



## December 14-15, 2022 Council Agenda

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City Hall - 1221 SW Fourth Avenue, Portland, OR 97204

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### Wednesday, December 14, 2022 9:30 am

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Commissioner Ryan arrived at 9:32 a.m.

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

The Consent Agenda was adopted on a Y-5 roll call.

Council recessed at 9:43 a.m. and reconvened at 9:45 a.m.

Council recessed at 9:54 a.m. and reconvened at 9:55 a.m.

Council recessed at 11:53 a.m. and reconvened at 11:58 a.m.

Council recessed at 12:43 p.m.

### Communications

1034

[Request of Eric Smith to address Council regarding crime and environmental health and safety](#) (Communication)

**Document number:** 1034-2022

**Disposition:** Placed on File

1035

[Request of Autumn West to address Council regarding sidewalks, public access, and the Americans with Disabilities Act](#) (Communication)

**Document number:** 1035-2022

**Disposition:** Placed on File

1036

[Request of Ragan VanSise to address Council regarding crime and houselessness](#) (Communication)

**Document number:** 1036-2022

**Disposition:** Placed on File

1037

[Request of Mariana Garcia Medina to address Council regarding the Joint Terrorism Task Force resolution](#) (Communication)

**Document number:** 1037-2022

**Disposition:** Placed on File

Jessica Maravilla presented to Council for item 1037.

## Time Certain

1038

[Appoint Elizabeth Brett and Sharon Nobbe to the Building Code Board of Appeal for terms to expire December 13, 2025](#) (Report)

**Document number:** 1038-2022

**Introduced by:** Mayor Ted Wheeler; Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

**Time certain:** 9:45 am

**Time requested:** 15 minutes

**Disposition:** Confirmed

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

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1039

[\\*Ratify a successor collective bargaining agreement between the City and Laborers Local 483-Recreation for the terms and conditions of employment of represented employees in the Recreation bargaining unit](#) (Emergency Ordinance)

**Document number:** 191114

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Bureau:** Human Resources; Parks & Recreation

**Time certain:** 10:00 am

**Time requested:** 20 minutes (1 of 2)

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1040

[\\*Ratify a successor collective bargaining agreement between the City and Laborer's Local 483 relating to the terms and conditions of employment of Seasonal Maintenance Workers for 2022-2026](#) (Emergency Ordinance)

**Document number:** 191115

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources

**Time certain:** 10:00 am

**Time requested:** 20 minutes (2 of 2)

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

## Consent Agenda

1041

[Proclaim results of the Municipal Non-partisan General Election on Measure 26-228: Amends Charter: Changes Portland's government structure and process for electing city officials](#) (Proclamation)

**Document number:** 1041-2022

**Introduced by:** Mayor Ted Wheeler

**Disposition:** Placed on File

1042

[\\*Authorize one-time exception to Title 17 Underground Wiring Districts Code to allow for the placement of electrical conduit and lighting in the public right of way on NW 3rd Ave between NW Couch St and NW Davis St \(allow exception to Code Section 17.60.020\)](#) (Emergency Ordinance)

**Document number:** 191101

**Introduced by:** Mayor Ted Wheeler

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1043

[Accept grant in the amount of \\$1,200,000 and appropriate \\$120,350 for FY 2022-23 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance National Sexual Assault Kit Initiative FY 2022 for Sexual Assault Management System enhancements and deployment](#) (Ordinance)

**Document number:** 191102

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

Second reading agenda 1008.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1044

[Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the Columbia Slough Outfall 58 Project through negotiation or the exercise of the City's eminent domain authority](#) (Ordinance)

**Document number:** 191103

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 1011.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1045

[Authorize competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Stark Trunk Rehabilitation Project for an estimated cost of \\$5,266,000](#) (Ordinance)

**Document number:** 191104

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 1012.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1046

[Approve findings to authorize an exemption to the competitive bidding requirements and approve use of the alternative contracting method of Construction Manager/General Contractor for the Dam No. 1 Spillway Gates Replacement Project for an estimated amount of \\$2,650,000](#) (Ordinance)

**Document number:** 191105

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 1013.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1047

[Authorize contract with McMillen, LLC for design services for the Dam 1 Spillway Gates Replacement Project in the amount of \\$1,329,325](#) (Ordinance)

**Document number:** 191106

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 1014.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

1048

[Authorize bid solicitation and contract with the lowest responsive and responsible bidder for construction of the North Schmeer Road East of Whitaker Road Project for an estimated cost of \\$1,386,000](#) (Ordinance)

**Document number:** 191107

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 1015.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1049

[Authorize bid solicitation and contract with the lowest responsive and responsible bidder for construction of the Road 10 I and J North Fork BR MP 14.44 Project for an estimated cost of \\$1,820,000](#) (Ordinance)

**Document number:** 191108

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 1016.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1050

[Accept grant for \\$100,000 from Metro and authorize Intergovernmental Agreement for the bulky waste collection activities for single and multifamily properties](#) (Ordinance)

**Document number:** 191109

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

Second reading agenda item 1017.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1051

[Accept grant for \\$783,176 from Metro and authorize Intergovernmental Agreement for the per-capita distribution and Business Food Waste Requirement](#) (Ordinance)

**Document number:** 191110

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

Second reading agenda item 1018.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1052

[\\*Authorize price agreement with Northwest Success, Inc., an Oregon Forward Contractor, for janitorial services at Portland Parks & Recreation locations not to exceed \\$1 million for a nine-month term](#) (Emergency Ordinance)

**Document number:** 191111

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea



1053

[Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program](#) (Resolution)

**Document number:** 37603

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Adopted

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1054

[\\*Authorize contract with the lowest responsible bidder for the Halsey Corridor Lighting project](#) (Emergency Ordinance)

**Document number:** 191112

**Introduced by:** Former Commissioner Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1055

[\\*Authorize contract with the lowest responsible bidder for the NE/SE 82nd Ave Corridor Lighting project](#) (Emergency Ordinance)

**Document number:** 191113

**Introduced by:** Former Commissioner Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1056

[Certify abstract of votes cast, candidates elected, and proclaim Measure 26-228 approved at the Municipal Non-Partisan General Election held on November 8, 2022](#) (Report)

**Document number:** 1056-2022

**Introduced by:** Former Auditor Mary Hull Caballero

**Bureau:** Auditor's Office; City of Portland Elections Office

**Disposition:** Accepted

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

## Regular Agenda

1057

[Adopt Human Resources Administrative Rule, Employee Work Location, to define allowable work location and related criteria \(add HRAR 4.045\)](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

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

**Time requested:** 15 minutes

**Disposition:** Passed to second reading

Passed to second reading January 4, 2023 at 9:30 a.m.

1058

[Accept the Chief Procurement Officer's recommendation for contract to Ferguson Waterworks for water works supplies not to exceed \\$20 million](#) (Report)

**Document number:** 1058-2022

**Introduced by:** Mayor Ted Wheeler

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

**Time requested:** 5 minutes

**Disposition:** Accepted - Prepare Contract

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

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1059

[Add Regulation of Third-Party Food Platforms Code related to permanent limitations on the fees third-party food platforms may charge and the terms they may impose upon restaurants and delivery persons.\(add Code Chapter 7.27\)](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

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

Second reading agenda item 1002.

**Disposition:** Passed to second reading as amended

Motion to accept amended Exhibit A: Moved by Wheeler and seconded by Hardesty. (Y-5)

Passed to second reading January 4, 2023 at 9:30 a.m. as amended

1060

[Establish 2023 sale price cap for the Homebuyer Opportunity Limited Tax Exemption Program](#) (Resolution)

**Document number:** 37604

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 20 minutes

**Disposition:** Adopted

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1061

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for 23rd & Marshall Apartments located at 1137 NW 23rd Ave](#) (Ordinance)

**Document number:** 191116

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

Second reading agenda item 1030.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1062

[\\*Approve findings to authorize exemption to the competitive bidding requirements and approve use of the alternative contracting method of a Construction Manager/General Contractor for the 82nd Ave Major Maintenance Project](#) (Emergency Ordinance)

**Document number:** 191119

**Introduced by:** Former Commissioner Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time requested:** 10 minutes

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1063

[\\*Create a local improvement district to construct street, sidewalk, and stormwater improvements in the SE 89th Ave and Taylor St Local Improvement District \(Hearing; C-10072\)](#) (Emergency Ordinance)

**Document number:** 191117

**Introduced by:** Former Commissioner Commissioner Jo Ann Hardesty

**Bureau:** Transportation

Second reading agenda item 1000.

**Disposition:** Passed As Amended

Motion to amend the ordinance to add Directive U and add an emergency clause to provide assurance of performance under Code Section 17.24.055 for frontage improvements to enable construction of Berrydale Park as soon as possible: Moved by Hardesty and seconded by Wheeler. (Y-5)

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1064

[Authorize a 5-year deferral of single-family residential assessments in the SE 89th Ave and Taylor St Local Improvement District \(C-10072\)](#) (Ordinance)

**Document number:** 191118

**Introduced by:** Former Commissioner Commissioner Jo Ann Hardesty

**Bureau:** Transportation

Second reading agenda item 1001.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

## Four-Fifths Agenda

1064 - 1

[Appoint K.C. Lewis to the Police Accountability Commission](#) (Resolution)

**Document number:** 37605

**Introduced by:** Mayor Ted Wheeler; Former Commissioner Commissioner Jo Ann Hardesty

**Bureau:** Community Safety Division; Management and Finance

**Time requested:** 10 minutes

**Disposition:** Adopted

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

## Wednesday, December 14, 2022 2:00 pm

**Session Status:** Recessed

**Council in Attendance:** Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Commissioner Mapps presided.

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

Council recessed at 2:51 p.m.

## Time Certain

1065

[Accept the City of Portland Annual Comprehensive Financial Report for Fiscal Year Ended June 30, 2022 and corresponding financial audit](#) (Report)

**Document number:** 1065-2022

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Revenue and Financial Services

**Time certain:** 2:00 pm

**Time requested:** 1 hour

**Disposition:** Accepted

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

**Votes:** Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Absent

## Thursday, December 15, 2022 2:00 pm

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**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided. Mayor Wheeler left at 3:25 p.m. and Commissioner Mapps presided.

