



January 12, 2022 Council Agenda

5643

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Wednesday, January 12, 2022 9:30 am

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Lauren King, Deputy City Attorney; Keelan McClymont, Council Clerk

Items 19 was pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council adjourned at 11:04 a.m.

Communications

11

[Request of Alex Cerussi to address Council regarding legislation to ban the sale of foie gras](#) (Communication)

Document number: 11-2022

Disposition: Placed on File

12

[Request of Rosalind McCallard to address Council regarding the proposed ban on the sale of foie gras](#) (Communication)

Document number: 12-2022

Disposition: Placed on File

13

[Request of Belinda Davis to address Council regarding the proposed ban on the sale of foie gras](#) (Communication)

Document number: 13-2022

Disposition: Placed on File

14

[Request of Aubrey Russell to address Council regarding monument removal](#) (Communication)

Document number: 14-2022

Disposition: Placed on File

15

[Request of Brandon Farley to address Council regarding political exploitation of homeless citizens](#) (Communication)

Document number: 15-2022

Disposition: Placed on File

Time Certain

16

[Accept the City of Portland 2022 Federal Legislative and Regulatory Agenda](#) (Report)

Document number: 16-2022

Introduced by: Mayor Ted Wheeler

Bureau: Government Relations

Time certain: 9:45 am

Time requested: 45 minutes (1 of 2)

Disposition: Accepted

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

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

17

[Accept the City of Portland 2022 State Legislative Agenda](#) (Report)

Document number: 17-2022

Introduced by: Mayor Ted Wheeler

Bureau: Government Relations

Time certain: 9:45 am

Time requested: 45 minutes (2 of 2)

Disposition: Accepted

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

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

18

[Consider appeal of the Goose Hollow Foothills League against the Design Commission's decision to approve with conditions a 17-story, 175-foot tall residential building with 337 dwelling units and 403 structured parking spaces in the Goose Hollow Sub-District of the Central City Plan District \(Hearing; LU 21-038539 DZ\)](#) (Report)

Document number: 18-2022

Introduced by: Commissioner Dan Ryan

Bureau: Development Services (BDS)

Time certain: 10:30 am

Time requested: 10 minutes

Previous agenda item 853.

Disposition: Findings Adopted

Motion to deny the appeal, uphold the decision of the Design Commission and adopt the findings: Moved by Hardesty and seconded by Ryan.

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

Consent Agenda

19

[*Authorize Special Appropriation grant agreements with five cultural institutions in amount not to exceed \\$500,000 to support operating costs and growing infrastructure needs](#) (Emergency Ordinance)

Document number: 190674

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services

Item 19 was pulled from the Consent Agenda for discussion.

Disposition: Passed As Amended

Motion to amend exhibit to state that grant recipients shall not use funds for security guards: Moved by Wheeler and seconded by Hardesty. (Y-5)

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

20

[*Authorize a purchase order with Hughes Fire Equipment, Inc. for an emergency response apparatus for a total amount not to exceed \\$1,504,042 \(Emergency Ordinance\)](#)

Document number: 190671

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Portland Fire & Rescue

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

Regular Agenda

21

[Accept bid of Stellar J Corporation for the Columbia Boulevard Wastewater Treatment Plant Headworks Screening Improvements for \\$10,852,000 \(Procurement Report - Bid No. 00001736\) \(Report\)](#)

Document number: 21-2022

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Time requested: 10 minutes

Disposition: Accepted - Prepare Contract

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

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

22

[*Amend contract with Northwest Geotech, Inc. to increase amount by \\$300,000 to provide geotechnical engineering services for the Spectator Venues Program \(amend Contract No. 31001984\)](#) (Emergency Ordinance)

Document number: 190672

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

23

[*Authorize competitive solicitation and contracting with the lowest responsive and responsible bidder for construction of the Columbia Children's Arboretum Improvement Project for an estimated cost of \\$2,250,000](#) (Emergency Ordinance)

Document number: 190673

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

24

[Authorize competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Cedar Crossing Restoration Project No. E07158 for an estimated cost of \\$1,700,000](#) (Ordinance)

Document number: 190679

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Time requested: 10 minutes

Disposition: Passed to second reading

Passed to second reading January 19, 2022 at 9:30 a.m.

Wednesday, January 12, 2022 2:00 pm

Session Status: No meeting due to lack of agenda

Thursday, January 13, 2022 2:00 pm

Session Status: No meeting due to lack of agenda

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.

Key: ***** means unidentified speaker.

January 12, 2022

9:30 a.m.

Wheeler: We have a non-gavel item today. Our first item today is to recognize the life of Beatrice Gilmore through the proclamation in her honor. Beatrice Gilmore was a prominent African-American woman in the Portland community. At the very young age of 11, she moved from Louisiana with her family. In 1948, she survived the horrific flood and later shared her memories as a storyteller for the Van Port Say It Project for the Oregon bus tours. She later became the first African-American to graduate from OHSU School of Nursing. Here to share a few words, we have her lifelong friend and her daughter. Welcome. It's great to have you here with us today. Sorry we are not in person, but it's great to see you virtually.

LaVeta Gilmore Jones: Thank you, Mayor Wheeler. It's great to be here today.

Ed Washington: Thank you, Mayor Wheeler. I hope you can hear me today. Thank you.

