



OFFICE OF MAYOR
TED WHEELER

City of Portland

IN THE MATTER OF THE)
LOCAL EMERGENCY)
WITHIN THE CITY OF PORTLAND)
DECLARED ON MARCH 16, 2022)

Emergency Declaration to
Delegate Property Management
Authority

WHEREAS, the City of Portland has experienced a significant increase in its unsheltered houseless population, many of whom live in tents, make-shift structures, vehicles and other places on public property; and

WHEREAS, despite the City's progress in providing services and creating affordable housing, 2,037 people were counted as experiencing outdoor houselessness on a single night in 2019 which is the largest recorded figure in the City's history. The 2021 Point in Time Count was not conducted for safety reasons due to the COVID-19 pandemic. However, it is likely that the economic constraints of the pandemic have exacerbated the crisis; and

WHEREAS, experiencing houselessness living outdoors in unsanctioned camps can cause tremendous human suffering and the lack of accessible shelter in Portland threatens injury to persons or property; and

WHEREAS, the shortage of accessible outdoor shelter space requires a coordinated response beyond that which occurs routinely; and

WHEREAS, the City of Portland has been working to establish Safe Rest Villages to provide additional alternative low-barrier shelter locations for individuals in Portland experiencing houselessness and has identified sites for initial implementation; and

WHEREAS, there is an urgent humanitarian houselessness crisis that requires expedited implementation of all Safe Rest Villages; and

WHEREAS, consolidation of authority to procure land, goods and services and manage and oversee the Safe Rest Villages and existing alternative shelter sites will facilitate and expedite implementation; and

WHEREAS, Good Neighbor Agreements facilitate communication between the community and the Safe Rest Village shelter operator, the Safe Rest Village Team will engage with the community impacted by the siting of a Safe Rest Village and pursue a Good Neighbor Agreement with interested community groups that sets forth expectations, cooperation and processes for a Safe Rest Village between the community, the shelter operator, the Joint Office of Homeless Services, and the City and attempt to have an agreement in place within six months of opening a Safe Rest Village with a process for updating the agreement with any necessary revisions; and

WHEREAS, under Portland City Code Chapter 15.08, the Mayor has authority to centralize control and authority over bureaus, departments and other offices and vest power in the Mayor upon declaration of a State of Emergency; and

WHEREAS, pursuant to PCC 15.08.020, the Mayor is authorized to direct the coordination of the City's resources including its programs, property and personnel to work collaboratively under delegees of the Mayor; and

THEREFORE, pursuant to my authority under the Portland City Charter, City Code, and any other applicable law, I hereby Order as follows:

1. **State of Emergency.** A State of Emergency exists throughout the entire City of Portland under Portland City Code Section 15.04 to decrease human suffering and prevent loss of life and injury to unhoused Portlanders and to delegate authority over certain City-owned or leased property.
2. **Delegation of Authority.** Pursuant to the authority of PCC 15.08.020 during a State of Emergency, and notwithstanding the Mayor's Executive Order directing the assignment of City bureaus and departments to specific commissioners, the following properties owned or under consideration for lease by the City are assigned to the Mayor's authority, and delegated as set forth in Paragraph 4, for purposes of expediting the implementation of the Safe Rest Villages and maintaining and improving existing alternative shelters:
 - A. Existing Alternative Shelters:
 1. BIPOC Village - 84 NE Weidler
 2. Old Town Village - NW 6th & Glisan, R141463
 3. Queer Affinity Village - SE Water & Main, R673495
 4. Queer Affinity Village (relocation) - 2300 block SW Naito, R699858
 - B. Identified or proposed City-owned Safe Rest Village sites:
 1. Sears Armory - 2731 SW Multnomah Blvd.
 2. Sunderland North Yard - 9827 NE Sunderland Ave
 3. Former Kalbrenner site- 106th block SE Reedway - BES
 4. N Carey Blvd site, 6631 N Syracuse St., R227667, R227668, R227669, R227670, R227672, R227676

C. Privately owned sites for potential Safe Rest Village lease:

1. Menlo Park P&R, 122nd & E Burnside, R320136
2. NW Naito Pkwy, R508396

3. Except for the properties specified above as being assigned and consolidated under the direction of the Mayor for use as Safe Rest Villages and other alternative shelters, the bureaus and all other properties under their control remain assigned to the previously identified commissioners for all other administrative purposes pursuant to the Mayor's Executive Order dated December 30, 2020. For the Sears Armory property, the property will remain in use primarily for the purpose of providing emergency services.

4. **Mayor's Designee.** To effectively consolidate and coordinate the implementation of the Safe Rest Villages and alternative shelters on the properties identified in Paragraph 2, Commissioner Dan Ryan shall serve as the Mayor's designee. Each commissioner and bureau director shall cooperate and support the Mayor's designee in the consolidation and coordination of City resources and efforts. In addition to other priority tasks, the Mayor's designee will undertake to:

- Seek and apply for permits, as needed, to implement Safe Rest Villages and alternative shelters on the properties identified in Paragraph 2.
- Direct the City Procurement Office to execute and award emergency procurements under PCC 5.33.130 and 5.33.135 needed for Safe Rest Villages and alternative shelters on the properties identified in Paragraph 2. The Mayor further directs the City Procurement Office and Procurement Division staff to provide technical and administrative support in emergency procurements as directed or needed by Commissioner Ryan in support of the Safe Rest Villages project and alternative shelters.
- Enter into external leases needed for Safe Rest Villages and alternative shelters on the properties identified in Paragraph 2 without further council approval as a delegation of the authority provided in city code, due to insufficient viable options within City-owned real property locations that could accommodate Safe Rest Village needs. The Mayor directs the Office of Management and Finance Property Management team to provide technical and administrative support as directed or needed by Commissioner Ryan in support of the Safe Rest Villages project.
- Undertake other measures as may be necessary to implement Safe Rest Villages and alternative shelters on the properties identified in Paragraph 2, including waiver of City regulations as necessary, subject to City Charter, state and federal law, and applicable deed restrictions.

5. **Other Provisions.**

- a. In addition to any other power that may lawfully be exercised by local government, the powers listed in PCC 15.08.020.B are vested in the Mayor.
- b. For the duration of this emergency, unless otherwise specified by this Order or by the Mayor, the current bureau assignments to the members of the City Council shall remain in effect as delegated authority under PCC

15.08.020.A.

- c. This State of Emergency shall remain in effect through 5:00 p.m. on March 30, 2022, unless otherwise extended, modified, or terminated.
6. **Severability:** If any provision of the Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, or their application to any person or circumstance is held to be invalid, then the remainder of the duly exercised authority, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of the Declaration of Emergency, or any Emergency Orders, directives, commands, or other orders issued under the authority of the Declaration, are severable.

IT IS SO ORDERED:

**Dated this 16th day of March, 2022
City of Portland, Oregon**

By: 

Ted Wheeler, Mayor

APPROVED AS TO FORM:
Robert Taylor, City Attorney
For Portland, Oregon