Commissioner Ryan left at 4:18 p.m.

Mayor wheeler returned at 4:25 p.m. and presided.

Officers in attendance: Lauren King, Senior Deputy City Attorney; Robert Taylor, City Attorney; Megan Lehman, Acting Council Clerk

Council recessed at 3:13 p.m. and reconvened at 3:23 p.m.

Council adjourned at 5:11 p.m.

## Time Certain

1066

[Accept report from the City Arts Program](#) (Report)

**Document number:** 1066-2022

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Bureau:** Management and Finance

**Time certain:** 2:00 pm

**Time requested:** 30 minutes

**Disposition:** Accepted

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

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Former Commissioner Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1067

[Accept Regional Arts & Culture Council FY 2021-22 Annual Report](#) (Report)

**Document number:** 1067-2022

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Bureau:** Management and Finance

**Time certain:** 2:30 pm

**Time requested:** 1 hour

**Disposition:** Placed on File

Motion to accept the report: Moved by Wheeler and seconded by Hardesty. (Y-Rubio, Wheeler; N-Mapps, Hardesty; Ryan absent). Council failed to accept the report.

**Portland City Council Meeting Speaker List  
December 14, 2022 – 9:30 a.m.**

<b>Name</b>	<b>Agenda Item</b>
Mayor Ted Wheeler	
Keelan McClymont	
Commissioner Mingus Mapps	
Commissioner Carmen Rubio	
Commissioner Jo Ann Hardesty	
Karen Moynahan	
Jessica Maravilla	1037
Commissioner Dan Ryan	1038
Terry Whitehill	1038
Elizabeth Brett	1038
Sharon Nobbe	1038
Lynn Handlin	1038
Cathy Bless	1057
Jamaal Anthony	1039-1040
Ryan Sotomayor	1039-1040
Jamie Doscher	1039
Chris Armstrong	1040
Biko Taylor	1058
Ty Kovatch	1058
Tim Taylor	1059
Matthew Tschabold	1060
Dory Van Bockel	1060
Preston Korst	1060
Briana Orr	1062
Sameer Kanal	1064-1
KC Lewis	1064-1
Marc Poris	1064-1



**Portland City Council Meeting Speaker List  
December 14, 2022 - 2:00 p.m.**

<b>Name</b>	<b>Agenda Item</b>
Commissioner Mingus Mapps	
Keelan McClymont	
Commissioner Carmen Rubio	
Commissioner Jo Ann Hardesty	
Karen Moynahan	
Ron Vaught	1065
Kevin Sanders	1065
Sheila Craig	1065
Keith Simovic	1065
Kevin Machiz	1065

**Portland City Council Meeting Speaker List  
December 15, 2022 – 2:00 p.m.**

<b>Name</b>	<b>Agenda Item</b>
Mayor Wheeler	
Keelan McClymont	
Commissioner Carmen Rubio	
Commissioner Jo Ann Hardesty	
Commissioner Mingus Mapps	
Lauren King	
Jeff Hawthorne	1066-67
Joaquin Lopez	1066
Stephan Herrera	1066
Elizabeth Stock	1067
Della Rae	1067
Carol Tatch	1067
Talilo Marfil	1067
Marridawn Duckler	1067
Michael Stevenson	1067
Laura Moulton	1067
Tallon Jackson	1067
Tabitha Nikolai	1067
Mario Mesquita	1067
Jillian Schoene	1067
Robert Taylor	1067

## **Portland City Council Meeting Closed Caption File**

**December 14, 2022 – 9:30 a.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** Mayor ted Wheeler: good morning everybody. This is the December 14, 2022 morning session of the Portland City Council. Morning and please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** Here.

**Speaker:** Clerk: Rubio.

**Speaker:** Ryan.

**Speaker:** Here.

**Speaker:** Clerk: hardesty.

**Speaker:** Mayor ted Wheeler: I am going to wear a mask. I do not have covid but I was around somebody who contracted it so i'll wear it for safety of everyone else. We'll hear the rules.

**Speaker:** Clerk: [reading notice] council. City Council is holding hybrid public meetings with limited in-person attendance in addition to electronic attendance. If you wish to testify before council in person or virtually you must sign up in advance by visiting the council agenda on the council clerk's web page at [www.Portland.gov/council/agenda](http://www.Portland.gov/council/agenda). You may sign up for communications to briefly speak on any subject. You may also sign up for pub testify and resolutions, reports or the first readings of ordinances. In person testimony may occur from one of several locations including City Council chambers or city hall or the Portland

building and written testimony may be submitted at [cctestimony@Portland.gov](mailto:cctestimony@Portland.gov). Your testimony should address the matter being considered at the time. When testifying, state your name for the record. Your address is not necessary. Please disclose if you're a lobbyist. If you're representing an organization, please identify it. The presiding officer preserves order and decorum during City Council meetings so everyone can feel welcome, comfortable, respected and safe. Presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. A timer will indicate when you're time is done. Disruptive conduct such as shouting or refusing to conclude your testimony when your time is up or interrupting other's testimony or council deliberations will not be allowed. If there are disruptions --

**Speaker:** Mayor ted Wheeler: excuse me, is someone playing music? Outside? Okay. Thank you.

**Speaker:** Clerk: if there are disruptions a warning may be given that further disruptions may result in the person being ejected from the remainder of the meeting after be ejected a person to fails to leave the meeting is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually.

**Speaker:** Mayor ted Wheeler: this is an auspicious meeting this is commissioner hardesty's first. First I'm.

**Speaker:** Clerk: request of addressing council on crime and environmental health and safety.

**Speaker:** Mayor ted Wheeler: good morning.

**Speaker:** Clerk: they're not here yet.

**Speaker:** Mayor ted Wheeler: item 15305, please.

**Speaker:** Clerk: addressing council regarding sidewalks, public access and the Americans with disabilities act. I don't think they've arrived yet either.

**Speaker:** Mayor ted Wheeler: next veiled, 1036, please.

**Speaker:** Clerk: request of ragan vansise to address council regarding crime and houselessness. We'll go to the next individual.

**Speaker:** Clerk: request of marianna garcia med eda to address the council regarding the joint task force resolution.

**Speaker:** I will be providing testimony on behalf of marianna garcia.

**Speaker:** Mayor ted Wheeler: thank you.

**Speaker:** Good morning, mayor Wheeler and commissioner. Thank you for allowing me to provide testimony with organizations. I'm here to testify on the fbi task force resolution and for the record my name is jessica maravia the policy director for aclu Oregon. The fbi has a long history of unlawful activity and surveilled activists an protesters and inappropriately justifying the actions by protests as potential domestic terrorism they have used tactics in the name of national security that target vulnerable and marginalized communes including people of color, migrants, labor organizers and it lacks transparency and accountability and putting the Portland police bureau in conflict with a law about collecting social views and activities as a way to protect privacy. Oregon doesn't operate under this law and some may be engaged in actions prohibited. The joint terrorism task force due in January is an imperative piece of the 2019 resolution to ensure there's transparency in public access to a comprehensive report on the joint terrorism task force in Portland and the collaboration with the ppd. In the past it's lacked necessary details referred to the fbi. Last year it was sent back for revision to include essential and remove problematic commentary and prevent delays in transparency we ask council amend the resolution to ensure next year's record includes comprehensive information from cases sen to the fbi and demographic of those involved and outcomes of cases. We ask it includes public testimony to

continue an open dialogue with Portlanders. To the extent it has engagement with jttf it's necessary to do oversight and provide consistent and timely reports of activities with jttf. However, the most effective way to prevent violations is to prevent the police bureau from participating with the task force. Thank you for your time.

**Speaker:** Mayor ted Wheeler: thank you. We appreciate your testimony. Year a little bit ahead of schedule. Did any of the individuals that wanted to join us for communication show up?

**Speaker:** [off mic]

**Speaker:** Mayor ted Wheeler: have items been pulled from the consent agenda? Pull the rules.

**Speaker:** We'll go to the regular agenda first. Item 1057.

**Speaker:** Adopt human resources administrative rule, employee work location, to define allowable work location and related criteria (add hrar 4.045) (ordinance)

**Speaker:** Mayor ted Wheeler: I want to thank the 60% of Portland employees that continue to work in person and our conversations about return to work and future work have been about a smaller percentage of city employees, many of whom have been working remotely but I really just want to acknowledge the majority of employees were here from day one working day in and day out in person in their place of employment. And we have not thanked them enough. I want to remind people that in the early days of the pandemic it was actually considered dangerous and it was assumed -- presumed to be dangerous. And the work the 60% does was essential work to maintaining the continuity of our city. These are the folks that maintain our facilities, the folks who provide security, the folks who kept our water and our sewer operational throughout the pandemic. People who provided a myriad of essential services that Portlanders often take for granted. I really want to

express my deep gratitude and my thanks to all of you who workday in and day out. As I watched the press coverage it's somewhat complicated and confusing. One can get the impression we're talking about the entire city workforce when in fact we're talking about the minority of the workforce and talking about the policies of work and what not. I also just want to express the concern that has been expressed by this council as well as our chief administrative officer we do not want to create two classes of employees. Those who can work from home and those who are required to work here. We have to be far more thoughtful about that and I want to acknowledge and appreciate the work of the chief administrative officer and the work group for coming up with strategies that I think are reflective of that desire. The ordinance we will hear today impacts as I say about 40% of our workforce. Many of whom have been operating on a hybrid model. The city's current systems don't have the capacity to administer all the legal requirements of remote work on a permanent basis which consists of considerable compliance risk and as part of the new workplace model the bureau of human resources has worked with council office to develop a new administrative rule requiring employees to perform work for the city of Portland and/or Washington state. It will uphold flexibilities for employees through a hybrid model and ensure compliance with our legal requirements. We have Cathy to walk us through the ordinance. Good morning. Do we have Cathy? What is in the water today? Do you get this weird vibe? All right. We'll continue the item. In fact we'll take a one minute recess and then go to the time certain. Huh.