Gilmore Jones: Mayor Wheeler and councilmembers, it is so good to see you. Some of you had the honor to meet my mom. Sadly, she did pass December 29. But she lived a long, full life. And the love and light that she shared with people in this community will continue for many generations. I would just like to say that her vision and mission for an equitable, robust public health care system is what fueled her energy for the years that she lived and worked in this community. She really wanted to make sure healthcare was physical and emotional to all people. So I would say the legacy for the city of Portland is to be sure we invest in public health care for all people that live in our cities so that all can be well and participate in the life that the cities so can vibrantly offer to one another. I will turn it over to Ed

Ed Washington: My brief recollections, she was my sister's best friend and they were in each other's wedding. We met the family in van port, such a gracious and wonderful person. I remember when bea and i was working there at the time when she was a student. And you would always hear the student nurses coming because they wore a uniform and smock that was starched like nobody's business. I remember seeing her up there and i asked her after she graduated, i said, how was it for you being the first african-american? She said it was tough. It was very tough. And then she had to go in to see a patient that was quite ill, but not enough to treat her with disrespect because of the color of her skin. And then she used the n-word and she said your hands touched me. I said what did you do? She said i am a nurse. I treated her. I just told her you are going to have to let these hands touch you today because i have been assigned to work with you and i will do my job. And that is the kind of person that bea was. I remember she was a very humble lady. Very strong, but very humble. And then on the fair housing, and i have been asked if you would like to do it? And said i can do that. You have as much to offer as anybody else. She went home and thought about it. Now fast-forward. That you encourage me and urge me to do the best. We will miss her for lots of reasons. Just one quick story. When she was going to nurses training. And her father was a deacon. He was always referred to deacon by everybody in the community, so she gave her a job at church putting away the chairs. Sometimes and she was busy with a, can you come over today? I have to study for a class. Those are just wonderful memories. We will all miss her. But she touched so many people. I may have encouraged her 30 or 40 years later, but she will never know how much that dollar meant to me as a 14 -year-old kid. That's all i have to say. Thank you.

Wheeler: Some colleagues would like to make comments.

Mapps: . It's an honor to join you to celebrate the life and legacy of bea gilmore. I was sad to learn of her passing, but i am glad and then the contributions that gilmore made to the community. She was a true Portland trailblazer. The first african-american nurse to graduate from the ohsu school of nursing. I feel a personal debt of gratitude. Here is why. I know what it's like to be one of the first people of color to hold an important job serving the people of Portland. I also know that i would not be a city commissioner today if not for the generations of Portland trail blazers who came before me. You can hear my voice today. You can see me

because we stand on soldiers of -- shoulders of giants. If you have roots from this community with the intent to live your best life, you are a Portlander who is deeply committed to caring for the community. If you are committed to opening doors to people who look like you. And look nothing like you. Then you can stand up on the shoulders like Beatrice Gilmore. For these reasons and more to honor the life and legacy, may she rest in peace. Thank you.

Wheeler: Thank you, Commissioner Mapps.

Hardesty: Good morning. What an incredible legacy your grandmother leaves for us to emulate. I have the privilege of seeing her on other tours and when I heard Washington talk about her humbleness and with her legacy and how many doors that she opened for those along the way. So I feel privileged with that shared space and in conversation so the legacy continues on. I am very grateful the Mayor chose to do a pre-gavel event to take a moment to honor the trailblazer. Thank you for sharing your grandmother with us.

Gilmore Jones: I am her daughter. And I know that you know that.

Gilmore Jones: That morning coffee has to kick in. [laughter] [laughter]

Hardesty: Let me stop while I am behind. [laughter]

Wheeler: We all have these mornings.

Rubio: Thank you for being here for your wonderful reflections today I am so sad I did not have the opportunity to know your mother and your friend but that is evident she was truly representing the very best of Portland was several accomplishments about her life which has been talked about here but obviously does not cover all of it that it was clear that at the core she had a kind and loving heart of a healer. And she truly has helped to shape our city and community as others have mentioned will continue on with all the life she has touched her life I personally feel very honored to be here with her today in my very best wishes are with you and her loved ones as we celebrate her.

Wheeler: Commissioner Ryan good morning.

Ryan: So good to see you. You look the same as when we were at Portland State. [laughter] but it's great to see you. Thank you for your stories this morning I have heard of her but now to get a glimpse into her life because of the stories and what a humble community icon that she will always be and the story of how she dealt with that one patient was so gripping. You always try to take the stories and how to inspire yourself to be a better person. I know in a

political environment there is some nastiness going on was so mean behavior but my job as a public servant is to listen to those who probably don't even like near think i will agree with them. Because i am in a service position that there are days we just need to remember the story that you just told. And actually it was inspiring to hear more about your mother. And as i said earlier, she is a trailblazer and i'm just blessed to learn more about her. Thank you for being here today.

Wheeler: Thank you, both. I will read a proclamation on behalf of city council. First i want to acknowledge you for your work to help us draft the proclamation. Thank you for that.

Whereas beatrice cannon gilmore born in louisiana june 29, 1931, and at the age of 13 migrated with her parents and siblings to oregon, april 1944. She engaged in the life in Portland, oregon where her parents worked in the shipyards. And in may 1948, survived the flood that destroyed the city and washed the residents into Portland. She pursued a career in nursing and is the first african-american nurse to graduate from the ohsu school of nursing 1955. And then to have the community healthcare faculty ohsu school of nursing. With the institutional review board and then over the next 44 years dedicated her life to serving others and others of the northeast healthcare clinic and then in the north Portland county. And during the last decade of her life was actively involved in the civic life in Portland oregon. And the oregon fair housing council of the bus tour and i member of the oregon word very board. And as a woman of faith and supporting guided. For those in the family and faith community as wife of the late reverend gilmore and as a lay leader in the baptist church and the community. And the city of Portland and the citizens wish to honor be for her distinguished service and the unwavering commitment to equity in public health and community life. Therefore i mayor wheeler of the city of Portland oregon proclaim recognition of bea gilmore many contributions to the city and residents to accept our deep appreciation for her dedication to the progress of this community and to extend to her family a sincere sympathy upon her passing. Thank you all very much and thank you for everything you continue to do. Thank you. Colleagues now we will call the city council into session january 12, 2022 good morning. Please call the roll.

