



## October 6, 2021 Council Agenda

5629

**Please note, City Hall is closed to the public due to the COVID-19 Pandemic.**

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, 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](http://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](mailto: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.

Email the Council Clerk at [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov) with any questions.

### Meeting Records

[Disposition Agenda](#)

[Audio Recordings](#)

### Wednesday, October 6, 2021 9:30 am

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**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler  
Commissioner Jo Ann Hardesty  
Commissioner Mingus Mapps  
Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Karen Moynahan, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

Item 732 was pulled from the Consent Agenda and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

Council adjourned at 11:19 a.m.

### Communications

726

[Request of Pete Colt to address Council regarding Elk Grove and efficiencies other cities are using](#)  
(Communication)

**Document number:** 726-2021

**Disposition:** Placed on File

727

[Request of Katherine Blackwell to address Council regarding a project to help the disenfranchised houseless](#)  
(Communication)

**Document number:** 727-2021

**Disposition:** Placed on File

728

[Request of Colin Staub to address Council regarding recent changes Bureau of Transportation has made to Hawthorne Blvd](#) (Communication)

**Document number:** 728-2021

**Disposition:** Placed on File

## Time Certain

729

[Proclaim October 11th, 2021 to be Indigenous Peoples' Day](#) (Proclamation)

**Document number:** 729-2021

**Introduced by:** Mayor Ted Wheeler

**Time certain:** 9:45 am

**Time requested:** 30 minutes

**Disposition:** Placed on File

## Consent Agenda

730

[\\*Pay property damage claim of Laura Brinkhoff in the sum of \\$24,555 involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

**Document number:** 190572

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Revenue and Financial Services; Risk Management

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

731

[Authorize Intergovernmental Agreement between Office of Management and Finance and Prosper Portland for Debt Management Services](#) (Ordinance)

**Document number:** 190576

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance; Revenue and Financial Services

**Disposition:** Passed to second reading

Passed to second reading October 13, 2021 at 9:30 a.m.

732

[Amend Human Resources Administrative Rule, Funeral and Bereavement Leave, to define and clarify eligibility for leave \(amend HRAR 6.08\)](#) (Ordinance)

**Document number:** 190580

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

Item 732 has been pulled from the Consent Agenda.

**Disposition:** Passed to second reading

Passed to second reading October 13, 2021 at 9:30 a.m.

733

[Provide an exception to Human Resources Administrative Rule 6.03, Vacation, allowing forfeited vacation carryover hours to be moved to a separate bank that employees can access until calendar year 2024 when hours will be forfeited](#) (Ordinance)

**Document number:** 190577

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

**Disposition:** Passed to second reading

Passed to second reading October 13, 2021 at 9:30 a.m.

## Regular Agenda

734

[Accept the Chief Procurement Officer's recommendation of a contract award to General Sheet Metal Works, Inc. in amount not to exceed \\$1,241,570 for the installation of source captured exhaust systems in fire stations](#)  
(Report)

**Document number:** 734-2021

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

**Time requested:** 15 minutes

**Disposition:** Accepted

Motion to accept the report: Moved by Ryan and seconded by Mapps.

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

735

[Amend Solid Waste and Recycling Collection Code to update definitions and add exceptions to the residential franchise to allow special items collection, bottle bill container collection and junk removal services \(amend Code Sections 17.102.020 and 17.102.150\)](#) (Ordinance)

**Document number:** 190573

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

Second reading agenda item 725.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

736

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for East Burnside Apartments located at 2202 E Burnside St](#) (Ordinance)

**Document number:** 190574

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

Second reading agenda item 724.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

**Wednesday, October 6, 2021 2:00 pm**

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**Session Status:** No session scheduled

**Thursday, October 7, 2021 2:00 pm**

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**Session Status:** No session scheduled

## 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. The official vote counts for council action are provided in the official minutes.

October 6, 2021      9:30 a.m.

**Wheeler:** Good morning everybody, this is the Wednesday morning portion of the October 5th city council meeting. Please call the roll.

**Clerk:** Morning mayor, morning commissioners. (roll call).

**Wheeler:** The city has made several avenues to the publish to participate. The meeting is available on the YouTube channel and channel 30. The public can provide written testimony by e-mailing the council clerk at cc testimony at Portland Oregon dot gov. These are steps as a result of the covid 19 pandemic and the need to promote physical distancing. Thank you all. As usual thank you for your patience, flexibility as we manage through these challenging circumstances to conduct the city's business.

