than seven thousand people yearly over the past 44 years we have moved thousands of people from the streets into permanent housing – with more than 70% of those housed retaining safe residency for more than 12 months.

Though we are proud of our work we remain deeply concerned about public safety and the safety of the sidewalks. We know from our work on homelessness and sexual assault that homeless women have almost universally been subjected to sexual violence. Men suffer sexual assault as well at alarming rates.

Over the years our agency has worked diligently with the business community, the City and County as well as our service partners to make the critically needed changes to the city and county service structure.

Transition Projects partnered with the City of Portland, the Portland Business Alliance and other providers to develop a large day center in downtown Portland. Among other things we sought to give homeless persons a place where they could be safe and where they could connect to services that would help them end their homelessness. Our day center serves between 400 to 600 unique individual in a single day. It is consistently at capacity. Read another way – we have no more room. And it is at this time that we are once again challenged with budget cuts. Clearly we are moving in the wrong direction.

To exasperate matters there is a frightening mental health crisis on the streets in Portland. There are people on the streets who are desperately sick – suffering from psychoses and trauma. Unfortunately by allowing the homeless to remain on the streets – un-cared for and un-housed – they remain far too often subjected to theft, battery and violence of all kinds from unsavory persons who are preying on the vulnerable.

The police have become our mental health responder – something that no one really wants, and something for which they are not prepared. We are asking for the state to do more for the homeless, for those suffering with mental illness and substance abuse and to allow the police to focus on the violent offenders who prey on the most vulnerable while making the streets unsafe for all.

The key to the success is twofold – people must be ready for change – and as equally there must be a system in place to assist those who are the most vulnerable. And although the barriers confronting the homeless seem unmanageable we continue to work with the community to seek out solutions.

Transition Projects would like to be part of public safety conversation where we address mental health resources at the same time ensuring that the streets are safe for our clients, our visitors and our businesses.

**SALEM AREA**  
**CHAMBER OF**  
**COMMERCE**

**President**

John K. Miller  
*Courthouse Fitness*

**Chief Executive Officer**

Jason Brandt

**Executive Committee**

Ryan Allbritton

*U.S. Bank*

Bruce Anderson

*NW Natural*

Brent DeHart

*Northwestern Mutual*

Barbara Hacke Resch

*Morgan Stanley Wealth Management*

Jim Lewis

*Salem Association of Realtors*

Mark Shipman

*Saalfeld Griggs PC*

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John Pataccoli

*Redhawk Vineyard & Winery*

Greggery Peterson

*Broadway Café*

Selma Moon Pierce, DDS

Wendy Veliz Buck

*Portland General Electric*

Salem Area Chamber of Commerce  
1110 Commercial Street NE  
Salem, Oregon 97301  
503-581-1466; Fax 503-581-0972  
[salemchamber.org](http://salemchamber.org)

March 29, 2013

Oregon State Legislature  
House Judiciary Committee  
900 Court St. NE  
Salem, OR 97301

To Honorable Chair Bates and Members of the House Judiciary Committee:

The Salem Area Chamber of Commerce is in full support of House Bill 2963 appearing on your agenda this coming Tuesday, April 2.

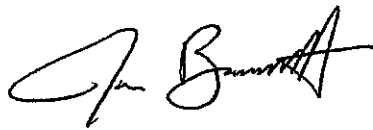
Local municipalities need the flexibility to make determinations as to how to effectively manage sidewalks for the betterment of their communities. House Bill 2963 clarifies that it was not the legislature's intent to preempt cities from working with stakeholders in local communities to find a balanced approach to sidewalk management.

Clarification by the Oregon Legislature to local municipalities regarding this matter would be greatly appreciated. We feel local solutions to issues such as this are the best option.

Empowering local communities with clarification and options for how they handle future sidewalk management issues will make a world of difference.

We thank you in advance for your consideration of this bill and please feel free to contact us regarding our position.

Sincerely,



Jason Brandt  
Chief Executive Officer  
Salem Area Chamber of Commerce  
503-581-1466 x304; [jason@salemchamber.org](mailto:jason@salemchamber.org)

March 29, 2013

Dear Elected Official:

I wanted to express my support for HB 2963. As a business owner, it is important that our communities have local control of their communities. When we have Federal or State enacted laws, they sometimes over reach what is in the public good, and for business. Each community is different and have different needs and solutions.

