



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **6th DAY OF MAY, 2020** AT 9:30 A.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fritz and Hardesty, 4.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by phone and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, www.portlandoregon.gov/video and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at cctestimony@portlandoregon.gov.

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney.

Item No. 345 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS

337	Request of Tyler Wilkins to address Council regarding Participatory Budgeting Oregon (Communication)	PLACED ON FILE
338	Request of Adam Phebus to address Council regarding commercial trash pickup times (Communication)	PLACED ON FILE
339	Request of Lightning Super Karma to address Council regarding Lightning Super Karma communication (Communication)	PLACED ON FILE
340	Request of Joel Seim to address Council regarding rude 911 operator (Communication)	PLACED ON FILE
341	Request of Eugene Hinzman to address Council regarding property issues (Communication)	PLACED ON FILE

<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p> <p>Bureau of Environmental Services</p>		
<p>342 Authorize the Bureau of Environmental Services to enter into an agreement with The Water Research Foundation and CDM Smith to evaluate the occurrence, the transformation of, and the fate of poly and perfluoroalkyl substances in U.S. wastewater treatment plants for an amount not to exceed \$10,000 (Ordinance)</p>		<p>PASSED TO SECOND READING MAY 13, 2020 AT 9:30 AM</p>
<p>Office of Management and Finance</p>		
<p>*343 Pay property damage claim of Kaiser Group, Inc in the sum of \$15,000 involving the Portland Bureau of Transportation (Ordinance) (Y-4)</p>		<p>189945</p>
<p>*344 Pay bodily injury claim of Mary Livesay in the sum of \$49,900 resulting from a motor vehicle collision involving the Portland Bureau of Transportation (Ordinance) (Y-4)</p>		<p>189946</p>
<p>*345 Authorize a one-year lease agreement with 524 Properties, LLC for laboratory space at 524 N Tillamook St, through May 31, 2021, at an estimated cost of \$21,120 for Cryptosporidium genotyping to support the Portland Water Bureau's Bilateral Compliance Agreement with Oregon Health Authority (Ordinance) (Y-4)</p>		<p>189951</p>
<p>Commissioner Jo Ann Hardesty</p> <p>Portland Fire & Rescue</p>		
<p>346 Authorize application to the Department of Homeland Security through its Federal Emergency Management Agency for boathouse construction grant totaling \$1 million (Second Reading Agenda 331) (Y-4)</p>		<p>189947</p>
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p>		
<p>347 Proclaim May 5, 2020 to be Day of Awareness for Missing and Murdered Indigenous Women (Proclamation introduced by Mayor Wheeler) 20 minutes requested</p>		<p>PLACED ON FILE</p>
<p>Bureau of Environmental Services</p>		
<p>348 Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Goose Hollow Sewer Rehabilitation Project No. E10683, for an estimated cost of \$5,949,000 (Ordinance) 10 minutes requested</p>		<p>PASSED TO SECOND READING MAY 13, 2020 AT 9:30 AM</p>

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<p>349 Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the Montavilla North Sewer Repair Project through the exercise of the City's Eminent Domain Authority, Project No. E10385 (Second Reading Agenda 332) (Y-4)</p>	<p>189948</p>
<p style="text-align: center;">Office of Management and Finance</p> <p>*350 Authorize a Letter of Agreement between the City and Public Safety Unions, including only the following: The Portland Police Association; Portland Police Association representing Emergency Communication Dispatchers at the Bureau of Emergency Communications; Portland Police Commanding Officers Association and Portland Fire Fighters' Association, Local 43 IAAF to establish a temporary agreement and to authorize employees to receive full pay for qualifying Paid Sick Leave under the Families First Coronavirus Response Act (Ordinance) 20 minutes requested Motion to amend directive b in ordinance to include the following, the Director of Human Resources is authorized to enter into a Letter of Agreement with the union representing Portland Fire and Rescue in a form substantially similar to Exhibit A, but is further authorized to provide up to 103.38 hours of emergency paid sick leave pursuant to the FFCRA: Moved by Hardesty and seconded by Wheeler. (Y-4) (Y-4)</p>	<p>189949 As Amended</p>
<p style="text-align: center;">Commissioner Chloe Eudaly</p> <p style="text-align: center;">Bureau of Transportation</p> <p>351 Authorize a contract with the lowest responsible bidder for the Downtown I-405 Pedestrian Safety and Operational Improvements Project for an estimated \$3,183,401 (Second Reading Agenda 335) (Y-4)</p>	<p>189950</p>

At 10:58 a.m., Council adjourned.

2:00 PM WEDNESDAY/THURSDAY MAY 6-7, 2020

**DUE TO LACK OF AGENDA THERE WERE NO
WEDNESDAY OR THURSDAY 2:00 PM MEETINGS**

MARY HULL CABALLERO
Auditor of the City of Portland

Karla
Moore-Love

Digitally signed by
Karla Moore-Love
Date: 2020.08.25
15:21:44 -07'00'

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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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.

May 6, 2020 **9:30 a.m.**

Wheeler: Good morning everyone it is now 9:30, this is the Wednesday May 6, 2020 session of the Portland city council. Karla can you please call the role.

Hardesty: Here **Eudaly:**

Wheeler: I know she's here commissioner Eudaly are you on mute.

Eudaly: Sorry I lost the screen, yes I'm here.

Fritz: Here.

Wheeler: Under Portland city code and state law this city council is holding this meeting electronically, members of the council are attending remotely by phone, the city has made several avenues available for the public to listen to the audio broadcast of this meeting. The public can also provide written testimony to council by emailing the council clerk at cctestimony@portlandoregon.gov. The council is taking these steps as a result of the covid-19 pandemic and the need to lessen in person contact and promote social distancing. The pandemic is an emergency that threatens to the public health, safety and welfare requires us to meet remotely by electronic communications, thank you all for your continued patience, flexibility and understanding as we manage situation and do the city's business. Karen good morning could you please read the usual statement.

Karen Moynahan, Chief Deputy City Attorney: Thank you mayor and commissioners, to participate in council meetings you may sign up in advance with the clerks communication to briefly speak about any subject, you may also sign up for public testimony on resolutions or the first readings of ordinances. The published agenda at portlandoregon.gov/auditor contains information about how and when you may sign up for testimony while the city council is holding electronic meetings. Your testimony should address any matter be considered at the time. 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 your time is up the presiding officer will ask you to conclude. Disruptive conduct such as shouting or refusing to conclude your testimony when your time is up or interrupting others testimony or council deliberations will not be allowed. If there are disruptions a warning will be given that further disruption may result in a person being placed on hold or ejected from the remainder of the electronic meeting, please be aware that all council meetings are recorded.

Wheeler: Very good, thank you. First up Karla is communications, could you please call the first individual 337.

Item 337.

Moore-Love: He will not be speaking.

Wheeler: Very good, next individual is item 338 please.

Item 338.

Adam Phebus: Good morning mayor and council members can you hear me?

Wheeler: Yes, thank you.