**Karen Moynahan:** Good morning. To participate in council meetings you may sign up in advance for communications to briefly speak about any subject. You may sign up for resolutions or first readings of ordinances. Your testimony should address the matter being 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. The presiding officer determines the length of testimony. When your time is up the presiding officer will ask you to conclude. Disruptive conduct such as showing or refusing to conclude will not be allowed. If there are disruptions a warning will be given that the person will be placed on hold or ejected for the remainder of the meeting. Please be aware that all council meetings are recorded. Thank you.

**Wheeler:** Thank you. Public communications.

**Clerk:** Item 726

**Wheeler:** Welcome back.

**Pete Colt:** Mr. Mayor, I hope you have had had some time to go down to elk grove.

**Wheeler:** We do our homework.

**Colt:** I would encourage the council to use some of the problems that the police use in Australia and use parking enforcement p people or Sydney rangers and convert it to the Portland rangers who have a wider mandate. We would be more proactive rather than having a complaint driven system. Commissioner Hardesty, I wanted to thank you. I wanted to thank you because you have two staff who report to you. One name Steve and another named Wendy. The reason I call them is this, the neighborhood in the inner city of Portland, by the way, in your own motion, the neighborhood I'm talk being has the highest concentration of people in wheelchairs, blind people, handicaps. Women and men of color. Because of that there's a lack of equity in that particular area. What's happened is that the engineers took all of the traffic from that neighborhood and dumbed it all on those streets. [indiscernible].

**Hardesty:** I missed a lot of what you said because the sound quality was not good. If you want to reach out to my office and have a conversation.

**Colt:** Should I call your office?

**Hardesty:** That would be great.

**Colt:** Thank you for being a good Commissioner and taking care of that. I would encourage this current council when rewriting the city charter to make the positions you are in right now still for the next two or three voting years, eight to 12 years. Make your positions still at large, city wide so there's a smoother transition from one type of government to another. The five of you could be Commissioners and Mayor for up to 12 years. I think it's important to have a transition period as we move to a city manager. I see my time is up. I want to thank each and every one of you to have the courage to run for office and do the things you have to get to where you are.

**Wheeler:** Thank you for doing your testimony as always. There are some distinctions. One of the core issues they describe is paying houseless individuals to help with the litter collection. We've had a contract called trash for peace that does just that here in Portland. They pay every two weeks with a prepaid card whereas through trash for peace we pay cash on hand at that particular time. We have programs like clean and safe and the homeless and impact urban reduction production and are working on other ways with further engagement with

people on the streets to help improve conditions in their own camps. I was pleased with the discussions we had with those down there. It seems like we're in alignment.

**Mapps:** I wanted to thank Pete for his comments on how to reform the charter. The recommendations for how the charter will evolve won't come from this council. We have a charter review committee. They are working right now on recommendations that they will put before the voters in November of 2022. I really encourage you to follow that process. They have monthly meetings that you can zoom into. They take public testimony. I hope you will share some of the ideas that you shared with us today with them because they are the folks driving this process. If you go to Portland charter review committee, it should take you to the right link. Thank you for testifying today and always.

**Colt:** Thank you very much. I hope you have a great day.

**Wheeler:** Will do. Next individual. Item 727.

**Clerk:** Item 727

**Wheeler:** Good morning.

**Clerk:** It looks like she is not on the call.

**Wheeler:** Next individual 728.

#### **Item 728**

**Colin Staub:** Good morning. Hello. I got hit by a car two weeks ago. I got hit on my bike on a street that Portland redesigned in the name of safety. It's never been more dangerous than it is right now. It is a one-way street going east and used to have from the left, a sidewalk, parking lane, three driving lanes, a parking lane and another sidewalk. The street now has a sidewalk, sometimes parking lane. A bike lane on the other side and finally a sidewalk. Two weeks ago I was coming up the street about 3:00 p.m. A box truck and another car separately took a right turn not seeing me. They waved me on. I got up to 11th avenue with a bike turning light. I have a green light. I keep going. The car ignores the no turn on red light and I slam in his car. The city can put as much paint on streets but people are not going to follow the rules. I think that needs to be taken into account when looking at street changes. Simplicity is something that the city has completely ignored. The changes and similar projects the city has done elsewhere might have looked good on paper but the results are not good. After all the money and time that went into reworking the street, I hope there's some effort in



taking stock of the rules and consider reversing the changes. I feel like going back to the previous design would be safer.