Regarding the sidewalk issue, the local jurisdictions should have control of how they manage their infrastructure, such as sidewalks. By not preempting the city rules, will provide the communities an opportunity to work with stakeholders to come up with plans that will address their current sidewalk conflicts. In Portland, we have increasing conflicts between those who use the sidewalks for transportation (their intended use) and those who are sleeping and camping. Because of the Multnomah County Court decision, the city has not effective tools to manage that use currently.

So, I support HB 2963 and urge you to have it brought to the floor for a vote.

Sincerely,

Steve Ferree  
Owner, Mr. Rooter Plumbing

Frazier Hunnicutt Financial  
1001 SW Fifth Avenue  
Suite 1450  
Portland, OR 97204

March 28, 2013

Dear Elected Official:

I'm writing to you as a downtown Portland small business owner. I would like to share with you my support for HB2963 and give you a few of my reasons why this would be helpful for our city and other cities in Oregon.

HB2963 clarifies that it wasn't the original intent of the legislature to preempt cities from working with their people to find a balanced and innovative way to manage their sidewalks. But, because of a Multnomah County Circuit Court decision, all cities were put in a tough place, giving them no effective tools to manage their own sidewalks.

The use of the sidewalks are for everyone, the purpose is to allow people to move about without conflict, and if there is no tool for authorities to deal with this it makes for an unpleasant experience for all.

Clarifying that city rules to manage these areas are not preempted by the state will provide us with the opportunity to work with the city and other stakeholders to design a carefully crafted but critical tool in addressing these sidewalk conflicts.

HB2963 won't force cities to make any changes, but will give those who have conflicts and issues the right to make the changes needed so that all can use the sidewalks safely. Our small business owners rely on foot traffic to survive.

Best regards,

Andrew Frazier  
Managing Partner



Norris & Stevens  
621 SW Morrison, Suite 800  
Portland, Oregon 97205

March 29, 2013

Dear Elected Official:

I am writing you this morning to let you know how important HB2963 is in giving Cities in Oregon the ability to implement rules that may affect them. In the case of the City of Portland we had a very effective sidewalk management ordinance that has been adopted by other cities in the country. That ordinance was thrown out based on the States Preemption rule.

I do not believe that was the intent of the legislature to take control away from local jurisdictions. All jurisdictions need the ability to manage situations as they develop.

I would ask for your support in passing HB2963.

Thank you,

David Hamilton  
Executive Vice President, Commercial Property Management  
Chair, Downtown Portland Clean & Safe District

Portland General Electric  
121 SW Salmon St, 1WTC1303  
Portland, OR 97204

April 1, 2013

Dear Elected Official:

Please consider this email my support of HB2963. I urge passing of the bill so that cities have the ability to have a community discussion and effective tools to manage use of sidewalks.

Thank you for your consideration,

Cindy A. Laurila  
Manager, Real Estate and Facilities

Rose City Self Storage & Wine Vaults  
111 SE Belmont Street  
Portland, OR 97214

March 13, 2013

Dear Elected Official:

I am the developer and owner of Rose City Self Storage & Wine Vaults at 111 SE Belmont Street on the Eastside just East of Water and the railroad tracks. We purchased the property and building in February of 2009 and subsequently invested \$4.5 million dollars in renovating and structurally upgrading the property. From the moment we began to analyze the purchase, we noticed what appeared to be a "lawless" society and encampment outside our building on both Belmont and Morrison Streets from Water to MLK Boulevard. We almost passed on the purchase because of the homeless situation, the filth, urine, needles, feces, debris, liquor bottles, etc., that had become the norm. But after meeting with city hall, police and health departments, we were convinced that there was a movement afoot to remedy the situation. As we entitiled and performed construction, we got to know city hall very well and we got to the know homeless community in our area. We learned that the police had no tools to work with and, from 2009 until now, have had to listen to our elected officials and our police force tell us that there is nothing they can do. At times, we have a few encampments. But most of the time and especially in Winter, we end up with hundreds of homeless folks semi-permanently living, urinating and defecating on our sidewalks, our entries, along the railroad tracks adjacent to our building, etc.