**Speaker:** Mayor Ted Wheeler: we're now going to item 1057 time certain report. I'm pleased to announce of two outstanding candidates to the building code of appeals in partnership with commissioner Ryan who I'll turn it over to in a moment. As a reminder the board of appeals can be called been to hear appeals on the final

decision of the city's building official. As such it is an important function. Any appeals heard from the board would have been discussed and decided at a weekly administrative appeal board. The members and alternates of board of appeals are three-year terms and can serve no more than three terms. Over to you.

**Speaker:** The board of appeals provides decisions of the administrative board of appeals. As in our status process has a form or the applicant to discuss their concern in person with the board and city staff to find a solution to the building code issues. Bds official terry whitehill will present and share about more of the proposed appointees. Please take it away.

**Speaker:** Mayor Wheeler, commissioners, I'm the building official for the city of Portland and bureau of development services, terry whitehill. I have the new appointments. The first is beth brett a licensed architect and she should be on line, I think, with us. She's a licensed architect with over 20 years experience through her work experience she has honed her skills in developing strong connection and working collaboratively with teams and worked with local and regional organizations focussing on equity and inclusion. She's passionate about partnering with others to make lasting exchanges in the process and outcomes within the built environment and beth, you want to just say a couple words on why you're interested in being on the committee.

**Speaker:** Thank you, terry. Currently right now I'm working with a project management firm on guiding public and private projects from concepts through my professional in architecture and project management. We're dealing with a lot of organizations focussed on equity and inclusion. I believe partnering with others we can make a lasting change to our processes and outcomes. As being part of the board will help me continue the efforts to help support communities.

**Speaker:** Thank you. Mayor, would you like plea -- me to do both first



**Speaker:** Mayor ted Wheeler: yes.

**Speaker:** Next is Sharon over 30 years experience working with many construction types and building uses including wood frames, single family to high rise and timber and mixed use buildings. She has been successful by maintaining a long-term vision employing critical thinking and engaging experts while finding common ground. Working with clients and contractors while incorporating advances in technology and sustainability and brings a mix of experience to the board. Sharon, would you like to share anything?

**Speaker:** Good morning. Mayor and commissioners, I welcome the opportunity to serve the city especially at the critical time where we're being judged for our timeliness and delivery. I believe that I bring a broad experience and exposure to challenges, positive and negative and finding and working outcomes that improves the community. It's a great way for me to support that. Thank you for the opportunity.

**Speaker:** Mayor ted Wheeler: thank you, we appreciate it. Colleagues, any questions at this point? Do we have public comment on this item?

**Speaker:** Clerk: one person signed up.

**Speaker:** Mayor ted Wheeler: very good. Lynn, sit in that chair right there. Good morning.

**Speaker:** Good morning. Good to see you commissioner Hardesty. My name is Lin Hamlin. I support the confirmation of Elizabeth Brett or Sharon Nobe to the building code board of appeals. I read the blurbs on both and seem extremely qualified for the jobs and think it's important to include members of community. Elizabeth Brown in particular seems to care about community, safety and social and racial justice in regards to building code. I do not understand why the City Council does not seem to have as much concern about allowing a business that imposes threat

to continue operating. October 3, Dan Ryan, on behalf of the city of Portland made a backroom deal with Zenith and knew there would be outrage and it poses a huge risk to our communities including seismic derailment and greenhouse gases and cancer-causing toxins and air pollution and especially in front-lines. I imagine Ms. Brett would oppose. You did not bother contacting the communities surrounding the facility. Your priorities were clear. Polluting industry over communities. Zenith is making unenforceable promises and they continued to increase profit and greenwashing and creating a threat to Portlanders. Dan you said it's time to start kicking declarations down the road and act and this critical time and yet you gave Zenith permission to continue bringing crude oil on a liquefaction zone unimpeded for five more years. This was done two days before Zenith lost in the courts. When you denied the you mentioned consulting the tribes and other community members. What happens this time? The city has chosen to partner with Zenith rather than the communities. After five years there's no guarantee Zenith will do what they say. Their track record indicates there will likely not. There are holes you can drive trains through in the plan with Zenith. This was an opportunity for the city to be the climate leaders you pretend to be and failed and came to the usual business interests and betrayed your community. We can fix this. You can hold a public hearing on whether the current and proposed activities are consistent with the comprehensive plan and rescind what you granted. Commissioner Ryan, we asked for a meeting. You have not responded. We sent critical questions to the council and would like responses as well as a chance for the community to be heard. Rescind Zenith's locks.

**Speaker:** Mayor Ted Wheeler: do you support the appointment.

**Speaker:** I support the candidates and congratulations to them in advance.

**Speaker:** Mayor ted Wheeler: thank you for being here. We appreciate it. Folks. Folks. Folks. I've got the gavel -- okay. We'll take a recess.

**Speaker:** Mayor ted Wheeler: commissioner Ryan did you have one more issue?

**Speaker:** D. Ryan: terry whitehill is coming on retirement and we had a celebration with people in attendance. Most I've seen at bds since I've been on the council in person. I want to thank you, terry, for your 19 years of service and terry has been Oregon's building official of the year as well as serving as a president of the Oregon building official and required to know state and national building codes inside and out and he does. As the official, he considered new approaches the building codes may not have caught up with without compromising safety and I heard time and time again how well you do your job. Your flexibility and dedication in working with my office on making the cypress village successful through needed code changes is something I'm grateful for. We took the work from bps and shelter to housing changes and you in real time to implement them quickly and it was very important. I want to say that I'm so grateful for all the inspired leadership you have shown in your role. In addition, your day to day work includes partnering with Portland fire and rescue and there were many in attendance yesterday at your party and ensuring homeless sites are stable and work at the state and national level on codes used to keeping building safe for Portlanders is a symbolic excellence in public service. Earlier this year the Oregon building officials association awarded terry not only in the building official award but life time achievement award and he's only the second person to have receive the life time achievement award from oboa. The president of oboa said it best, he's an outstanding member and an example of what a building official should be and has been a go-to for so many for Oregon and around the country. As you retire at the end of the year we thank you for your service and wish the best and appreciate you returning as a retiree to help onboard

the new building official. I want to personally add two things. One is I know you're going to do more than that. I know your wisdom is going to be shared. You are such a resource and asset to our city and know you're going in the slope of retirement to spend time with family in Alaska but we need your guidance and inspiration as you help people gain the knowledge you have in your plain and I'll end with the heart because you always show up at the village openings and always the person that's done the most and has the most to say but somehow say the least and get it done and you're a breath of fresh air. I appreciate our paths have crossed and thank you for your time and service to the city of Portland.

**Speaker:** Thank you, commissioner. I've had so many good people around me that have helped me along the way. It's been a labor of love.

**Speaker:** Mayor Ted Wheeler: thank you, Terry. I'll entertain a motion -- did you have a comment? I'll entertain a motion for the report.

**Speaker:** Motion and seconded. Call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** I'd like to thank commissioner Ryan and the mayor for bringing forth the candidates and thank Beth for agreeing and thank Terry for his service and I vote aye.

**Speaker:** Clerk: Rubio.

**Speaker:** I want to congratulate and thank you, Terry for your excellent service to our community for so many years. We're truly a better city for it. Thank you so much. And thank you to Beth and Sharon for your willingness to participate on this board. The time involved is no small contribution and I appreciate your both taking the time from your lives to provide the service to the city. I'm happy to vote aye.

**Speaker:** Thank you Beth and Sharon for your commitment to service and I vote aye.

**Speaker:** Clerk: hardesty.

**Speaker:** I want to thank the excellent candidates for agreeing to volunteer their time to be of service to the people of the city of Portland. I want to congratulate you in retiring into the next phase of what comes next and thank you mayor and commissioner Ryan for moving these great candidates forward. I vote aye.

**Speaker:** Clerk: Wheeler.

**Speaker:** Mayor ted Wheeler: I want to thank sharon and elizabeth for stepping forward. I appreciate your leadership in the community and willing to take the time and energy away from other activities you could potentially participate in to help the people of the city is fantastic and greatly appreciate. Thank you for your steadfast service to the city and people of Portland. You heard the call for public service and you stepped up to many challenges facing Portland over the years and you have freely shared your expertise, your wisdom and time with us. Portland is a better place because of people like you and thank you for that. I'm happy to vote aye. The report is accepted. The appointments are approved and terry, I wish you the best.

**Speaker:** Mayor ted Wheeler: we'll go back to the item continued. Cathy's here. We'll go back to the item we continued item 1057. I won't make my long speech again. I'll just say welcome, cathy. Good morning.

**Speaker:** Sorry for my delay. For the record I'm chief human resource officer nor city. I'm here to request your support and approval of ordinance 1057 adopting a new human resource administrative rule to where the city is allowed to be defined and it's all of Oregon and Washington. Defining where work can be done allows us to support our local partners in business. The new rule still provides flexibility for employees and police with the city's legal responsible to state specific wage laws an leave laws and workers' compensation. Some exemptions allow for flexibilities and

allows for employees to work out of Oregon and Washington for short durations, newly hired employees will have 90 days to come into compliance and bureaus will be able to continue extenuating circumstances in setting newly hired employees time lines. Current city employees who may be outside of Oregon and Washington will have 90 days after the adoption of this rule to come into compliance. And we also know there may be other temporary exemptions beyond two weeks like for an employee who has taken a protected leave and must travel to be with a person they're caring for. This will help balance the needs of employees and legal risk to the city. This concludes my remarks. I'm happy to answer any questions you may have.

**Speaker:** Mayor ted Wheeler: are there any questions? Commissioner Mapps.

**Speaker:** M. Mapps: director, thank you for the presentation. Just for the record, could you list the top three reasons why we're doing this or why you're proposing this?

**Speaker:** Absolutely. We need to define where work of the city is to be performed and we have no capability of issues any w-2s out side the state of Oregon and don't have legal representation in all the states and it is too risky for workers' compensation for other employment leaves and taxes we're not set up to process or do.

**Speaker:** M. Mapps: thank you. So you said we're basically staffed up to deal with Oregon however, this ordinance proposes we have folks in Oregon and Washington. What are we going to do -- how are we going to prepare for and accommodate employees who choose to live in Washington?

**Speaker:** We currently do that because they travel to Oregon to perform their work. We also are compliant with Washington state leave laws and employment law. We're able to issue a w-2 so it's easier. The leave laws in Washington we have

all the recalling requirements worked out between Oregon and Washington for that so it makes it an easier choice for us to provide that option.

