



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **27th DAY OF MARCH, 2019** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Fish, Fritz and Hardesty, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney; and John Paolazzi and Ryan Hintz, Sergeants at Arms.

COMMUNICATIONS		
264	Request of Marina Pogorelov to address Council regarding advocating for the homeless (Communication)	PLACED ON FILE
265	Request of Letha Winston to address Council regarding Police Bureau being accountable for their actions and the use of body cameras (Communication)	PLACED ON FILE
266	Request of Brooke Kavanagh to address Council regarding Zenith's expansion of fossil fuel infrastructure and increase in trains carrying crude oil (Communication)	PLACED ON FILE
267	Request of Julia Jefferson to address Council regarding having voice heard on the matter at hand (Communication)	PLACED ON FILE
268	Request of Sandra Shotwell to address Council regarding Historic Resource draft proposal (Communication)	PLACED ON FILE
REGULAR AGENDA		
Mayor Ted Wheeler		
Bureau of Planning & Sustainability		
*269	Accept donation of goods and services and authorize a Memorandum of Understanding with Go Lloyd for the improvement of public solid waste and recycling collection (Ordinance) 15 minutes requested (Y-4)	189436
Office of Management and Finance		
*270	Authorize contract with Just Bucket Excavating, Inc. for Springwater Corridor Bridge #48 Replacement for \$1,169,669 (Ordinance - Bid No. 00001123) 10 minutes requested (Y-4)	189437

<p style="text-align: center;">Commissioner Nick Fish</p> <p style="text-align: center;">Bureau of Environmental Services</p> <p>271 Authorize a contract with the lowest responsible bidder for the construction of the NE Broadway & 94th Pump Station Upgrade Project No. E10783 for an estimated construction cost of \$1.2 million (Second Reading Agenda 258) (Y-4)</p>	<p>189438</p>
<p style="text-align: center;">Parks & Recreation</p> <p>*272 Approve the designation of twelve trees as City of Portland Heritage Trees and remove the Heritage Tree designation from two trees (Ordinance) 15 minutes requested Motion to add emergency clause because it is in the public interest to protect the trees as quickly as possible: Moved by Fritz and seconded by Fish. (Y-4) (Y-4)</p>	<p>189439 AS AMENDED</p>

At 10:53 a.m., Council recessed.

<p><u>WEDNESDAY, 2:00 PM, MARCH 27, 2019</u></p> <p>DUE TO LACK OF AGENDA THERE WAS NO WEDNESDAY 2:00 PM MEETING</p>	
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March 27-28, 2019

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **28th DAY OF MARCH, 2019** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Fish and Fritz, 3.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Senior Deputy City Attorney; and Dorothy Elmore and Ryan Hintz, Sergeants at Arms.

<u>THURSDAY, 2:00 PM, MARCH 28, 2019</u>		
THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Fish and Fritz, 3.		
273	TIME CERTAIN: 2:00 PM – Proclaim March 31 st to be Transgender Day of Visibility (Proclamation introduced by Mayor Wheeler) 1.5 hours requested	PLACED ON FILE

At 3:04 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland



By Karla Moore-Love
Clerk of the Council

For a discussion of agenda items, please consult the following Closed Caption File.

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Key: *** means unidentified speaker.**

March 27, 2019 9:30 AM

Wheeler: I'm informally gaveling today. Good morning and thank you all for being here a little bit early this morning. I want to particularly thank my colleagues for their accommodation. This morning we have a pre-gavel presentation and proclamation to encourage all Portlanders to observe and join in the observance of Cesar Chavez Community Service Day in Portland. Today we have with us Marvin Peña from the VOZ Worker Education Project, and my Senior Policy Advisor, Andrea Valderrama to present. We'll follow their presentation with remarks from the Council and we'll read a proclamation, which we have in honor of this important day. And if people would like, we have an opportunity for a photo before we gavel in for today's meeting. So, thank you, everyone, for being here, and I'll turn it over to Marvin and Andrea. Good morning.

Marvin Peña: Good Morning, thank you for having me here

Wheeler: I'm sorry, there you go

Peña: So, I will start all over again. Thank you for having me here. It's an honor to be here presenting and talking about VOZ and Cesar Chavez. I wanted to connect Cesar Chavez's work with VOZ work, and basically one of the main reasons that we advocate for workers and immigrant workers is basically what Cesar Chavez did, dignify human beings. It's all about fair wages, fair treatment, and basically that's what he believed in. And that's all the work he did and the nonviolent -- were all about dignifying people. Basically, that's the reason why we existed as an organization, VOZ is a nonprofit advocate for immigrant workers and workers' rights in general, Cesar Chavez did in his time. What we try to do is connect these workers with employers, most of them homeowners, and -- but also make sure that they get paid -- they get paid fairly, according to the job they do. Because sadly, a lot of them, they don't get paid, they are taken advantage of, and that's something really sad to us, and as an organization we advocate for them. And we try to intercede in these situations to make it right and make sure that they get the treatment they deserve. Not just that, but also, we try to empower day laborers, the same way, again, Cesar Chavez did is empowering day laborers, and teaching them skills, leadership skills, and also training and manual labor skills like carpentry and things like that. So, it's all about giving them the power to decide what they want to do, and we try to, with the help of the community, try to empower them that way. That way they can keep moving forward in their life. So, that's something that I wanted to point out, and especially observing this day of Cesar Chavez, it's something that comes to the top of the community and the city, we have all these population of migrant workers everywhere, and we need to acknowledge they are there and we need to acknowledge they deserve to be treated fairly, and with decency and dignity. So that's what we're striving here for and try to accomplish that. One of the reasons we're here is to get the community involved as much as possible, and let them know that there's a way, and we're a unique organization in Portland, and probably in Oregon that advocates for all this population underserved and mistreated in many ways. If you have any questions, comments, please let me know. But I really am happy to be here and have this opportunity.

Wheeler: Thank you, Commissioner Hardesty.

Hardesty: Thank you so Is wage theft still a big issue in the Portland metropolitan area?

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Peña: It is. Two days ago, we had a couple of workers who did a job for three days straight and the person who hired them didn't pay. And we're talking about \$500 or something like that, which is -- might not be like a lot, but it a lot to them. They just count on every dollar to live by day, some of them live in shelters and things like that. So, this is a big issue, and fortunately we partnered with OLC, Oregon Law Center, to have a wage theft clinic, and going there regularly to discuss this case and try to recover these wages. Because sadly it's something that happens often.

Hardesty: What is the remedy for workers who have not received the appropriate pay?

Peña: Right now, we don't have any other solution other than [inaudible] for them and try to recover that from the employer. So, what we do now, partnering with OLC, try to create systems in place that we can recover that and just prosecute this person who didn't pay. But right now, we don't have an emergency fund or anything like that to pay them, and then we get the money, we have none of that. Sadly, they stay without the pay for three days, I don't know, a week or more, depending on the case.

Hardesty: I'm just curious, doesn't Oregon law require BOLI to investigate cases of wage theft?

Wheeler: That's the appropriate agency. I'm not sure what the requirement is.

Karen Moynahan, Chief Deputy City Attorney: I believe so, Commissioner, yes.

Wheeler: Is that from legal counsel?

Hardesty: So, legal counsel says BOLI, state law says they're the organization that is supposed to investigate wage theft. So, if you are not getting assistance with the state elected leader that is supposed to protect wages, then you should come and talk to my office and I'm sure we would be happy to do what we could to assist you.

Peña: Thank you for that. I'll be happy to.

Hardesty: Thank you.

Wheeler: Commissioner Fritz.

Fritz: If somebody watching on television wants to support the work, you're doing with VOZ, how would they get in touch with you to donate?

Peña: Basically, you can go to our website, there is a donation link, and you can donate as much as or as little as you want, and also you can become what we call a Vozista which is a recurring donor. And even \$5 every month makes a huge difference for us, because we live off donations and we don't get any commission or fee for the work they do, the money they earn goes straight to them. We just facilitate and in some way advocate and protect their rights the best way we can with the capacity we have.

Fritz: Is that VOZ.com?

Peña: It will be PortlandVOZ.org.

Wheeler: Thank you. Good morning.

Andrea Valderrama, Mayor's Office: Good morning. Mayor and members of council, thanks for having me here today. My name is Andrea Valderrama, I am Senior Policy Advisor in the Mayor's office and Vice Chair on the David Douglas school board. And I brought my boss with me since she's on spring break, this is little inaudible. I'm a first generation Peruvian American. My family came to the states after Sendero Luminoso's attempted violent coup in Peru. And when they arrived in the states, they were day laborers. My mom worked odd hours at a hospital and so I went to clean houses with my aunt and my grandparents. So, whenever I had spring break or in-service days, I didn't spend them at camps or at a friend's house, I spent them cleaning houses and commercial buildings in San Francisco we lived in Oakland at the time. I've been working for almost six years, and I still remember my very first day in city hall. I remember the nerves, the excitement, and what I remember most was how much my new office reminded me of the ones that I used to clean in San Francisco. Except no longer was I cleaning the cubicles and the desks, I was working in them in a different way. It took years for the imposter

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syndrome to dissipate, years of policy change, coalition building, research allocation to outer East Portland initiatives, to VOZ workers' rights education project, and it didn't help that I was one of the few people of color and Peruvians in the building. I don't think there are probably any other Peruvians here right now, but that's okay, I am used to it. One of few women, one of a few who live in outer east Portland passed 205. When we cleaned the offices, I remembered that we would have to work as quickly as possible so that we would avoid engagement with the other people who were there. And today, instead of my daughter watching me work quietly so as not to be seen, she gets to see me testifying in front of you, making slow but steady institutional change, and she gets to feel like this city hall, this building represents her because there are people here who look and talk like her in leadership. And that's the power of workers' rights advocacy, that's the power of economic justice and today we celebrate the achievements, of Cesar Chavez and the agricultural worker movement, but I would be completely remiss if I did not pay tribute to one of the most inspiring women in my life, and a key leader in this work, Dolores Huerta. The movement would be nothing without her. And we cannot and must not forget her or other women of color who were at the forefront of this fight, if it were up to me, I would change the name to include her name in the title because that's how much she has meant to me in my life. Si Se Puede, the term coined by Dolores Huerta has been everything from a powerful rally cry to a personal mantra to me. It's what I told myself when I first walked into this building, Si Se Puede. It's what I told myself as the first person of color appointed to the David Douglas school board. And it's what I told myself when I was the only person of color to graduate from my master's program. Dolores Huerta paved the way for women like me to believe, yes, it can be done. So, the celebration of this proclamation is so exciting today to mark this day, Cesar Chavez Day, and the work and the movement that went into advocacy for workers' rights. For communities like mine, and I am looking forward to continuing to see the next step, the policy and the programmatic changes that come after it, policies like prevention of wage theft, pay equity, driver's licenses for all like we are seeing at the state, licencias para todos, are the next step and I am really excited to continue those conversations with you all and looking forward to seeing other Latinx community members participate and [inaudible] in this really exciting opportunity, so thank you so much for your leadership.

Wheeler: Thank you, Andrea. We are proud to have you work in our office and be an important contributor to what goes on here in city hall, and we love watching your daughter grow.

Fritz: Colleagues, let's all remember when we are honoring people, to think about who all we need to honor. I appreciate you reminding us. Remember we had Oliver Lent Day and Oliver Lent's son day and since there was a son, I was pretty sure there was a Mrs. Lent at some point or at least the mother of young Lent. So, we need to be remembering that too often the women who have been involved have not been honored, thank you for bringing that up.

Wheeler: That's true, thank you. Colleagues, any further comments before I read the proclamation? Commissioner Hardesty?