My employees are often accosted by the mentally ill living on the streets, they are yelled at and accused of things they didn't do, etc. It is a dangerous situation that nobody should have to live with in Portland. Almost daily we witness folks urinating, taking drugs, drinking alcohol, and defecating within eyesight of our tenants and my managers. The entrance along Belmont Street to our office often looks like a refugee camp. To point out the obvious, this is not good for business. We hear from prospective tenants and our tenants all the time that they do not like the homeless situation and that they may have to relocate to a safer and cleaner location.

From our vantage point, Portland's citizens and elected officials are simply avoiding the issue because there are no easy answers or quick fixes. Unfortunately, this is not how problems get solved. It is time for the city to give the police some authority to stop the encampments, stop the homeless from laying around or sitting all day on our streets and sidewalks, etc. It is time to create alternatives so that the police can provide street dwellers with legal options after they evict them and warn them. Perhaps the city needs to invest in a major campsite with many large overhead structures, toilets, and restroom facilities. Perhaps the city needs to deal with the mental illness by referring these folks to hospitals or clinics. Perhaps the city needs to fund these clinics. The problem is huge, but that is no reason to continue to do nothing of significance. Debating the situation at city hall or in the newspaper is interesting but far from a real solution.

The city needs to provide an outreach person to work with churches and organizations that continue to provide mattresses, clothing, and food that only helps to enable the homeless to stay on the streets and outside the system. Portland is quickly becoming a laughing stock to visitors who encounter a homeless situation that is so out of control. It is time that the community demand that:

1. It is unacceptable in a modern, thriving society and culture like Portland to have people sitting or lying on sidewalks and living in the public domain.
2. It is unacceptable from a health standpoint to allow such a large population of street dwellers relieve themselves on private property as well as in the public domain.
3. The current ordinance is so ineffective that it is a joke. The police will tell you themselves that they have no tools to work with.
4. Allowing folks to remain on the sidewalks and in encampments is illegal if only for the reason that it blocks ADA folks from being able to travel on the sidewalks. This is a clear violation of their rights.
5. Allowing groups of individuals to gather and camp on the sidewalks with all their belongings, animals, etc., and allowing these same people to relieve themselves, not in toilets, but wherever they can, creates an atmosphere of intimidation that is not and cannot be effectively addressed under the current scenario.
6. The police need more creative ways to effectively manage negative behaviour, encampments, mental illness, etc.
7. The current state of the sidewalks has a negative impact on the vitality of my business and the entire downtown area. It is a major deterrent for tourism and for those of us who wish to continue to help bring old, declined neighbourhoods back to a healthy state.
8. Our streets, sidewalks and private property are not toilets or places of haven for drug and alcohol abusers. Nor are they clinics for treating the mentally challenged.

In summary, it is simply appalling that the city has let this situation get so far out of control. It could bring the city to its knees as more and more homeless across the United States hear "head out to Portland.....they have hot meals, clothing, a bunch of overpasses to sleep under, and besides all that, the police don't bother you!" It is indeed time to wake up and start solving these problems.

I would be happy to attend meetings, speak or share our communal experiences, etc. Kindly let me know how we can help and thanks.

Thank you,

Rick McClish  
Developer & Owner

travel  
PORTLAND

1000 S.W. BROADWAY, STE. 2300 | PORTLAND, OR 97205 | 503.275.9750 TEL | TRAVELPORTLAND.COM

March 27, 2013

Representative Jeff Barker  
Chair, Judiciary Committee  
900 Court St. NE  
H-480  
Salem, OR 97301

Subject: HB2963

Dear Chair Barker-

I am writing to express Travel Portland's support for HB2963, which would clarify the legislature's intent to allow cities to regulate the use of sidewalks in their jurisdiction.

We hear constantly from meeting planners and visitors that they feel very uncomfortable with the aggressive panhandlers and groups of loiterers impeding our sidewalks with their backpacks, blankets, dogs and other paraphernalia. For meeting planners this is especially important, as they are considering whether to bring conferences with potentially thousands of attendees and millions of dollars in economic impact to our city.