**Speaker:** M. Mapps: thank you. Can you flush out the exemption process and how it works?

**Speaker:** It's a bureau process. There will be a form all employees will be using together in their bureau. When someone choose to go visit family but they still have some projects they would like to work on, it allows them to be able to balance the opportunity to travel and be some place else and still work on behalf of the city for short duration. We have two weeks at a time, up to six weeks per year.

**Speaker:** M. Mapps: thank you. Can you remind me again how long -- I don't think I heard this in the presentation, could you tell us when this ordinance will go into affect and could you remind us how long employees have to get back to Oregon or pacific northwest?

**Speaker:** Absolutely. This is on the regular agenda so it has a second reading. My understanding is it will happen January 4 and then it will be effective early February and be the there will be 90 days.

**Speaker:** M. Mapps: great and my last comment is a statement or request to the commissioner of the bureau. After we get to the 90 day point can you send a report for how many employees chose to move become to Oregon or Washington and how many chose to leave employment and how many people got exemptions?

**Speaker:** Absolutely. And currently, I think there's less than 1% of employees that work outside of Oregon and Washington and so absolutely I can report back to council.

**Speaker:** M. Mapps: I have no more questions.

**Speaker:** Anybody else. Public testimony?

**Speaker:** Clerk: nobody signed up.

**Speaker:** Mayor ted Wheeler: thank you. It moves to second reading. Back to the time certain agenda. Read I'm 1040.

**Speaker:** Ratify a successor collective bargaining relating the term and conditions of employment of seasonal maintenance workers for 2022 through 2026.

**Speaker:** Mayor ted Wheeler: colleagues, earlier this year the city and local laborers 483 were able to reach tentative agreements on the recreation tracts. The bureau of human resources in the city are pleased to have worked on the contracts with laborers 483 amicably and respect the workers and the labor negotiator is here. I didn't the if you were going to speak longer.

**Speaker:** Mayor ted Wheeler: I usually do.

**Speaker:** Thank you for letting me make your company. The two contract the are recreation and seasonal maintenance workers contract. Both contracts provide wage increases to all the employees in the contract specifically in the seasonal worker contract we saw an increase in wages and hours employees can work and a pathway to permanent employment through opportunities and interviews and moving them from the lowest paid to the highest paid in the region for the body of work and the recreation contract we saw long overdue wage increases for a number of employees for the nature of their work has changed after the pandemic. We were able to operate through a guiding factor of respect for the work the employees do and give respect and shout out to the local 43 union for working with us collaboratively in a thoughtful manner.

**Speaker:** Mayor ted Wheeler: colleagues, any questions? Do we have public comment?

**Speaker:** Clerk: we have a couple signed up for item 1039. We have Ryan sotomayor.

**Speaker:** Mayor ted Wheeler: come on up. Good morning. Three minutes, please.



**Speaker:** I'm a business manager and secretary of labor local 43. The city of Portland employee since 2016. I want to first shout out to our bargaining team and local president, jamie dosher and our executive board and the stewards. Our folks started working on the contract in October of 2021. We had contract negotiator hired by the city of Portland and we scrambled and we built another bargaining team and have another hired by the city of Portland from our bargaining table in June of 2022. So it's been unusual and a struggle is under selling it. I want to acknowledge jamal or being a great bargainer and partner in this process. I want to shout out our members and in 2021 we were asked to come back and work in person after making concessions in 2020. Recreation folks are given two weeks to get back in the building and we open community centers without staff hired. The folks with were there when we opened and closed and did things that were necessary to make the center run. This brings us back to where we probably should have been in the last contract and appreciative of the city bargaining the contract that's fair and strong and going to bring wage increases to every person in the contract. 100% appreciative. We laid off a third of our workforce in 2019 and it's tied with where we are in the city of Portland and request those workers to be brought back. We hope the contract is a first good step and second step is getting 2019 members and reminding management we know how to run programming at the levels we want and we need the staff we had in 2019. That will bring a lot of good people back. I really appreciate the time. Joanne, sad to see you go. I appreciate you your door's always been open to the laborers. We supported you in the first election and can't wait to see what's next. Commissioners, I appreciate your time and jamal, thanks for being a great partner.

**Speaker:** I want to acknowledge your leadership on this and thank you. It has been a challenging time. What's been reflected back to me from jamal and the rest of the

team is the productivity of the conversations, the frankness, the directness and the respect we shared on both sides of the table in particular and thank you.

**Speaker:** J. Hardesty: as hard it was one of the easier contracts.

**Speaker:** Normally I advocate against budget cuts, facility closures, program cuts or other staff layoffs. Today I get to tell you how excited I am because the contract and wage increases in this contract are the beginning of a return to normal staffing levels and increased programming. I looked up the wait list because I'm trying to get my own kid in swim lessons and one goldfish class had 99 on the wait list. It can't show me the bottom half of the 99 so I can't call them if we wanted to offer them spots. And I can share trying to find classes for my toddler is near impossible because we don't have staff at the community centers to run them. There's no mom and me dance or no dad and me play time. All those programs have had to be cut over the last couple years due to budget cuts and the pandemic and hopefully with the levies created. Most the things we're looking forward to increase is workplace safety. The unacceptably high health care costs it goes up as you work less hours and usually the employees that make the least amount of money and bring back the aquatic center they all deserve and listen to the participants because it's an amazing opportunity to bring to north Portland a facility we have never had the opportunity to have before. And could have features that don't exist anywhere else in the city of Portland.

**Speaker:** Mayor ted Wheeler: thank you. I want to acknowledge your leadership as part of the team and other stewards. Appreciate it. Thank you. Your points on swimming wait list are well taken. We had a good conversation about the pool facility moving forward in north Portland and this is part of the issue. The demand for not only recreational activities and athletic activities but the basics of learning to swim is an area where there's a huge gap and disproportionality you're aware of

people of color and children of color disproportionately drowning in public water ways and we're blessed to have many of those waterways but the other side is many aren't prepared if they fall in. I appreciate that.

**Speaker:** I've been in aquatics 20 something years, I don't want to name it, but as the facilities close, Portlanders turn to bodies of water to cool off and that becomes very dangerous because the bodies of water do not have the safety features we have with life guards. It becomes a safety issue. It's not the money people have at the end of their bills they want to spend on fluffy things. Recreation does provide life-saving skills we are as valued and as important as other social services in the city of Portland and I think the contract is the first opportunity the city and leadership has had taken to show us you value us in such ways. Thank you.

**Speaker:** Mayor ted Wheeler: awesome. Thank you. Really appreciate it.

**Speaker:** Clerk: next up for item 1040, chris armstrong.

**Speaker:** I want to thank jamal for working on the contract with me. I've been a maintenance worker for the city of Portland and working in the Washington park unit and it's been a real struggle with the pandemic. I had co-workers who were eligible for housing help and food stamps because they come in making \$15.90 an hour a week working next to employees making \$25, \$30 an hour doing the same work and during the pandemic we showed up every day. There was no stay at home and expect trash cans to clean themselves. The leafs don't move themselves and we've been here working with everyone else. Most are getting \$2 to \$4 raises which is a big deal for us because some of us will get \$5,000 to \$9,000 a year and I would have to find a job during the winter to pay the bills. We really appreciate this. There's things he gave us we weren't asking which we appreciate you guys being willing to do. I know most my co-workers would be happy to do and we're only allowed so many hours in a year and some have work in January and some don't

need us back until between March and June. So sometimes there's times when some of us take on the plant for six months and some of us don't do anything which is really hard when we show up working along everyone else through the snow and heat and for a long time felt like we were treated like lesser citizens because we weren't being paid what we felt and I appreciate you guys being here and see this come out soon because most of us will work on next year and hope to see how the next one goes.

**Speaker:** Mayor ted Wheeler: thank you and I was going through the park the other day and it looks great. You guys have done a fantastic job. I want to thank you and your crew.

**Speaker:** We are down two workers down on medical leave another couple months. There's four seasonal maintenance workers doing all the basic ground work because there's no one else around to do it.

**Speaker:** I don't think most people know that. It looks great. You're doing a terrific job. Thank you.

**Speaker:** The last testifier is Ryan sotomayor.

**Speaker:** I appreciate your time. I do want to shout out, chris armstrong and then nelson from our district council for being on the bargaining team for bringing us in to jamal and his team we appreciate the steps of the contact. It's a great first step and we look forward to partnering working on pathways of permanent and full-time employment for seasonal maintenance workers because they're the folks that keep our city running. As you know, when you go to a park if it's clean, it's because a person's been there. And there's houseless individuals and folks seeking recreation we make sure the equipment is maintained and the wood chips are on the ground so if they fall off the structure they don't hurt themselves. We appreciate the work they do for the community and for our community and shout

out to Jamal. We're going to our second mediation. I want to offer the -- we got two contracts across the table successfully and hopeful we get the third. I want to shout out again our labor partners working on this in the contract and again I want to shout out our team for working through the pandemic. And working through a pandemic that continues to make sure our parks are a safe and healthy place for our communities. Again, thank you for your time.

**Speaker:** Mayor Ted Wheeler: thank you. Appreciate it.

**Speaker:** Clerk: that completes testimony.

**Speaker:** Mayor Ted Wheeler: any further discussion.

**Speaker:** I wanted to take a moment and highlight the job I performed for the city has been to negotiate contracts and the city provides the tools and resources. I want to highlight the work Chris Armstrong and Jamie Doshier have done because positions they do and to be involved as they were is in addition to their other duties and have done so respectfully and absolutely amazing in how we negotiate with them. I want to take a moment to shout out Chris Armstrong for the wonderful job and Jamie Doshier for the remarkable job as employees of the city advocating for their peers and I wanted to take a moment to shout them out.

**Speaker:** Mayor Ted Wheeler: can I ask a question on that point. I appreciate the amicable posture that was taken during these negotiations. That's not always the case. We had more teeth gritting at the dais. What lessons do you take from this we can use in bargaining with other collective bargaining units in the city.