Phebus: Thank you all for your help to keep us safe during this pandemic and thank you for your attention this morning. I'm here to talk to you about another public health hazard that I believe is costing tax payers and property owners and neighbors in the pearl district

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where I live and the hazard that I am referring to is the night time commercial trash pick-up that has some how persisted here during the many years despite the complaints of so many residents who have been subjected to the effects of sleepless nights. To make matters worse there are multiple trash collection companies that pick up on different schedules in the exact same area causing more sporadic noise and excessive damage to the roads. It sounds like a hyperbole so the context you should know is my fiancé and I live in a upper floor unit in a new concrete highrise and we are woken up by slamming dumpsters two to three times a night, four days per week every week, that's four very stressful and sleepless nights every week without fail and to top it off our bodies had adjusted to this new norm, so we now wake up in the middle of the night filled with adrenaline on the three nights off as well. There's no respite and we simply cannot afford the continued loss in job performance and health due to sleeplessness, I've spoken with our building manager as well as several residents in other buildings including hoa board members, nearby luxury condos and the suffering seems to be wide spread. There's large multifamily buildings on every block around us and with a population of about 6,000 in a area that's less than a half a square mile, this is most certainly torturing hundreds if not thousands of residents in this neighborhood alone. To continue to allow such a hazardous trash pickup schedule in predominantly residential neighborhoods seems like a flagrant disregard for the health and welfare of the citizens. For a quick refresh on the detrimental effects of poor sleep the first page your google search will offer research by medical leaders, havard, johns hopkins and nih. With that said I move onto other cost that I see associated with this, I imagine the property taxes generated by the residential units in the pearl make a nice share of the revenue for the city, not only does community nuances lower the demand for property resulting in a loss of money for both homeowners in the city, but the occupants are contributing to help the city thrive, it seems like they earned the right to a adequate rest. In addition I've seen many studies showing the expedient road damage cause by multiple heavy garbage trucks traversing the same streets, this added damage means that the tax payers are repairing the roads more often than necessary at great expense and you're probably thinking a single providers system would create a monopoly, but other progressive city's such as L.A uses zone system with one provider per district to mitigate the issue. And I've heard the trash companies argue that commercial trash pickup during residential hours would increase traffic, but in a predominantly residential neighborhood like the pearl there's very little street traffic and it's a grid with many different routes for commuters, so it just seems like lazy reasoning. In closing, I ask that you continue to protect our health, our taxpayer dollars, and property values by restricting commercial trash pickup times in neighborhoods such as the pearl to residential pickup times, since the neighborhoods have become predominantly residential. And I know that there is two sides to every coin, but I would imagine that the valued members of our community would accept a minor inconvenience in exchange for better wellbeing. Thank you.

Wheeler: Thank you, Adam I appreciate your testimony. It reminds me of a story from my past, as well. There was a short period of time where I lived in boston, and I lived in a lower unit on the back side of the building, back then everybody just had the trash cans. And every morning without fail, about 4:15 a.m., the guys would come down and pick up the trash cans, and it was like a sport for them seeing who could throw the trash can down onto the ground the hardest just because they could. So I can certainly relate to what you are saying. I don't, at my fingertips have the information on how the commercial trash collection is deployed in the pearl district but I know the people who do, And I will certainly follow up with them and find out what they know about it, but I appreciate that street level feedback from you, thank you. Commissioner hardesty had a question, too, I am sorry, adam if you are still there.

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Hardesty: I was going to ask adam if he would make his testimony available to the city council so we can follow up on that information.

Phebus: I would be happy to. What's the best means to do so?

Wheeler: What's the best email for him to send it to?

Moore-Love: You can send that to the cc testimony.

Wheeler: Cctestimony@Portlandoregon.gov. You have got it.

Phebus: Thank you, all.

Wheeler: We appreciate your participation today.

Phebus: Take care.

Wheeler: All right, Karla, next individual, please, 339.

Item 339.

Moore-Love: We have no way of contacting lightning.

Wheeler: Ok. I will just make sure lightning, are you on today in is all right. Sounds like he's not here. Next individual is 340.

Item 340.

Moore-Love: He also had no contact information.

Wheeler: Okay. And Karla, are we making it clear on the form that without the contact information we can't connect people to the call?

Moore-Love: These people signed up, probably, two months ago.

Wheeler: Okay, okay. They were assuming that it would be in person testimony.

Moore-Love: And we've contacting, trying to contact people two weeks in advance now.

Wheeler: If any of those individuals happen to be listening we will accept written testimony as well at the cctestimony@Portlandoregon.gov, and we do read it so if you can't be on the call, we will still get it, last individual 341.

Item 341.

Moore-Love: He should be on the line.

Wheeler: Mr. Eugene hinzman. Keelen, do you know if he's on?

McClymont: If you are unable to unmute, I am unable to unmute you. If you can push star 6.

Wheeler: Keelan is he on the phone or on the zoom?

Moore-Love: It looks like he may be on zoom but someone is trying to call in.

Wheeler: There he is

Eugene Hinzman: Can you hear me?

Wheeler: Now we can hear you loud and clear, thank you.

Hinzman: Thank you very much. I have a problem with the Portland city liens on both of my properties. And I had to go back east to take care of my mother and father, and this was in a seven-year period, and later my relatives, they got homeless and they stored some different things that belong to them on the property, and they camped there, and they had to do what they had to do, but they cost me a lot of nuisance complaints. So anyway, in the meantime I was taking care of my dad. He had complications with pneumonia, and my mother had alzheimer's disease. And this was a big ordeal because it was like three years of my life, and my mother really didn't know me, but I always knew my mother to be a very loving person, and I wanted to take care of her is, i've been a caregiver for 34 years, I have a lot of knowledge and understanding for her condition. The other thing is, my twin sister later died in philadelphia with an aneurysm, and she fell to her death in her condo. The other thing is with all the deployment of the city liens, I fell in the city of Portland street because they made holes in the street outside of my house. I had to go to the emergency room. Now with the pandemic and everything else, this is humongous for me to think that I was, I would lose my home. I worked all my life for. I have worked all my life, and to have this in jeopardy is really, you know, in the -- the pandemic that's going on, I worry about my friends and relatives. I worry about you folks. I worry about

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everybody. And myself. And if somebody can help me with this and forgive those liens or adjust the liens -- they are 40, 60,000 liens, but I cost the -- I cost the city of Portland nothing other than some nuisance complaints, and the other thing is the city, themselves, have to put up with nuisance complaints by other people that live in Oregon or Portland that have to see homeless tents and whatnot. I understand this. I look at the homeless with compassion. I know that they are stuck in a rut, and they have got to be helped to get out of it. But I really have, with this coronavirus thing, it's humongous to have these liens, and it's a torment to me. I will let you respond to this if you would like.

Wheeler: Thank you, mr. hinzman for your testimony and you seem like a really decent person, thank you for being here and listening to you talk about the care you gave to your mother and some of the personal trauma you experienced with the death of your sister, I appreciate you sharing your story. Commissioner hardesty had a comment and question.

Hardesty: Thank you, mayor. Thank you, mr. hinzman. I was trying to -- it sounds like because of other life issues, there were liens placed against your property. I believe that there is a process where you could appeal those liens. Have you utilized any of the built-in processes in place?