**Wheeler:** Thank you very much. We appreciate your being here.

**Hardesty:** Let me just say I'm so sorry you got hit. The speed of traffic all over the city of Portland is frightening for pedestrians, bicyclists and anyone riding anything other than an automobile. The improvements on Hawthorne were safety improvements. They were prioritized bit community. The people who live, work, own businesses on that street. I wish we had the resources to completely redesign Hawthorne. Complete continue to monitor the changes that we've made. Drivers have a responsibility to look out for those who are walking and biking p.

**Staub:** I thank you for that. As I said, I think one factor that doesn't seem to be considered too often, when you are driving or biking, you're making snap decisions. Having simplicity helps with that. The guy who hit me was more shaken up than I was. No one was trying to kill each other there. The confusion that's been created through these lane changes, I go up there all the time, I don't know what's going on.

**Hardesty:** I appreciate you reporting back on your experience. I'll pass on that information to pbot.

**Wheeler:** Thank you. We hope you recover quickly from your injuries. That concludes communications, does it not?

**Clerk:** It does.

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

**Clerk:** Roll Call

**Wheeler:** The consent agenda item is approved. Time certain item.

**Clerk:** Item 729

**Laura John:** I've invited a couple of special guests today. We have Anna Marie Allen and Patsy White Foot who helped us with our annual tribal summits. We also have the office of government relations director joining us today as well. I'm going to have Anna provide her statement.

**Anna Marie Allen:** Thank you for the introduction and your steadfast dedication to represent Indigenous people. I wish we were in person. One day that will happen again. I'm here to elevate policy change in Portland. This year's proclamation raises awareness of the harm that took practices and traditions away from us. We're still here. We have been and still are the presence of the country. That's why proclamations like this are so important. It's critical that state and local, and federal governments continue to prioritize tribal people wherever they are. I'm excited and honored to be part of this work. In the last budget cycle funding within the office of -- align with the native people. A big part of the county's advancing this work is due to Laura John. She has made it a point to reach out to me to invite anyone and everyone. I would like to express my gratitude to the city and council for elevating the value of creating tribal relations programs in a local government. My hope is that we can continue to unlearn harmful practices of systemic racism. Thank you for allowing me to speak today to honor the work that has been done. Build bridges while we celebrate Indigenous people's day. Thank you.

**John:** Thank you. Our next speaker that we have invited was Katie McDonald. She is new within a year, tribal affairs policy advisor in metro government office. She unfortunately was not able to attend this morning. I wanted to share that our office worked close with her to help them develop their position. They are looking to hire more positions within the different tribes. This year in our proclamation, we have highlighted an issue that has been poignant for maybe all of America and Canada. Unmarked graves. Thousand and thousands of other graves have been discovered at former boarding schools that were federally run. That number continues to climb. In order to help raise awareness for this, we have invited Patty White Foot to speak. She is a former member of national boarding schools to speak next.

**Patsy White Foot:** Thank you. She is going to share a PowerPoint for me. Good morning of City of Portland council as well as the Mayor. I'm pleased to be here once again to speak with the constituents of the City of Portland. I finished a training with the health board staff. I'm here to talk about boarding schools act that was introduced September 30, recently. Some days I'm out by the river, out in my truck while my son is out on the river fishing. With regard to the boarding school issues, it impacts all of us. As I share this information I want to call out the work that's been going on the United Nations declarations on the rights of Indigenous

nations. So we have the right of self determination. We're talking about the military schools. The treaty make era a military fort was built two miles to the west of where I live. This is one of the older buildings. These buildings still exist. As we think about that building, I'm going to do a brief introduction to boarding schools. If you want to know more, I can come back and share more. In 1852 it's important to highlight the role of churches that come, we had a mission that was nearby here. These treaties were conducted by many of our tribes in the nation. Strong relationships with our relatives. Not only in the state of Washington but throughout the region including Canada. War broke out and all those things. I can go into detail about this information. It's important to pay attention to the treaty era. Indian state to be civilized and children were the most salvageable by taking them from their families. This is a military school that opened in 1816. The young men lined up outside the building here. Similarly this is a place where my family was. My grandmother was at this military institution. The Methodist church was put in charge. Children's long hair were cut. Our Indian names were discarded. It was a very military regimen style. If children spoke their native tongue used their culture they were whipped. If children ran away, they would face harsh punishment like whipping and could die. These are the stories I grew up with. As I look at this photo, I look for my grandmother. These children were put into these military schools at the age of three. A lot of history during this period in 1922 the school was closed. After that the children were sent to other boarding schools. In 1924 Native Americans were granted citizenship. Why? So that Indians would be able to pay taxes. In 1934 we had the Indian reorganization white act. The work that we'll be doing the department of interior. One statement that was shared by a young girl. Her and her sister were stripped bear and genitals washed with lye. The work that we're doing is about our children and lifting up our communities and families. We all want safe and supportive environments. We want successful students and families. I see in your talking points that you share with communities and allies. In my closing I want to give a quick journey of the American boarding school coalition. In 2011 leader dollars discussed to truth and reconciliation commission. At the end of the day, that's where we are today. I'm also looking at cities like Portland. Seattle, those who met with honorable congressman from the Portland area, had a very good response with her. We also gained support from the National Congress American Indian Education Association. See the coalition support that we received.