**Speaker:** That's a spectacular question. What I would lean into is again give credit to having time to bake this contract helps significantly I was assigned to the bureau the last five years and able to build relationship and rapport and trust and getting the honest buy-in from Commissioner Rubio, from you all having the focus and things we learned from previous negotiations. We learned how we did things in

2020 and we applied those lessons through the bargaining process and actively listened to the needs of the managers and front line employee oversee the work and gave them earnest feedback and recreation and managers were able to convey the items and issues the members were bringing up and saying those are real concerns. When Chris is saying the wages aren't cutting it and the managers are saying these wages are not cutting it. Everyone will say give me more money given the opportunity but the managers echoing that, Commissioner Rubio early and often saying we need to do what's right for the employees, it made it hot knife through butter when both parties were telling me the exact same thing and we had to do market analysis. It was over 10 years of negotiating contracts and the seasonal contracts were my most convenient method and it wasn't just me but a multitude of factors.

**Speaker:** Mayor Ted Wheeler: can I ask you the same question or anybody from your team?

**Speaker:** I would say this is my first time negotiating a contract. I had a co-worker negotiate the last couple so I learned a lot from him and been around him and the candor between me and Jamal there may have times we may have rode him tough in talking and our co-worker no longer here helped us and it was the lowest paying job he'd worked in his life and has a mortgage about \$500,000 and making less than \$2,000 a month you can't make a mortgage and his wife just lost her job. Jamal was honest and saying here's as far as I can go maybe in four years we can discuss this again. It was more cat and mouse and we got to the end and saying what can you give us and right now we're still out there working expecting we'll make something better but it's also I've had people who have left during the contract because they're like we can't cut it anymore. It doesn't matter if more money's coming. We can't cut it even with the new money.

**Speaker:** Mayor ted Wheeler: I appreciate that.

**Speaker:** Every contract people ask for more money. One thing i'll say is the active listening didn't just go to the table but managers and commissioners as well. The example of wages for recreation leaders and how to take a premium from the contract up to the last session we were negotiating that. Is our party 100% happy? No. I think jamal is correct having managers that very the experience and were at the table because when h.r. Initially presented their wage proposal package about a third of the employees were walking back. And so as we were able to present the information like here's your spread sheet and where it needs to be if we're going have a 5%, 10%, 15% increase. They listened and returned back with similar numbers and so I would say the active listening and also building a relationship. I met jamal and we were in bargaining and so being able to spend time together and hear each other's frustrations and hearing each other's goals ultimately we have much more in common. Trying to figure out where we can work together going forward.

**Speaker:** Mayor ted Wheeler: did you want to give your thoughts? You were key to this.

**Speaker:** I'll never pass up an opportunity if someone wants to know my opinion.

**Speaker:** Mayor ted Wheeler: there's lessons we can apply more broadly. I'm curious to get your perspective.

**Speaker:** It's management. If they know what's going on with their workers and we have a need for a second language printing for my casual stuff he can't really argue but needs to hear it from management and say do you have second languages spoken in your centers and my supervisor can say the same thing I've been telling jamal. It makes it easier to go to City Council and say we do need this and have these languages spoken and have this safety issue and these wage issues.

Whatever it is. If you have both sides showing up to the table, we don't need both sides showing up to the physical table every time but when you're asked to speak up about something and don't show up or whatever we these to break down the divide between workers and management so they're collaborative together. When management doesn't know what's happening in the workplace they can't advocate for the workers and the relationship and input is crucial. I see that in some contracts and I would like to see that in other contracts.

**Speaker:** Mayor ted Wheeler: well said. Any questions before we call the roll. Call the roll on item 1039 emergency ordinance.

**Speaker:** Clerk: Mapps.

**Speaker:** I'd like to thank local 483, human resources and especially jamal, Ryan, chris and jamie for their work. I'm delighted the city and labor have been able to reach a mutually satisfactory agreement for these reasons and more I vote aye.

**Speaker:** First I'd like to thank several people would helped get us here today. We talked about jamal and anthony and local 43 leadership and representative bargaining team for all they're doing especially you, jamie. Bargaining team and the management team as well. It's a collaborative process and we're hearing the most open discussion in negotiations in my recent knowledge and memory. I've been out to the rec centers and met with staff and had some pretty good conversations with aquatics and these are some very dedicate and hard working staff who did everything they can to keep services open and they're dedicated public servant and pleased to see wage increases to all of our rec employees. These increases will an impact on the current staff as well as those in the future. Very critical as we continue to staff up and recruit for services. Our aquatic division is restructuring internally as well as internally and looking at how it deliver services pathways for mobility for employees. Our rec team continues to be present showing their



commitment also through working through the pandemic. We can't forget that. When times are tough they're showing up. And during these times the rec centers were closed our team provided everyone has stepped up in order to provide services and work with the ecc and went above and beyond in other roles to help other bureaus as well. I also want to lift up our seasonal workers. I want to acknowledge your leadership and voice and the bargaining team that worked collaboratively and Chris Armstrong for your partnership and leadership. Seasonal maintenance workers throughout the city helped keep operations going through the most challenging times of the pandemic. And these workers kept the parks open and clean and rest rooms clean and accessible for the community and people in this community need to know more about that. We need to lift that up as much as we can you were all instrumental in delivering services and keeping open spaces and recreational facilities including the golf courses and pier and ensuring and it's an important focus. In closing I want to extend my deep appreciation for all you and the workers and dedication to serving the community. Your work is very appreciated and very valued and again thank you Jamal for your leadership. Happy to vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** Thank you, Commissioner Rubio for your leadership. It's helpful when the person up here keeps us abreast of the dialogue and Jamal you brought us along. Thank you for that. This is a refreshing conversation. It went beyond what I would have imagined for this topic and I want to thank the Mayor for engaging in the dialogue with all of you. Ryan, Gene and Chris, thank you for your testimony today. Yesterday we had a Portland Children's Levy meeting and every time parks comes up. You're always a partner with many of those non-profits who are working with our children and families especially during the COVID lockdown. I wanted to

acknowledge that. I also want to acknowledge that I speak for many who sought refuge during the pandemic and if not for the parks the mental health crisis would have been worse and you didn't miss a beat. I vote aye.

**Speaker:** Clerk: mayor hardesty.

**Speaker:** First let me thank commissioner Rubio for her great work and leadership and setting the vision for moving forward on the contract. I want to start with Jamal. Normally I'm excited when people get promoted my heart was crushed when I heard you were promote and we would not have had the opportunity to work together on the fire and rescue contract that is coming up. And it's going to be hard and it's going to be really tough. The mayor asked what made this different. Jamal, you are a real person and when you talk to anybody, you talk to them as if they are also real people. You take the time to build the relationship to ensure that you're not talking past each other but actually understanding the values under which people are having that conversation. I've gotten over the fact you were promoted. I want to congratulation you on your promotion and you're worthy and deserving of it but I have to tell you, when I first heard I was like, no, can't you wait a year. Labor local 483, you've been solid community partners with the city for a long long time. Even when the city didn't acknowledge you as the incredible hard working workforce that we have you didn't go away. You didn't get mad and go home and say, well, i'll show you. You've continued to show up, do the work and do it excellent. There's no bigger honor for me than supporting this contract knowing you'll start on a path to having a living wage employment for the city I know you love. I'm happy to vote aye.

**Speaker:** Clerk: Wheeler.

**Speaker:** Mayor ted Wheeler: i'll obvious echo my colleagues. This is about respect. I think some of our negotiations, whether it's intentional or not can lead people to

believe they're not, respected, not being heard or needs are being acknowledged and ultimately not respected. What I heard say road map for mutual respect. It's extraordinary to hear bargaining teams talk about and I really appreciate everybody's work on this. The labors, 483 and cathy sitting in the back. Have you something to do with this too I believe. Thank you commissioner Rubio and your team as well. I'm happy to vote aye. The ordinance is adopted. Item number -- 1040 please. Also an emergency ordinance call the roll.

**Speaker:** Clerk: [roll call]

**Speaker:** Mayor ted Wheeler: the ordinance is adopted. We'll move back to the regular agenda. Please item number 1058.

**Speaker:** Accept the chief procurement officer's recommendation for contract to ferguson waterworks for water works supplies not to exceed \$20 million (report)

**Speaker:** Mayor ted Wheeler: they use water work supplies to support proactive and emergency repairs and construction and maintenance for our water system. This contract enables the city to access the supplies needed to appropriately maintain water infrastructure to procurement officer tailor is here to walk us through the report. Welcome.

**Speaker:** Good morning commissioners. I'm beko tailor chief procurement officer. On August 18, 2021, council approved ordinance 190536 for procurement services to solicit for water work supplies in accordance with pcc5.33. The chief procurement officer advertised and received bids for 0001067 on behalf of the Portland water bureau. Bids were open April 28, 2022 and we received two bids in total. The lowest responsive bid is from ferguson water works and thus recommended their bid be accepted as the priced in the proposal for a total of \$20 million. Let's talk about diversity and inclusion for the record, ferguson water works is not a covid certified vendor. However, ferguson has committees to subcontract in

the amount of 11.9% of the total contract value to covid certified firms as follows. An esb and supply bolts and gasket and make up the vast majority of the 11.9% and you have modest participation there for other covid firms throughout to make up the total 11.9%. Let's talk about efforts that are not listed on the quantitative portion of the document. We have been collaborating on the project since March maybe. Ferguson has decided we're working with them to rework proposed subcontracting partnerships to enhance covid usage throughout the life cycle of the contract. Ferguson will rework resources for local and national networking events to encourage new and identify training resources throughout minority-owned firms and identify minority-owned firms capable of supporting event coordination. On the diversity subcontracts perspective, ferguson will have a task force to promote participation and growth in the water works industry. Ferguson will conduct the local and national networking training and awareness for the events and establish partnership with industry organizations such as the American water works association and the design and build institute of America to present the concept and recruit and support. Also ferguson will engage with the business diversity leadership to further develop minority subcontracting initiatives across the enterprise via the alliance program and there's plans for expansion and exploration. We'll explore additional partner opportunities including freight carriers and inspection resources and gasket manufacturers. We'll also seek to promote minority contract development through the establishment of new business ventures and partnerships with ferguson for peer mentorship throughout the process. We will also engage our suppliers to promote minority subcontractor initiatives and involve minority firms for sourcing, machining and manufacturing. Partnering with ferguson municipal team to share our goals and strategies while gaining insights and perspectives on growing minority inclusion. And in April,

council provided us with greater assistance to expand and include certifications from alternative sources for minority certification including the minority supply and development council and the women's business enterprise council. That is a pilot phase. The pilot phase we're locally focussed. Using the entities we're focussing on finding terms in the Washington, Vancouver area and the second bid on the national minority designation but not a local minority designation in year one of the pilot our focus is local and regional economic development. We were emphasizing firms for the women's business council. They gave us the autonomy to cast a broader net. What has changed is the collaboration at the labor level with our contracting management team as well. Though you may not see the participation and numbers, I think we have made strides on a goods and services contract to collaborate to get as much as participation as possible. I can answer questions.