Hardesty: No

Wheeler: Very good. All right. So as is tradition here at Portland City Council, we have a proclamation that I have the honor as Mayor to read on behalf of the entire City Council and it is an embodiment of our shared values and resolve. Whereas, Oregon has one of the largest farm worker populations in the nation. And whereas, Oregon's agribusiness employs up to 86,389 year-around, seasonal and migrant farm workers who are key partners for the safety, security, and sustainability of our agriculture of, and whereas, Oregon's farm workers labor contributes more than 4 billion annually to the state's economy. And whereas, Cesar Chavez's dedication to non-violent organization for just

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wages, safe labor conditions, and dignity for the women, men, and children who toil in the fields, moved him to lead a struggle that included advocacy, public fasting, boycotts, labor strikes, and other peaceful actions, and whereas, the life and service of Cesar Chavez inspires us all on and off the farm, young and old, all who seek progress and justice by peaceful means, and whereas, in the current economic times we face, the need for a safe, secure, and just food system is more important than ever before, now, therefore, I, Ted Wheeler, Mayor of the City of Portland, Oregon, the "City of Roses," do hereby proclaim March 31, 2019 to be -- Cesar E. Chavez Community Service Day in Portland, and encourage all residents to observe this day. Thank you. [applause]

Hardesty: Mayor

Wheeler: Commissioner Hardesty?

Hardesty: Thank you. Mayor, I was remiss in not thanking a group of folks who helped us to make this happen today.

Wheeler: Please, yeah, of course

Hardesty: If it would be okay?

Wheeler: Of course.

Hardesty: I want to thank Reyna Lopez who's the Executive Director of PCUN [Pinos y Campesinos Unidos del Noreste] for her work in helping us with the proclamation. I want to thank Matt McNally from my office, who stepped up to help make this program happen. And, of course, Andrea from your office who also was instrumental in making this happen. And thank you for coming out and just recognizing that we still have a lot of work to do, but we are moving forward.

Wheeler: Lot of work to do. Andrea and Marvin, could we get a photo, and anybody else who would like to participate up front? And, of course, your daughter has to be in it. She's adorable.

Wheeler: All right, good morning, everybody. This is the Portland City Council session for Wednesday morning, March 27, 2019, Karla, please call the roll.

Fritz: Here. **Fish:** Here. **Hardesty:** Here.

Wheeler: Here. Before we begin, we will ask the City Attorney to read the rules of decorum. Good morning.

Karen Moynahan, Chief Deputy City Attorney: Good morning, Mayor. Welcome to the Portland City Council. The City Council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during the City Council meetings so everyone can feel welcomed, comfortable, respected and safe. To participate in the council meetings, you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony and resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. If it does not you may be ruled out of order. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on, when your time is done, a red light goes on. If you are in the audience and would like to show your support for something said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a thumb's down. Please remain seated in City Council chambers unless entering or exiting. If you are filming the proceedings, please do not use bright lights or disrupt the meeting. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected, a person who fails to leave the meeting is subject to arrest for

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trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Very good, first up is communications. Karla, if you could please call the first item.

Item 264

Wheeler: Is Marina here today? I do not see her yet. The next individual, please.

Item 265

Letha Winston: Good morning, I am Letha Winston and I am *Patrick Tyrone Kimmons'* mother. I am here today because my son was murdered September 30 of 2018 by Jeffrey Livingston and a Sergeant Britt. I started a petition September, right after my son was murdered for body cameras. I watched on the news that you and your co-workers was looking into the body cameras, and honestly, I feel like if you are going to put them on the officers, they do not need to be tampered with. They need to be running the whole time that they are on duty. No stopping. No pausing, just straight through. Need to be very clear that we see our loved ones when things are happening. On September 30 of 2018, I feel like nothing that night should have happened. But my son was shot down like a -- like he was just a horrible child. It was no need for the Portland Police to kill my son and shoot him nine times. If it was a threat when he was running towards them, they should have shot him at that point. He was no longer a threat to your officers when he turned his back. Not only that, I am not sure if you really dug into the 400 pages or not, but he was shot when his hands was up. Me and my family watched the video, the video has been edited. Family and friends watched the video, and I was the first one to be able to watch the video before it was released to the press. DA. Todd [Todd Jackson, District Attorney] was sitting in there with us, and we asked him questions of the video being played. He agreed to all questions. When the police asked my son to put his hands up before anything, he turned around his hands was up like this. The whole time that he was running, his hands was up. Now on the video that's released to the press, you don't see my son's hands up. But in the documentation of the 400 pages, it states three or four bullets that entered Patrick Kimmons' body was entered while his hands was raised. I am asking as a parent that has to watch a video of her son being shot nine times in the back -- is enough to knock Multnomah County Courthouse down. I am not sure if you ever lost one, but seeing that video doesn't mean that my son was a threat to them. There is other ways that they could have dealt with my son. My son is paralyzed in two of his left toes. If you watch the video closely, he wasn't even running fast. He was running with a limp. I just want justice. I don't feel like this man should be on the force. You know, I don't feel -- I feel like your officers are shooting to kill. And they just need to be retrained that they need to be retrained.

Wheeler: Thank you. Appreciate you coming in. Next individual, please.

Item 266.

Brooke Kavanagh: She contacted us and is not able to make it.

Wheeler: Next individual, please.

Item 267

Wheeler: Good morning.

Julia Jefferson: Good morning. How much time am I given?

Wheeler: Three minutes.

Jefferson: I will make it quick.

Wheeler: Thank you.

Jefferson: You are sending a very inhumane message to the very officers who have little to no regard for human life. To allow a hate field, at the very least, to demand money for the disgracement that he brought to your department sends a horrible message to those who have sworn to protect and serve, is unacceptable. Would you reward a child with acting out in the worst way with candy? It is not enough to stress every day as a black

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person who was blessed first of all to see another day. And worry if you, too, will be the -- will be targeted by a system of people who deem them as less than human. Imagine being blessed to see another day of life because our creator has blessed us to do so, and then not be accosted by an officer just walking. That's another thing that really needs to be changed. If I am just walking down the street, what right does an officer have to pull me over and ask me for i.d.? I could ask him the same. More so, imagine due to the color of my skin I am targeted on a daily basis. Could you imagine I have often asked the question, what if many who felt -- I am going to skip that part. I wish that there was a way that I could literally give you my shoes. I really do. I would give them to you for one week, and I would be willing to bet that you could not handle it. You would never make it. We ask that the killing stops, especially of young black men, black men and black people in general. A lot of them are wrongfully being targeted because of the color of their skin. For the life of me I can't figure out why it happens. Is it the officer's fear of the unknown? Why would you murder a man? Everybody in here knows if you watch even part the media or see it yourself, you know it's happening. If your children are loved ones, were being accosted on a daily basis for absolutely no reason, whatsoever, if your child was labeled as a menace to society because of the color of their skin, more specifically in the educational system, rather than a teacher take the time out to get to know and understand the child, they just assume that they need medication. That's for those who don't give a damn about our children. We are sick and tired of our brothers; our loved ones being murdered. I, too, watched that video. After reading the yearly report, the person who conducted the autopsy even asked the officers, why the excessive shooting. This young man had bullets even in his behind, yet he was a threat. If you watch the video in its entirety it would clearly show that he was never a threat. It's a damn shame when you allow officers to continue to kill us for no reason. It's got to stop. It's got to stop. Is my time up?

Wheeler: Thank you. Next individual, please.

Item 268.

Wheeler: Good Morning

Sandra Shotwell: Good Morning

Wheeler: name for the record.

Shotwell: I am Sandra Shotwell, and I am here to talk to you about an issue much less important, but oddly, indirectly related, which has to do with housing and designation of historic districts and various, and in that way, indirectly relates to historic issues of segregation and redlining and so forth, so I have spoken to the council twice before, and I come mostly to express my appreciation. I am here to say that I support the historic resource code amendments that have been proposed by the bureau of planning and sustainability. After extensive public input, and while there are many good changes, I thought a personal story about my experience and why I support it might be informative because I will ask you to support that proposal when it comes to Council for approval. And, basically, the way that Oregon and Portland was designating historic resources and historic districts tore the social fabric of our neighborhood apart, and I think that it's an example of how the neighborhoods and the groups of people are torn apart. In the past, the reliance on the national register designation did not although any local input, one person could designate a neighborhood as a national historic district, and the Oregon law automatically linked it to the local land use restrictions, so all of the, let's say that I designated the neighborhood, all of my neighbors would suddenly be hit with land use restrictions and review. Now, Oregon law changed in 2017 and this bill is part of the city's process of working to come into alignment with new Oregon Law and there is an Oregon law, it's senate bill 927 that I understand the city supports, and what these do is, basically, give the local community control once again about designation. What do we value about our history? What do we want to remember? And recognize. It's not just pretty buildings.

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It's historic injustices and different communities, and therefore, I just thank you for your work with the bureau of Planning and Sustainability for supporting this and encourage you to approve it when it comes up.

Wheeler: Thank you. Did Marina come in? Very good. Have any items been pulled, we don't have a consent agenda this week. We will go to the first regular agenda item. 269, please.

Item 269

Wheeler: Colleagues, Go Lloyd's mission is to connect in places by creating partnerships, and transportation solutions to make Lloyd in their words extraordinary. This ordinance establishes a partnership between Go Lloyd and the city to improve public garbage can collection programs in the area. Go Lloyd was founded in 1994 as the Lloyd District transportation management association. Much, much better branding today, I would say. In 2014 the organization changed its name to Go Lloyd to reflect the expanded focus on the economic development aspects of its mission. This ordinance will allow the bureau of Planning and Sustainability to accept the donation of a new style of garbage cans to further enhance their public garbage can program. The city's acceptance of the Go Lloyd's donations will allow the bureau of Planning and Sustainability to focus funding on their citywide public garbage can expansion project, projects, or other program improvements. The city values Go Lloyd's dedication to the district as a vibrant and inviting place, and we thank them for their generous donations to support its livability. Solid waste and recycling Senior Coordinator, Kevin Veaudry Casaus is here to present. Its good to see you again, thanks for being here.

Kevin Veaudry Casaus, Bureau of Planning and Sustainability: Thank you Mr. Mayor, council members, thank you for this opportunity, I am very happy to be here representing the bureau of Planning and Sustainability. On this ordinance, this is an exciting new partnership between Go Lloyd and our bureau, and it's going to really improve our overall garbage can program. We already provide some public garbage cans in the Lloyd, and what this donation is going to do is introduce the new style of cans that will eventually become our new city standard. We've started using these cans in other parts of the city and I've received some very positive feedback on them. So we are excited to have them move into another part of the city now. One of the cans most popular features is that they have an opportunity to display artwork that represents the character of the neighborhood where they are placed. And Go Lloyd has done some really great work in developing some unique designs that, I think, capture the flavor and the spirit of their neighborhood, and you will have an opportunity to see some of those in a little bit here. In the future, BPS will replace all of the older cans with the new style as well as add additional cans to areas like the Lloyd that are undergoing considerable growth. What this donation does is kick starts the efforts and allows us to get some of the new ones into the Lloyd as well as focus on our citywide expansion. So, these donated cans will supplement the 35 cans that are in the area right now, as we try to manage the increased commercial and pedestrian activity inside the area, and I am looking forward to the opportunity to continue working on this partnership with Go Lloyd and providing this vital service to a very important part of the city.

Wheeler: Thank you, Commissioner Fritz.

Fritz: Before you go on, when we have this discussion about the downtown cans, I was promised that there would be a place for people to put recyclables at the side of the can, and they are not there yet. What's happening with that and will these new cans have a place where people can put the cans and bottles?

Veaudry Casaus: So for the downtown cans, we have, I believe, it's 10 that we are piloting those side baskets on now, we don't have any hard data but so far, and anecdotally from the haul, they are working fairly well and we do expect to put those on all

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of the downtown cans and future cans, and in new areas. We are a little cautious about moving forward with those with the new cans in the Lloyd until we had a bit more information on how they were being used, but so far, it looks promising.