Faith action network supports it bill. Other diverse communities support as well. Many opportunities are available to all of us to right the wrong so lack forward for that opportunity. I was completing this but we're nearing end. I didn't go into the historical and intergenerational trauma. The early colonization of the United States with the doctrine of discovery. There's so much history that's packed into all of this. As I shared, I continue to work with young people and do teaching and teacher training here at the north west and advocacy work with congress and the National Indian Education Association. Real will look forward to working withing city of Portland. Thank you for allowing me to be here. Thank you for your support and ongoing communication. Open to any questions.

**Hardesty:** I do have a question. First let me just say how heartbreaking the legacy of this story is. It was hard not to break into tears when you think of the lived experience of native children. I've heard some horror stories from my friends. My question is the healing act and whether or not the truth and reconciliation - is that a federal request?

**White Foot:** Yes, it's a part of the legislation that we had. Similar to what happened in Canada.

**Hardesty:** I can't think of anything more important than to add this to our legislative agenda.

**John:** Thank you, Commissioner. We wanted to highlight the impact of boarding schools for a number of reasons for this year's proclamation. The graves, to bring this to council and help understand that when we bring these programs and services we need to keep this in mind. The disparities that we see in native communities is directly connected to this history. Most of us are very close to this in the past. My grandfather was sent to Phoenix Indian School. It was so awful that my grandfather and his cousin ran away as eighth graders. That impacted his ability to parent. It impacted his ability to express love. It impacted his ability to know good parenting skills. I also have that lineage on my father's side. My father was sent to Haskell, in Lawrence, Kansas from western New York. After he was there, he never went back to live in his community because he didn't feel like he fit in. He went into the military and shared with me later in his life that he didn't learn how to say, I love you. He had to learn all of that. He was very proud of his children and how we were parenting our own children. I'm going to speak with Patty to do a training on these issues for the city. I wanted to move to our final speaker and invite our government relations director to speak.

**Briannon Fraley:** Thank you for those moving words. Good morning, Commissioners and Mayor. I'm an enrolled citizen. As a director of government relations I'm honored to be here to speak in relation to our government relations office. [indiscernable] My grandmother also suffered for speaking her own language and her punishment was peeling a sack of onions until she couldn't see. My mother as a child would hide from cars that came to the house, later realized that her grandmother was saving her children from being taken to boarding school. How can I work for a government knowing what they did to us. I'm here to advocate for change. I'm a lucky one. A descendant of one of the largest mass genocides in history. Today I wear orange to bring awareness to the murdered children who were captured, enslaved, beaten, and disgracefully buried. I carry these memories with me. How can I contribute and be an ally in the communities. We're taking action here in the city. I'm proud to be here to serve you. By committing to anti racism and bring awareness like the employee summit that Laura worked on that will take place tomorrow. To be a thought partner with Laura and the work she does. Lay out a strategy of how we can be empowering. I look forward to being a thought partner with the city, developing a tribal work plan with city council in how we envision a better Portland. Thank you for having me today. That informs the work I do with the city.

**John:** Thank you. To close out our presentation. We made a commitment and we've received a lot of recognition for the work we've been able to accomplish over the last four years. What I would like to do moving forward is anytime we're looking for services for native Portlanders that we look through and map and how is this tied to the boarding school history. How future generations are able to heal and build a new culture. I'll be reaching out to your offices once we begin to plan for the training. Thank you.

**Wheeler:** Thank you for joining us today and for your heart felt testimony. Indigenous people's day is to find out more about Indigenous people. Our core value of anti-racism signifies the shift in how the nation is understood. The first people's of this land and historical inequities. The stories that we heard today underscore the reality of one of the uglier parts of our nation's history. Only through the acknowledgement and the recognition of the truth do we have the opportunity to move forward together. The city is elevating the awareness and impact these schools harmed. To identify ways we've right here in our city can do to be better

allies to make sure the work that we do is strategic and is rooted in positive outcomes it to Indigenous peoples. This week our city is providing our third employee training to continue to build foundational knowledge of government's and serving the needs of Indigenous Portlanders. Laura, I want to thank you again for your outstanding leadership for our office of tribal relationships. You came in with lofty expectations put on your shoulders. For me personally, you have exceeded those expectations. At this time, I'll turn it over to my colleagues for their comments.