Hinzman: I really didn't know that there was a process and where to go with it, and that's why I am consulting you today. In order to -- I complied with a lot of issues at the city wanted me to do, and I tell them, come up and inspect, and they don't do it but the liens just multiply and multiply and multiply.

Hardesty: I hear your frustration, so, what I would ask you to do is leave your contact information with the clerk, and I will have someone from my office follow-up with you because I know that in these two minutes we can't achieve the whole story of what the specific issues are. Maybe there is something that we can do to help you walk through the processes to help you get to a good place.

Hinzman: Okay. I appreciate you wanting to help me. I really do. And you know, I cry about this at night. I worry, and you know because well, it's something that I worked for all my life, and I want to hand down a legacy to my grandkids, you know, and my kids.

Hardesty: Sir, I feel your pain, and I think that we have a lot of Oregonians, a lot of people who are in the exact same situation that you are in. And so we will just take it one step at a time and figure out if there is a path that we can help you get to. Thank you for taking care of your parents. That's what kids are supposed to do. A lot of times we don't. Thank you for just being a good human. We will see what we can do to help.

Hinzman: Okay. Thanks very much.

Hardesty: You are very welcome.

Wheeler: Thank you, mr. hinzman for coming in, and I am very hopeful that we can help you.

Hinzman: Okay. Thank you.

Wheeler: Thank you, sir.

Hinzman: Thank god for people like you.

Wheeler: And right back at you, thank you, sir. That completes communications for today. Next up is the consent agenda. Karla, 345 has been pulled by the request of a resident, have other items been pulled?

Moore-Love: That's the only one requested.

Wheeler: Please call the roll on the remainder of the consent agenda.

Hardesty: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. The consent agenda is adopted. We will go to 347 on the regular agenda. **Item 347.**

Wheeler: Colleagues I want to acknowledge the critical issue, and the epidemic of missing and murdered indigenous women, sometimes referred to as mmiw, is happening all week here in Portland. The theme of this year's mmiw proclamation is strengthening the safety

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net. It will take the work of many others to end the high numbers of indigenous women who go missing or murdered around the country and beyond. This is an ongoing humanitarian crisis. American Indian and Alaska Native women are 2.5 times more likely to be raped or to be the victims of sexual assault compared to other racial groups. The city of Portland acknowledges the disproportionate rates of Native American women victimized by domestic and sexual violence and trafficking. The Urban Indian Health Institute published results that identify the policy changes needed. Changes that the city is also strongly supporting such as the Savannah's Act, the Not Invisible Act, and the Violence Against Women and Authorization Act. This last year we revised Portland's police bureau's policy language to direct officers to give full faith and credit to tribal court orders.

Ensuring our police officers are enforcing the tribal court protective orders is a critical step to improving the safety of Native women. The Portland Police Bureau started to work to build relationships with law enforcement. These relationships have resulted in partnering to locate missing loved ones who have been reported missing right here in Portland. Each year, since 2018, the city's Tribal Relations Director, Laura John, has worked with advocates from the Portland Native community to raise awareness of MMIW. I want to thank the community members that assisted in planning this year's awareness events online. I know this was not easy to reorganize the plan for a community gathering to virtual speaker events online. We appreciate the time and work that you put into this to ensure that we are continuing to raise awareness even for all, even though we are all staying home. I want to recognize the following organizations for their partnership on the city's MMIW awareness day events: The Portland State University Institute for Tribal Government, Native Wellness Institute, the Northwest Portland Area Indian Health Board, the Multnomah County Future Generations Collaborative, the Native American Youth and Family Center, and the Northeast Coalition of Neighborhoods. I urge all Portlanders to join in solidarity with the national and local efforts to end the crisis of missing and murdered Indigenous women. The conversations, learning and showing of solidarity are just the beginning of the work that needs to be done. I am committed to continuing to find ways that the city can support the changes needed to end the epidemic of missing and murdered Indigenous women. We acknowledge the missing and murdered Indigenous women, girls, Trans and non-binary in Indian Country. I urge all Portlanders to join in solidarity with the national and local efforts to end the crisis of missing and murdered Indigenous women. With that, I would like to turn this over to our Tribal Liaison, Laura John, and I will ask for council comments, and then we will read the proclamation. Director John, good morning.

Laura John, Office of Government Relations: Good morning, Mayor and Commissioners. Thank you for this time. I know that you are not having too many presentations so I really appreciate the time to be able to come on remotely and speak to Council and to those that are watching Council. As you know there is a crisis that is impacting Indian Country. That crisis is epidemic of missing and murdered Indigenous women. Over the last three years that we've been doing this work at the city, I have heard numerous stories, whether they are individual cases on a national level data, and other anecdotal information, but we are still lacking in being able to have good data points to be able to share. This crisis needs a safety net. That is what has come out of all of the work that we have done to date. Of the estimated 1.5 million Native women who have experienced violence in this country, I want to bring another point forward that 97% of that violence was committed by a non-Native perpetrator. This is a crisis. This is creating trauma. This creates extensive trauma for the person's lifetime and also contributes to the already historic trauma that exists for so many Native people. This is a crisis that the city of Portland can play an impactful role in addressing, and I am very proud to say that we have taken that on and each year that we do these awareness events, we are leveling up and doing more. Last week, I received a call from the Washington State Police, MMIW Tribal

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liaison. This is a position put into place after their state's report was completed and presented to the legislature. As you know, Oregon currently is in the process of creating a similar report. So this particular position with the Washington state police, the woman who serves in that role called me, and she said that she would like to work with the city of Portland. She indicated that there are numerous cases where young, native girls that live on reservations near the i-5 corridor in Washington are being abducted, and taken across state lines. And the first place, it sounds like, that they come, if they are coming south is to Portland. That means that we can be a stopping place. If we have the right system, if we have the right education, and we make sure that everyone is aware of this and what to look for, it means that we can make a difference, and hopefully, we can help to bring those young women home. The theme this year that came from working with a number of 20 community advocates from the native community is strengthening the safety net. So we would like to see Portland help strengthen that safety net. I am proud to share that that's happening. This year we had a photo campaign, and thank you, commissioner Fritz and mayor for sending your photo, and hopefully I will get a photo from commissioner Hardesty and Eudaly soon. For our photo campaign to show support we're also focusing this year on traffic advocacy, what I have been told from community advocates is that during covid, the sex workers are out there working. They don't have access to the resources that others do that aren't in that line of work and that advocates are witnessing a large number of native women that they see are quote/unquote getting off of work early in the morning on 82nd, 122nd, and downtown, and so we work with pbot this year. Thank you commissioner Eudaly, for putting up p-bot variable signs on those streets with a sequence of messaging which included a number to call for help. The Strong Hearts Hotline, which is a native women violence, anti-violence hotline, and also to educate people that this is MMIW awareness, and that yesterday was the national day of awareness. We have also put together a series of online panel presentations. I just want to say that the group that I worked with were so resilient, and the kind of resilience that I know exists, and I see every day in native people in the Indian country, covid hit, and we were stuck at home, and when we heard that we couldn't have our usual community event, and we had planned a walk across the Hawthorne bridge, we couldn't do that, this group of amazing advocates jumped in and shifted, and we did everything online, which has been really amazing. We have had three events so far. There is a list of the events on the tribal relations-city of Portland facebook page as well as the mayor's blog, and I now have a tab up, and for the office of government relations website with the information and links to these online presentations. We heard on Monday from a group of nationally and internationally renowned MMIW advocates. We had Joan Jack, who was one of the motorcycle riders that came through Portland last year. They did the ride, a complete circle around Canada and the United States, and came through Portland. She spoke about her experience. We have Rosa Lee Fish, a collegiate athlete, runner from Washington. Amazing young woman and I am so excited to see what she does in the future who uses her platform when she runs track to raise awareness of MMIW and advocacy work when she is not doing athletics. We had Gene Tagaban from the Native Wellness Institute who also works with the Alaska Native Men, anti-violence group up in Alaska who talked about the importance of men playing a role in stopping this epidemic, and it's up to them to also come forward and be part of that safety net. We also heard from Katherine Paul, from Black Belt Eagle Scout, a musician here in Portland who is Suquamish, she shared a song that relates to this issue, so I really encourage everyone that is tuning in today and to council and to council staff to please take some time and watch these presentations. We have another one coming up this evening. It will be on sex trafficking. We have Jerry Mumaw, a national advocate for anti-trafficking in Indian country who does trainings, provides curriculum, and has testified at state and congressional hearings about this issue. We have Marty Ray Ramsey, who is on