The visitors industry contributes \$4 billion a year in direct spending to the Portland region, creating 30,000 jobs. Statewide visitors spend \$9 billion per year and create 93,700 jobs. As the state's largest traded-sector employer, the tourism and hospitality industry is a critical piece of our economy. Providing a safe and comfortable environment is extremely important to attracting those visitors, and having them both spread positive reviews of our region as well as return for future trips.

Portland had a viable sidewalk management ordinance several years ago, which was developed in partnership between the business community, legal system and homeless service providers. Unfortunately, when challenged, a Multnomah County Circuit Court decision ruled that state Disorderly Conduct statute preempts the local jurisdiction. But this statute is not effective because it puts the burden entirely on the pedestrian to both enforce the rule and prove intent. That's simply not practical in real world settings.

Our industry is sympathetic to the issues of homelessness, poverty, mental illness and substance abuse, and many of our businesses contribute to causes and services for this population. Many service providers tell us that the begging and drug use associated with sitting and lying on the sidewalk hurt their efforts to move individuals out of poverty and destructive lifestyles.

Clarifying that city rules to manage these areas are not preempted by the state will provide us the ability to work with the city and other stakeholders to design a carefully crafted but critical tool in addressing these sidewalk conflicts.

I urge you to move HB 2963 out of your committee with a do-pass recommendation.

Thank you for your attention to this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Miller". The signature is written in a cursive style with a large, stylized initial "J".

Jeff Miller

Dixie Tavern  
32 NW 3rd Ave  
Portland, OR 97209

March 8, 2013

Dear Elected Official:

I am a proud Owner-Operator of the Dixie Tavern in the entertainment district. Throughout the years, the downtown business community has been a strong partner in maintaining the vitality of our downtown; however, the lack of an effective sidewalk ordinance is threatening its vitality and affecting my ability to do business.

The City of Portland also has a strong and effective group of social service providers from Transition Projects, Inc and the Bud Clark Commons to Central City Concerns and New Avenues for youth. We have heard from these partners that a lack of an effective ordinance impacts their ability to assist individuals struggling with homelessness, mental health and addiction issues. Clearly, we have the resources for individuals seeking help, but not the engagement tool to get them there.

Since the city's previous, more effective ordinance was struck down, our downtown has become a magnet for individuals who are not interested in services but prey on homeless individuals and partake in illegal activity. Their behavior deters customers from my establishment and makes my employees feel unsafe coming in and out of their workplace. I strongly urge you to support HB 2963 and give our city the ability to better manage sidewalk behavior.

Sincerely,

Jeff Plew  
Owner

# 200

MARKET BUILDING

February 28, 2013

Dear Elected Official,

Over the years, the downtown business community has been a strong partner in maintaining the vitality of our downtown; however, the lack of an effective sidewalk ordinance is threatening its vitality, impacting businesses, and creates a negative atmosphere for tourists, employees and those trying to have a shopping or dining experience downtown.

As a property manager that has managed a building in the downtown core, I have experienced the groups of kids with their dogs in front of our restaurants, the homeless sleeping and urinating on the buildings, and the people begging for money on the sidewalks. It was a constant source of frustration for our security staff (and often a safety concern) as well as a negative aspect to leasing within the core of downtown.

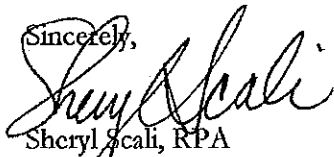
When I worked in the core I dreaded going past Pioneer Square with all of the kids lingering on the corners and so I eventually stopped shopping at my lunch hour and went to another location outside of Portland.

The City of Portland also has a strong and effective group of social service providers from Transition Projects, Inc. and the Bud Clark Commons to Central City Concern and New Avenues for Youth. We hear from these partners that a lack of an effective ordinance impacts their ability to assist individuals struggling with homelessness, mental health and addiction issues. Clearly, we have the resources for individuals seeking help, but not the engagement tool to get them there.

Since the city's previous, more effective ordinance was struck down, our downtown has become a magnet for individuals who are not interested in services but prey on homeless individuals and partake in illegal activity.