**Hardesty:** Good morning, Mayor. Thank you so much for this incredible program today. I want to appreciate all the speakers who came today. I want to especially appreciate Laura John. This one woman dynamo was doing incredible work all over the state of Oregon. It is reflective in how many office have travel relations. That would not have happened without you. The one woman show is just incredible. I'm happy the council supported you and put enough staff in your budget by making sure in the long term we're in fact, building those reps. I had a lot that I was going to say about Indigenous people's day. The stories about the graves has rocked me. The U.S. has a lot of ugly history. If we don't bring it out and unlock it, we'll never heal from it. We're really good about talking about equity and inclusion. We're not that good about walking our talk. I want to thank you for being here to share this space today. I can commit myself, I certainly will not allow us to forget this history. People have knowledge and knowledge is power. Thank you for building real relationships. It's one thing to say that you know native people. It's another thing to say that you have a relationship. Thank you so much that you do everyday and happy Indigenous people's day. Thank you.

**Wheeler:** Thank you. Next up is Commissioner Mapps.

**Mapps:** I would like to start out by thanking everyone for those powerful presentations. The purpose of this holiday is to celebrate Native American culture and history. It's particularly important for Portland to celebrate Indigenous people's day. Most of the people who lived in the Oregon territories were Native Americans. That changed in the 1850's and the land was offered to white Americans for free. Native Americans are very much a part of who we are today. More than seventy thousand people live in the greater Portland area. Even today Indigenous Portlanders face enormous challenges and discrimination. Poverty rates are twice as high as the poverty rates amongst their white neighbors. Native unemployment rates are

70% higher. In Portland more than half of native students do not graduate from high school. Indigenous Portlanders are the victims of violent crimes at rates 250 percent higher than whites. Despite these challenges Native Americans have made enormous contributions to native culture and arts. If you want to participate in this year's Indigenous people's day October 10th and 11th the office of civic live is offering a presentation at friendly house. Native made pop up in the Cully neighborhood. I encourage all Portlanders to attend these events. Thank you.

**Ryan:** Thank you, Mayor. Thank you Laura John for your leadership. I've been here for a year, the impact that you have on the conscience and soul on our city government, you're having a big impact, put and your team. It's not just today. Today was really overwhelming. I want to thank you. When I want to understand climate justice better. There's a wisdom of the Native American people which is not just this day but this year. Thank you so much for your presentation today. I wanted to just take my remarks and cut them down a little bit. I'm proud of the work that the north west health Portland area Indian health board has done during this pandemic. There's a lot of grim stories in how we responded to the pandemic. I just noticed how the Indian Health Board has been a leader and the tribes throughout the region has been stellar. I don't think it's been lifted up enough. I wanted to lift up organization in your communities. I also want to acknowledge something I just experienced at a friends house at dinner. Their daughter is a sophomore in high school. U.S. History was the topic. She schooled us on the real history. When I was listening to unlearning so we can learn. That's what I experienced that night. She gave us the real history. It became the dialogue for an hour. That made me so happy because that was not the history that I learned in the late 70s in public schools. You can see things are finally getting better. Thanks for being here.

**Mona Schwartz:** I'm a policy advisor for Commissioner Rubio who is not able to be here today. From Commissioner Rubio: This this is an important day. I'm glad that we're acknowledging our nation's history. It's an important step to learn the truth of our history. In June we acknowledged the Board of Indian Affairs inflicted upon families and children. I would be reaching out to Laura John about potential opportunities. Tomorrow's tribal submit is an opportunity and I encourage my colleagues to attend.

I ask us to pass a resolution formally recognizing the trauma inflicted by these boarding schools. This is call to action. To dismantle systemic racism and the legacy of colonialism in this country.