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the ground, in the trenches, advocate working with native women being trafficked to help them to get out of that awful culture, and to provide them safety. We are -- we also have bradi grippen sanko from call to safety. Call to safety has been a big partner with us this year, and we are appreciative of their support and rena williams from another level. They will be speaking tonight about anti-trafficking in indian country, and I do encourage folks to listen in on may 7 at noon to 1:30. We will be having a strengthening law enforcement to address mmiw. This is what the Oregon department of justice, the tribal liaison for the Oregon u.s. Attorney and the tribal amber alert system. As many people may not know, tribes did not have access to used amber alert systems until recently. It was a congressional change to allow for that access. So that's, that's the part of strengthening the policy and strengthening the system. For those that enjoy yoga, we wanted to have this as a resilience event, and we know how hard this work is, and it's a very heavy subject. We've invited the amazing woman that I admire a cassia from the umatilla tribe, she is a, has a master in yoga and will be doing native yoga for us and talking about how to do self care when you are out there doing this hard work. Is I want to -- I appreciate you gave thanks to the organizations that have been helping bring this together. It's been really a tremendous boost to work with this group. I do want to give a special thank you to mikayla madrid strupe. She's finishing up her master's degree in public administration at Portland state university. She works in the institute for tribal government. She has volunteered tremendous amount of time this year and last year, but she's really helped elevate and make sure that we are doing the online zoom similar to this platform for these presentations, and I don't think that it would have been as good without her assistance, so I want to give her a special acknowledgment today. In closing I want to say that this proclamation is not just merely words on a paper, and it's not about just one day in a year. This is the invitation. This is the invitation for the city of Portland as a local government to get involved and do what we can to strengthen the safety net, and for advocates out there, native or not native, and also, an invitation for those that need to be educated and understand what this issue is about. There is lots of resources out there. Please visit the tribal relations, city of Portland, facebook page. There is -- we put a lot of resources up there, and information to learn more about this issue. Again, mayor and city commissioners, thank you very much for your support. We are shining in regards to raising awareness and making changes. We are shining as a local government in this country. So thank you for your commitment and for your support.

Wheeler: Thank you, director john, and before I turn this over to commissioner hardesty and commissioner Fritz in that order, if people were listening and inspired by some of the events that you mentioned, where can people go to get the follow-up details?

John: Sure. So on our blog is information about the different, the links to the different presentations this week. They can go to the office of government relations website at the city of Portland and go to the tribal relations tab. There will be information there. I highly recommend looking at the urban indian health institute's report on 71 cities. Thank you, uihl for doing that report. It helps us to strengthen our system last year, so we appreciate you giving us information on how we can do better. I will be putting additional links to people that can give background on this issue on the tribal relations, office of government relations website this week.

Wheeler: Thank you. Thanks, director john, and as always, it is very, very important to have you in the position that you are in. Commissioner hardesty.

Hardesty: Thank you, mayor, and thank you, lara john. I just want to reinforce what the mayor just said, lara john. We are so fortunate and grateful to have you in the position that you are in to both help connect various communities, and also to be a strong model of a native woman who is really clear about her role in this community. So I am very grateful for your strong leadership, and this is a very -- this is a devastating issue that we talk

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about. This is my second year that I have had the great fortune to be a part of this city council proclamation. I have to say that as we experience covid-19 together, I am also devastated by the impact of the native communities as it relates to covid infection and outcomes. As your community and mine share those same outcomes. We have to do better this time. So I look forward to continuing that conversation on another day. But for today I just want to say that the rate at which native women and girls experience violence is really staggering. It's not just the numbers. We are talking about humans, people in our community. I want to acknowledge, also, that this crisis is very underreported, like most violence against girls and women in our community. But for too long it has been ignored. It's just been invisible to too many communities. More than four in five american indian and alaskan native women and men experienced violence in their lifetime. To those affected by this crisis, I say to you, you are not alone. There are resources and people eager to support you and your recovery. I am appreciative of the many community partners whose efforts have gone into bringing this long, overlooked issue to the public's eye and want to especially thank lara john. Portland's tribal relations director for putting this week's awareness events together. I encourage all Portlanders to attend a virtual event hosted by our tribal relations program and find ways to act in solidarity with our native communities. I want to end on the native and african-american community share a culture of gathering, and so it is excruciating for me to not be able to hug people, to not be a community, and I am pretty sure that many of your community members, lara john, are feeling the same way and being able to come together even virtually is really important at this time, so people do not feel they are isolated, so thank you for your work every day, and let's connect about how we can partner and making sure that we are elevating the issues around covid-19 and how they are impacting native communities. We have to do better because we are not there yet. So thank you. Thank you, mayor.

Wheeler: Thank you. Commissioner Fritz.

Fritz: Thank you, mayor, and thank you, lara john -- hang on. There is a helicopter going past my window. Let me close it. Thank you for all the work you have done and for encouraging and asking the mayor to bring this proclamation and even while we are addressing so many challenging issues, it's important to continue to address this. I appreciate that through your leadership that this is not just a proclamation. This is part of a program. This is part of a system of communicating and collaborating with a tribal government. I appreciate all of the people you mentioned who are all of who are part of this work and that you have been coordinating with so many tribes and that we have done it for several years now, and as I say, it's not only a proclamation. It's part of the city's commitment to the tribe to repair past wrongs and to better in the future, including further many women who are so devastated by this. One of the things you said that struck me the most was of over a million people who are affected by this tragedy, the perpetrator is 97% are non-native people, and that is shameful, and I am very sorry that is continuing to happen, and I also appreciated your spirit of hope that we can't interrupt the flow, that we can be the stopping place not just the stopping place to move on, but to stop and you can be safe here. And so we know that, over the past weeks, we have also funded programs that help women experience, people experiencing human trafficking, and so again, it's -- we put our money where our mouth is, and we will continue to do so, and I appreciate that you brought this today. Thank you.