Fritz: It's very important so I hope that as they go in, we can expand the pilot, shall we say. You can take them off again.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you. I just had a quick question, so the donated -- the cans are donated, how do they get pick up? And who pays for that?

Veaudry Casaus: We currently pay for the collection of the cans citywide. The Lloyd District is served by a private garbage hauler. And they'll continue to provide that service, including these new additional cans that we're going to be adding. And that's paid for out of the Bureau of Planning and Sustainability's solid waste management fund.

Wade Lange: Good Morning I am Wade Lange with American Assets Trust in share of Go Lloyd, and I think that this is the third time in the last few months we've been up here talking about great things that we are doing in the Lloyd neighborhood. And the public-private partnership continues, and I will let Paul show it to not take up more time.

Paul Comery: I am Paul Comery, Pedestrian Program Manager for Go Lloyd. We have a short presentation here. There it goes. This is ready to go. We are going to skip through some of the slides since Mayor Wheeler gave a very good overview of what Go Lloyd does. And at the beginning of this project, we took a survey of all the cans in the Lloyd neighborhood, and from there we were able to identify a corridor along MLK and Grand that is significantly lacking in this infrastructure. So, for the first phase of our project we have chosen to focus on MLK and Grand, we currently have 12 cans that are having the artwork installed right now. And they will be going into the ground in the next couple of weeks. And the locations of those cans are represented by the stars on this map here. It's part of the first phase. We are planning to install 21 cans along MLK and Grand. And after that, we are planning to expand the program to include the rest of the Lloyd neighborhood, specifically, the Broadway and Weidler corridor, which is also lacking in this infrastructure. We would like to thank the artists and the support that we have had from the local businesses in Lloyd. Portland Street Art Alliance is very kind to reduce their administrative fees, and we were able to get our artwork from three local artists to go on these cans. Our current sponsoring businesses include the Hotel Eastlund, Inn at the Convention Center, Lloyd Community Association Spirit of 77, Oregon's finest and city center parking, all of these businesses have provided funds to pay for the art that will be going on these cans, and we have got some examples. This piece is from Alex. Another piece from Alex. This is Mariana's work, and most recently Ben Patterson. You will have to ignore the pearl district symbol. Ben did not have access to the Lloyd logo, that will be on the cans, but this is an example of what the cans will look like once they are installed. Lastly, we would like to thank City Council for adopting this ordinance, Mayor Wheeler and his staff, were very instrumental in connecting Go Lloyd with Kevin, and the folks at the bureau of Planning and Sustainability that have made this happen. I would also like to thank the Portland Street Art Alliance and our artists and the business that have provided sponsorships to pay for that art.

Wheeler: Very good. Thank you. Any questions colleagues? Commissioner Fritz?

Fritz: Let me ask again about the recycling containers. I am concerned about people who are losing income and I am also concerned about if that's the only place you can throw away your can you are going to throw it in a can that nobody can fish it out of.

Comrey: We are, actually, planning to install the side carriage for recyclable bottles and cans on all of our garbage cans in the Lloyd neighborhood.

Fritz: At the time they go in?

Comrey: Correct.

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Fritz: Thank you very much.

Wheeler: Very good. Does that complete your presentation? Very good. Thank you. Short, to the point. Fact-based. Do we have any public testimony signed up for this item?

Moore-Love: Yes, we do. We have three people. Lightning, Robert West, and Charles Bridgecrane.

Wheeler: Very good, and I would remind people to please keep your testimony focused on the matter at hand. Thank you. Three minutes. Name for the record. Good morning.

Charles Bridgecrane Johnson: Good morning, Commissioner, Charles Bridgecrane Johnson it's great to here to talk 269. As was noted, by one of the testifiers the Lloyd district has been here for. I want to thank Amanda Fritz for her attention to the fact that we have people that live in the city whose only income, or whose only \$700 social security income is supplemented by getting 10-cent cans out of the trash, and that's causing some -- some logistical problems here in downtown as they go hunting. I think that it was also -- it was noted that, I think, BPS pays for trash collection from these, and when we are talking about the Lloyd, overall, the Lloyd has \$70,000 to pay for a special district attorney. That's really not needed any more. It's a great neighborhood. Vello Apartments and stuff like that, I think the LID for the Lloyd can self-fund its garbage collection. I don't think it needs to be looped around through the Bureau of Planning and Sustainability. So, I hope that BPS in their next budget and the U.S. Commissioners will look at the funding model for public trash collection, and also, if they would, they should be continuing the approval of \$70,000 so one section of the city can have a unique special attorney -- district attorney. Otherwise, in the Lloyd, it's great to know that we'll be moving trash cans and improving public services along MLK and Grand, a neighborhood where Portland police murdered, killed, homicided Keaton Otis on this day when we are remembering times when our police have used lethal force. It's happened twice in the district. Once with an armed veteran that did have a gun in a parking garage, so I hope that these small livability improvements will also be matched with more livable, police conduct and I know Chief Outlaw spoke last night at the PCCEP [Portland Committee on Community-Engaged Policing] last night, so I hope that we are on the right track for better, livable, safer neighborhoods for everyone on the spectrum Portland citizenship, from people who have been marginalized, people of color, to people of any ethnicity that have to live digging trash and recyclables out of the garbage, to the developers that originally created the Lloyd when it was a district. Thank you.

Wheeler: Good morning.

Lightning Super A.I. Humanity: Good morning. My name is lightning. I represent Lightning Super A.I. Humanity. One of the concerns that I had on the Lloyd bid is something Charles Bridgecrane brought up, it's on that DA., the \$75,000 the DA. and another \$20,000 towards their office. Now, other than that, I don't have any issues with Lloyd bid. I may have a question on the term "donation" because it's my understanding that technically we funded the Lloyd bid close to \$500,000 for the year, so is it really a donation? I mean we're funding it per se through the property owners through this bid agreement, and they are going to donate back to the city, so I always have questions on quote, "the donation and the intent of the donation. Have we actually done a study on these type of containers? How many do we need in the city around a one-area block? I mean how many do you actually need? What type of study shows us with a certain population base, how many of these do you actually need? Have you actually had an actual study done? So maybe we need more in a lot of other areas and to focus on that until we have the data in front of us. How do we know how much we need? And pertaining back to that DA., and I have always had a problem on it, is my feeling if that's unconstitutional, anything that DA. has done, those cases could be overturned in the northeast area. And I have asked over at Multnomah County for them to check on that,

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and I don't have any issue with DA. Underhill, he knows where I am coming at on this, what angle I'm taking is that if it's unconstitutional, and it's controlled within a group of wealthy property owners, it really needs to be dismantled. And any case that was brought against somebody if it's proved to be unconstitutional, if they're sitting in any jail, they need to be released immediately. And this is NE Portland, this is happening. And so, I want somebody that will really make a stand and just look at that agreement between the DA. and Lloyd bid and then look at any cases brought against anybody and say, I think it's unconstitutional, and we will throw everything out now. Now that would be a historic move for somebody to make, and I am the kind of person to do that. Because the worst that's going to happen to me, I will be excluded and I will be, you know, maybe pushed around out on the sidewalks by law enforcement, but I don't care. I can just go from place to place, and they have to hunt me down. It does not matter to me, that's the life I live. But the reality is I want this to be checked on. I want it to be looked at real close and taken serious.

Wheeler: Thank you. Your time is up.

Lightning: Whether it's constitutional or not.

Wheeler: Karla, is anybody else signed up for this item? Very good, colleagues, any further questions? Call the roll.

Fritz: It does not surprise me at all that Go Lloyd is doing the right thing with having the recyclables on the side of every bin as they go in. Thank you for your partnership with right 2 dream too and all the other good things that's happening in the district, thank you, Kevin Veaudry Casaus for all of your work on this issue and looking at it in very great detail. As you know I am inordinately interested in trash and I think it's very important that people have options because apparently, it's too difficult to hold on to your coffee cup until you get home and throw it away there. Aye.

Fish: One of the by-products of a successful city where we are attracting a lot of tourists and a lot of people to the downtown corridor during the day and in the evenings is, we are generating more garbage. And we have had historically too few garbage cans throughout our city. The Mayor has taken this on as a challenge with the business community to get more garbage cans out. I will tell you as someone who lives and works downtown, it's making a difference. It's discernibly better with people having more places to deposit their trash. And I want to thank our friends in the Lloyd district for stepping up and being part of the solution, and their donation of these cans. It's the right move, and we are very appreciative. Aye.

Hardesty: Aye.

Wheeler: Well first of all, let me say that I think that we all have a disproportionate interest in garbage these days. And I want to thank the BPS staff, Kevin, in particular for working hard on this and Wade and Paul on behalf of all of the good people at Go Lloyd. For me, this is just absolutely a no-brainer. It's a great example of a public and private partnership, and the donation that Go Lloyd is making in this case, actually allows us to expand the trash receptible program citywide to other parts of the community that, perhaps, don't have the resources to be able to chip in and purchase cans. So, I am grateful for that broader perspective, as well. Thank you for coming in. And I vote aye. And the ordinance is adopted, and Kevin, my understanding you would like a photo up front. Is that correct? Do you mind, folks, if we take two minutes and get a quick photo? Thank you.

Wheeler: Colleagues, I am sorry to say that ends the part of the council session where we talk trash. And now we will move onto item 270.

Item 270

Fish: Colleagues, over a century ago a rail line ran through the Springwater Corridor, and today it is one of the Parks and Recreation's most popular trails for cycling, walking, and rolling, connecting southeast Portland to the central city. Johnson Creek and the Springwater Corridor are intertwined with at least ten trail bridges over the creek. This

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creek was once host to abundant native fish populations, including threatened salmon species. Today we will hear about a wonderful project that will be good for salmon and users of the trail. We have Larry Pelatt, **Robin Laughlin**, and **Marlo Medellin**. Robyn is the Portland Parks and Recreation Bond Manager and Marlo is the Parks Capital Project Manager and Larry, of course, is Procurement Services Manager. Larry, we'll turn it over to you.

Larry Pelatt, Procurement Services: Thank you, good morning, Mayor and Commissioners. I am Larry Pelatt, Procurement Services. You have before you the ordinances recommending the solicitation contract award to Just Bucket Excavating for the Springwater Corridor Bridge 48 Replacement which encompasses the intersection of SE Johnson Creek Blvd. and SE 46th Street, address is 4500 SE Johnson Creek Blvd. The amount is \$1,169,669. The engineer's estimate on the project was \$930,000. You can't hear me? This big mouth and you cannot hear me? I am surprised. Anyway, Just Bucket Excavating is the lowest responsible bidder. At \$1,169, 669, which is \$239,669 or 25.7% over the engineer's estimate. The project had a very tight bid frame, and it was categorized as emergency repairs because the existing bridge has deteriorated to the point of being, essentially, unusable. Portland Parks and Recreation, Procurement Services, along with Just Bucket has identified an aspirational goal for co-bid certified subcontract supply utilization of 20% of the hard construction cost. There is a total.

Fritz: What does co-bid mean?

Pelatt: I was going to get right to it the next paragraph, no problem Commissioner. Co-bid is the certification office for business inclusion and diversity. We kind of swapped it out for the old DMWESB SVDBE [Minority-owned, Woman-owned, or Emerging small business Service-Disabled Veteran Business Enterprise], that just was too hard for me to say.

Hardesty: And this is not any better.