[Roll called]

Wheeler: Under Portland city code they are holding the meeting electronically all are attending remotely by video teleconference and has made to listen to the audio broadcast of the meetings and an of question on 30 and with that testimony with the city of by e-mailing that council clerk at these the testimony at Portland oregon.gov. Council is taking the steps as a result of the covid-19 pandemic the pandemic is an emergency of the public health safety and welfare that requires us to meet remotely by electronic communications. Thank you for your patience and flexibility and understanding as we managed to the ongoing situation to conduct the city's business. With that we turn it over to legal council for rules of order.

Lauren King: Good morning. Participating council meetings you may sign up in advance with that council clerk's office for communications to speak about any subject. You may also senate for public testimony for resolutions for the first readings of ordinances. The published council agenda [www.Portland.gov / council / agenda](http://www.Portland.gov/council/agenda) has information how you can sign up for testimony for the city councils electronic meetings. Your testimony should address the matter being considered at the time. In 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 testimony individuals generally have three minutes unless otherwise stated. When your time is up, the presiding officer will ask you to conclude. Disruptive conduct such as shouting, refusing to conclude testimony or stopping others testimony will not be allowed. If there are disruptions, a warning will be given, a further disruption and for the remainder of the electronic meeting. Please be aware council meetings are recorded.

Wheeler: Thank you first communications item number 111th individual.

Clerk: Request of alex to address council regarding legislation to ban the sale of fois gras. We received a request alex is withdrawing.

Wheeler: Item number 12 to address council regarding the proposed ban on the sale of fois gras.

Rosalind McCallard: Good morning. I appreciate being here today and you taking the time to listen to a small business owner here in Portland. I'm here today in favor of the city ordinance prohibiting the sale fois gras from force-fed birds. By implanting such a ban, the city has the opportunity to reinforce its reputation as progressive and equitable place to have all Portland

local businesses stand to benefit as a result of the ban. As you know foie gras luxury food item from the disease in large diverse of ducks and geese due to a variety of animal welfare concerns, numerous localities including New York City and the entire state of California as well as several countries have banned the sale and production of foie gras within their borders. I strongly support a similar ban here in Portland not only because it's the right thing to do but sustainable and animal welfare standpoint but also with our reputation as an ethical forward thinking city in interest such as myself and my husband. Consumer goodwill is everything we know the vast majority of people do not want to see foie gras on Portland menus. By coming together putting our foot down we can make a name for Portland as a sustainable business practice. And by banning the sale the council would be supporting local business all business owners benefit that come from the passage banning such a socially unpopular product. This proposal would reestablish as effective governance.

Wheeler: The next individual please quote the item number.

Clerk: Addressing council regarding the proposed ban of the sale of foie gras.

Belinda Davis: In morning thank you for allowing me to speak American Commissioners. I have been a resident of Portland since 2015. Not born and bred. You can hear that in my voice. In the development manager of the national protection organization I'm here to discuss my support of the proposed legislation to ban the sale of foie gras in Portland. It literally means fatty liver in French and it's a force feeding process where a metal tube shoved down the throats of ducks and geese and a solution is pumped directly into their stomach. The amount of food they are force-fed every day would be compared to you eating 30 pounds of pasta in one day. The solution is nutritionally adequate for the birds. The process of foie gras production has a diseased state the livers become fatty and waxy an increase between eight and 12 times in size. Toxins build up in their blood and sometimes it reaches the brain of the birds. Burden have been documented to suffer with increased cranial pressure and premature death. They are more prone to pneumonia. We have gone undercover previously to document production and the investigator witnessed the birds being force-fed multiple times in one day. Ducks splitting up into corners vocalizing trying to escape, showing signs of stress and fear and avoidance of the force feeding tube. Ducks on the slaughter line are lifted and shackled by their feet. And they've been witnessed to lift their heads out of the water that is

supposed to electrify them. So they go through the slaughter process while they are still conscious. Ducks and geese with swollen abdomens waiting for slaughter showing the stress of their experience. These animals are forced to live in severe confinement and shackled and having their throat slit. They are unable to live a natural life and slaughtered at 100 days of age. I have personally volunteered over the last 15 years i have had the honored to know ducks and geese. Most i have known her sweet, funny and a joy to be around a mixed bag summer like grumpy old man. But they'll have a unique personality and take great care of their families, forming friendships and they love to be in the water. Those used for foie gras production are denied the natural behaviors and suffer immensely. By introducing a ban on the sale of foie gras in Portland you will be saving lives and easing suffering i urge you to consider the ban. Thank you for your time.

Wheeler: Thank you very much. The next individual item 14.

Clerk: The request to address council regarding monument removal.

Aubrey Russell: Good morning. I cannot see myself. Can you hear me?

Wheeler: We can hear you.

Russell: Arbor he russell i want to talk about the process that park spirit has been a busy advocate against the lincoln and roosevelt statues in the national register nomination. This follows their advocacy for the master plan against the same monuments. One reason to request that positive the monuments process is stop continuing bias but those that can be a busy advocate in the advisory committee for the historic preservation. Director long submitted a letter and this is how the chair responded to the commission the statements are quite political and contextually not fully accurate. Also the chair says that comments contain a lot of guilt by association with only partial truth in the presentation"and in addition the committee said what we receive is not quite the story nor is it balanced i would add my own comment. This is the Portland historic landmarks commission requesting categorize the statues as noncontributing resources but director long does not say that the parks department had asked the commission to tell them that the statues are coming back but they also rose as a technical matter. It will not include in the resources that are present and of course parks and rec have ensured the statues are not present. Director long has been a busy advocate signing on -- siding with the credibility and influence in the power linked to her by

the city of Portland. What is still missing? The public. Remember what park staff told me about the nine documented comments that were the basis of the bias in the south park blocks master plan? The staff told me "we cannot speak with every single person in the city. In fact, it seems to be the parks preferred method to have selective conversations with selected entities to be won over by biased information. I went to comment on the impartial process. This is from the Portland tribune. None of the statutes are subject to a public process when they were directed". First to find it difficult to believe given the participation of the commissioner for parks and the mayor and the firemen's band et cetera in the dedication for the lincoln statue. But my point is not to highlight the inaccuracies but to highlight which is a bold rejection of the idea of public process. There should be a public process, please. Without the bias and advocacy of parks and rec. Thank you. My time is up.