**Speaker:** Mayor ted Wheeler: commissioner hardesty.

**Speaker:** Thank you. You saw my face when you were telling me about the who was going to benefit from the \$20 million contract. You said two proposals back in June and now we are finalizing this proposal here in December. Let me just say I'm concerned that we're about to have a \$5 million contract and no people of color will benefit from this contract. What I heard from you, director taylor, a lot of promise for ferguson and they've been in business a long time and don't understand why we're accepting promises and committing to five years on a promise.

**Speaker:** Yeah, so I think

**Speaker:** Commissioner hardesty, August 2021 when we came with the front end of this. One of the things that doesn't come through in the report back to council is the detail of what we've put together. I think -- I don't know if you guys have received this.

**Speaker:** Mayor ted Wheeler: while you're speaking, I neglected in my talking point to introduce you. Ty from the water bureau.

**Speaker:** I'm director of maintenance and construction for the water bureau. I think the document is unique and goes to the topic of minority firms participating in our contract of being and thinking outside the box and taking different approaches. The grand scheme of this is the Portland water bureau service 2500 miles of main and 16,000 valves, 190,000 services. That's a big job that requires a huge amount of parts and rolling inventory of millions of dollars of stuff we have to be able to acquire in real time. You have to have a provider to store that and get it to us and have a pricing and purchasing scale that impacts the market. Ultimately, any effort that an organization of our size undertakes to buy goods and services, is going to result an least cost lowest responsibility bidder context with a big firm. And globally because of that, there are not a big number of minority firms out there to participate in our contract. This is being ready to go 650 unique components that fit different material types, different types of metal, different sizes of water main and services and that's integral to what we get done we need these parts and we'll choose the lowest responsible bidder prices and said not only are we asking you firms to give your lowest price for parts, we're contracting with you for the cultivation of minority firms who participate in this contract. And this is really clear in this document if we can go through. I'm happy to walk you through but it is a unique approach that marries a standard contracting measure the city's taken many years if we look statistically what the city does for strong pte and strong in construction contracting and when it comes to goods and services, that lowest responsible bidder thing results in a system that favors white larger firms. To change that we have to work on the supply side and create an environment where minority firms can access this system because it is a tough sell and to do that we're

leveraging the size and scale and power of an organization like ferguson to their credit decided they're willing to help us with this. And so the approach we've taken we referenced the document that's at the end of exhibit b in section 3.5. And reading that closely --

**Speaker:** J. Hardesty: thank you. Page 28 of 30 is the quarterly reporting that looks like you will be ensuring that you are getting the report back quarterly and that is better than anything else. I do want to correct you. We are not doing good with construction. I don't know who told you we were. We suck at construction and getting minorities -- did I say that? We're not good at providing opportunity for minority construction firms. I don't know where you got that data but that's not right. What I see is you'll be measuring quarterly and that's a good thing. The question is what happens a year from now and two years from now and they've done nothing? What happens with the contract?

**Speaker:** To the first point I plenty to say when you pleasure our performance as a city in those categories, goods and services is less than 5%. If you go to exhibit b statement of work and it describes this is a price agreement for cultivate terms who can go to the needs within that deal. So the contract is not an aspirational goal because setting an aspirational goal won't get us there. If we can get the inclusion of new minority forms where the barriers of entries are huge. Just having the insurance requirements the city has is a big lift for everybody aside from a warehouse and having a giant parcel of property to store what's needed. It's huge. If you have somebody that can help people get their foot in the door, ferguson contracts with bes and Vancouver and grisham and the whole region. If they start being able to make progress they already have relationships that they're building and pre-existing suppliers that can benefit from that reach and those things as well. This is a contract for the provision of parts which is a fundamental need of the

Portland water bureau and to help people who participate in this contract that are from minority firms. If they don't follow through with the effort which is what the quarterly reporting will show in addition to the results. Here are the initiatives we're doing and the progress we've made and here's the contacts we've made and here are the results. I expect the results in the near term to be incremental and once you get to a point the momentum starts to help. To me when I talk to you all in August of '21, what I was saying was the endeavor was not to waste another five years and having advancement in this realm of the deal and the water bureau does this like clock work every five years. It's a need. So here we're building the foundation for the next time we come through with this contract to have a much more robust group of firms who are available to either support the larger firm involved or directly participate in pieces or the whole thing. So I think that's really important and I think we've also for the subcontractors ferguson is working with in a standard document there's insurance document they have to match what the primary contractor has for insurance and bond which is a big expense for a small firm.

**Speaker:** J. Hardesty: why? The city of Portland is the only one that requires subcontractors to get a bond when normally it's the primary -- the city of Portland is the only government in this jurisdiction that requires that. I keep asking why is that?

**Speaker:** In this contract we have allowed it to be they must be insured and commensurate with their participation in the program and what bureaus have.

**Speaker:** J. Hardesty: I know you're passionate about this and I know the last time we talked about this at council you were passionate about this, as passionate I am I may say on page 26 section 3, there's a focus in hiring and retaining minority employees for the firm. How successful have they been at diversifying their own firm?

**Speaker:** We're incentivizing them to do so.



**Speaker:** J. Hardesty: you didn't answer my question.

**Speaker:** We can get you the information.

**Speaker:** We don't have that information because we don't have a tool in our contract to extract that but we just inserted that going forward which is positive and I think the inclusion about the parts component that measures and tracks how they're doing with their own staff participating as part of the bigger company in this is also unique and it was a nice concession I think on their part to say, yeah, we'll let you have a window into our internal operations and it is one of the fears of the staff that we worked with is that we would get no bidders on this and in the preliminary wind up when we had pre-meetings about the pdf people scoffed and said that's not the business we're in and didn't participate on that basis. Inserting this language which is part from ferguson themselves into the contract is unique for a goods and services contract period and clear on what the intent is and what the parameters of the price agreement and service we're paying for within the price agreement the cultivation minority participation. I think it's worth a try. It may not be the way through but it could be a model we can use for other opportunities where we have a limited supply of vendors in the community who can participate in something like this we have to build them.

**Speaker:** Mayor ted Wheeler: can I jump in. I appreciate that since have you the floor. We have this conversation a lot and I hear what you're saying. I'll be very clear. I don't think anybody's questioning your veracity on the point but we hear frequently we don't have the contractors or infrastructure in community to be able to do this and why aren't we working with poster Portland to develop the capacity.

**Speaker:** Can I address that?

**Speaker:** Mayor ted Wheeler: I'd love to hear your perspective.

**Speaker:** I don't want to use a \$20 million contract on behalf of Portland water bureau to say goods and services. We're using the contract to set a new precedent and it was the will of the council and mayor to provide that. This is the first contract since you've given us the new autonomies. I cannot speak with prosper. We dealt with availability of firms because we do not have a disparity study and why we partnered with a powerful minority organizations that grant certifications and the women's business enterprise of pacific northwest, which to me is one of the most exemplary organizations for women-owned businesses and vetting them in an aggressive manner in a way the city will not be able to do because we're not resourced. We went to the most powerful entities to provide us a source for contracts such as this. This is our first stab at it. Prosper is a partner. Prosper -- they're working with us but we're leveraging industry greats and titans.

**Speaker:** Mayor ted Wheeler: I want to be clear. I applaud your efforts in the contract. I see the movement and I see the passion. I want to be crystal clear about that and it's not your job in procurement to create the partnerships. It's our job. And I'm the commissioner in charge of prosper Portland so I'm really wondering aloud why we're not combining those efforts to help support you in your efforts to be able to reflect the desire of the folks here at the dais to include more minority contractors. It sounds like you've got a good platform.

**Speaker:** We want to acknowledge that.

**Speaker:** And one more remark. If we have a disparity study and I can bring you a document that shows the availability of firms in our region to provide contracts such as this, I can present a document to the commissioners that will help assist you in helping us set goals in the goods and services category. Right now we don't have a goal as it's your will to say I need 10%, 12%. Absent an availability study, I

cannot bring you a document or proposal that will make it your will that we achieve a certain goal in goods and services. We simply don't have goals.

**Speaker:** Mayor ted Wheeler: you have a compelling case. Is there public comment.

**Speaker:** J. Hardesty: one more statement. I don't think prosper is required to achieve minority contracting goals.

**Speaker:** Mayor ted Wheeler: no. That's why there needs to be their resources and capacity building and tactical services needs to be with the negotiation of the contract.

**Speaker:** J. Hardesty: I hope prosper also seeks to do the same thing what dr. Taylor is seeking to do to make them available to minority firms. Thank you so much both of you. I did want to get you hot and bothered today. As I looked at this I had specific questions and you both answered them and I'm grateful for that. It's the last time you have to hear me detail your council presentation. Thank you both.