Pelatt: But the next paragraph, I am going to identify out what the firms are per the request of Commissioner Hardesty and Commissioner Fish. There is a total of \$406,319, 34.75% co-bid certified participation on the project, including the prime contractor at \$394,534, which is 33%. The prime contractor Just Bucket Excavating is a State of Oregon co-bid certified as a D or Disadvantage Business Enterprise and an M, Minority-owned Business Enterprise. There is \$11,785 apportioned to a W or a Women-owned Business Enterprise. Just Bucket is located out of Albany, Oregon, they are state certified, DBE and MBE, they are included in the city's prime contractor development program, that was where this project originally started. And they are in compliance with all the city's contract requirements. If Council has any questions relative to the solicitation or the bidding or the contracting process, I can answer them, or we have Marlo and Robyn here for a project presentation.

Fish: Let's do the project presentation, and then we can take all the questions.

Robyn Laughlin, Portland Parks and Recreation: Thank you. Good morning, Mayor Wheeler and council members. My name is Robyn Laughlin, I am the Bond Program Manager for Portland Parks and Recreation. With me today is Marlo Medellin, she is our project manager for this project. And she will be giving a brief presentation on the Springwater Corridor Bridge 48 Replacement Project. As Larry stated, we are here today to accept the bid from Just Bucket Excavating for this project and share a few details about the project itself. The Springwater Corridor Bridge Project is part of the 2014 Parks replacement bond that was generally -- generously passed by voters in 2014. They approved a \$68 million bond measure to address the most critical needs in our park system without increasing tax rates. As you know the bond funding goal is towards the most urgent needs in seven priority areas, playgrounds, trails, and bridges, pools, accessibility, protecting workers, Pioneer Courthouse Square, and restrooms and other facilities. Clearly, this project fits within our trails and bridges focus area, and it's the third

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parks replacement bridge project to go into construction as part of the program. The funding for this project comes completely from the bond, and with that I would like to introduce Marlo to give you a few more details about the project.

Marlo Medellin, Parks and Recreation: Thank you. Mayor Wheeler and Commissioners, I am Marlo Medellin, I am a capital project manager. The Springwater Corridor Bridge #48, as the name suggests, is located along the Springwater Corridor. The Springwater Corridor trail represents the major southeast segment of the 40-mile loop, which was inspired by the 1903 Olmsted plan of a parkway to connect park sites throughout the city. The bridge, itself is, located in the City of Milwaukee, at the edge of southeast Portland city limits. Although this might sound unusual, the City of Portland actually owns and maintains the Springwater trail up to the City of Gresham. The image shows the project area at the intersection of SE Johnson Creek boulevard and SE 45th avenue. The trail leading to the western end of the bridge is within the Portland city limits necessitating permits both from City of Milwaukee and the City of Portland. The project will replace an aging eight-span wood trestle bridge. The new bridge will provide unobstructed passage of Johnson Creek and enhance the safety and enjoyment of the Springwater trail users for years to come. The current bridge design is problematic. The existing bridge 48 currently has three sets of pile supports, resting in the creek bed. These piles create obstructions where debris can lodge creating logjams and putting additional stress on the structure. In 2013, in fact, the bank armoring failed and had to be replaced under emergency response. You can see from this photo that the pylons reach into the stream bed causing the recollection and pressure on the structure. All these obstructions have the added impact of constraining fish passage. In addition, the section of trail this bridge supports, is heavily used by cyclists. This project will remove the current failing bridge and replace it with a new two-span bridge. The new bridge will be constructed of durable corten steel construction with wood top railings and concrete decking, thereby reducing the maintenance costs. They also provide an accessible smooth bridge surface replacing an uneven aging timber deck and create enhanced stream viewing opportunities. The project serves southeast Portland, particularly, the Ardenwald. Johnson Creek Neighborhood, which is part of the Southeast Uplift Neighborhood Coalition. Public involvement for this project is at the informational level, as the bridge replacement project is largely technical, with limited opportunity for public influence on design. Still, the bond project to replace this bridge, included outreach to neighboring businesses and the community. Outreach also included email announcements to establish contact lists including byPortland.org. Flyers to neighborhood residents and signage along trail are also part of the outreach. Prior to construction information again will be shared using the same mediums to provide information about impacts and detour. With approval of this ordinance we anticipate construction to start mid may, 2019 and construction expected to go through early fall, 2019. We are here today to request acceptance of the bid from Just Bucket Excavating, Inc. for the Springwater Corridor Bridge 48 Replacement Project in the amount of \$1,169, 669.

Fish: Mayor I have a question.

Wheeler: Commissioner Fish

Fish: Excellent presentation, the one thing that you don't highlight in this PowerPoint is once the bridge is taken off line and we replace it, what is the alternative route that you have worked out for pedestrians and for bicyclists?

Medellin: Yes, although we don't show this slide there, we evaluated three possible detour routes. One, was along SE Johnson Creek Blvd., however, that route is heavily trafficked by large trucks so that was deemed unacceptable. We also evaluated a route to the north of the Springwater Corridor but that is 1.25 miles off the Springwater Trail, with an elevation gain of 155 feet. And that's the in City of Portland. An alternative route south of

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the Springwater Corridor Trail is to the City of Milwaukee. It's much shorter and through a residential neighborhood, and it only adds about 1500 square feet to the route.

Fish: Thank you very much.

Wheeler: Very good. Colleagues any further questions? Any public testimony on this item Karla?

Moore-Love: Yes, we have four people signed up.

Wheeler: This is a question about accepting a bid for the contract with Just Bucket Excavating on this project. Thank you. Good morning.

Lightning: Yes. My name is Lightning, I represent Lightning Super AI of Humanity. One of the concerns that I have on these type of bids is that I normally like to see what type of work these companies have done in the past, and for just your information I did pull up their website and they did not have anything there. And that's always concerned me when we are approving a bid. I always like to have an understanding of what other projects have you done and when you are talking in the million dollar range, I don't think it's too much to ask them to say, we need to have this provided on your website so that the public could do a quick review, and to have an understanding. That's not too much to ask. Now, moving along, I understand that this is going to be, if I am correct, you went from a wood trestle bridge, and now you are going to a steel. As you know, when I am dealing around water, and I am quite familiar with this, as I would prefer to go stainless steel, and I want more longevity out of this, and I don't know if there was a cost to analyze that, if you were to go with stainless steel. Now, looking at what you showed from the pictures, are you going to have actual pilings going into the water itself? I assume that those are going to be steel because wood hasn't worked out in the past. You are still at the 130-foot bridge length. They said due to the steel tariffs there's been additional pricing. I was curious on the analysis; how much additional pricing were you calculating because of the current tariffs? This is a very important question to understand. And again, just from the overall project itself, what are they going to do with the current bridge there? I haven't heard anything, I'm just kind of curious, and again, on the longevity issue of using steel opposed to stainless steel, what are we looking at on that and in overall cost and can that be upgraded to stainless steel if they feel it would be more appropriate due to the fact we are over water, and stainless steel is predominantly what you use on marinas and on the waterfront over here for longevity. I was curious if that could be looked into before this bid is finalized. Thank you.

Wheeler: Thank you. Good morning.

Willie Davis, Jr: Good morning. Mayor Wheeler and Commissioners, I am Willie Davis Jr. I am the owner of Just Bucket Excavating, and basically, I wanted to answer some of the gentleman's questions that I was not prepared for. But for the most part we have worked on bridges in the past, and also have worked with the Army Corps of Engineers. And I understand that the Army Corps of Engineers regulates the waterways and wants to make sure that we are getting our appropriate structures, also, there are appropriate methods and means that are being taken to ensure that the fish habitat or the water is not being disturbed inappropriately. Also, would like to express that within this project, we were trying to meet our minority or co-bid goals. This is a unique project, and within this area, I think it's very difficult in which we are going to try to install this bridge. There is overhead power lines, there's a confined space, and when I reached out to a number of the other subcontractors, to see if they were interested in working with me on this project, I think that they were a little leery due to the nature of this project. I reached out to my NAMCO [National Association of Minority Contractors Oregon] members, to my PWBC [Professional Women in Building Council] members. Just Bucket in the past have put out a great effort to include co-bid minorities, women. I have other projects in which we have made sure to maintain the goals as has been required by the City of Portland and by this

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Council. I look forward to this project, as I say, we do have the experience. We just recently completed a project with the subcontractor that I have onboard, which is Oregon State Bridge. We completed the project over in Tillamook where we installed thousands of feet of new drainage and also a new bridge to improve the traffic and so forth there.

Wheeler: Thank you. Appreciate it. Commissioner Hardesty.

Hardesty: Thank you Mayor, thank you so much for being here. As it was being presented, I did go to your website because I wanted to learn more about your company and I realized the links are all broken. I am sure that you don't spend a lot of time, but I wanted to let you know that for like the public who goes looking for you, you might want to let people know that your website is not working.

Davis: I sure will. Thank you.

Hardesty: Thank you very much.

Fish: Mr. Davis, Just Bucket does a lot of work for the city. And it's fairly unusual for the principal of a company to come to Council when we do these things. So, thank you for carving out the time to be here and to be a resource and a reference. And we appreciate that you thought so highly of this process and this particular contract that you are here in person. It means a lot.

Davis: No problem, Commissioner Fish.

Wheeler: Commissioner Fritz

Fritz: Thank you for being here. Tell me what's the origin of the name, Just Bucket?

Davis: Oh.

Davis: I have 35 seconds.

Fritz: You have as much time as you like in response to a question.

Wheeler: Especially a good one.

Fritz: You have been before us before and I really appreciate you taking the time to be here -- your company has had bids before which we approved, and I was always curious how it came to be.

Davis: Basically, when I started out, I was going to build an R.V. park over in Florence, Oregon. And the local citizens there, residents were wanting some extra help because I, basically, had purchased a dump truck and an excavator with a bucket. So, I started helping them on the weekends, and then the City of Florence asked me would I help them on an emergency, and I expressed back in 1999 that I am not a contractor, just gaining this knowledge and information to build my R.V. park. And then the federal government came and talked to me about getting involved in some of their contracting, and at that time I said okay, I need to get licensed, which is no problem. Get insurance, get bonded and so forth. And I am thinking of a name for my company. So, I looked out, and there was my excavator and I said I have an excavator with a bucket, and I was watching something on tv, I think had a Nike swoosh on there, so I said hey there we go, Just Bucket, that's where I started out, I had an excavator with a bucket, and it just grew from there.

Fritz: And that's in 1999?

Davis: In 1999, I started, and then in 2000 I was licensed and became an official contractor.

Fritz: That's fabulous, and now you have got this million-dollar contract. Thank you for your work and thank you for your work engaging the minority firms and women in subcontracting.

Davis: Thank you.

Wheeler: Good morning.

Johnson: Good morning, Commissioners. For the record, Charles Bridgecrane Johnson. It's unfortunate -- well, I am glad Chloe won the election but Bridgecrane goes back to the days of Steve Novak and the Bureau of Transportation. And now if we can just get a group of University of Oregon alumni to do some minority contracting, we can have just duck it

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and we can work our way down the alphabet from there. But I want to particularly thank Commissioner Fish for pointing out that a lot of times when we award contracts to even more established businesses with larger support staff, we don't get a representative from the winning bidder to come and be able to fully interacted with the Council and ask questions both significant and trivial and wonderful, so I want to thank the business owner for taking the time to engage and to kind of cultivate more of a small-town traditional Portland feel of people working together to do projects that really helps the community. This bridge -- I didn't know that there was an Ardenwald neighborhood, so ardenwald.org, so I look forward to these improvements. Maybe we are not done talking trash because anytime we talk about the Springwater Corridor, we have to make sure that everybody in the city for the quality of life of everybody in the city has access to trash disposal, so I hope that as projects are happening along the Springwater Corridor, whether it's Parks and Recreation, Bureau of Sustainability, and we can make sure that we are not letting people who may be facing houselessness, depression or whatever, accumulate excess trash. Instead of punishing them, we need to just realize what services need to be provided. Thank you very much.

Wheeler: Thank you.

Moore-Love: The last person who signed up is Vienna Priest.