Wheeler: Thank you mr. Russell. We appreciate it. Up next item number 15.

Brandon Farley: Request of brandon farley to address council regarding political exploitation of homeless citizens but has not join the call yet.

Wheeler: Way that we move to the consent agenda which we now have.

Clerk: We do have two items

Wheeler: have any items been pulled quick.

Clerk: Yes we had a request number 19.

Wheeler: That is pulled it goes to the end of the regular agenda please call the roll on the rest. [roll call] the consent agenda is adopted now we move to item number 16 and 17 together. Thank you.

Clerk: The city of Portland 2022 federal legislative and regulatory agenda and number 17 except the city of Portland 2022 state legislative agenda.

Wheeler: Considering the final 2022 federal legislative regulatory agenda and the 2022 state legislative agenda up both for approval. They have been hard at work continuing to connect with council offices as well as staff to incorporate the feedback we provided during the work session back on november 30th. I would like to take a moment to sincerely thank the ogr team to acknowledge the time and work for further refining the agendas. I look forward to working with the team on all of these items moving forward. Joining us today to present on these agendas and to answer any questions. So with that i will hand this off to the interim

director to provide an overview of the two agendas. Personally, thank you for stepping in during a challenging time to serve as the interim. We appreciate it, and we are pleased we have the opportunity to benefit from your experience. Welcome.

Nils Tillstrom: Thank you, mayor. Good morning. My pronouns are he/him and i am the interim director of the office of government relations for the city of Portland. I am joined today with the state relations manager and the state lobbyist to be presenting the final versions with the federal regulatory agenda and the 2022 state legislative agenda for your consideration and acceptance. I will walk through the work our office has done at this point since we have met since the last work session. To take a moment to thank our small bureau equity manager who has worked with us throughout the process. And you will see that work reflected in the preamble into both agendas with disability equity and language throughout the agenda. Also i want to thank stone hudson the tribal relations associate who is currently assisting cross program collaboration work. The road to building the city state and federal agenda began in september when the office put out a call for issues to the bureau and council offices. The input received for issues to bureaus and offices the outreach conducted to those issues with state legislators and congressional offices council offices and subject matter community-based organizations and other stakeholders. We then distill this information to draft documents we discussed at a work session on november 30th and since then we have state legislators and community partners available to the public on our website. We gathered additional information through the special session in salem and ongoing outreach for the stakeholders and with each stage of the process. So first, i want to turn to the regulatory agenda but first one more round of think use as well as to the dc representative so that 2022 agenda before you is very similar to what you saw in the november 30th work session. As a reminder we have seven policy priorities in the agenda each containing different opportunities for engagement and action. The seven priorities are addressing house business and housing stability community safety and first response, economic recovery and prosperity and those are reflective of councils adoptive priorities. Following that we have racial justice, climate and environmental justice, infrastructure investment and maintaining local authority. I will go through the changes between the government version you have before you today. Please feel free to jump in if you have questions about anything before you i will skip over

anything that the minor edits. So first addressing house business and housing stability priority we added an item for the surplus property with those strategies like villages and safe park programs we move items related to child care assistance and nutritional programs from the economic recovery prosperity and then addressing house business to recognize the role these programs plan housing stability. Next, under the community first response we added an item related to increasing opportunity. With community safety initiatives. Under the economic recovery and prosperity, added an item with the workforce investment opportunity act focusing for job training and placement assistance and then in the climate of environmental justice with the water resources development act. And then to highlight the parks and recreation. With the army corps of engineers over \$17 million and then informs the basis that we anticipate, which is the investment potentially \$32 million of the army corps of engineers. These projects are a direct result to the federal agenda. And from the tribal community and with the national defense authorization act and the account for the responsibilities. It has for the superfund facilities. So that covers the changes between the work session draft, and i will pause for questions with the federal agenda. If there are none i will recognize the state relations manager the 2022 state legislature.

Stacy Cowan: Thank you. Good morning mayor and commissioners. My name is stacy i use she her pronouns and the state government relations manager for the city of Portland i joined today by our state lobbyist. The 2022 state of agenda in the past before you today is very similar to the draft that you reviewed in the work session november 30th. As a reminder the agenda five priority house business and housing stability, community safety, economic recovery and prosperity, climate and environmental justice and local authority. I will summarize the two substantive changes we made and i will not necessarily speak to any grammatical changes between the november version and what you have before you today. Under the priority of house business and housing stability we have updated the first the lecture reflect that legislative action taken during the special session on november, i'm sorry december 13. The legislature passed senate bill 891 that extends provision for residential renters applying for emergency rent assistance. The second substantive changes under houses and housing stability priority. We updated the behavioral health item to reflect those comments made by mayor wheeler during the session. This now identifies the need for a

long-term strategic vision that maximizes cross jurisdictional collaboration in addition to investing in the workforce. That covers the changes between the work session draft in the document you have before you today. I will pause and answer any questions or pause for comments on the state legislative agenda before i have closing comments.

Wheeler: I do not see any.