Wheeler: Thank you. Commissioner eudaly.

Eudaly: Thank you, mayor, and lara john. This is a hard day, but I know it's important we highlight the missing and murdered indigenous movement. Too many people are unaware of the epidemic of violence against native women, and that it's taking place right here in Portland. Native women from other states are being trafficked along the i-5 corridor, sexually assaulted and murdered in our region. The Oregon state police, missing persons

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database lists 11 native women currently missing, including two women from Multnomah county, and there is no doubt that number represents the significant undercount. Distrust of law enforcement and the history of tribes being unable to prosecute non-natives, for their crimes has aggravated this issue. Native women have lost faith in the system's ability to protect them, which is why it's so critical we continue to raise awareness to the missing and murdered indigenous women movement. Native women need to know that our whole country sees the gravity of this issue, that our government is working to better protect them, and that this violence cannot and will not continue. The federal government has taken some steps to address this crisis. The Umatilla tribe now has the jurisdiction under federal law to prosecute non-native, for some of these crimes, but our government needs to do more. Savannah's act installed in congress for far too long. This act will reform law enforcement and justice Protocols to combat the violence against native women. I urge every Portlander and every Oregonian to contact your congress person to encourage immediate action on Savannah's act. Thank you to the community advocates for your commitment to raise awareness about missing and murdered indigenous women, and to our tribal relations director Laura John for your tireless work advocating for the communities in city hall. I will get you that photo as usual -- I don't own any red clothing but I did round up a scarf with a red stripe on it. So I will do that today. This issue shows how important it is to have native representation in local government, and thank you to everyone for tuning in today and wearing red to show your support. Together we can do better to protect native women in Portland, in Oregon, and across the country. Thank you.

Wheeler: Thank you. All right, now, it is my privilege to be able to read a proclamation on behalf of the city of Portland. Whereas the city of Portland joins a growing chorus of local, state tribal and national governments supporting the national day of awareness for missing and murdered indigenous women. And whereas the lasting effects of colonization and a history of oppressive policies directly correlate to the rise of violence against indigenous women and girls in the United States, Canada, Mexico, Central America, and all U.S. Territories. And whereas, the disappearances and murders of indigenous women and girls is directly connected to domestic and other forms of violence, sexual assault, trafficking, and the history of childhood inter-generational and historic trauma. And whereas these acts of violence and corresponding oversight and neglect of government law enforcement is a continued form of genocide, and it's a direct threat to tribal sovereignty that's compromising Indian country's self-determination and self-governance, and whereas the city of Portland recognizes that the issues of missing and murdered indigenous women are not isolated to reservations or rural communities, but impact urban areas like the Portland metropolitan region. And whereas the city of Portland urges Portlanders to wear red every fifth day of the month to show solidarity, support, and continued efforts to raise awareness about the needs to address the systemic obstacles that contribute to the occurrence of missing and murdered indigenous women. And whereas the city of Portland calls upon its congressional delegation to support pending legislation that will address the lack of adequate federal responses to crimes against American Indian and Alaskan Native people such as the Survive Act and the Not Invisible Act of 2019. And now therefore I, Ted Wheeler, the mayor of the city of Portland, Oregon, the City of Roses, do hereby proclaim May 5, 2020 to be Day of Awareness for Missing and Murdered Indigenous Women in Portland and encourage all residents to observe this day. Thank you all. Thank you, Director John.

John: Thank you.

Wheeler: Karla, the next item on the regular agenda is 348.

Item 348.

Wheeler: Colleagues, Environmental Services has a project in the Goose Hollow and Southwest Hills neighborhood. The work will include repairing and replacing over two miles of sewer pipes. Many of the existing pipes are up to 100 years old and are

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deteriorating. This project will protect the public and the environment by reducing the possibility of sewage releases to homes, businesses, and streets. Here today with a brief presentation are Joe Dvorak, engineering manager, and Yang Zhang, project manager, both with the environmental services bureau. Good morning.

Joe Dvorak, Bureau of Environmental Services: Good morning, mayor. Can you guys see me and hear me?

Wheeler: We can hear you. I see you, Joe.

Dvorak: Thank you, mayor and members of council, good morning. For the record I am Joe Dvorak, with the Goose Hollow sewer project, is one of many in our large scale sewer rehabilitation program. This program addresses the highest risk sewers in the city of Portland, and over the years we replaced or rehabilitated 55 miles of sewers, before I turn it over to Yang I would like to take this opportunity to thank him and the project team for completing this design. Yang has a few more details and slides to share shortly, and then we will take any questions that you have at the end. All right, young, it's all yours.

Wheeler: Before we do that, colleagues, three of you have your hands up. I am assuming that that's from the prior item, just to be clear. Commissioner -- oh, okay, good, thank you. Sorry to interrupt, Joe, thanks.

Dvorak: No worries. Yang, are you ready?

Yang Zhang, Bureau of Environmental Services: Yes, Joe. So I will share my screen here give me a second.

Wheeler: There it is Yang, thank you.

Zhang: So thank you, and good morning, mayor and the commissioners. So I am Yang Zhang with BES and the project manager for Goose Hollow orientation project. As you mentioned, the Goose Hollow field rehabilitation project is one of the projects with BIDS, and so this program aims to fix the aging and deteriorated path in the city. This project focuses on the Goose Hollow neighborhoods and southwest neighborhood and I'll show you on this map, so the scope of the project includes the rehabilitation and replacement of 1,000 I'm sorry, 10, 10,000 feet of six to 24 inches of sewer maintenance. This is from the 1880s and 1940s. This project includes installation of one segment of 1,400 feet of sanitary sewer extensions, and the repair of sanitary center through laterals. The BES project team has public outreach and engaged the way the ways project and local residents since the project was initiated in 2018. So our public outreach includes the project fliers, mailed to the 8,400 property owners, renters, business, public and private agencies. The email updates with over 200 interested individuals, and social media posters. We have priority updates on our project websites about the latest project programs and standards. Our project involvement team made presentations at Southwest Residential League and the Goose Hollow Neighborhood Association. Our i.t. team started and will continue to businesses west of Burnside and near Providence Park stadium. The p.i. Team also has folks to property owners for work in their property, and also, to the occupants near the night work locations. To date we have not received any opposition for this project. So in this project, we use four construction measures. Open cut excavation. Cured in-place pipe, pipe bursting and spot repair. So pipes to be replaced by open cut excavation is about 50% of the project, and the path to be, to have it is about 47% of the project, also in this is project BES with PBOT and the water bureau to restart 850 feet of streets on Southwest Montgomery Drive. That includes sewer main replacements, water placements, street restoration and installing of the new ADA ramps. Construction estimates is about \$5,949,000. Confidence level is high. Based on the current project schedule, it is anticipated the project to be done in June of this year. The construction will start in November of this year, and last about 40 months. That's all that I have today. Thank you.

Wheeler: Thank you. Does that complete your presentation both of you?

Yang: Yes, sir.

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Dvorak: Yes, it does.