Wheeler: Is somebody named Vienna here? Very good. Colleagues, need further discussion? This is an emergency ordinance. We will take the vote. Please call the roll.

Fritz: Thank you for the presentation and again for the contractor being here. That's a beautiful bridge. I am really impressed. Definitely when we are doing the fixing our park bonds, we are trying to make things better as well as just fixing them, and so thank you for the effort that has gone into that and thank you Commissioner Fish for bringing this in and for thinking, also, about the route and the best route to get people around it. And it's kind of impressive. It's Bridge Number 48, which is daunting as to how many others across the city need to be fixed, as well, but I am very – continue to be very grateful the voters for approving the money for this, and to the Bond Oversight Committee and staff for making sure that it is being done right, thank you. Aye.

Fish: Commissioner Fritz, thank you for leading the way on the Parks replacement bond. This is yet another example of where under your leadership the taxpayers have stepped up to help fund infrastructure improvement. I also want to do a shout out to the parks team, it's a beautifully designed bridge. And I particularly like the fact that we are removing all the pylons that are in the river, and so the building -- the bridge will be supported on the embankment, which is good for the fish that swim underneath. Thank you to Larry Pelatt and his team of procurement and again to Mr. Davis, thank you for taking the time to join us here today at the -- at the hearing and I am pleased to vote aye.

Hardesty: Thank you. I also want to add my thanks to Larry Pelatt and his team for hearing how important it is to know who is getting contracts with the City of Portland and how we're doing on our goals of making sure that city contracts are available for all communities to be able to benefit from. I appreciate your work, Commissioner Fish, and as you continue to support making sure that we have as equitable of contracting as possible, especially through the parks bond replacement work that we are doing. I support this, and I greatly appreciate Mr. Just Bucket Excavation, for actually being here. I don't think I have ever actually seen a subcontractor recipient show up to talk about the work that they do and how their business has grown because of their partnership with the City of Portland. I vote aye.

Wheeler: Great project. Thank you, Commissioner Fish, for bringing it forward to the Council. Commissioner Fritz, I know that you also had a role in this, and obviously, a key role in the parks bond in the first place that enabled us to have the funding to do these projects. Larry, you are always a tough act to follow. Good work, and thanks to the

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contractor, as well. It's a well bid project, and I think the public is getting a very good deal out of this. I vote aye. The ordinance is adopted. Thank you. Next item is the second reading, 271.

Item 271

Wheeler: Colleagues, this is a second reading. We have already heard a presentation and taken public testimony on this item. Is there any further discussion? Karla, please call the roll.

Fritz: Aye. **Fish:** Aye. **Hardesty:** Aye. **Wheeler:** Aye.

Wheeler: The ordinances is adopted. Thank you. Item 272.

Item 272

Fish: Colleagues, Portland Parks and Recreation's Urban Forestry team manages, protects and grows our urban forests. Most years, the City Council receives an ordinance with updates on the heritage tree inventory. For this year's update we have a presentation from -- I have a slightly different team here, So, I had Gina and Gregg.

Gina Dake, Portland Parks and Recreation: We have Angie, as well, who supervisors the whole thing.

Fish: Welcome, and who wants to start?

Dake: I will start. Good morning, Commissioners and Mayor. My name is Gina, and I am a Botanic Specialist with Parks and Recreation urban forestry. And I am also the program manager for the Heritage Tree Program. Heritage trees in Portland are protected by Title 11 trees. Portland's tree code. Year-round tree inspections permit issuance and tree care are performed on heritage trees by urban forestry tree technicians, tree inspectors, and tree crew arborists, and we thank them for the work that they do. Volunteers are another important aspect of this program. Currently nine community members serve on the heritage tree committee. They attend tours of heritage tree nominees, and they help decide which trees to bring to the Urban Forestry Commission and ultimately to the Council. At this time, I would like to introduce Gregg Everhart, an Urban Forestry Commission member and the chair of the Heritage Tree Committee to present this year's heritage tree nominees.

Gregg Everhart: Great, and I am glad to be here once again. This is sort of an annual tradition, and we like to get it through you before the May 1st deadline for new nominees. So, there's always bad news, which is the delisting and good news, so I'm going to talk or show actually 14 trees. There is not enough time to talk about each of them, but we lost two to disease. This is the bad news. Another Elm, really grateful that the Urban Forester has the monitoring program. They see the signs of these diseases in susceptible trees and get them tested and then we get the wood disposed of properly as soon as possible. That really protects the remaining Elms. This tree you might remember because it was part of a real public controversy. Neighboring arborists knew this was an unusual species, gorgeous, huge tree. And they pressured the developer, it took about a year and several site redesigns to preserve this tree, and they eventually consented to the heritage tree designation, so it was fairly recently, we are really sorry that there is now an Oregon something called Thousand Canker Disease and our Black Walnut trees are going to be susceptible to that. The important thing, and I'm going to say this personally, not officially from the Heritage Tree Committee or the commission, but the important thing about this tree is that number one, the wood is going to be salvaged, and number two, that the tree's space will be salvaged. This tree will be taken down, the wood will become furniture in a couple of years because it's valuable, beautiful wood. But they'll -- once the stump is ground this will be a Garry Oak tree and it can live for centuries, if there is one of these trees that you could visit, I will go and see this one because it will be down in about a month. See the space that it creates underneath it, and then look at the adjacent dwellings that were created in this project, and then see what else is happening on 50th and

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Division. I really feel strongly that we need landscapes, we need to be able to get our feet on the ground, and we are actually just paving and building and, in more places, than really is sustainable. So, see this tree, it's just going look dormant right now, but it is unfortunately dead. It died sort of a slow painful death last summer. Now for the good news.

Fritz: At least it got to be a heritage tree for its [inaudible].

Everhart: It did, but it was the public pressure, not our code that protected it. The very few trees, just a few over 300 that are, actually, fully protected by this part of the code. Here's where heritage trees are located now, Urban Forestry updated these maps so you can see low canopy in low income neighborhoods. We are still trying hard to improve species diversity as well as geographic diversity, and I want to say that I am really grateful that we did outreach about a year and a half ago, we've now got two committee members that live east of I-205. One in southwest, so we have got membership in every neighborhood but northwest. Northwest had been well represented in the past. You have seen all the heritage trees already designated that are near downtown. The trees in pink are the lucky ones of the 41 that were nominated. There is actually a dot missing in northwest, we got consent from that property owner really late. So, I am showing you 12 trees. We actually did not get consent for two. So in addition to the original four trees of merit that we put on our list for future consideration, we will have two more, and we will continue to work with those landowners or, perhaps, actually, need to wait for a new landowner and hope that nothing happens to the tree while it is not really protected. Because the point is on this slide, this is -- my guess, the standard side most of you have seen it but we have got the common name, the scientific name, the number of heritage trees of this type, and then their kind of dimensions. DBH's, most of you have heard, many times, is diameter at breast height, It's what Title 11 uses. And then whether it's private, we have got four of those, street another four and then public or park, trees where we've got four of those, as well as their neighborhood because that's kind of what we are tracking. We really would like to have people in every neighborhood of the city have access to a nearby heritage tree or two. So, the important one, and this is one of the two or three that I will mention at more length. This tree would be gone if it just depended on title 11, we actually got this nomination two years ago. The south neighborhood, the south neighbors nominated it, but the developer was in land use process on the north side of the property line, and this tree straddled the property line so we needed consent from both. Ultimately, because it was deemed important enough to be a heritage tree, he adjusted the site plan, the house that's near is quite a bit shorter, and this year we, actually, had both the new neighbor and the old neighbor nominate the tree, and both gave consent. Again, just a reminder, that the code really -- the heritage tree protection is the best thing that we have to keep trees. A deciduous conifer here, up near Columbia Blvd., huge Copper beech in Alameda. This will be the new tallest heritage tree, just up Balch Creek from the other Doug Fir, that's our tallest one. Both of them have been [inaudible], this has got a more healthy top, and it's about 20 feet taller. Next, we're going to street trees. These two are next to one another. And I think that the important thing is that these were up until now taken care of by the private property owner. We look at these carefully because the urban forestry will maintain these, but people love their trees. They invest a lot of time and in some cases, you know, paying for an arborist, a lot of money. Beautiful, this is actually the smallest of the trees, so you go from really large to small. No idea that species could grow that big, and then this is the other one I wanted to speak about, not that there is that much time, but this was one that we discovered when urban forester Commissioners went out to a district meeting and they wanted to know about barriers to planting trees. And a couple of the residents that are members of APONO said our culture's trees need to work, and they pointed out this tree because basically it provides chestnuts and each fall all the grannies are out picking up the

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nuts, so it's like a cultural, historic sort of feature, this tree. This one, sorry not to talk about John but this is Cathedral Park and an unusual species, the neighbors actually paid for each of the very diverse trees in this park. Columbia Children's Arboretum, the first heritage tree in that neighborhood. Half again, as big as the existing heritage tree of that type. This was planted by John and Lila Leach. Actually, in our parks botanic garden. The second one in the pleasant valley. And this is the last tree. And it is a monster. This is a species that I don't expect to ever actually live more than 20 or 30 years and I would not put it in a planting design as a landscape architect. But it is endured, it was nominated by two folks that work for the Oregon Champion Tree Register. One of them is actually called a Verifier. So, he does the measurements, and the other wrote a really great nomination form. Talked about the history, so this tree could be 110 years old by now. It was also nominated two years ago. Sometimes these take a while to be resolved, but there were concerns about this site being sensitive. So we have agreed that the sign that designated it as a heritage tree, if you approve it, it will be on the fence, and somehow or another we will find the funding to make another sign that gives a little history of the development of the nature park, and how special and unusual this tree is, but how people need to not approach it. So final one is my whole committee, I could not do without them or with Gina and other urban forestry staff, and Gina I would be happy to answer any questions that you might have.

Wheeler: Very good. Colleagues?

Fish: Great presentation.

Wheeler: Fantastic as always, both beautiful and interesting, thank you.

Everhart: Oh, they are great trees.

Wheeler: Yea, they certainly are. Thank you for bringing them forward. Is there any public testimony on this item?

Moore-Love: I have three people signed up.

Lightning: Good morning. My name is lightning. I represent lightning super AI Humanity. I think that even though a tree dies from disease, it should remain on the list of a heritage tree. This is the mother tree that also takes care of the seedlings around this tree. It has been part of the community and deserves that respect. Even if the tree passes away, and dies, we have honored this tree. So why take that honor away? Why show the tree disrespect? This tree is part of planet earth. This tree allows us to breathe, to live. As sacred as the water in the city. This tree deserves the respect and the honor and should not have that stripped away because it has died of disease. Could you play the video, Karla, please? Thank you.

Wheeler: Thank you.

Video: We can drink out of any river, if the Europeans had lived the Indian way when they came, we would still be drinking our water because the water is sacred. The air is sacred. Our DNA is made of the same DNA as the tree. The tree breathes what we exhale, when the tree exhales, we need what the tree exhales. So, we have a common destiny with the tree. We are all from the earth. And when the earth, water, the atmosphere is corrupted, then it will create its own reaction. The mother is reacting. And in the HOPI prophecy, they say the storms and floods will become greater.

Lightning: Thank you.

Wheeler: Thank you. Good morning.

