



August 31, 2023

Andrew Schpak, Chair
Transition Projects, Inc
% Barran Liebman, LLP
601 SW 2nd Avenue, Suite 2300
Portland, Oregon 97204-3159

via email

Mr. Schpak:

This letter is in response to your Mr. DeMello's recent correspondence (emailed letter 8/8/23) to the coalition/group *neighbors4safesmartshelters (n4safe)*.

First, please note this letter is written with the intent to be instructive and constructive -- to illuminate to you, your board, and executives the serious public health and safety related issues at and surrounding the Oregon Harbor of Hope Navigation Center (HOH) overseen managerially and operationally by Transitions Project.

Words are not minced – it is far too late for that. The coalition members (1000 now and growing) would like to ensure you are apprised of the reality of the situation concerning HOH and Transition Projects because we are certain you would address the critical situation.

We cannot stress enough that the community feels strongly that the homeless crisis must be addressed, that homeless persons deserve safe and sound shelters that are well run with expert care and services – a place where homeless find refuge and are supported, not enabled, are met with complete intake assessments married to specific individual plans, monitored and enforced rules and regulations regarding their safety and that of the neighborhood, drug and alcohol treatment requirements, and verifiable metrics. All of this to demonstrate in word and deed the investment in them and expectations of their investments in themselves, in their lives, in their futures. Bybee Lakes is an example of such a successful model – with long-term and emergency shelters.

We bring this to your attention because we know if you knew what we will share with you about HOH, you would surely want to address it with a sense of urgency and action.

Second, please imagine if you or your loved ones lived where many of us live - in the same neighborhood and side by side with OHOH/Transition Projects shelter.

FACTS:

Your neighbors on all sides and across the street have been placed in harm's way as a direct result of the lack of operational and managerial oversight of HOH. ***Over the years, there have been witnesses to documented and reported illegal activities including harassments, assaults, car break-ins, and worse outside and around HOH - the area required to be kept clean, safe, and secure.*** Your neighbors have been in continual danger with little to no effort to adhere to the Good Neighbor Agreement (GNA) or the Master Lease.

The letter from DeMello is full of misinformation at best and outright disinformation at worst. There is an outright failure to include critically important parts of the GNA along with documented, photographed and lived experiences by neighbors – all provided many times to HOH/Transition Projects since the inception of the TEMPORARY shelter called Oregon Harbor of Hope Navigation Center.

Transitions' letter fails to address most of the major concerns expressed over the many months n4safe volunteers have been in communication with HOH and Transitions, the City, County, and Pearl District Neighborhood Association (PDNA).

The letter never mentions the signed GNA's required 1000-foot radius carefully drawn to ensure HOH and Transitions understands the area in which you have to care for the public's safety and public health as outlined in the GNA and the lease.

The responsibility includes keeping the area clean on a regular basis. Instead, what has been the norm – human feces on the ground or the sidewalk, needles left on the ground from the drug-addicted residents of HOH, and those attracted by and allowed to reside outside and around HOH, along with long delays in requests to the City and other entities to clear tents that are in direct violation of the Mayor's and the City's edicts with regard to Naito Parkway and the ADA city settlement agreement. These are just a few examples.

In addition, Transition's letter quotes, out of context, various other provisions of the GNA, coincidentally about which Transitions and OHOH are out of compliance.

GNA Provision "Use and promote direct, respectful, and civil communication through the communications protocol set out in the document."

FAILED... There has been virtually no communication with the "community". Attending a few PDNA meetings does not make Transitions in compliance. Moreover, there is no committee, as required, there are no ongoing communications --

neighbors do not even get a response to a myriad violations pointed out to HOH/Transitions on a regular basis – another violation of the GNA. In fact, the record shows, when presented with deficiencies and serious issues, Transitions Project has routinely been unresponsive. When responsive, neighbors are met with deflecting and failing to address deficiencies or take any action to adhere to the GNA, often citing, “It’s not our responsibility.” The letter Mr. DeMello authored resulted from a letter n4safe volunteers sent 60 days before.

The records reflect Transitions Project has been silent, in word and deed when presented with non-compliance of clearly laid out provisions of the GNA. Instead of “jointly and directly resolving problems as quickly as possible,” problems are left to fester for months at a time.

Your neighbors have had to resort to picking up trash, feces, needles, garbage, and more — most stemming from your facility. Your neighbors at Food Innovation Center and others have confirmed your lack of attention and ongoing violations. Your neighbors must resort to paying out of their pockets for **HOH/Transitions’ lack of adherence to public safety and security, and nuisance laws**, representing a negligence and outright disregard for the safety and security as required in the lease.