**Wheeler:** *Whereas*, the City of Portland recognizes that the Indigenous People of the lands that would later become known as the Americas have occupied these lands since time immemorial; and

*Whereas*, the City of Portland exists at the confluence of the Willamette and Columbia rivers, which hold a rich and beautiful history of being home to villages and trade routes to the Indigenous People that have been in relation with the land long before the westward expansion of European-American settlements in this country; and

*Whereas*, Indigenous People continue to advocate passionately for their community, way of life, and the wellbeing of the land they have been stewards of since time immemorial; and

*Whereas*, the City of Portland will integrate Indigenous knowledge and perspective into both practices and policy to combat the institutional racism impacting Indigenous People who continue to face hardships as a result of centuries of neglectful policies and actions responsible for the present-day disproportionate outcomes in health, education, and economic mobility; and

*Whereas*, on October 7, 2015, Portland City Council passed a resolution resolving that the City of Portland shall recognize Indigenous Peoples' Day on the second Monday of October; and

*Whereas*, the City recognizes the intergenerational harm that has been caused by the Federal Indian Boarding School Policies, which separated children from their families and led to loss of culture, language, and connection to Indigenous ways of life; calling for continued regional support of Secretary of Interior Deb Haaland's Federal Indian Boarding School Initiative; and

*Whereas*, the City supports the Department of the Interior's Federal Indian Boarding School Initiative, in partnership with tribal nations and organizations, to form a national truth and reconciliation commission and to act as an ally in raising awareness about this history; and

*Whereas*, the 2021 Indigenous Peoples' Day shall be used to express a commitment to the prosperity and well-being of Indigenous People through City policies, practices, advocacy, and investments that ensure greater access to historically sacred lands and opportunity for



communal collaboration on City initiatives, while honoring our nation's Indigenous history and contributions;

*Now, therefore, I, Ted Wheeler, Mayor of the City of Portland, Oregon, the "City of Roses" do hereby proclaim October 11th, 2021 to be *Indigenous Peoples' Day* in Portland and encourage all residents to observe this day.*

Thank you. To the regular agenda number 734 please. Colleagues on September 22 of 2020 Portland fire and rescue was awarded the assistance to fire fighters grant. This was for the installation of source capture exhaust systems in 31 fire stations around Portland. Exposure to diesel and other harmful emissions. Good morning Biko.

**Biko Taylor:** Regarding this ordinance we were publicly advertise this opportunity and received bids from thRee organizations in the region, American heating, general sheet metal, white ner fire. General sheet metal performed well in the areas of capabilities, cost and also they're a project team and understand the scope of project. The winning bidder based on the evaluation set forward.

**Wheeler:** Does that conclude your presentation.

**Taylor:** That completes my presentation. I'm ready to answer questions regarding this award.

**Wheeler:** Before I forget, I should have said this. I want to acknowledge Commissioner Rubio is not absent today, she is representing the council in the negotiations. I will be going this afternoon. I'm sure she would much rather be here than in the DOJ negotiations.

**Hardesty:** What was the expectations for minority and women firms in the contract? What was the outcome?

**Taylor:** The expectation was that we would give the minority community every opportunity to participate in this work. I don't have a good faith number that we were aspiring too. We did a pretty deep dive into the covid date a base for minority firms to perform in this area. There's a niche scope around exhaust scope requirements. It's hvac but it also has some niche. There was only firm that met the criteria and we reached out. From a perspective of good faith efforts, we want to maximize participation. In this instance there were not firms on the covid list. We're in the process of going to a deeper level of understanding to represent that community in a more comprehensive mapper moving forward.

**Hardesty:** Thank you. We don't have to just use minority and women to fulfill an aspirational goal. Any subcontracts that aren't giving majority white owned firms, we could still use minority firms. Anytime a proposal comes that I can't see myself, what the due diligence was, I'm going to pull it off consent and ask these questions publicly. You know the challenges we have in procurement. Every time I see a contract for public dollars that not inclusive of public dollars. I expect better. I know you will do better. I need to see that information.

**Taylor:** I'll take full responsibility for that. We need to do better for firms that are disadvantaged.

**Hardesty:** I appreciate hearing that. I look forward to you using your experience to actually just totally revolutionize how we do contracting at the city of Portland.

**Wheeler:** I want to second that. That speaks to your character. The buck stops with you. We all have a role to play. Thank you for your leadership and the way you are presenting yourself today. It is noted and appreciated. With that I'll take a motion to accept report. Motion and Second.

**Clerk:** Roll Call.

**Hardesty:** I appreciate your ownership of your bureau. Today I will vote yes on this very reluctantly. I know we need to get this work done. I look forward to next one.

**Wheeler:** This is a must have. It obviously supports the health and well being of our employees. Next item is second reading. Keelan, item 735.

**Clerk:** Allow special items collection.

**Wheeler:** We've heard the presentation and we've heard public comment. Seeing no further comment on this please call the roll.