Johnson: Good morning, Commissioners. Charles Bridgecrane Johnson for the record. It's unfortunate we don't have a Lorax DuBois actually at the table to testify, but I am sure that they would remind you that unless someone like you cares whole awful lot, nothing is going to get better. No, it's not. So, it's great to see this team of heritage tree workers letting us know the challenges and just the natural cycle of losing a couple of trees. It's also great that when you go to the search engine of your choice and type in heritage tree,

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probably the first thing that will come up is Portlandoregon.gov/parks. Although as we heard you can from the team, some people prefer the term, champion tree, and this state likes champion trees, but I think it's one of the positive things to see that we can have this registry and engagement around people caring for the trees, and Lightning providing us with a video that reminds us of the same thing that hundreds or thousands of kids were gathered in front of city hall for is that we're a part of the world. It's a symbiotic function, and like we're doing with clean energy jobs program, we need to learn to regulate our behavior to work in harmony with nature and have jobs and that are not just exploitive and extractive, but where we work in harmony with trees, less chemicals, and, you know, some of these trees are not just victims of things like Dutch Elm disease but are affected by our air quality here, and the fact that we live in a superfund location, in the city with a river that we're going to get going on to manage and sequester that pollution, so the heritage tree project is not just about the great and beautiful trees and the good programs that we have to help people engage with those trees, but to remind us that economy is sort of a bad word. The way that we use it now because we think it's all about finance. But eco and nomos are the laws of the environment. If we break those laws, we are going to punish ourselves. Thank you very much.

Wheeler: Thank you. Commissioner Fritz, did you have a comment?

Fritz: No, I have a question for Commissioner Fish. I am just wondering is there a reason that we could add -- an emergency clause to make sure that these trees are protected as quickly as possible?

Fish: I would be delighted.

Fritz: We add the emergency clause because it's in the public interest to protect the trees as quickly as possible. Thank you, Commissioner.

Wheeler: Very good. We have a motion on the table and any discussion to the motion? Please call the roll on the amendment.

Fritz: Aye. **Fish:** Aye. **Hardesty:** Aye. **Wheeler:** Aye.

Wheeler: The ordinance is amended to be an emergency ordinance and now to the main motion. Any further discussion? Please call the roll on the ordinance as amended.

Fritz: Traditionally, it's been Commissioner Saltzman who has said that this is his favorite topic of the year, but I will take over that mental and encourage you, Commissioner Fish, or whoever is in charge of parks next year to have a longer presentation because I really enjoy seeing the variety of trees that we have in our city, the different places, the outreach efforts that have been going on to try to get more trees designated. I am mindful that there is not one in my neighborhood, and I am hoping to rectify that at some point. I will try to get it in by May, so the deadline for the review is May 1st, and you can go to the Parks and Recreation website to see how to nominate a tree. As was noted, the property owner has to agree. Unless it's a street tree, and the street trees are owned by the city, even though they are cared for by the adjacent neighbor. So, it's a great opportunity to make sure that there is the extra protection, and as we saw in the photographs, it does not mean that you cannot develop. It may mean that you may have a slightly smaller development in which in many cases means more affordable development, and that might mean that you have to be more thoughtful, but it does not preclude development to look after the trees. Aye.

Fish: Commissioner Fritz, I am glad you mentioned Dan because I remember so well during the ten years that we served with him that he would often -- regularly, every year that we had this presentation said this was his favorite presentation, and we will certainly take your recommendation up next year. I want to thank the parks team for an excellent presentation. I want to thank the urban forestry commission, and the heritage tree committee for the work that they do. Portland understands the important role that trees play in performing so many important functions, cleaning our air, managing our stormwater, and adding shade and beauty to our city. When we designate heritage trees,

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we do something very special. And we do it just for a select group of trees. Over time, that, the number of trees designated as grown, and it's one of our proudest traditions, and I am glad that we are continuing to do so. Aye.

Hardesty: Aye.

Wheeler: Love the presentation. Thank you everyone, I vote aye, and the ordinance is adopted as amended and we are adjourned.

At 10:53 a.m. Council recessed.

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Closed Caption File of Portland City Council Meeting

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: ***** means unidentified speaker.

MARCH 28, 2019

2:00 PM

Wheeler: This is the thursday afternoon march 28 afternoon session of the Portland city council. Please call the roll. [roll call taken]

Fritz: Here. **Fish:** Here.

Wheeler: Here. First we'll hear from our legal counsel on the rules of decorum.

Heidi Brown, Senior Deputy City Attorney: Good afternoon council and Mayor. Good afternoon. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. If it does not you may be ruled out of order. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless it's otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you're in the audience and would like to show support for something that is said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a thumbs down. Please remain seated in council chambers unless entering or exiting. If you are filming the proceedings please do not use bright lights or disrupt the meeting. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected a person fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Very good. Thank you. Karla, we have one item, item #273. Can you please read the item.

Item # 273.

Wheeler: Colleagues, this next agenda item is an extremely important one and I hope it's both powerful and joyous as well. I'll soon proclaim march 31 as transgender day of visibility, an annual international event to celebrate trans people all around the globe while also raising awareness of the real barriers that trans people face and how allies can help support the trans community. This is a community driven proclamation and presentation. A general reminder, proclamations are for invited testimony only. But we appreciate everybody being here and showing their support for this important proclamation. A little housekeeping for this afternoon, as requested by the community, restrooms on the second floor, that is this level here, are designated as all user-friendly. Single gender restrooms feel free to use any of the other restrooms on the first, third and fourth floors of the building. At this point, I'm going to turn it over to seraphie allen and Mikki Gillette from Basic Rights Oregon who are the mcs for today's celebration. Welcome. Good afternoon. And happy birthday. [laughter]

Mikki Gillette, Basic Rights Oregon: You stepped on my intro.

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Wheeler: Oh, sorry. [laughter]

Mikki: Hello, council. My name is mikki Gillette and I use she/her pronouns. I work at basic rights Oregon as the major gifts officer. It's a pleasure and an honor for me to be here today as the city celebrates transgender day of visibility. March 28 is my birthday. I turn 47 today. As a child growing up what little I heard about the transgender and binary people like myself taught me that we were objects of ridicule and scorn. We learned to hide who we were like a shameful secret. At that time I couldn't have dreamed I would be living the life I am today. And I certainly didn't dream that my city would be celebrating my trans siblings and myself. Trans day of visibility, or Tida, was started ten years ago today by Rachel Crandall of Michigan. Rachel was frustrated that the only well-known day associated with trans people was trans day of remembrance, a vigil for people murdered in acts of anti-trans violence, so she founded Tida as a counter balance. For ten years people around the world have celebrated the accomplishments and victories of transgender people on this day while also raising awareness of the struggles and dangers still faced by our community. Our visibility is our greatest strength. By living our lives out and openly we can change our workplaces, our communities and even the halls of power. We thank the city for joining in this movement.

Wheeler: Thank you.

Seraphie Allen: Good afternoon, city council. My name is Seraphie Allen and I use she/her pronouns. Though I work as a policy advisor for Mayor Wheeler today I want to stress my pride and humility as a member of the LGBTQ+ community and the privilege I have as a cis person helping to put this day on and to walk in city hall every day. Over a year ago Mikki and I first met through our involvement with the Harvey Milk Street Project. A couple months after Mikki reached out to see if our office was interesting in doing something around transgender day of visibility. From there, an assortment of community members and organizations, who I will be sure to thank later, came together to put on this first ever celebration of transgender day of visibility in Portland City Hall. Mikki and I will act as MCs for the afternoon to help us flow through this familiar run of show. First up, we will have a choir performance by accord, and then we will share a video featuring a city employee. We also have a panel of amazing presenters who will share their experiences and expertise around housing and homelessness issues affecting our trans and nonbinary community and we'll also close out that piece with a video representing our youth voice who are also present today. You get a little extra. Lastly, the mayor will read the proclamation proclaiming March 31st as transgender day of visibility. Thus without further ado I would like to introduce Accord. Accord is an a cappella group composed of transgender, nonbinary and gender nonconforming singers. Together Accord and Transpose Community Choir form the nonprofit choral arts organization Transpose PDX. Commissioners and Mayor, would you mind joining us down in the audience so that they can, the choir can perform to one audience? Thanks.

Wheeler: Thank you.

[Singing]: ♪ hold your head up high ♪ ♪ hold your head up high ♪ ♪ hold your head up high ♪ ♪ hold your head up high ♪ [singing] [cheers and applause]

[Speaker]: Hello everyone. We are a chord and a cappella group composed of transgender, nonbinary and gender nonconforming musicians. Trans visibility is one of the core reasons this group was formed and we are incredibly proud to showcase the immense talent that exists within this community. We had a lot of conversation about this performance among the members. While we have fought hard for progress and come a long way as a society for safety and equality for all people, we are still a long way from the best of the best of times. We don't want the visibility of our successes to overshadow the urgency of the work yet to be done but we also want to be unapologetically present for our community members to show that trans is beautiful, trans is powerful and that someone is in their

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corner. We are grateful for the platform and we are here to sing for our city's leaders, you are not done yet. We need you to understand portland's pressing issues like houselessness, immigration and police brutality as trans issues impacting us disproportionately in ways that call for urgent and creative intervention. In declaring trans day of visibility, you are making a commitment to ensuring that the continued survival of our most marginalized trans community members. We need you to take that commitment seriously and value our lives in every single day of the year. Our next song is called tomorrow by minor. It is to both celebrate successes and to prepare for longer, harder battles ahead of us. When we say that there will be better days, it is not platitude. It is a rallying cry. We need to bring this future into being,

[Singing]: ¶ there will be better days ¶¶¶ ¶ there will be better days ¶¶¶ [singing] ¶ there will be better days ¶¶¶ ¶ there will be better days ¶¶¶ [singing] ¶ let the wave wash over me ¶¶¶ ¶ let the wave wash over me ¶¶¶ ¶ let the wave wash over me ¶¶¶ ¶ there will be better days ¶¶¶ ¶ there will be better days ¶¶¶ ¶ let the wave wash over ¶¶¶ ¶ let the wave wash over ¶¶¶ [applause]

Fritz: Wow, thank you.

Allen: Okay. Thank you accord. That was beautiful. We are now extremely privileged to share a video featuring jayden dotson who works in our office of management and finance in the human revenue division. Jayden has recently joined the city's lgbtq+ and friend affinity group leadership team and has graciously shared his story but I will let the video speak for itself. [applause]

[video - Jayden Dotson, Office of Management and Finance]: I first through something was different when I was in grade school. I was a big tomboy. My dad and my brother were out sunning and I wanted to take off my shirt too and I got in trouble and told you can't do that, you're a girl. As I got older, I started to dress in drag, put on facial hair and go out to the nightclubs and I started presenting myself how I was feeling. It was very liberating for me. When I first learned that transitioning was a possibility, I was very intrigued. I was like this is me, this is the road that I need to go down. It was very exciting and very scary. The struggles that I had to deal with mostly it was transitioning on the job. I was asked not to use the bathroom in my office because they were uncomfortable so I, for a year, I used the bathroom downstairs. Visibility is important to me because if we're not visible, things won't change. We're people. We need to be treated as equals. When the shooting happened in Orlando and I was like, okay, I need to step up. It was right before pride and I literally, like everyone was scared to march in that pride that year. And I was like I have to do this, and I was carrying my totes trans tote from the hrc that I got and we started marching and as I was walking, I heard this lady say I see you, and I was what? I turned around and she said it again. She said I see you and that just filled my heart like, I can't even explain it, it was amazing. My hope for the future is that bathrooms are not an issue, being trans is not an issue. Love, lots of love [laughter] [yeah]

Wheeler: That's amazing.

[applause]

Allen: So jayden is somewhere around here. I'm not sure where, but, right back there. So, thank you, jayden, for sharing that with us. We do not take lightly the willingness to share one's personal story and connect it to this day centered around visibility. I would now like to ask our panelists to come up and we actually have the pleasure of having almost too many folks today and so they're going to come up in two groups. So first can I have, Michalle, addy, avi, and eliza come on up to the table, and present to us, and then we'll have two more.

Wheeler: Good afternoon. Welcome. Thanks for being here.