Cowan: Thank you, mayor. As a reminder we will gather january 27 for the annual legislative breakfast with members of council and the Portland delegation which again will be held remotely. The legislature will officially convene thursday february 1st. We are expecting all committee hearings will be held virtually and the capital building to remain open to the public. What this means for your state legislative team is a possibility of some in person legislative while balancing virtual format for the session. Again, as a reminder, once the session starts, the oregon constitution requires adjournment after 35 days including weekends. So no extra days for illness or weather or other delays. Lawmakers start february first, they must finish by march 7th. Since we met in november on the 30th, there have been some significant changes in the legislature that have occurred, including senator johnson's resignation to focus on her gubernatorial campaign. And the speaker's announcement she will resign her position on january 21st to focus on her campaign for governor. This means among other changes when the legislature gavel and on every first one of the first orders of business to elect a new speaker. Lastly i will say despite the changes in the uncertainty with the session the state team confidently continue to afford representing the city's interest to implement the legislative agenda. With that i'm happy to turn it back.

Tillstrom: Thank you stacy. Also all of those with the 2022 agenda and also again our small business or period on -- bureau equity manager to help us focus on the racial justice and for the immense expertise into the council and staff for your leadership and that is all we have. Thank you very much.

Wheeler: Colleagues are there no questions. With the regulatory agenda there's any further discussion please call the roll item 16. [roll call]

Rubio: Thank you for presenting a robust agenda for us today that reflect our values i am also excited about the potential investments and policies coming from the federal government and also the infrastructure needs and also just wanting to share that we have a robust climate

agenda because the dial the federal government to step up investments at the local level with the state agenda the plans that reflect the highest and immediate council priorities because we still have unfinished business from 2021 i'm hoping to make that progress despite the time and the session also i went to echo the earlier comments to appreciate the team for all of your hard work in a very difficult year there are a lot of changes in working with face-to-face interaction which is critical for the success of any policy conversation and that has not been easy on you all have had to be very persistent in creative to get us where we need to be a just want to recognize that. About all of you our offices are here to support your work. I'm happy to vote aye.

Ryan: Thank you so much for this report that follows the work session and i can tell the listening that took place in the meetings with each office it feels like we are aligned and in think in my opinion more than one year ago and i'm especially grateful that we are advocating to accelerate improvements in the nation and then serving those that mental health behavior. And as we fall short from those his father systems to treatment access and recovery. We go from denial to acceptance and then providing innovation on the ground for these investments with a partnership with the county to serve many in this category with the restorative setting of the village provided mental health services to be to an on-ramp for successful long-term housing and a fulfilling life. Anyway, i'm really excited of the momentum. We are ready to go. Thank you. I vote aye.

Hardesty: I hope is not last too much before the council meeting is over, but i want to add my appreciation for him stepping into this interim role and also to the entire team. Stacy and the entire team. What i know as commissioner rubio said, it's hard enough representing a set the federal and state level. We have to learn a lot more skills as all of us have as be continue to work through the pandemic. As a reminder some of my newer colleagues, one of the brilliant things about our legislative agenda is that it is 100 percent the entire city council supported document at the state and federal level. I think it always shows the power of the city of Portland when we can collectively all agree on a set of priorities and work cooperatively to make it happen. And as a legislator i can say some things we hoped would not take so long to get done but then in a very timely manner but the professionalism and the leadership of our team is second to none i appreciate the office and the focus. And i'm very happy to vote aye.

Mapps: Like my colleagues on to think government relations for your hard work transferring these into a legend on -- at the federal and state level. Moving forward and then with that public safety and environmental protections and for these reasons and more i'm happy to vote aye.

Wheeler: I have a prediction when we get into the next legislative session it be about who is right or who has done the most researcher has the most facts on either side but the same types of personal interpersonal dynamics and with those relationships. Looking at the staff to be the challenge ahead and i look forward to continue to work with you to address those as quickly as he possibly can see you have the resources you need to be successful both of the federal level and the state level. The second thing you already in college and the staff presentation which is the legislature is in flux and also at the federal level b we'll see a lot of flux. So that will make the job even harder than it was before. It's hard to tell where the chips will fall. So with that dynamic environment. It will be the most challenging couple of years you have ever faced in his job moving forward so i appreciate the great work you have done up to this point to this council and any unified way. I vote aye. The agenda is adopted for the state legislator 2022.

Hardesty: So moved.

Ryan: Second

Wheeler: Please call the roll. [roll call]

Wheeler: The report is accepted. The agenda is approved. Thank you to all of you with the office of government relations.

Clerk: At the foothills league against the design commission decision to approve with conditions a 17 story.

Wheeler: I apologize i jumped the gun. We have to hold off on that. But that was good practice. [laughter] let's move to the regular agenda. Item number 21.

Clerk: Accept the bid of the stellar j corporation for the columbia boulevard wastewater treatment plant screening for \$10,852,000.

Wheeler: The bureau of environmental services needs to improve performance of headworks screening at the columbia boulevard wastewater treatment plant. Those have out lived there useful life they are removing the debris that the plant currently receives. They need to replace

that equipment to improve treatment for liability and to comply to the national pollutant discharge elimination system permit requirements. The chief procurement officer is here to present the report. Welcome.

Biko Taylor: In morning mayor wheeler i use the pronouns he him. City council approved ordinance on february 3rd, 2021 for the columbia boulevard wastewater treatment plant. The overall budget is 12 million and the confidence level was high. Procurement services on september 13, 2021 with a due date of december 2nd, 2021. Five bids were received in total. Stellar j corporation was the low better with the recommended awardee. Stellar j came in at \$10,852,000 which is nine.5 percent under budget. With that aspirational goal and the following is a breakdown of the utilization that was submitted 70.6 percent to be self performed by stellar j corporation 27.53 percent would be performed by the subcontractors and stellar j corporation located within washington it is a white male on firm with the current tax registration for Portland an awful compliance with all contract requirements. And then for construction inspection and management is there any questions about the process? As the project manager.