GNA Provision: “Jointly and directly resolve problems as quickly as possible.”

FAILED... There have been dozens of people responsible for the management at the big green tent since approval of the temporary facility. Not once have you or HOH reached out to the “community” or neighbors to tell them who is operating the facility. Another GNA provision of which you are violation. Please do not try to count a hastily organized event a few months before your lease runs-out.

GNA Provision: “Participate in collaborative problem-solving around issues that arise in the Good Neighbor Area - 1000 foot radius”

FAILED... The Transition Projects’ letter simply repeats the provisions of the GNA without outlining specific actions and remedies to be undertaken that would bring HOH/Transitions compliance. And, highlighting examples as possible solutions which have been repeatedly violated is futile, at best. It is, in fact, ignoring the serious nature of the situation. There has been no effort to collaborate with your neighbors – who are left to fend for themselves when threatened and harassed by residents coming and going from HOH. Your letter continues the fiction that you are not responsible for anything except some trash pick-up and operations inside the big green tent.

GNA Provision: “Promote guest and neighbor safety and livability”. 1000 foot radius.

FAILED... This represents the biggest area of concern - and Transitions continued misinterpretation.

The list under guest and neighbor safety and livability is not the exhaustive list of duties Transitions is mandated to perform. Since Transitions is tasked with promoting guest and neighbor safety - then the removal of tents is most certainly the number one priority. HOH has been the ongoing attractor of unsanctioned encampments, and all the ills associated with the presence and faulty management and operation of the temporary facility.

“Camping will not be allowed outside the facility, which is located within the downtown Clean and Safe District.”

This is what was “sold” by Homer Williams and others sold to the residents, the neighborhood, and the city. It is clear from the Transitions’ letter that not only have you reneged, but you have **ignored this commitment to the community**, The City Government, and others.

The GNA has not been taken seriously, has not been adhered to, has not been made a priority, and has not been monitored, tracked, or enforced. As a result, your neighbor’s personal safety has been severely compromised and negatively affected by a failure to live up to the GNA and specific provisions in the signed lease agreement.

Despite the statements made in the letter, there is no verifiable evidence of any specific programs you provide on site nor any metrics of any kind have ever been shared (requests by N4S and PDNA have been made). In addition, Transitions’ letter does not mention provisions and requirements of the lease.

GNA Provision: “Foster positive relationships with neighbors.”

FAILED... Transitions has done nothing to facilitate or foster those relationships. The city promotes and promises GNA’s are the solution to all problems surrounding temporary homeless facilities and neighborhoods. You and we know that is the farthest thing from reality as five years in various neighborhoods has demonstrated and proven.

What are you doing now to foster positive relationships? **Transitions’ letter, in fact, only serves to further drive a wedge between the operators of the facility, HOH and the neighborhood.** As your neighbors - McCormick Pier residents, Waterfront Pearl residents, Food Innovation Center tenants and employees, others in the area can attest to the ongoing serious issues connected to and caused by HOH failures.

Many of our members are also members of PDNA. They cannot remember a report, information, or any sharing of new staff, or managerial and operational improvements at any PDNA meeting. It’s also curious that you admit that in 2023 when

you joined a PDNA committee - **when Transition Projects knew the lease was coming to an end in 2023, Transition Projects decided to join a committee and host a BBQ.** By the way - none of our almost 1000 members knew anything about the BBQ - and most of us live across the street, next door, or just down the street.

GNA Provision: OHOH and Transition Projects are to “enhance neighborhood safety and establish intended security in and around the facility.”

FAILED... There is no 24/7 security, you have damaged not enhanced neighbor security and safety and there are no plans shared in the letter or otherwise about how that will improve or even minimally be enforced.

DeMello’s letter was the weakest possible defense of your inaction, wide swaths of GNA non-compliance, repeated GNA provisions posed as solutions, failed attempts to provide “evidence of compliance” and most of all deflection and finger pointing. Even groups who are signatories to the GNA have given-up. Stan Penkin, President of PDNA remarked the GNA is worthless.

n4safe volunteers were told that in the summer of 2023 Transitions “placed a cigarette butt can by the door of the big green tent”. As you can appreciate, this action was a distorted and less than half-hearted attempt at adhering to the “clean up provision” of the GNA. In fact, there is NO smoking allowed in the big green tent or on ANY of the surrounding property according to the lease. We think you would agree that in the main, leadership on all fronts continues to be lacking.