Wheeler: That's a really cool old photo there of the goose hollow neighborhood. That's awesome. Thank you for including that. Colleagues, any question on this item? From our panel? Karla, do we have anybody signed up for public testimony?

Moore-Love: No one registered, mayor.

Wheeler: Very good am I am not seeing any hands raised. This is the first reading of a non-emergency item, it moves to second ready.

*****: Thank you.

Wheeler: 349.

Item 349.

Wheeler: Very good. This is a second reading. Colleagues, we have already heard a presentation and opportunity for public testimony. Is there any further discussion? Seeing none, Karla, please call the roll.

Hardesty: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. The ordinance is adopted. Next item is item 350.

Item 350.

Wheeler: Very good, and Karla, you skipped one part of that. I just want to make sure that we get it, local 43, iaf to establish a temporary agreement regarding the family's first coronavirus response act.

Moore-Love: I put those two together, yep. Got it.

Wheeler: Okay. Very good. Today we have an ordinances before us that includes letters of agreement with our labor partners and ppa and ppcoa, these agreements recognize the critical nature of our emergency responders and the need for paid sick time if the employee is unable to work due to a need for leave because of the covid-19 and its impact on those closest to them. The family's first coronavirus response act was passed by congress this march, and it authorizes employers to exclude the emergency responders from coverage. As a city we recognize the need for these critical public safety professionals to have access to these benefits, and we worked with our labor partners in Portland fire and rescue, the police bureau, and the bureau of emergency communication to find an agreement that makes sense for their operations. I understand that there is an amendment to this ordinance that adds the ppa agreement as a listed exhibit, and that being the case, Cathy Bless, the director of the bureau of human resources and heidi brown, the deputy city attorney are here to explain the amendment and answer any questions that you have, and there may be other amendments from the council, as well. Good morning.

Cathy Bless, Director, Bureau of Human Resources: Good morning. And I don't believe that actually a formal amendment will be required. We are just really submitting the boec, ppa agreement as part of the packet today.

Wheeler: So no formal amendment is required, heidi, is that correct?

Heidi Brown, Chief Deputy Attorney: That's correct, mayor. Thank you.

Wheeler: Commissioner hardesty?

Hardesty: I was on mute.

Wheeler: Everybody gets a couple of those a day.

Hardesty: That's true. I haven't had one of those in a while. Heidi, there was an amendment that I shared with the mayor in regard to fire and rescue. You just said that there was no need for, is it for that one or the boec one that you were referring to?

Brown: It was for the boec one, commissioner. We have the agreement between ppa, boec, and boec that we submitted, and council wanted to see the actual agreement, but when we first drafted the ordinance, we did not have all the agreements completed, so instead the ordinance just seeks authorization from council for bhr to enter into these

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letters of agreement, and excuse me but good morning, mayor and commissioner and all council members. My apologies. Hi.

Hardesty: Good morning. Thank you for that. Mayor, I would like to an amendment if I might. The amendment would read, in the first in sentence of section b, we would delete Portland fire and rescue. Then I would like to add this sentence, after the first sentence of the same section. The director of human resources is authorized to enter into a letter of agreement with the union representing Portland fire and rescue and a form substantially similar to exhibit a. But it is authorized to provide up to 103.38 hours of emergency paid sick leave with the ffcr.

Wheeler: Commissioner hardesty I will second that and we will put it on the table. Why don't we hear the presentation on the main motion, and then if they could speak to the amendment, that commissioner hardesty put on the table, we can discuss it as a package, and if there is public testimony, take that to this package.

Hardesty: Thank you, mayor.

Wheeler: Thank you.

Bless: Thank you very much. Good morning, mayor and commissioners. This is Cathy Bless, human resource officer for the city of Portland. I am also joined this morning by Heidi Brown, chief deputy city attorney to request approval of item 350. I would like to acknowledge and thank pf&r chief Sarah Boone, ppb chief Jamie Resch, and Boec Director Bob Kazi for their collaboration and support on this ordinance as well as Heidi Brown, Lori Kraut and our labor partners. I would like to thank your staff, mayor, on the quick turnaround in getting this ordinance on the agenda today. On March 18, 2020, Congress enacted the Family's First Coronavirus Response Act, FFRA, the act took effect on April 1st, 2020. Among other things, this law provides emergency paid sick leave, and expanded the family medical leave for particular employees affected by the coronavirus pandemic. However, emergency responders may be excluded by the employer for benefits provided by the FFRA. This certainly is not the case as we are presenting these LOA's in response to this. The city has worked with the Portland firefighters' association, the Portland Police Association, and the Portland Police Commanding Officer's Association to provide our represented firefighters, police, and emergency dispatchers with coverage under this new law. These agreements are similar to the agreements council approved for the nonpublic safety unions on March 25. These agreements will be retroactive to April 1st. This ordinance authorizes the BHR to enter into letters of agreement with PPFA, PPA, and PPOCA for application of the Family's First Coronavirus Response Act. This will provide the emergency paid leave to our city emergency responders for those who meet the eligible requirements. Thank you for consideration of this ordinance, both Heidi and I are available to answer any questions you might have this morning, and I will first start in providing a bit of information related to Commissioner Hardesty's amendment. So the intent, and Commissioner Hardesty, you can absolutely speak in any moment to correct me if I am wrong, the intent is to ensure that those that worked 24-hour schedules are provided the two weeks of the FFRA leave, and it does impact the cost related to the additional benefits, and it would come as additional accrued sick leave that would be a later liability to the city. The law provides for 80 hours of coverage. It did not distinguish between those 24-hour schedules that the first responders have. We have allowed public safety as entities that would be -- that we are considering as part of this program, which the law allowed us to exclude, and we are also allowing their hourly wage, which is typically higher than the daily limits that the law allows, as well. So those are kind of the parameters. I absolutely understand the intent of the amendment, and the parity in which Commissioner Hardesty is trying to create.

Wheeler: Very good. Colleagues, any questions at this point? Commissioner Hardesty.

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Hardesty: Thank you, mayor. I think that I would just like to speak to the amendment. Thank you, cathy. I think that you did an excellent job of articulating what my concern is. Of course, my concern is that we treat all first responders equally. We only have one first responder unit that works a 24 hour shift and if we say that employees are entitled to two weeks off. If they have symptoms or family members have symptoms. We have to acknowledge that we have only one workforce that works a 24-hour shift. It is my goal to make sure that we don't exacerbate any qualities that are created because we create policy for a 40-hour shift when a 40-hour week when people work 24-hour shifts. So I would appreciate my colleague's support, and I think that this is what equity looks like. I don't see any other way to implement it that would ensure that we are protecting our first responders who are really on the first line of this covid-19 pandemic.

Wheeler: So thank you. Thank you, commissioner hardesty. I appreciate that very much. Any other questions from the panel? Karla, do we have public testimony on this item in.

Moore-Love: Yes, we have one person that requested to speak.

Wheeler: Good.

Wheeler: Mr. Handelman.