Michalle Wright: Absolutely. My name is Michalle wright and I am formerly homeless and formerly incarcerated transgender woman. I am here today sharing my story in hopes that

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it will move you to ensure that Portland provides services, lifesaving services, desperately needed by homeless, trans and queer youth. I became homeless at the age of 16. At that young age I did not understand how to access the limited resources that were available to me at the time. For the next six years I tried to navigate the complex and confusing system of services available to homeless queer youth with very little positive results. Everything seemed intimidating and the challenges I faced were numerous. I was trying to finish high school, go to college, begin my medical transition, and create a stable living situation, all without the help of family. In the midst of all this, I was raped. The trauma caused a downward spiral of hopelessness that led to drug addiction and my inevitable incarceration. I had always been afraid to access shelters because I was scared that I would be housed with men despite identifying as a woman. After being raped, I was so afraid of sleeping near other men that I didn't even try to stay in most shelters. I only trusted the shelter run by outside in because I knew they would allow me to sleep in the women's shelter, which matched my gender identity. It often felt like I had nowhere to go. At the time I needed support such as a stable place to live, access to professionals who understood gender affirming health care like a therapist, a medical doctor and a trauma informed counselor. Without access to these critical services, and after years of being homeless, I wound up incarcerated like so many homeless trans and queer youth. While this may not make sense to people who have not lived on the streets, I committed a crime as a cry for help. I desperately needed a roof over my head and getting sober, and help getting sober. My best thinking was to seek refuge in the criminal justice system. Looking back at my 22-year-old self I realize how naive I was. What was supposed to be a petty crime, stealing \$20 from the kentucky fried chicken on 82nd and powell, in a few months in jail, turned into a 70-month prison sentence thanks to measure 11 and mandatory minimums and the cruelty of measure 11 and mandatory minimums. While incarcerated I was denied adequate medical care and housing. I was denied hormone replacement therapy and housed with men despite being a woman. With the help of basic rights Oregon and the aclu I sued the Oregon department of corrections and won. During my time in prison, I learned to advocate for myself. Now after my release I feel it is my duty to advocate for those that are still afraid to use their voice. I hope that my story will encourage them to come out of the shadows and find their own voice. I thank you all for being here today and for letting me share my story with you. Thank you for supporting the transgender day of visibility.

Wheeler: Thank you, Michalle.

Wright: Thank you.

[applause]

Adeline Vasquez: Oh my god. Gimme a hug.

Wheeler: Good afternoon.

Vasquez: Hi. Why is trans day visibility important to me. I feel like not just me but the community I love would know how hard it is truly to be ourselves regardless of how times have and are changing but something like transgender visibility day will allow a majority of our community to take off the invisibility cloak and reveal their bright inner selves. Even if it's just for a day it will allow us to show others that are afraid to be their true self that yes, you're not alone, and yes, for once, our voices are being heard. Our elders and other activists that were afraid to have a voice, however, fought for us [inaudible] ourselves with freedom that they could only once dream but they managed that [inaudible] for us to be that voice right now in this hall. Let not just our voice be heard but as a whole voice as unity. My name is adeline [inaudible] Vasquez and I'm a proud true spirit with the label trans across my big round indian face. Trans day of visibility would be super important a community that is still afraid, ashamed and suicidal from their true selves. From the future of tomorrow to our knowledge-wise elders that's why we need a day to let our fellow

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community that are hiding out or et cetera, I am colored, I am disabled and I am proud trying to live out in the open as a person that bloomed in black and white garden. Thank you.

Wheeler: Thank you. Appreciate it. [applause] Good afternoon.

Elizabeth Esser: My name is Elizabeth esser. I am representing the sexual and gender minority youth resource center. The trans day of visibility is important because it is an opportunity to foster empathy towards and understanding of a group of people that have long been oppressed. Homelessness in particular is -- excuse me. Homelessness in particular has a disproportionate effect on the queer community as a client receiving services from outside in and other nonprofits I have seen this firsthand. Family and friends, artists, students pushed to the streets because of discrimination. We must offer understanding to these people who have been discriminated against and enact policy to address the systematic issues that relate to homelessness in specific regard to the trans community.

Wheeler: Thank you. [applause]

Avi: Hi, my name is avi and I represent the sexual minority youth resource center. People ask us why transgender or gender fluidity is important. It's important because we matter. We exist. I never heard of transgender or nonbinary due to my family coming from a dark world with a religion that discriminates the person who I am today. I think it's important to have this day and this meeting because we're under-looked at, mocked or killed just for being who we are. Transgender kids are also the most vulnerable because they are looked as a freak in today's society. We are to live our lives by what we were born as, society says, and we're to treat those who look different or whatever the case may be that they are sick. Visibility is important to me because it says that we are here and it's okay to be who you are and you don't have apologize for it. This day is for us nonbinary, trans and two-spirited kids and adults to have the freedom to be who we want to be. We have only one special life and we should make the most of it. We live in a world where people are taught to hate the unknown and because of one book that society has written thousands of times we are the most targeted. It is important to have this day because what the so-called president that we have and also his vice president anything could happen. We are not alone. This day inspires us and gives us hope and strength to be who we are. Visibility also changes the attitude of society. It can destigmatize transgender identities and open peoples' minds, however we need more than visibility. We need rights protections, justice and acceptance. We have our visibility now but we also need action. Transgender communities do not deserve to be trivialized but yet we face too many injustices to count. Visibility is also important but action needs to be taken place. Please acknowledge this. Times are changing and we are growing. Thank you.

Wheeler: Thank you. [applause] Thank you for your excellent testimony. Good afternoon.

Erin Waters: Good afternoon. Distinguished representatives, thank you for your time today. My name is erin waters. I am a community health navigator for kaiser permanente. I'm also a member of the Q center board of directors. I want to make clear that today i'm here as subject matter expert and member of the community, not a representative of kaiser permanente and so any opinions I express aren't reflective of the organization. I will be short in stating that in no uncertain terms housing is health care. [applause] In 2018 the world health organization defined social determinants of health as conditions in which people are born, grow, live, work and age. These circumstances are shaped by distribution of money, power and resources at the global, national and local levels. These factors which include housing, employment, access to food and others are critical components of both immediate and long term health care outcomes. Time and again in our community we are hear from those who are desperate for accessible, affirming and affordable housing options. Far too often, the same basic issues of access which everyone must struggle with

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are compounded by both covert and overt discrimination for those who occupy marginalized identities. This is no less true for the transgender community whose experiences with access, even in this very liberal city, can be typified by discrimination and minimalization. It also bears mentioning as it always does that intersecting identities such as those who are black or other persons of color, those who live with disabilities or in bodies that do not fit within culturally strict preferences endure even less access in a rapidly and ever gentrifying city where housing is getting further and further out of reach. This is beyond a simple statement of seriousness and necessity. After surgeries that can take weeks or months to recover health care systems are faced with the real prospect of having to discharge our most vulnerable patients into shelters, where access to care and lack of ability to perform wound cleaning appropriately affect immediate surgical outcomes. They're places where discrimination from staff of the residents is still a factor and the dire nature of the situation cannot be overstated in moments in which patients must be discharged into domestic violence or intimate partner violence situations or into the overburdened systems helping others survive and escape those environments. This includes young people who have had to turn to transition related care and sometimes a desperate attempt to avert suicide needing somewhere safe to go. The idea that transgender identities are somehow less worthy is reaffirmed on a daily basis down from the highest levels of the american government where choosing a side with our freedom to disrespect and exclude one another rings louder than our freedom to create a shared and civilized society with a place for everybody. For our neighbors have freedoms say not just with their words but with their actions that the trans community is simply unwanted and therefore unwelcome, how are we supposed find places where we can hang both our hearts and our hats without the city itself lending us a helping hand. As a community which to this day faces literal violence from those who would otherwise be called friend or neighbor, trans people absolutely deserve access to places that they can call home. Thank you for your consideration. [cheers and standing applause]

Wheeler: Thank you. Appreciate it. Good afternoon.

Zoe: I think it might be impossible to follow that but i'll do my best.

Waters: Please do. You're voice matters.

Zoe: My name is zoe. I use she/her pronouns. I'm here both a trans woman and also as someone who works locally at largest shelter provider in town, transition projects. And both as a trans person and as someone with that expertise I have to second and third and fourth every single thing that's been said about housing, the lack of housing here in Portland as well as the way that trans people are treated both at transition projects and at providers across town. It is dismal. It needs changing. We have to do something. I am here to offer both that reminder as well as potential glimmer of hope. Recently the department of housing and urban development released an amount of money that was available to our continuum of care. Myself and other people put together a grant for trans and gender nonconforming people to receive permanent supportive housing and we believe that we are the first project now in the country to be funded through hud to serve trans adults with case management. [applause] But through this project which we hope to have up and running which better be up and running by july 1st we hope to, on a yearly basis, house 17 trans individuals permanently, offer them rental assistance, offer them peer support and offer them case management, all through working alongside other trans people employed at transition projects. Again, we do believe that Portland is now going to be home to a very unique project, but it is only 17 trans people who will be housed a year. We desperately, desperately need more resources and more attention if we're really going to make progress here. Thank you for your time.

Wheeler: Thank you, zoe. [applause]

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Allen: Thank you, panelists. That was inspiring and amazing. We now actually are quite lucky. So before we didn't know that we were going to get to be able have our youth with us today. Aja, myself and Adam went to smyrc to the drop-in center and got the privilege of being able to spend some time with some of the youth that were there and Avi and eliza were willing to also be on the video if they couldn't be here today so you get to see also a video representing them as smyrc still talking about housing and homelessness. Whenever you're ready, Aja. [applause]

[video – Avi]: I'm Avi. I am 23 years old. I am a nonbinary criminal justice student at Portland Community College.

[video – Eliza]: My name is Eliza. I am 22 years old. I suppose my realization of my queerness came in two stages. One realizing I was bi and then two, realizing I was trans. I was brought up in a catholic household so realizing I was bi at the age of about 15, 14, came with a lot of shame and a lot of internalize homophobia that I had to deal with.

[Avi]: I first realized I was gay around 13. I came out to my family a few years after my mom passed and my family kind of knew. It kind of a good experience, also kind of a bad experience coming out at so young and dealing with so much hate.

[Eliza]: After coming out as trans, my family just refused to refer to me as like Eliza, or using she and her pronouns, and that ultimately became quite a big part of like why I left home and became homeless.

[Avi]: I've been homeless off and on for about three and a half years. Finding housing specifically for nonbinary and transgender women is really hard, and transgender men, too, because like sometimes we don't conform into one housing. We just want to be somewhere where we're safe.

[Eliza]: The LGBT community and I suppose trans people specifically are disproportionately homeless. There's the issue with, you know, just families refuse to accept their trans family members and that will lead generally to like repression, homelessness or suicide.

[Avi]: Visibility is very important for anyone who identifies with the LGBT community.

[Eliza]: When I think of Trans Day of Visibility my mind immediately associates it with the sort of saying that like you know, the old-timey dude is like "yeah, this didn't exist back in my day," when it's just like "no, it did, people were just ashamed to be visible and open and transparent about their gender identities, so it's sort of the celebration of that change in our culture where people are less afraid to be out and to be open.

[Avi]: I try to live my life as I want to, you know. I think the possibility of transitioning is really good, you know, and if anyone who has that possibility can take it, you know, because why be something you're not when you can be something that you want to be?

[Eliza]: Promoting understanding and empathy through empathy, we get rid of bigotry and hatred.

[Avi]: It's going to be unknown. People don't know what this is, you know, and it's not an it or a thing, you know. It's an actual feeling that we have and that we can't control. So it's important that we say that we are here, that we are important and that we matter, you know? That's why we have pride movements. That's why we have trans day of remembrance, you know, because we lose some many people to suicide because of nonacceptance. So having this day of visibility makes us known.