Hardesty: Thank you. That was a very thorough report and i just have a question looking at this particular contract this contractor traditionally has very tiny subcontracting contracts to see a 2700-dollar contract and a \$5000 contract and a 30000-dollar contract out as a 10 million-dollar contract, it just makes me scratch my head. Do we have any long-term data? What are we measuring when we say we are investing in minority and women owned companies? Because that's my question. I have known a trend with this contractor that it is a consistent pattern. So i am curious if your office is noticing the same pattern that i am.

Taylor: We do notice it. It is acknowledged they do have a history of breaking the project into smaller pieces for minority owned firms to the inclusive contracting manager that role, actually with the bureau and the community directly to offer solutions for companies like stellar j. So that investment that was approved last year, but we intend to implement those practices with those percentages for companies like stellar j to provide the in-house service for those of the bpoc community.

Hardesty: That would be a huge improvement. I've seen so many of those and it appears to serve not the purpose of actually to help build minority and women owned firms. I'm glad to

see you have noticed that in your short time and have a plan to address it. Thank you. I have no more questions.

Wheeler: I will entertain a motion to accept the report.

Mapps: So moved.

Hardesty: Second

Wheeler: Any further discussions seeing none please call the roll. [roll call]

Hardesty: Thank you director taylor for your report. We have to pay close attention to how we subcontract. I don't like us calling this a win and i think anyone making \$2700 of a contract for a very small minority contractor i will vote yes by look forward to working with director taylor to make sure that we are not just living within the words but the spirit of the law as well so today i vote aye.

Taylor: Thank you and look forward to being held accountable.

Mapps: I'm excited to see this move forward as a step to keep the rivers clean.

Wheeler: I love hearing commissioner hardesty questions and the answers. Director taylor i have great confidence in you and i appreciate the attitude you are bringing to the job and the seriousness to the job and how often do people colleagues say i look forward to you holding me accountable? [laughter] i can tell that you mean it and that speaks highly of you and your leadership so i thank you personally for that. It is a breath of fresh air. Thank you i vote aye.

The report is accepted. The next item is item number 22.

Clerk: Command contract to increase amount by \$300,000 to provide geotechnical engineering services for the spectator venues program.

Wheeler: This is an emergency ordinance it is the time sensitive nature performed under this contract at providence park stadium. Spectator venues program manager carlisle and the coordinator are here to present on this contract and this item. Good morning.

Lauren Broudy: Good morning mayor and commissioners carl will be joining us shortly and with the spectator finance program. The ordinance before you today will allow the city to increase the direct on call contract with the certified covid registered firm. Not to exceed amount of \$100,000 to a new not to exceed amount of \$400,000. Because this is an increase more than 25 percent of the original contract amount, the city council approval is required. It's important to note it is an on-call contract for as needed services and actual spending on

the contract is controlled by issuing tax orders for specific work order items. The city is not committing to spending the total amount, but we anticipate the actual cost will be lower than the new not to exceed amount. We are recommending a previous amendment because of the urgent need that is performed by our consultants. Delays associated with launching a competitive process for a new contract award would create an unacceptable risk. Northwest geotech under this contract is assisting the city to respond to a recent and alarming increase of groundwater that has begun flowing into the lower levels of the stadium from below southwest 18th avenue. And we have already installed a water collection and removal system helping to protect the stadium from damage, but the source has not been resolved. In order to protect the integrity of the structure, we need to reduce the amount of water entering the site. Northwest geotech is in the process of designing mitigation measures and would be doing this, but we have run out of capacity with the existing contract. And delays at this point would be unacceptable. Carl is also joining us and thank you for your time. .

Wheeler: Any questions? Thank you. Do you have any public testimony on the emergency ordinance?

Clerk: No one signed up.

Hardesty: We are authorizing you to do exactly what?

Broudy: So this is to increase the contract amount of the existing contract so we can continue the geotechnical engineering work we have already begun to address the inflow of groundwater we had an experience at providence park stadium.

Hardesty: Do anticipate this will fix the groundwater leak or is this just to see what is wrong?

Broudy: This has been almost a two-year effort at this point we have been experiencing the groundwater intrusion so our hope is with these additional funds we can address in the long-term that influx of water we have been experiencing teefifteen so i will jump then that.

Karl Lisle: This is the engineering design piece that is designing the piece we hope will actually address and stop the inflow of groundwater into the lower levels of the stadium. Whenever you chase water underground there is a lot of unknown and uncertainty in a lot of permitting agencies involved so it is complex work and we have simply run out of funds with the design contract to continue the work within the coming months we hope to get it resolved.

Hardesty: Will there be requesting the project or from the venue? What is next?

Lisle: That's a great question. Yes. We are considering putting in a general fund asked in the spring process to allow for the conversation how we might pay for this. At this time the work under this contract is being paid for out of the spectator fund completely. That can continue. From our perspective it is a broader problem they hand the stadium or the spectator fund should have to shoulder itself as it is a city problem the water is coming from elsewhere in the neighborhood into the stadium site. I think there is a good conversation to have with ees and others who are involved in the permitting project and then to understand what is going on with groundwater and where the responsibility lies. Yes there will be an ask for some portion of the construction cost coming that it is not implicated by this contract amendment.

Hardesty: Thank you very much. Those are very good answers to questions that popped up because of this request. Thank you.

Wheeler: Great news. Anybody else before we call the roll? Go ahead.

Rubio: I vote aye

Ryan: Thank you so much. We need to get to the bottom of this and commissioner hardesty i appreciate your questions. I vote aye.

Hardesty: Great presentation. Thank you for answering my questions. I vote aye.

Mapps: Aye.

Wheeler: Aye. The ordinance is approved. Now going back to item number 18.