Other Lease Provisions:

In addition to the GNA - Transition Project is in continual violation of the master lease with Prosper Portland. Below are requirements that n4s is requesting that have not been received – ever.

Please forward all the documents required in this master lease of public (taxpayer owned) property. N4safe requests:

- The Security Plan and proof of implementation.
 - Photos of the required signage (not signs erected after this request).
 - Proof of routine patrols (documents with routine patrols confirmed or monitored) and name of person conducting patrols.
 - A copy of the rules in (d) and the operating plan required in (e). See below.
 - “24 hour security” plan as promised in the Fact Sheet document.
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- Security Plan. The Sublease will require that OHOH assume responsibility to develop, implement and communicate Perimeter Security and Operating Plans with respect to the Navigation Center (the “Security Plans”), including, at a minimum:
 - (a) A six-foot (6’) minimum fence shall be built and maintained around the Navigation Center (consistent with Exhibit B) that includes signage/no-

tices against trespass.

- (b) The fenced area shall be patrolled routinely.
- (c) Unacceptable behaviors will be addressed through written property rules of conduct and ejection protocol. Lessee shall require establishment of a personal property disposition policy to address lost/found, unclaimed or discarded personal property. A personal property disposition policy should address how to document property discovery, how to inventory and store property, how potential owners may reclaim property, how to resolve personal property rights and how to dispose of property.
- (d) Lessee shall require promulgation of rules and regulations to address disruptive/dangerous behaviors.
- (e) Lessee shall require the drafting of an operating plan for the Navigation Center.

FAILED... Compliance with the Security Plans is a material obligation under the Lease.

Here is what OHOH promised Prosper Portland, the City and the community in order to gain approval of the Navigation Center:

“The Navigation Center will include a community garden, and be protected by a landscaped, cyclone fence to assure safety for the guests and the neighborhood. Security will be 24 hours a day both inside the facility and outside the fence in the immediate neighborhood.”

FAILED... There is no security. Not for 24 hours a day, not for 8 hours a day, not for 1 hour per day – a major and serious public safety and security violation of the lease and GNA.

In addition, as stated in the master lease and the sublease related to all the safety and security provisions, the sentence below is proof of your responsibility within the 1000 foot GNA radius to remove or have removed tents (*without pointing fingers, blaming another entity or deflecting your obligations under the lease*):

Lessee will keep the sidewalks and or right of way surrounding the Property and all access paths on the Property clear of obstruction, ice and snow.

Not certain obstructions, but ALL obstructions.

In closing – these are the promises outlined in Harbor of Hope’s “**Fact Sheet**” used to secure an agreement with the City and the community for the **Temporary Facility**:

*“Oregon Harbor of Hope is and will continue to engage the local neighborhood to ensure the **facility becomes an asset to the community. Safety, security, and public acceptance are of paramount importance to ensure the Navigation Center is successful.**”*

FAILED...By your own standard - the Oregon Harbor of Hope Navigation Center is an abject failure. It’s plain to see that no one at OHOH or Transition Projects intended to live-up to, enact or adhere to the critical provisions in the master lease or GNA. It doesn’t appear there was a concerted effort to consider this commitment for the greater good and for the public record. The community has endured almost 5 years of documented and photographed lived experiences shared with HOH to know this is true

*“Until we see policy change this area will never really go back to normal. We can help/ move them but then others will take their place in days. **Big reason is they want to stay near that homeless shelter (Harbor of Hope) I doubt that shelter cares about the surrounding problems.**”*

-Portland Oregon Expert on Homelessness, Kevin Dahlgren, 2022

In accordance with the above, N4S requests that HOH immediately communicate a specific plan to address the multitude of violations and deficiencies, send n4s copies of all documents required in the Master Lease, and specific plans to maintain a clean, encampment free, safe and secure property including 24/7 security of the 1000 foot buffer zone.

Sincerely

-The Volunteers at n4safe

Michael Galizio

Joan Neice

Michael Galizio - *volunteer*

Dr. Joan Neice - *volunteer*

Copies to: City and County Government officials

Tony Bernal, *Interim Executive Director*

RJDeMello, *Senior Communications*

Homer Williams, *OHOH Chair*

OHOH Board/Transitions Project Board

Oregon Media

Ross Day, Attorney

n4safe: *An all volunteer coalition opposed to the proposed SRV on NW Naito including people from McCormick Pier, The Yards, Alber’s Mill, Encore, WFP, and other residents, homeowners and small and large businesses in NW Portland/Pearl/River District area*