Dan Handelman: Good morning, members of the council. This is dan handelman. I am a member of Portland cop watch, and I thank you for providing the opportunity for public comment. Directly speaking to this agenda item, we have nothing against giving benefits to workers as provided under federal law. We understand this is providing sick leave, which was made optional by congress for the emergency workers. On a conference call of cop watch members we had a discussion where we acknowledged That not all workers are eligible. Furthermore, it must be recognized that many people have not been able to keep their jobs under the pandemic. The only comment that we really have on this particular item is it says that there is no cost to the ordinance but that's probably not accurate. More broadly, the agreement you are adopting with the Portland police association is the kind of agreement we referred to. In a letter we wrote with other partners like unite Oregon which is part of a larger community campaign to include community concerns. Today's special addendum is being negotiated with the collective bargaining unit but not specifically part of the contract, and we continue to urge similar issues raised in the community letter about the discipline matrix, the oversight system and the body camera program be discussed in the current negotiations. We thank council for making this an open and transparent process, the negotiations, and for holding public listening sessions to gather priorities, and we understand that the city is facing an enormous budget shortfall, and however, we are concerned that the news release from the last bargaining session to be held in public was posted on the day that the session was scheduled, april 27. We know that the decision was made days earlier. We recognize it is difficult to adjust to the challenges of the pandemic, but the communication is key as things move forward. The news release indicates the session was canceled due to the stay at home order but does not indicate whether that means it will be rescheduled. If the issue is how to hold the bargaining session at which the parties can hold private conversations before heading back to the table, we're sure that the technical aspects of that can be worked out just as council figured out how to allow the public to testify at these meetings and thank you for your time.

Wheeler: Thank you, mr. Handelman, we appreciate it. Karla, is there additional testimony?

Moore-Love: That's all who registered for this item.

Wheeler: Colleagues, this is a -- an emergency ordinance, and we will vote on commissioner hardesty's amendment first, and any further discussion on commissioner hardesty's amendment?

Bless: Mayor, I do believe that we may want to discuss calling out suppression employees, specific to the amendment. I am going to let heidi speak to that.

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Wheeler: Very well.

Brown: Good morning, everybody. So within the Portland firefighters' association there are three different work schedules. One is the fire suppression schedule, which as commissioner Hardesty's amendment addresses, would allow them to take what is the equivalent of a two week, two weeks of the regular scheduled work. They also have employees who are on 42-hour work weeks, and employees who are scheduled on 40-hour work weeks, so I would just assume that what council would authorize to enter into would be an agreement that would reflect two weeks of leave of employees regularly scheduled leave under the contract, so it would be the 51.69 per week for two weeks or 42 hours, and if there is any questions on that I would be happy to answer them.

Hardesty: Let me say that Heidi, you are correct. I really am focused on the suppression employees and those who are scheduled for 24-hour shifts, so yes, I think that Cathy and her team could work to make sure that we are not enhancing any -- any hours that are not already the regularly scheduled hours. Thank you.

Wheeler: Thank you, commissioner. Heidi, could you do me a favor because I am not as well versed on this as other people. Could you state in a different way what you just stated in terms of the issue of suppression? Can you clarify that for me, please, because I am not tracking as closely as I should be.

Brown: Absolutely, mayor. They have a lot of different schedules so it's not real clear. Because of the 24-hour a week schedule and the way that it falls to land within one week, it ends up actually being 51.69 hours per week, and I know that sounds odd. It just means that they work two full days and there is the third day gets cut up. 48 hours, and then you have this 3.69 hours, and that concludes that one week, and then it keeps rotating through and it ends up being the 51.69.

Wheeler: Got it. Okay, so this is basically an accounting for that variability.

Brown: Exactly.

Wheeler: Okay. And is it your intention that commissioner Hardesty's amendment clarifies that, or was it your intent to read this into the record so that it is clarified? What is it that you are asking the council to do as a result of this information around suppression?

Brown: I think that commissioner Hardesty's amendment addresses it because it authorizes bhr to enter into a letter of agreement with pffa for up to 103.38 hours, which is the twice, you know, two times, 51.69, so that authorizes with it saying up to, that will allow the bhr to provide for 51.69 approximate per week for the fire suppression employees we just discussed, but it will also allow us to, with bhr, and to give 42 hours for those per week for those employees on that schedule, and 40 hours per week because there are some folks also on a 40-hour week schedule. So it will allow bhr because you are authorizing up to, it allow them to account for those different possibilities. I think for transparency sake we wanted to be sure that you were aware that there were three different schedules and I understood commissioner Hardesty's intent was to address those three different schedules in the way that they are written in the contract.

Wheeler: All right, good. Thank you for that. The idiot guy of the hour. I appreciate it because frankly I needed that premise so thank you. I feel better informed now.

Brown: Thank you, mayor.

Wheeler: Are there any other questions for either Heidi or Cathy from the council on this subject? We will take up the roll then on commissioner Hardesty's amendment. Karla, please call the roll on commissioner Hardesty's amendment.

Hardesty: First let me say how much I appreciate the hard work that went into negotiating this agreement with the human resource staff and pffa. I know that there were many conversations to make this happen as quickly as it did. I am thankful that we were able to do that. I want to be clear that this amendment is not an additional benefit. It will allow us as a city to fulfill the intent of the family first legislation, which was to allow two weeks or 14

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days off to care for themselves or family related to covid for our firefighters. The proposed amendment is simply adjustments to account for the full 14 days because of the 24-hour shifts that firefighters currently have. My amendment offers no more protections than what is allowed for you or i, although we have the luxury of being able to work from home. Today we are focused on an agreement with our firefighters and the city will help to protect them in the event that they or a family member contracts covid, which we know they are at high risk for contracting. Because of the extraordinary leadership in fire, we have not seen the outbreaks that other fire departments have. I am very proud of the work that all city leaders, including those at the fire bureau have shown in this effort. In the event, however, that a firefighter or their family is ill with covid, it is my intent that they will be provided for the full 14 days to provide care. I hope that you will support this small amendment -- adjustment. I vote aye.

Eudaly: Aye.

Fritz: Thanks to everybody who is crossing their t's and dotting their i's, I appreciate the amendment. Aye.

Wheeler: I vote aye. The amendment is adopted. Thank you, commissioner hardesty, for bringing that forward. It seems imminently fair that we would do this. To the main motion, any further discussion? Karla, please call the roll on the main motion as amended.

Hardesty: These are our first responders at the city of Portland. They deserve to be treated with the dignity that they have shown throughout this covid crisis that we are in. I am proud to be able to make sure that they have the same protections that every other worker is entitled to in the united states. I vote aye.

Eudaly: Aye.

Fritz: Thank you very much to all of the first responders for the work you are doing and for working to keep our community as safe as possible. Aye.

Wheeler: Thank you. This looks great. I am happy to support it. The ordinance is adopted as amended. Next item is item 351, please, from the bureau of transportation.

Item 351.

Wheeler: Colleagues, this is a second reading, we have heard the testimony, and have the opportunity for public input. Any further business on this item? Karla, please call the roll.

Hardesty: I must say that this item made my head hurt as I was trying to follow the improvements that would take place, but I have faith and confidence that we are going to make improvements that are going to make it safer for people to walk, bike, and explore in northwest Portland. I vote aye.