**Speaker:** Mayor ted Wheeler: thank you, commissioner. Do we have public comment.

**Speaker:** Clerk: we have one person signed up. Dee white.

**Speaker:** Mayor ted Wheeler: good morning.

**Speaker:** Hello. Can y'all hear me?

**Speaker:** Mayor ted Wheeler: loud and clear.

**Speaker:** I want to say last time I testified you heard me but when the video came out the public testimony was barely legible or audible. I'm dee white on the impact statement I'm going to read directly from the impact statement the contract currently in use has been instrumental in supplying parts to the river crossing project. The project will build a resilient water line under the river and the contract with ferguson for the past five years has been instrumental in supplying parts. Last

week, December 7, there was an article called plans for an drinking water pipeline has change. The Portland water bureau worked for 12 years to build a pipeline to carry drinking water and the budget has ballooned and the project that was supposed to be finished in 2022, this year, will instead return to Portland City Council in 2023 with a new price tag and a new plan. And the plan the City Council originally approved to place a new pipeline deep in the rock under the river won't work. Here's a little history from the article. In 2015, the council agreed to suspend competitive bidding requirements and green light a project with a \$57 million price tag. In 2018 the bureau came back to the council with a new budget for the approved project, \$90 million. The project according to the water bureau had been refined. Then when the contractor for the project started test drilling in 2020 it reported I found the rock deep under the river was impenetrable. We established a viable technology said the chief engineer of the water bureau but we learn the technology would no longer work. So this new plan will totally reverse the position the water bureau has held for the past six years. I'd like to go to the impact statement for supplying parts to the pipeline. What I want to know is where are these parts? Is this a complete waste of money for all these parts since the project has not even started? And there's no way the public can reconcile this. That's the question I want to ask. Thank you.

**Speaker:** Mayor ted Wheeler: thank you, I appreciate your public testimony. Is there any other public testimony. No? I'm sorry? There's no other testimony i'll accept a motion to accept the report. Commissioner Ryan, go ahead.

**Speaker:** D. Ryan: what I didn't hear in your dialogue what the consequences if they don't live up to their intentions?

**Speaker:** Like any breach of contract we would defer to my city attorney but it's a fundamental part of the contract were they not operating in good faith in pursuit of

the goals stated that'd be in breach of contract and the city would have the option to end the agreement.

**Speaker:** I didn't get a chance to noodle with this as well, do you think there's enough detail in the contract that allows us to have the consequences conversation?

**Speaker:** Yes. And I also think you want to be careful with too many details because some of that can be limiting. One thing I didn't mention is the covid notion. We carefully limited how much we referenced covid and left room for a bona fide minority firm that wants to participate to me is a success because covid has its own gray areas and barriers and we heard that message from you, commissioner hardesty.

**Speaker:** I appreciate that and I wanted it on the record as well.

**Speaker:** I believe so. I also believe we have an earnest partner. The quality in the selection of their proposal over the other was a landslide victory in effort and in clarity and it was a no-brainer for the panel. I feel confident we have a good partner and the opportunity to do something that I think could have a good yield and serve as a model that can help whether it's prosper or others contributing to this. It's a pilot of an approach that hasn't yet been taken.

**Speaker:** Mayor ted Wheeler: very good.

**Speaker:** For clarity sake I think the program you put together to increase minority participation and supplying the cities with goods and services is very innovative and I applaud you for that. Can you remind us, if we hadn't gone this route how would we have gone about buying the spare parts?

**Speaker:** One was to extend the current contract we are operating under for another five years.

**Speaker:** Does that contract make special efforts to increase minority participation.

**Speaker:** It's a simple price agreement for the procurement of parts with price.

**Speaker:** Was there another route?

**Speaker:** The other would be to do a new bid process where we would go with the lowest responsible bidder.

**Speaker:** Is there any special effort to --

**Speaker:** Not typically. Between the beginning of our efforts on this and now, director Taylor has pressed through for you all to start having a lot more energy put in that direction on the kinds of procurements.

**Speaker:** Thank you. One last question. While we focussed largely on water in the context of the contract it's my understanding other city bureaus can tap into the parts we'll eventually buy?

**Speaker:** The bureau of transportation is being named as one of those which makes it easier for them to access and saves the work of going through the process and takes advantage of our larger scale in the price agreement.

**Speaker:** Great. Thank you, I appreciate the clarifications.

**Speaker:** Mayor Ted Wheeler: thank you. Commissioner Rubio.

**Speaker:** I have a quick question. I appreciate the conversation. My question is for director Taylor. Over all, what we passed earlier in council many months ago, so this is moving us towards the we're all envisioning through the changes.

**Speaker:** Absolutely. With the inclusive contracting ordinances passed, that gave us the autonomy to partner with a bureau like water for the first time ever. Providing us with the opportunity to partner with those entities I spoke about earlier, we wouldn't have had that type of collaborate effort. Also, council provided us with counts to start an inclusive contracting management team. Prior that team

didn't exist. If we did have an entity it had been long gone for years. You look at the staffing we were provided with and also the ordinances that allow us to collaborate with off site entities in a way we never have in the city provides the framework to empower sourcing professionals and leaders like ty to think outside the box. Again, this is our first opportunity to leverage those ordinances and the contract where we had this aggregate spin power. Make no mistake, we're still buying things in the city but not necessarily in an aggregate way but this contract is a first outside of things that are not in the purview of vehicles and evs and we look this as something in tandem with the ordinances passed in April and with ty and his team set a precedent to have aggregate materials and hopefully more information on partners in the region we can help leverage to grow off contracts like this. And so I want to address your question too, commissioner Ryan. As we evolve we'll have opportunities for contracts in different ways. If entities like ferguson don't live up to the standards we have methods to assess their performance. We can take into consideration past performance in assessing the future efficacy of firms like ferguson. Albeit it's into the a hard contract rule we can determine what's best for the city of Portland and if ferguson doesn't show up as a strategy partner, we have an opportunity to take those things into consideration later as well. While not contractual nature we can look at who is a true strategy partner.

**Speaker:** So the tools are working in the ways they were design to work?

**Speaker:** Absolutely.

**Speaker:** Mayor ted Wheeler: commissioner hardesty moves. I'll second. Further discussion in please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** I'd like to thank director taylor and ty for their presentation and participation in vigorous and constructive participation and for their work on what I

think is an innovative program described to increase minority participation in the city's efforts for goods and services. Colleagues, I'm proud of the work our colleagues have done. As you will remember from previous work sessions, the city historically has had no strategy for increasing minority participations for bidding on goods and services contracts and this is a huge slice of our budget. This is literally where the low hanging fruit is. As I recall that session we kind of turned to staff and said give us a strategy for doing better. Today we have the strategy for doing better here. I'm excited that water can be at the forefront and I want to thank ty and his team and director taylor and his team for actually taking this important and innovative step forward towards equity which is why I vote aye.

**Speaker:** Clerk: Rubio.

**Speaker:** I want to thank director taylor and ty for being here and having the conversation with us. It's been a learning experience for me. I want to say we're in a new landscape and won't get different results unless we try new things and appreciate the innovation and willingness to try it. We'll learn from it and get better. I'm very interested in this and look forward to hearing the next reports. I vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** I have different comments about this amazing dialogue. I want to first acknowledge it was refreshing to see the bureau and procurement aligned. I can tell you've had quite a few conversations and meetings. I realize you were synthesizing it for us on the dais and was very transparent and I appreciated your follow-up answer to the consequences question. I feel much better about my vote now and I vote aye.

**Speaker:** Clerk: hardesty.

**Speaker:** Director taylor, you are a breath of fresh air at the city of Portland. From the day we hired you I knew we hired the right person to fundamentally change



how procurement operated in the city of Portland. I want you to know when I go to community meetings and contacting everybody knows director Taylor. You're doing the job we hired you to do. You're visible in the community. The community knows your value system and the community knows we are fundamentally having a desire to change how we contract at the city of Portland that benefits from the multi-million dollar contracts. I want to salute you. You won't have to be grilled by me after today. If you think I'm going away, then you don't know me as well as you think. I may be back on that side of the table discussing contracting if I think you're slacking. I know there's nothing in your bones that would allow you to slack. You're committed to this effort. Commissioner Mapps and Mayor, I hope you will keep a strong eye on this contract. Investing \$20 million on a promise, even if it is written, means leadership will require you to make sure this company and other live up to the promise. I'm happy to vote aye.

**Speaker:** Clerk: Wheeler.

**Speaker:** Mayor Ted Wheeler: Thank you for leadership. We're asking to you play catch up. We're a city that have stated values. Those values have not always been demonstrated through the outcomes we've achieved. As we have pledged as a council as we come out of the pandemic and see economic recovery into the degree the city participates directly with taxpayer funding for projects, for services, for goods, we have to make good on the promise. We are putting a lot of weight on your shoulders to course correct. We push you and ask lots of questions. We know you didn't cause this. We know you're here to help. You're the ones trying to course correct on all of our behalf and doing an outstanding job. I want to applaud you and thank you. I vote aye. The report is accepted. Thank you both for your time.

**Speaker:** Mayor Ted Wheeler: we'll now move to item 1059. A second reading.

**Speaker:** Add regulation of third-party food platforms code related to permanent limitations on the fees third-party food platforms may charge and the terms they may impose upon restaurants and delivery persons

**Speaker:** Mayor ted Wheeler: this is a very good to add regulation to third-party food platforms. We're doing this to support restaurants and food carts and establish safeguards in how to make assess food delivery from third-party platforms. Unless you have questions, first I'd like to introduce an amendment for this item. As you recall from last week we heard testimony from a catering company about their inclusion in the policy to cap delivery and take out commissions. To address that legitimate concern I'm motioning to amend exhibit a as shown in the exhibit attached in the Tuesday memo. In addition to this fix for catering business models, we also received separate feedback about including the hearings office to provide an additional venue for enforcement appeals. Both can be found in the amendment and our colleagues from the bur bureau have joined us to explain in greater detail.

**Speaker:** J. Hardesty: would you like a second?

**Speaker:** Mayor ted Wheeler: I would. The motion is on the table. If we have questions we can people who can answer about the amendment.

**Speaker:** I do have a question.

**Speaker:** Mayor ted Wheeler: we have somebody from the revenue bureau joining us.

**Speaker:** I think the city attorney can answer this. It's a process question. Is the amendment an emergency order?

**Speaker:** Mayor ted Wheeler: if the council choose to support the amendment it will go to a third reading January 4.

**Speaker:** Okay.

**Speaker:** Mayor ted Wheeler: any questions about the policy? Very good. I would like to call the roll -- public comment on the amendment? Do we have public comment?