**Ryan:** I certainly learned a lot at the last reading. It's clear to me if we're going to achieve a greener future waste mitigation it's needed in our city. I vote aye.

**Hardesty:** I want to appreciate Commissioner Rubio's leadership on bringing this ordinance forward. It is important that we are not so locked no ways we've always done things that we can't adapt to new innovation. These changes allow for innovative creativity in our waste management process. I look forward to working with callers to create opportunities especially in communities of color and women business owners. I vote aye.

**Wheeler:** Thank you for your hard work on this and her team. I vote aye, Ordinance is adopted. Next item.

**Clerk:** Item 736

**Wheeler:** Is there any further discussion on this item, seeing none, please call the roll.

**Clerk:** Roll Call

**Wheeler:** Item is adopted. The bureau of human resources, I want to express my sincere appreciate to our brave employees who will be sharing their personal stories here today. It's rare that we get to hear about potential impacts of HR policies. I'd ask that we please hold questions until the very end.

**Ashlie Grundy:** Good morning. I'm the deputy director of human resources. This policy update is personal for me. Currently a work group comprised across the city are working to update our HR administrative rules with goal of core values. Deep thought and consideration. Urgency surrounding the expansion of the bereavement policy exists. A request was submitted to HR to expand the policy and expedite the rule. Given the circumstances, the urgency was palpable. Full transparency, the rule updates were drafted by our affinity group members and drafted to HR. Thank you to awesome who collaborated on the updates to this these updates. It's likely a person experiencing a loss of someone who extends beyond the current definition of relative. Loss of productivity may be used to assess fiscal impact. They may choose not to take the necessary time to grieve as a result of the narrow policy. Changes to the rule include the definition of close affinity and inclusion of pregnancy loss, including miscarriage, stillbirth, and other loss. BHR is working to craft changes with our labor partners to draft memorandums of understanding to ensure staff have access under this policy. You may note as mentioned by Mayor Wheeler, it's not standard for this to be accompanied by testimony. We felt it was important to show council why the change is so vital. Expanding bereavement leave not only honors our current workforce, but makes it a destination employer for new hires. Thank you to the members of the LGBTQIA+ friends and affinity group and moving it forward.

**Anne Milligan:** I'm currently the sole employment litigator as well as the vice attorney for the city's pay audit that we're currently engaged in. As you know I drafted the first policy as a

member of the affinity group. As a bi, grey-ace and former teenage runaway from a millennial end times cult, chosen family is of inexpressible importance to me. My chosen family is my power of attorney and are accounted for in my will. My biological family is not. My chosen family is my true family and this has been the case for decades. When the LGBTQ and friends group noticed they weren't represented in HR policies, I leveraged my experience to improve the policy. The first major change that you'll notice is the addition of close affinity language. Formerly the policy only allowed bereavement leave for narrowly defined relatives. Historically, family definitions have failed to meet the reality of the families in the United States. Although the LGBTQ movement achieved marriage equality in 2015, they continue to experience the collateral consequences of narrow family definition in policy. Many LGBTQ individuals form relationships with friends known as chosen families. They too often face extreme stigma within their own families. During Vietnam War, federal regulations were amended to allow bereavement for a family, which was defined as being related by blood or close affinity. Rather than daughter or son, it simply reads child. All defined relatives have been made gender neutral so they can see themselves and family member in the policy regardless of their identification within the gender binaries. I'm happy to answer any other questions the council has, otherwise I'll hand it off to Michelle Rodriguez, senior policy advisor to Commissioner Mapps. Her changes made this a more deeply meaningful parking lot is.

**Michelle Rodriguez:** Good morning Mayor and Commissioners. I previously worked in parks and recreation. I've spent seven years with the city. In that time, I have experienced more than one death. Using that law as a starting point and in collaboration with city staff who privately shared with me their traumatic loss. One in four women experience one miscarriage in their life. This rate is almost twice as high for Black and Native women. Fertility loss rates are even higher. Parents facing long arduous expensive processes never given a chance to grieve. We know the loss of any pregnancy can result in both physical and psychological pain with families suffering in silence due to the stigma they face. We did this to give managers and supervisors the tools they need to help their staff. Thank you for this opportunity to update this policy. With that I would like to turn it over to one of three testimonies.