I strongly urge you to support HB 2963 and give our city the ability to better manage sidewalk behavior and thereby return our beautiful City to a safe and harassment free experience when walking down the street.

Sincerely,



Sheryl Scali, RPA  
Property Manager  
200 Market Building  
Cushman & Wakefield of Oregon



Good Afternoon Senators and Representatives

I am honored and grateful to be able to speak to you this afternoon. My name is Mark Schlesinger and I am a 4th generation Oregonian living in Portland. I am here to share my passion and love for the state and community I live in and speak to why I hope you will support HB 2963.

Over multiple generations our family has owned commercial real estate in Eugene, Salem & Portland. I have personally been active in our family's business for over 35 years. We take pride in the ownership of our real estate investments and give back to those communities. Over the past several years we have all experienced change. I am not naive to think that cities and communities are not without livability issues. But should not our citizens, should not our children be able to visit our downtown central city and walk without fear or being intimidated during the day or evening?

Because of a Multnomah County Circuit Court decision, cities currently have no effective tools to manage the use of their sidewalks. Conflicts are increasing between those who seek to use the sidewalks for their intended purpose and those who use the sidewalk for other purposes such as sleeping, camping and disorderly conduct. HB2963 will give our cities and communities the ability to work with stakeholders to find a balance and innovative ways to manage our sidewalks.

I am proud to call Portland my home and as I walk the streets downtown I am always happy to offer visitor assistance with directions or bend down and pick up garbage and dispose of it properly. It is difficult for our retail tenants in our properties to attract customers or our office space tenants to have their clients visit them if they have gauntlets of intimidating road warrior street thugs some with unlicensed and intimidating animals to circumvent in order to reach their desired destination.

As a member of the business community we are sympathetic to the issues of homelessness, poverty, mental illness and substance abuse that often times can be a factor contributing to sidewalk conflicts. We have provided financial support and advocacy for the efforts of programs and agencies such as Transition Projects, Central City Concern and Portland's Clean & Safe; these service agencies are exemplary examples of programs that focus on transitioning people out of poverty. They are successful programs for individuals that want to change their lives and start anew. Many of the service providers tell us that the begging and drug use associated with sitting and lying on the sidewalk hurt their efforts to move individuals out of poverty and destructive lifestyles.

Good citizens are the riches of a city. A vibrant and active downtown attracts new business and helps sustain existing ones. Successful businesses in turn contribute back to the city and community through taxes and fees that, in turn support the programs that help people in need and who want to work for a better life.

HB 2963 will not solve our city's issues but it will allow our cities and municipalities to work with stakeholders within its' own boundaries to carefully craft and guide ordinances that can assist in enabling them to become the vibrant, active and successful centers they have to potential to be.

Once again, thank you for allowing me this opportunity to share my perspective. I hope you will support HB 2963

Portland Store Fixtures  
110 SE Main St  
Portland, OR 97214

March 11, 2013

Dear Elected Official:

Over the years, the downtown business community has been a strong partner in maintaining the vitality of our downtown; however, the lack of an effective sidewalk ordinance is threatening its vitality and impacting my ability to do business.

The City of Portland also has a strong and effective group of social service providers from Transition Projects, Inc. and the Bud Clark Commons to Central City Concern and New Avenues for Youth. We hear from these partners that a lack of an effective ordinance impacts their ability to assist individuals struggling with homelessness, mental health and addiction issues. Clearly, we have the resources for individuals seeking help, but not the engagement tool to get them there.

Since the city's previous, more effective ordinance was struck down, our downtown has become a magnet for individuals who are not interested in services but prey on homeless individuals and partake in illegal activity. Their behavior deters customers from my store and makes my employees feel unsafe in their workplace. I strongly urge you to support HB 2963 and give our city the ability to better manage sidewalk behavior.