Eudaly: I want to thank gabe Graff for following up with council offices on the questions raised last week and to all the pbot staff for your work on this. I know it is a complicated fix but we have got some real smart planners and engineers over at pbot, and I also have faith in this project. I vote aye.

Fritz: Aye.

Wheeler: I vote aye. The ordinance is adopted. Thanks, everybody, for your hard work on that. And if I have my schedule correct here, the last item on our agenda is going back to the pulled item from the consent agenda, 345.

Item 345.

Wheeler: I believe we have chris and pauline here to describe this item, is that correct?

Chris Wanner, Director, Portland Water Bureau: That's correct, mayor.

Wheeler: Could you identify yourself for the record?

Wanner: I am chris Wanner, the director of operations for Portland water bureau.

Wheeler: Thank you. Could you give us a brief overview of this item and we will take the public testimony from the individual who pulled it.

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Wanner: Certainly. Good morning, mayor and commissioners. As a direct responsible charge for the Portland water bureau's drinking water compliance, I always want a plan a, b, and c to ensure that we meet continued compliance. When it comes to the bilateral compliance agreement for the long-term to enhance the surface water treatment agreement with the Oregon health authority, which is the primacy agency, and we have two aspects to cryptosporidium, one is analysis for determining whether there is a positive osis and the second is genotyping those positive osis to determine the species or basically the origin of where that crypto came from or originated. In the last three years we have been unable to successfully genotype any of the positive osis. We have backlog of well over 100 osis that need to be genotyped. Previously, we had the university of texas providing the genotyping services. The last successful genotyping was performed back in 2017. Remember the bilateral compliance agreements requiring genotyping. I like to plan a, b, and c, we had under contract analytical services incorporated, a contract lab on the east coast. They were capable of doing genotyping, so once the university of texas had become no longer able to do genotyping because of personnel changes we shifted our genotyping osis to the lab that bsi on the east coast. That lab had some contamination issues and have been unsuccessful in performing any genotyping of our positive osis. So we still have a bank of well over 100 positive osis waiting to be genotyped. Plan c, I had my folks look at Oregon health and sciences university to see if we could utilize their lab, and genotyping capacity to perform those genotypes on our positive, on our osis. So we put together a small agreement with them under \$5,000, and we were unable to complete any form of genotyping and covid came along and they are no longer performing any outside contract lab type of events such as genotyping our crypto. I am out of the a, b, and cs so I had my folks look at alternative resources, and one of those was some office space adjacent to our complex at the interstate. So in effect we will be doing our own genotyping, the water bureau has world renowned crypto specialists working for us, and they have the capacity and the equipment now to perform those -- the genotyping analysis. We just need the space to do it because of the complexity of the genotyping, we need to have specific spaces for each of the steps of the genotyping sequences. We needed three office spaces or separate environments. Those were readily available near the interstate complex. In regards to costs for this, we will actually end up, if we are successful in doing the genotyping at our own rented facilities in saving money over the life of the contracts. We will not be using asi for performing the crypto analysis or the genotyping. That's where we are with this I think it is a reasoned approach to ensuring compliance with the bilateral compliance agreement.

Wheeler: So chris, from a layman's perspective, if I can boil this down to two sentences, number one we are in an agreement with the Oregon health authority, which requires us to do this research, and number two, we are leasing a lab space that would enable us to conduct that research. Does that boil it down?

Wanner: That's correct, sir, mayor.

Wheeler: Okay. Good. Colleagues, any further comments before we move to public testimony on this item? Karla, it's my understanding that this was pulled by a resident, and we have public testimony on this item.

Moore-Love: That's correct, mayor. Dee white has registered.

Wheeler: Miss white, are you on board?

Dee White: I am.

Wheeler: Very good. Good morning.

White: Hello, my name is dee white. I want to give a bit of background since we've been working on this Id-2 initiative of build, build, build for over 15 years. The background, originally, no organization submitted any kind of comments in support of this It-2 rule, pages and pages of scathing comments were submitted only including from the american

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water works association, and from all of the large, unfiltered water groups of which Portland is a part. All of them submitted scathing comments from new york, san francisco, seattle, tacoma, boston, and Portland, and was the only one who would not submit the comments because they were busy helping craft this flawed rule in d.c. Naturally, Portland isn't going to say that they don't want this. Just as an example new york city's comment among them were new york concludes that the public health benefits from complying with the proposed rule is vastly overestimated, and at the same time, the costs are underestimated. So I guess given all of that, as only, the only comment that was in favor of this rule was submitted by a for-profit lab technician. He was the only one that submitted a comment, and it happened to come from a [inaudible] layout. The questions I submitted questions to you all last night, and hopefully you all would have addressed it, which were not addressed, so I will go on and just say them again. That how is this not a conflict of interest? Or in layman's terms, the thoughts guarding the in-house, you have got the water bureau examining the genotyping for -- to comply with this, with the flawed rules so they can build the filtration plant. It seems like it's obvious that this is such a conflict of interest, and also, I mean, if you want to explain it in bureaucratic terms, if you control the process, you control the outcome. I think this is so unethical, and what about -- there is a contract that was renewed with asi that he was talking about. It was renewed in january of this year for another five years because there is \$650,000 left on an existing contract with them, and they are going to be using that to do the backup genotyping because the lab could no longer do it. You say that you have contamination issues. Is that not something that can be solved? I mean, that's insane that you would eliminate them and put in your own lab. So what happens to all of that money? What, what -- how -- this is double contracted. We see no connections or referrals or facts that explain this indefensible in-house lab testing scheme by the Portland water bureau.

Wheeler: Thank you. You made your point very clearly. Commissioner Fritz, I see you have your hand raised.

Fritz: Thank you, mayor. I thought that mr. Wanner explained clearly why we have to do the testing ourselves. Chris, would you please state for the record does the Oregon health authority have to agree to this plan?

Wanner: I am sorry, commissioner, what was the question again? Does ohha require was?

Fritz: Are they alright with this plan to do our own testing?

Wanner: Absolutely. They would like to see the genotyping analyzes performed through the water research foundation approved methods, and that's what we would be utilizing to perform those genotyping analyze.

Fritz: Thank you very much.

Wheeler: Any further questions? I will just reflect on dee's testimony. She's getting the larger issue of the question of whether or not we should be engaged in the cryptosporidium process or whether the city should push back. That is the larger question, the ordinance before us is specific to the testing and the rental, the lab space to do that.

Fritz: The larger question is conflict of interest.

Wheeler: With that, Karla, please call the roll.

Hardesty: Aye.

Wheeler: Commissioner eudaly, did you vote?

Eudaly: Sorry, aye.

Fritz: Thank you, chris Wanner, and also to Pauline Goble from facilities who also took time out of her day today to attend the meeting, and thank you to finding this space so conveniently close to the existing facilities. This is important work, and it's required to be done. I appreciate all of the good work being done. Aye.

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Wheeler: Aye. The ordinance is adopted. Karla, I believe that finishes our agenda for today, is that correct?

Moore-Love: That's correct, mayor.

Wheeler: Very good, thank you, everyone. We are adjourned.

Hardesty: Bye.

At 10:58 a.m., Council adjourned.