**Bonny Cushman:** Hello. I wanted to thank you for the opportunity to share my story with you today. As someone who has suffered two miscarriages, this policy is incredibly important it

me. In my experience pregnancy loss is something that leaves a permanent mark on you. This is concrete way the city can help its employees when grieving the loss of their unborn. It was a challenge. My eggs were not viable. This left us with three choices. Decide to forego parenthood, adoption, for try ivf with a donor's eggs. My parents generously gave us some money to help cover the compensate the cost. My sister was my egg donor. At six weeks pregnant. I miscarried. I was devastated. After much deliberation, we decided to try again. This time we had six available embryos. This lasted seven weeks. Again, we were devastated. We decided that we would emotionally and financially a afford one more shot at having a baby through IVF. Was a pregnancy fraught with worry of potential loss. It was ultimately successful and hazel was born a month early. She is our miracle baby. I learned personally how lonely pregnancy loss can be. I learned personally how devastating this could be as an expectant parent. I was fortunate to be part of a work group here that was very supportive of taking time off. At a time when so many women's rights are under attack across the country. Having a city policy that recognizes this loss as bereavement loss. Thank you.

**Juliette Muracchioli:** Real world problems facing city employees, narrow definition of the current policy. The proposition will remove the barriers. I was grateful for five days of funeral leave. I spent most of my energy those days wondering and worrying how my brother and I would care for my dad's partner. They were never legally married they were together for 20 years and considered family. I was told my circumstances didn't qualify because while she had had been in my life for 20 years she wasn't considered a family. Expanding how the city of Portland defines family is a powerful next step towards inclusion. Thank you to all of you.

**Milligan:** Thank you so much for sharing that story with us. Now I would like to introduce how our current policy does not reflect all families.

**Zue Carballo Figueroa:** Thank you for opportunity to share my story this morning. Pandemic or not -- my cousin died of covid 19 this year. We grew up together and were very close. I consider him like a second brother. When I heard the news, I felt I wanted to take a plane to be with the family in California. Most funeral services were just allowing family and children due to covid precautions. My heart and soul was with my family. I got three days off. It wasn't enough time. I wish I had more time with family and friend it share the memories and good things me cousin did when he was alive. I took my own time off to follow the traditions of El

Salvador, including a novena – praying the rosary and lighting a candle for nine days. Other Latinx countries have those traditions as well. American jobs aren't allowing to mourn the death of a loved ones. The right to paid time off to have pay for a loved ones funeral. It's at discretion of employers. Most only receive three days. Family is very important for city workers. I was lucky to have three days off work. Other workers aren't so lucky to get time off to mourn immediate family members. Thank you.

**Milligan:** Thank you for that. Thank you for Bonny and Juliette for being vulnerable in front of council today. Thank you council for your consideration. We'll open the floor for any considerations.

**Wheeler:** Very good. I want to thank everybody who presented. Thank you for sharing your stories. These items sometimes make it onto the consent agenda and they seem run of the mill, we forget that there are real people and many many stories. This came to us through the employees. I want to thank you for being here. Colleagues this is our first reading. I know we have comments we want to make while we have the employees in the room.

**Hardesty:** Thank you Ashlie, Bonny, and Michelle for your heart moving testimony today. It takes a lot to bring what your personal lived experiences are to this body, to council. My question really is around fiscal impact that we're told there isn't one. I hope I can get some information from human resources. Nothing about the policy or issue. I want to understand the impact this will have on the fiscal budget. I didn't want to have that discussion today. Not with all these stories here. I'm looking forward to following up. Whatever it is, it's worth it. I've just been told in the past that there was no fiscal impact and it was significant.

**Mapps:** I want to thank our speakers for sharing their stories with us today. That took courage. I also want to thank all the city staff who worked on this. I'd like to recognize the LGBTQIA+ plus and women's empowerment affinity group for this very important project. Thank you very much. I look forward it voting aye on this item.

**Ryan:** That was powerful. Thank you so much all of you for showing up. Your vulnerability was powerful. I remember what it was like to be climbing in my career and needing to go to a lot of funerals in the eighties and nineties because of the AIDS pandemic. I called in sick because I didn't want to have to explain or be told I couldn't go. I want to lift all of you up. The

only head scratcher one is the date. It's 2021. It's a little shocking that we're finally codifying this into legislation. I look forward to voting aye on this issue. I appreciate you.

**Wheeler:** This change began at conversation with LGBTIQ DEEP affinity group. This is how the rising tide of equity can rise all boats. The whole city benefits when we have a work force that can be healthy and bring their whole selves to the work force. I feel lucky as mayor to have such a dedicated group of city employees. Thank you all. This is a no-emergency ordinance so it moves to second reading, but I believe it will get necessary support next week. This concludes the meeting. We are adjourned.

**At 11:19 am, Council adjourned.**