Signed,

Kat Schon  
Owner  
CEIC Board Member

TMT Development  
805 SW Broadway  
Suite #2020  
Portland, OR 97205

April 1, 2013

Dear Elected Official:

I am writing to you today to let you know that I support House Bill 2963. My company, which owns and manages 6.5 million square feet of real estate in Portland, including Fox Tower and many other buildings in the downtown core and I see on a daily basis that there are increasing conflicts between those who seek to use the sidewalks for their primary intended purpose – transportation – and those who use the sidewalk for other purposes such as sleeping and camping. Because of a Multnomah County Circuit Court decision, cities have no effective tools to manage the use of their sidewalks. House Bill 2963 clarifies that it was not the legislature's intention to preempt cities from working with stakeholders in their individual communities to find balanced and innovative ways to manage their sidewalks. Clarifying that city rules to manage these areas are not preempted by the state will provide us with the opportunity to work with the city and other stakeholders to design a carefully crafted but critical tool in addressing these sidewalk conflicts.

As a business owner in the downtown community, I urge you to support House Bill 2963 which will help facilitate a conversation of how to make downtown a safe and economically viable environment for businesses, employees and tourists.

Respectfully,

Vanessa Sturgeon  
President



The Joyce N. Furman Building  
 1220 SW Columbia Street  
 Portland, OR 97201  
 tel (503) 224-4339  
 fax (503) 224-3653  
 www.newavenues.org

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*Executive Director*

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*Ambassador Board Chair*

**The Honorable Jeff Barker, Chair  
 House Judiciary Committee  
 Salem, Oregon**

April 1, 2013

Dear Rep. Barker:

I have a unique perspective to share regarding the regulation of city sidewalks and the value of permitting the community to work together to develop a thoughtful and effective sidewalk management policy. First, as the Executive Director of New Avenues for Youth, a social service agency serving homeless youth in downtown Portland, I work directly with youth and young adults who live on or around the City streets. New Avenues also owns and operates two (profit driven) Ben & Jerry's ice cream retail shops as part of our youth job training program. Finally, in 2008, I sat on the Street Access for Everyone – SAFE Oversight Committee which helped manage Portland's former sidewalk ordinance. As you know, city sidewalks are shared by citizens with many different interests and needs. When these different needs are not balanced, unnecessary conflicts arise. That is why we already have numerous ordinances that help regulate the use of shared public space. I have seen firsthand how thoughtful and balanced management of our shared space can benefit all members of the community, including those that are most vulnerable or marginalized. It is because of this, I encourage you to pass HB2963 and give cities the flexibility they need to sensibly manage their space.

Sincerely,

Sean Suib  
 Executive Director  
 New Avenues for youth



*Tastes Good. Does Good.*  
 The New Avenues for Youth  
 Ben & Jerry's PartnerShop provides  
 job training and employment to  
 Portland's homeless and  
 at-risk youth.

*Providing A Path of Hope and Possibilities*

SINCE 1988

**CITIZENS  
CRIME  
COMMISSION**

200 SW Market St., Suite 150, Portland, Oregon 97201

Ph: 503-552-6773 • Fax: 503-323-9186 • www.pdxccc.org

Dear Elected Official,

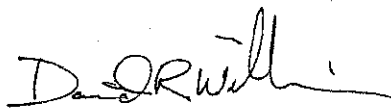
April 2, 2013

For two decades, Portland's Citizens Crime Commission has worked with businesses, citizens, government officials, criminal justice professionals and lawmakers to make our communities safer and more livable. As Chair of the Citizen Crime Commission and Past Chair of Portland's downtown business improvement district, Clean and Safe, I support House Bill 2963. This is an important bill that allows cities to problem solve local issues related to use of sidewalk space within their city, without having those efforts preempted by state laws. The ability to regulate the use of sidewalks directly impacts public safety, economic vitality and livability in a city, particularly a densely populated city such as Portland.

Although my civic involvement with the Crime Commission and Clean and Safe makes me acutely aware of our downtown public safety issues, I also have an office downtown and live downtown. I walk Portland's sidewalks every day and observe first hand the impact of the city's limited ability to adequately address all the issues relating to the public's use of sidewalks. Removing this limiting factor will enable Portland and other cities to craft local ordinances or administrative regulations controlling use of public spaces in their community.

I hope that you agree with me that the passage of HB2963 is an important part of our effort to have a more livable, safe, vibrant and prosperous downtown community.

Thank you for your support and attention to this very important issue.



Dave Williams  
Chair, Citizens Crime Commission  
Vice President Utility Services, NW Natural