Clerk: Consider appeal of the league against the design commission's decision to approve a 17-story 175-foot tall residential building with 337 dwelling units and 403 structured parking structures in the district of the central city planned district 21 -- 038539 dc.

Wheeler: We tentatively voted to deny the appeal back on december 1st, 2021, and we are here today to make a final decision as well to adopt the findings. May I have a motion to deny the appeal?

Hardesty: So moved.

Ryan: Second

Wheeler: We have a second from the commissioner any further discussion.

Wheeler: Do we have any discussion? Please call the roll. [roll call]

Wheeler: The ordinances adopted. Next item back to the regular agenda, item 23.

Clerk: And those with the lowest responsive bidder for construction of the columbia children's are breed of improvement project for an estimated cost of \$2,250,000.

Rubio: Making our parks more accessible for the most marginalized communities has been a big priority of mine since i was elected and currently the children's arboretum lacks ada accessible path and parking in facilities. The columbia children's arboretum improvement project include several elements identified in the 2004 management plan also addressing 15 of the 16 barriers identified in the 2015 ada title ii transition plan update parks facilities supplement improvements to include ada accessible linear trail through the bus drop off and turn around planting temporary irrigation and those such as ada enclosures and drinking fountain benches and trash receptacles. Moving forward parks and rec will deliver essential accessibility improvements serving the east columbia neighborhood and beyond it is a project long-awaited by the community since initial funding to implement portions of the 2004 management plan. Now i would like to introduce sarah from Portland parks and rec to share presentation on the emergency ordinance.

Sandra Burtzos: Good morning there and members of the council capital project manager with parks and rec. I am here today to request council authorization for solicitation contracting with the lowest responsible bidder for construction of the improvement project. Located in the east columbia neighborhood the children's arboretum between is a 20-acre park which currently includes non- ada path and pedestrian bridges a small gravel parking area and picnic tables portable restrooms and the bench. It lacks ada compliant as the commissioner just mentioned picnic areas and restrooms there is no safe way for buses to drop off children at the park for environmental education programs. The nearest neighborhood park is one.5 miles away to the southwest, delta park is further to the west. One of the defining features of the park is its beauty. As a pastoral landscape shaped by the large canopy trees over the meadow along the main pathway, it has an environmental education legacy since the 1960s. Currently used such as bes, part-time park and rec and area schools for environmental education purposes and habitat restoration projects. li's used by children and adults and beloved by the neighborhood with a peaceful and tranquil nature. The city purchased the property in 1989 in which they retained the perpetual three.67 easement for the parking facility at the west end as seen at the top left of the drawing. Also

noticing the waterways surrounding by blue lines and existing bridges. And 2004 to engage the community in a management plan that outlined a long-term vision to protect the sites natural resources ball provided needed opportunities. The park system development charges to implement features from the management plan was committed over several fiscal years with the first committed in 2016 by the current total project budget of three.\$385 million. To be engaged in 2018 to inform the project design priorities. 'S rending neighbors were canvassed and how to get involved in those updates were provided at the association meetings. A diverse project advisory committee was assembled to help them over the course of four pack meetings which we may in november. Is comprised of community members and representatives, number of organizations with a variety of interest in park users including factor again, we while Portland and the arboretum friends group the disability community, environmental communication restoration interest and support staff. Separate online listing sessions utilizing for community outreach based on the established relationships and fact or again is a nonprofit with those living with disabilities and that is a nonprofit and in mental education program three community gatherings were held between may and october 2018 with those to correspond with the initiation and conceptual design and preferred design phases. Rounded out with the consensus on the parodies of design. Shown here is a plan supported by the community focusing on provided ada accessibility to include the 10-foot wide path from one end of the park to another, bus drop off and turn around. That is the circle in the northern area. Ada parking in the small parking lot and spaces off the bus turnaround. To portable ada restrooms at each end of the park. Picnic areas with ada accessible tables. Nature exploration spots along the main path. Trash receptacles and drinking fountains. Native plantings. It is two.2 5 million. Operations and maintenance is anticipated to be just under \$115,000 per year, which will be paid for by the levee funding with the expectation that drew the sustainable future efforts will work with the council on -- with the city council. Going forward. Council approval is required for all construction projects the value over \$1 million. The request to authorize competitive solicitation contracting with the lowest responsible bidder with the construction of the project staff asked that council declares an emergency for the project during the 2022 dry season and with those conditions. Therefore, this is to be in full force and effect with the acceptance of the authority. We will

proceed with the advertisement. With that completion data from the 2022. I'm happy to answer any questions you may have.

Wheeler: Colleagues any questions?

Ryan: Thank you for this report. I am just curious i know the area fairly well i know what goes through it but i cannot member so my question is this more and more people are accessing it with canoes and kayaks have there been conversations about providing access?

Burtzos: No. There haven't and it is very tiny through their.

Burtzos: It's more like a creek.

Ryan: Like a tributary. That is what i thought. I just had to ask because it has been wonderful to see people accessing the waterways but it is a beautiful oasis and wonderful.

Wheeler: Is anybody signed up for this ordinance quick.

Clerk: No one.

Wheeler: It is an emergency ordinance. Please call the roll. [roll call]

Rubio: Thank you for this presentation in leading up to the proposal. I also want to lift up the Portland parks and recreation recognizing to these discussions and those for all Portlanders and who is at the table. I greatly appreciate the bureau holds its value and integrity. And then we look forward to the next update.

Ryan: That was a great report and also lives up as commissioner rubio was talking about that part of town that needs these types of amenities. It is an oasis coming at a very important time to move fast on the investments for that neighborhood so enthusiastically vote aye.

Hardesty: Aye.

Mapps: Thank you to commissioner rubio and parks for bringing this forward. I vote aye.