[applause]

Wright: We have heard today that our community faces many barriers and not unlike other vulnerable populations in Portland housing instability and homelessness is a life-threatening concern. We are asking today that the city council support development of a stakeholder group to examine and engage transgender community members in a process that will bring about recommendations to the city council and county board of commissioners by the time we meet to celebrate trans day of visibility next year. And we

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ask that you do not just take this one day to acknowledge our existence but continue to weave it into the framework of your equity plans and make sure we are always included at the table for the issues that greatly affect our community. Thank you. [applause]

Wheeler: Thanks for being here. Appreciate it.

Allen: Now, commissioners and mayor, I want to give you a chance to respond to what you've heard today. But first I would like to give thanks to the people who have helped make this day possible. First thank you to Seth from Smyrc. Seth, will you raise your hand. [applause] for your tireless work with our youth I felt incredibly honored to share in the space that you helped to create for them during the drop-in hours earlier this week. Thank you for continually reminding our group how we cannot leave out the youth voice and making sure that they could be represented today. Thank you to Jayden, Avi and Eliza for sharing the stories in the video. Scottie Scott, which is the best name ever, from Multnomah County's office of diversity and equity for your measured and incredibly insightful perspective. You are a great connector and advisor and a crucial part in bringing people together for this day not just from the well-known organizations but also from the larger grass roots community in Portland. [applause] April Roman from the joint office of homeless services for your guidance and your help in this process. Karen Brooks from the fire department and Debbie Caselton from the bureau of environmental services for ordering and handling all the lunch as a thank you to the participants before this council hearing. [applause] Thank you to Adam Thompson from Mayor Wheeler's staff for producing such amazing videos. Thank you to Page Smith, from Q Center, Elaina Medina from Smyrc and of course Aja Blair from Mayor Wheeler's office. [applause] As a personal piece I don't know how I could do this job without Aja. I have been lucky enough to be here for two years and three months in city hall and Aja has been one of the greatest gifts that I have been given in getting to work here, so I want to say that. Also of course I need to thank Mikki for who this day would not be happening and would not be possible without. Your advocacy and leadership has been absolutely inspiring to me. So thank you. [applause] and happy birthday. [laughter] Lastly, I want to give a moment to all the trans and gender nonbinary people who could not come here today or have complicated feelings about this day being honored at city hall. It is important to remember that our government systems have and continue to perpetrate much of the pain and suffering to the very people it is supposed to represent. And also that many people that do not feel safe being invisible have very valid safety concerns. Thus I want to make sure that we acknowledge the extra work that is needed to make sure that people who are wanting to participate could. I super would like to stress that in terms of bringing this day together, the amount of concerns and feelings and things that people had to bring in order to just be able to feel safe in this space. Thus Mayor, Commissioners, thank you for listening. If you would like to make any comments or ask any questions feel free to do so before the Mayor reads the proclamation.

Wheeler: Thank you, Seraphie. Thank you, Mikki. Commissioner Fritz?

Fritz: Thank you Mayor. Thank you Seraphie. Thank you, Mikki. Thank you to each and every one of you who are here today to show support and to testify. Thank you to the choir. Oh, let's hear it again for the choir: [cheers and applause] In addition to all the people that Seraphie thanked, I want to say a particular thank you to Josie in Portland Parks and Recreation who has been very helpful to me in learning more and to Mayor Sam Adams who when Commissioner Fish and I were both involved in requiring that the city's health insurance policy cover transitioning services and medical needs, so that, it's been a while since then and it's really great. Thank you, Mayor Wheeler, for putting this program on today and for each of us gathering to note how very, very important this work is and I'm just, I'm very, very grateful to each one of you who is here. Thank you. [applause]

Wheeler: Commissioner Fish.

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Fish: Well, Amanda gave my speech so, and probably better than I could, so I will not repeat all the thank yous other than to say to Seraphie and Mikki, thank you very much for the work that you did and for mc'ing this gathering. And mayor, thank you for bringing this important resolution forward that you're going to read in a moment. Seraphie mentioned aja blair and her experience with him. Well, I want to make clear aja is just on loan to your office. [laughter]

Allen: Now, now.

Fish: It's a temporary gig. I do have an aja blair story that I think is germane to this gathering and about how we learn from each other and we test our assumptions and we grow. Aja blair now works with the mayor and does his scheduling. He previously had the same position in my office but he decided to take a break from public service and he traveled the world. He did some very great adventures then came back. Just before he left on his great adventure, we did a retreat where my office sat down and said, let's plan out the next year, what are some things we should do, how should we prioritize our time. Aja said, I don't understand why the city has so many single stall gender specific restrooms. The tide is turning nationally to all user and I don't understand why the city doesn't take the lead. Well, we did a little research and we weren't sure either why we weren't but what we were observing was that every time this issue came up in places like houston and north carolina and other parts it was almost as if places just went crazy. They had civil wars over restrooms. It became this huge politicized fight. So because we wanted to avoid the mistakes of other jurisdictions we asked our friends at basic rights Oregon and smyrc and disability rights Oregon and all these various groups came together and we said how can we do this? By the way, in fairness we were doing this now when aja was off on his great adventure, but we wouldn't have been doing it had he not challenged us to do this. We said how do we move forward? One of the most profound things I remember from that experience was we got a lot of push-back in how we were about to frame this issue of all user restrooms. The push-back came because people with lived experience at the table, they were advocates, said, why are you making this about transgender rights? This is an example of where when you do the right thing everybody wins. Why are you singling us out? When you extend rights to one group you do the right thing everybody wins so why don't you frame it as a win for the community for a parent with a child, an older adult with an attendant, a transgender neighbor, yes, but let's bring everybody into the equation and it was a very profound insight. We ended up changing our entire strategy, the entire framing, with commissioner Fritz's help we promptly converted all single stall restrooms in the park system, which was over 600, to now all user. So that anybody can use them. We then challenged the business community to step up and our friends at yelp joined the team. I don't know if you know this but yelp actually advertises on their restaurant sites now whether there is an all user restroom because yelp is of the belief that there is no reason that there should be a long line of some gender specific restroom while another one is open. Why not make all single stall restrooms open to everyone so everyone feels welcome so we made that change. The business community stepped up and 1,000 restrooms in the first six months were converted. Then the council made another very important commitment which we said in the Portland building, which is the building under construction I guess over here, the council said we are going to have state of the art all user multi-stall restrooms and we're going to lead the country in creating spaces which are safe and welcoming. So you know, that's something to celebrate. At the same time we required all city administrative documents to remove gender specific language on all forms and documents which is not specifically legally required and that is a work in progress. So what did I learn? I learned that of course what everyone else has learned working with aja, is he's a gem who isn't just great at his state job but brings a whole body of life experience to his work and helps all of us do better. I learned that when we engage the community in

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thinking about solving problems what sometimes feel like civil rights issues end up becoming much broader and that when we recognize that everybody wins when we advance the ball. Everybody can claim victory. We can have more wins. That we should never say it's just for one group or another. We should explain to people that we're all better, our community is better and stronger when we frame things and bring everybody under the tent. I'm very proud that the city has taken this leadership role. I expect that as we go forward and deepen the relationship which this gathering is helping to submit that there will be other ideas for things the city can do around homelessness and I accept your challenge, mikki. I'm sure a year from now we'll have a committee and some recommendations. There's so much we can do together and by having a convening like this that the mayor has made possible we get to deepen relationships and begin to plan for the future and along the way people like me get to challenge their assumptions and think more deeply about issues that affect all, so I'm very grateful. And I'm grateful for the role that everyone in this room plays, and mayor, i'm grateful to you for bringing this forward.

Wheeler: Thank you, commissioner. I would like to share a quote from Janet Mock, many of you heard of this. Janet is a trans actress, a writer and activist. She said this and I quote, "I believe that telling our stories first to ourselves, then to one another, and then to the world, is, in and of itself, a revolutionary act. It's an act that can be met therefore with hostility, exclusion, and violence. It can also lead to love, understanding, transcendence and community". Janet's quote explains accurately why I think it's important that hearing stories from trans people is something that we need to be overt about. We need to hear these stories. We need to share these stories with ourselves and amongst one another, and then with the world. And yes, sharing these stories even here today in this chamber is and of itself a revolutionary act. Today is first and foremost about visibility. I want to recognize that visibility can be paradoxical in many ways. I want to recognize that in seeing you and in celebrating you here in this visibility, it can also bring danger. I understand that visibility can make you vulnerable, and we know that there have been attacks in this community, both recently and over a long period of time. I want to applaud the panel and the work group for being here in support of the positive power that visibility brings, and for being a force against the negative implications that also come with visibility. I am more than supportive for the development of a stakeholder group and i'm already looking forward to hearing the recommendations in the coming year, so mikki, thank you for not only highlighting it but also having -- just the plain smarts and good acumen to actually go for that funding and be able to bring it back and make something of it, and that's my pledge to the community. We'll do our part to make something of it. If people are looking to be involved in this or any other aspect please feel free to contact my staff, seraphie allen is right here in front, aja blair is in the back, and I know they will connect you to the right people at the right time in order to become more engaged in the process. I would like to thank seraphie. I would like to thank aja, both for my work -- for my office for working to make this event. It's important and I think joyful event possible. I want to thank adam, who just amazingly puts these videos together in record time. Those were two of the finer ones I think I have seen. And I have never had the opportunity to acknowledge my spouse in the chamber, Katrina. She was here with her friend mary. I ordinarily wouldn't call it out except that I have been mayor for a little over two years and it's the first time that she has been in the chamber with me. I'm greatly appreciative of her being here. [applause] I also want to just correct the record. You know, one of the sort of negative things about being mayor of Portland is no matter what happens or who is responsible or who had the authority as mayor you pretty much get blamed for all the bad stuff that happens. The flip side is sometimes you get the credit for things when credit is not actually due. I want to emphasize that this celebration today, this day of visibility did not happen because of me. It happened because the community brought it to our office and said, this is something that

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we should do together as a community. There were a lot of people in the community who worked really, really hard for months, many, many months to make this a possibility and I want to acknowledge that. We're all here today because the community brought us here together today. I think that's one of the greatest things about this city. Thank you to mikki Gillette from basic rights Oregon for celebrating your birthday in style with us here today. Elaina medina and seth johnson from the sexual minority resource center. Page smith from the q center. Scottie scott from Multnomah county, april roman from the joint office of homeless services, and debbie caselton from the bureau of environmental services and karen brooks from Portland fire and rescue and I see a number of our other great public servants here in the audience today. So thank you all for being here, those of you who work with us here at the city of Portland. I want to give you a heartfelt thank you for sharing your stories, for being here today. We see you. We stand with you. Thank you. With that, I get the privilege of reading the proclamation. We actually have the main proclamation and lots of copies of the proclamation. What's a proclamation? A proclamation is the stated values of this council. I as mayor have the privilege to read it on behalf of all of us. Whereas, the city of Portland is committed to diversity, social justice, equity, and mutual affirmation as a core aspect of a healthy community. And whereas the presence and visibility of the transgender and gender nonconforming community enhances the vibrancy and diversity of the city of Portland's culture. And whereas, in 2000 the Portland city council voted unanimously to add gender identity to the city's 1991 civil rights ordinance and in 2012 the Portland city council voted unanimously to provide transgender related health care to city employees. And whereas Portland is honored to host annual events such as the Portland trans pride march and the pdx trans day of remembrance. And whereas Portland recognizes that transgender women and fems of color experience by far the greatest percentage of anti-lgbtq discrimination and hate crimes. And whereas transgender day of visibility offers all Portlanders the opportunity to reflect on the past successes and challenges of the transgender community and look to the future to continue to improve society so that all people can experience social and economic equality. Now, therefore, I, ted wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim march 31, 2019, to be transgender day of visibility in Portland and encourage all residents to observe this day. [applause and cheering] What we'll do is I will gavel this out and if we could come down front for a photo for posterity. We are adjourned.

At 3:04 p.m., Council adjourned.