Wheeler: This is great. It is visionary and uplifting project it's easy to support i vote aye it is approved. Next item on the regular agenda. Item number 24.

Clerk: Authorize competitive solicitation with the lowest responsible better to provide payment for construction of the restoration project number e-80170 for an estimated cost \$1,700,000.

Mapps: Thank you mr. Mayor. This item originates with the bureau of environmental services that we believe healthy rivers and streams contribute to the health of our city. That's why environmental services partner with the community but to restore natural habitat to have a

more vibrant city. But this environmental restoration work can be done and this project is part of environmental services efforts to reform Johnson Creek. The goal is to restore habitat, improve water quality. And then to move forward on a project, if we can get Johnson Creek with the floodplain. The project would do a couple of things to restore natural spring function. And those that would slow down the speed of Johnson Creek and prevent erosion during storms -- storms and those for the salmon. So talk about salmon. You may know that Johnson Creek provides a habitat as well as steelhead and cutthroat trout. They do still exist in Johnson Creek and the tributaries there long-term survival depends what we do today. And then must restore habitat and improve water quality today and that is of the project is about. One.7 million was scheduled to be in May and the engineering manager and project manager and with that he turned it over to staff.

Lisa Moscinski: Thank you commissioner. And then to pull up the powerpoint. Good morning thank you for your time. My name is Lisa on the project manager for project services.

Moscinski: And then the next project is located in southeast Portland. And that is focused on three city on properties. And through where this is on Johnson Creek. And that is a project building on past restoration work. And then to slow down the speed of Johnson Creek. And then to provide the hiding space for fish and wildlife and then to keep it cooler and then the current efforts to return it to a more natural state. That type of restoration provides a safe place for floodwaters to spread out and then improve water quality with fish and wildlife habitat. Johnson Creek has as well as steelhead and cutthroat trout and they still exist there long-term survival depends on our ability to restore habitat. And since October 2016 with community outreach to neighborhood property owners and occupants and business owners who might be impacted it is mostly residential with little traffic and those that are the original owners and then to be mindful of the outreach. With those affected community members. And those webpage updates.

Moscinski: Next line so the construction cost for the project is one.7 million the estimate has a high level of confidence. The project is scheduled to advertise later this month in May 2022 and it's important to align within the window and that is estimated to last approximately six months.

Ryan: Thank you so much. Please go back to the slide to show the different areas. I don't want to assume anything.

Moscinski: Those are the names of the properties the blackberry properties on blackberry circle also there were blackberries on the property we have been doing some restoration work that the other is named after the people who owned the property we purchased it from 2019 and then the property to the south is due to the natural area.

Ryan: That's great. [laughter] and then when you talk about outreach have you considered connecting with the school districts in that area? I think it goes into centennial. One, because i think they are using the upgrades.

Moscinski: That is a great point. I have not personally done that, but we have a broader outreach plan working closely with the watershed council. If there is that happening -- is not happening that information, but i will talk with our outreach folks.

Ryan: And target the science teachers and all schools.

Wheeler: Any public testimony? This is the first reading of a non- emergency ordinance. Thank you, lisa. Now we go back to the consent agenda item number 18.

Wheeler: With the cultural institutions with support operating costs growing infrastructure needs. And this item the clerk's office has on file. And the grant recipient shall not hold the funds for security guards. Can I get a second?

Hardesty: Second.

Wheeler: We have a second. So this is now on the table speak no one has signed up.

Wheeler: Any further questions? Please call the roll on the amendment. [roll call]

Ryan: Actually do have questions.

Wheeler: We will suspend the vote for now.

Ryan: Commissioner t1 made the amendment i would just like to hear more from you before i vote.

Hardesty: After hearing and absorbing the audit the out of control downtown private security interest want to make sure we were not using dollars with those security officers who are poorly trained and then appeared to be abusing committee members downtown.

Wheeler: For the record we have someone here to answer questions.

Ryan: Is ginger available? The way it is currently written it would give an opening for these organizations to spend these monies on security.

Ginger Damron: Initially the way it was written was to say infrastructure cost and operational needs. I do want to say that this was a technical issue so we had to bring the ordinance to get the specific organizations so they have already agreed not to go and the amendment would make that official. They have lost revenue and they have to buy equipment for improvements so they have other costs the word money can go toward.

Ryan: That was very helpful. I recall the i just apologized for not having all of this context. I appreciate the additional information. It sounds like you have been communicating with the fine people that run these organizations that have been put into some tough places in terms of how to operate and make their budgets balance out. I just want to make sure we are sensitive to each organization and their concern. Thank you.

Mapps: I'm not sure who the question is for. Number one. Have we communicated with the grant recipients about this amendment? And if we have that they raise any objections?

Wheeler: This has been communicated to the grant recipients and there are no objections.

Wheeler: Thank you. We are in the middle of the roll before you continue. [roll call]

Ryan: Based on that lovely dialogue, i vote aye.

Wheeler: Aye. The amendment is approved. Please call the roll. [roll call]

Rubio: Thank you to those who have worked on this. Any institutions with these much-needed resources during that time of economic need. Also thank you to commissioner Hardesty to clarify the intent of the funds as well. I vote aye.

Ryan: Thank you to the good people the Japanese-American Museum at the Chinese Garden and Center for Holocaust Education and Portland Chinatown Museum. We are rooting for you and with you in solidarity. I vote aye.

Hardesty: Again, i appreciate the aye on the amendment. It was clarifying the conversation we had in the fall to make sure we were being intentional about where we invested limited public resources. I vote aye.

Mapps: Glad to see the resources are going to Chinatown and for that reason and more i vote aye.

Wheeler: I support this. I vote aye the ordinance is adopted as amended. That completes our business. Very good. We are adjourned.

Council adjourned at 11:04 a.m.