**Speaker:** Clerk: we have one person signed up kim taylor online.

**Speaker:** Can you hear me?

**Speaker:** Mayor ted Wheeler: hi, tim. Good morning.

**Speaker:** Good morning mayor Wheeler and council members. Thank you for your time. I was there week and I appreciate you hearing me out. I want to thank the director of economic development at the office of mayor. He communicated with me. He listened and understood my situation and worked to find a reasonable amendment to the ordinance. Just wanted to first of all thank you andrew for your time and consideration on this. I support the amendment as written. I am concerned about the enforcement of this ordinance as I did I received a notice of complaint and the consequences would be detrimental to my small business and council did not intend for a local small business like mine to be included. That's what I wanted to say and I appreciate the time and andrew fitzpatrick for the matter.

**Speaker:** Mayor ted Wheeler: thank you for your testimony both and acknowledgement and testimony last week that helped shape the ordinance. We appreciate it. All right, any further questions or comments on the amendment? Please call the roll. Did you have something you wanted to contribute?

**Speaker:** Thank you, mayor. I'm here from revenue to provide a little bit more detail.

**Speaker:** Mayor ted Wheeler: we don't need it. We need the amendment passed. Thank you for your hard work on it. I know you worked hard on it. I appreciate it. I

am pushing us because there's something I want to get to before my hard out.  
Please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** Aye.

**Speaker:** Clerk: Rubio.

**Speaker:** Aye.

**Speaker:** Clerk: hardesty.

**Speaker:** Thank you, mayor. I think we were all hit the same way last week and not what we intended. I am happy to get the good result.

**Speaker:** Mayor ted Wheeler: I appreciate those who gave us real world impact how it might impact small businesses in particular. This amendment I believe avoids the unintended consequences and improves the ordinance and an example how public engagement can be an important driver for what we choose to do and I thank tim for being here and for his acknowledgement of andrew fitzpatrick and tremendous work on this and forging what I think is a terrific compromise amongst parties who started out on very different sides of the table. I vote aye. The parliament is adopted. It move to third reading January 4 where we'll hear the final reading. Thank you. With that we'll move to item 1060, please.

**Speaker:** Establish 2023 sale price cap for the homebuyer opportunity limited tax exemption program

**Speaker:** Mayor ted Wheeler: very good. Commissioner Ryan before we hear a short presentation from housing bureau.

**Speaker:** The home buyer limited tax exemption program provides a 10-year tax exception for low to moderate home buyers making home ownership more obtainable. The statute requires setting an annual subcap price by January 21, 2023. It's great to see you both here.

**Speaker:** Mayor ted Wheeler: if I may request since this is a technology change if we can keep it brief, I'd appreciate it.

**Speaker:** Thank you, mayor and commissioners. I'm the deputy director with the housing bureau. We'll go quickly.

**Speaker:** Mayor ted Wheeler: thank you.

**Speaker:** So as commissioner Ryan we're here to set the annual price cap for the program a 10-year property tax exemption for those purchasing below the priority price set for the city and it's at 80% of median income and some at 100% at the median income and closing the minority home ownership gap. So it provides a 10-year property tax exempting on newly constructed homes for home buyers on those that qualify. We're limited to 100 applications. Year but a non-profit organizations are exempt so it applies to for profit builders trying to incentivize into the program. The state statute requires us to set the cap by January 1 and goes up to 120% of the medium income. This year's sale price cap is \$430,000. We've seen rapid increases in home prices though we're starting to see that abate and potentially decline slightly. Quickly, to look at program outcomes for the last full fiscal year. The last was at 80% of the median income. The average price was around \$350,000 and primarily used now for condos and attached housing as detached single-family home prices are getting more expensive and often outside the limits of the program. There were 42 qualified sale which has declined over the previous year but likely to be expected due to the increase in home prices and changes in interest rates and for this fiscal year we reached the 100 application cap but it's too early to say of that 100 how many will be qualified sales to income qualified buyers. We'll know later in the year. I don't think i'll spend a lot of time on this per the mayor's request other to say the dark blue line is the median sales price in the city. It's been going up significantly since 2015 and affordability

fluctuates year to year. It's driven by incomes and interest rates and what people can afford to borrow. So in general, I'll mention in terms of where things are with affordability, interest rates are quite high compared to recent history. It is reducing purchasing power for households 100% and 80% of the median income. There's at the moment a pretty stark divide between median sales prices and what people can afford. And so we thought about this year's cap we pursued several options and went through public feedback process and she'll walk you through that and the recommendation for this coming year.

**Speaker:** Good morning, manager with the development incentives program at the bureau. The three different options we considered were based on the data, some of which we've had a chance to go through right now. We looked at what would be affordable to at the highest interest rates right now at 7% with an average down payment of up to 20% which is not as we know what all first-time home are even able to do. That still led us to a price range of somewhere in the \$298,000 to \$440,000 range making it more available to lower-income buyers but probably less available to developers facing increasing costs, etcetera, to be able to provide those units. We looked at a price cap level of \$455,000 the amount of what the median sale price is for attached homes currently or other condos which is what we're seeing built mostly through the program. And then we looked at what the maximum sale price cap would be allowed under the statutory limits which would be 100% of the current median sale price up to the 120% of 2012, 600. So we addressed the priorities of the program to help us determine what value to go with. Obviously we want to provide opportunities for first-time home buyers and it's a competitive market and want to increase the number of home buyers within the minority home ownership gap mentioned. We want to make sure the most homes as possible within the limited cap per year we have go to home buyers and don't

end up getting terminated and we still want to be able to partner with the market rate developers and home developers participating in the program. We also want to continue to serve the non-profit agency utilize the program with 60% to 80% units. We held a stakeholder meet November 9 virtually and in person to speak with home builders and discuss the different options and get their feedback. It was varied. Across the board many felt it would be difficult to keep the sale price at about what it is now for the 2022 of \$430,000 and some felt we should go to the maximum value and push up to the \$612,000 limit to provide the highest flexibility in the volatile market and then there were others in the room who definitely were more mindful of where the bureau was coming from at the meeting sale price for the units that we're seeing getting built that would still be more attainable to the 100% mfi/ami buyers. With that said, the recommendation the bureau is bringing forward is to increase the sale price cap from \$430,000 to the \$455,000 for the 2023 year or calendar year and that's 89% of this the current median sale price and within the range of affordability for 100% ami home builders depending on the interest rate a little bit still but this would go into effect as of January 1. We'll be again re-evaluating this before setting a new price cap in the year after.

**Speaker:** Mayor ted Wheeler: perfect thank you. Public comment on the resolution?

**Speaker:** Clerk: yes. We have preston signed up online.

**Speaker:** Mayor ted Wheeler: welcome.

**Speaker:** Hello. Am I being heard? Is

**Speaker:** Mayor ted Wheeler: loud and clear.

**Speaker:** Thank you. I'll try to go quickly. I want to start by appreciating commissioner Ryan's staff in his office. Phbs leadership and staff and the opportunity for builders to provide feedback and here to provide support from the

industry and we urge council to approve this. Generally speaking we believe this price cap increase will ensure the program remains adaptive to market changes while meeting the needs of the community and offering much needed incentives for builders to increase housing supply and believe it's goes to the new housing types and feel it's important going forward. Over all, we feel programs like this should be going forward given the housing crisis and encourage the city and county to leverage it going forward. Thank you.

**Speaker:** Mayor ted Wheeler: I appreciate your testimony. Does that complete public comment?

**Speaker:** Clerk: it does.

**Speaker:** Mayor ted Wheeler: it's a resolution. Please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** I want to thank you for the presentation. I have questions about how we go about setting the cap but in the interest of time i'll set aside the questions for some time in the coming weeks and months I may see if we can sit down and have a discussion on how the program works and at the same time it's an important affordability program and excited to see it continue and move forward and I vote aye.

**Speaker:** Clerk: Rubio.

**Speaker:** Thank you for your work on this and I appreciate the effort and we know housing stability and wealth generation can offer untold stability for future generations. I'm happy to see the bureau did not set the cap at 120% instead chose a good balance there and it's still out of reach for a lot of families and individuals. However, these changes together with the information forthcoming from the housing needs analysis study that's happening together will be useful data as we



make strategic decisions how to tackle the practice and ensure first time home buyers can afford their home. Thank you and I vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** First thank you for your work both of you, dori and matt. It's my second go around and more improved process and engaged the stakeholders. We don't think everyone got what they wanted but we have something that makes sense and relevant. Attached homes and middle housing focus anyway, there's so many factors. Commissioner Mapps we'd be delighted to share what we learned about this. It's a lot of number crunching and monitoring factors that keep moving as home prices are going down and interest rates rising. I appreciated how methodical you've been in tracking that and delighted to vote aye.

**Speaker:** Clerk: hardesty.

**Speaker:** This is my fourth time having this conversation. Each time it's challenging because you're trying to balance the industry interest against the ability of low-income people to be able to own their own homes. I think you found a good balance and happy to vote aye.

**Speaker:** Clerk: mayor. This is a great compromise and I see compromise as a hallmark of good leadership. This is not the first item today where we heard about compromise and working with community and trying to balance competing interests and come up with a resolution that apparently people support which is great. I like that. Sometimes everybody comes away disappointed. That can also be moving the ball forward for everybody and can also be good leadership. I appreciate your hard work and commissioner Ryan and your team as well. I want to keep perspective. Through the ordinance it will help how many households? Did you say 100?

**Speaker:** 100 annual applications.

**Speaker:** Mayor ted Wheeler: very good. Our current affordable housing gap is 24,000 units. So again we have to keep -- this is important work and we should take advantage of it and have to keep our eye on the ball and proud the council voted in a resolution to work with our partners at the state and in the private sector the stakeholders, some of whom you met with to improve the supply of low-income housing in our community which is really critically important. This is good work and I appreciate it. I vote aye the resolution is adopted. We'll have to take a brief break in a minute but let's get the second readings done first. I'm 1061 second reading on non-emergency ordinance.

**Speaker:** Clerk: approve application under the multiple-unit limited tax exemption program under the inclusionary housing program for 23rd & marshall apartments located at 1137 nw 23rd ave

**Speaker:** Mayor ted Wheeler: any further discussion on this particular item? Seeing none, please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** Aye.

**Speaker:** Clerk: Rubio.

**Speaker:** Aye.

**Speaker:** Clerk: fritz.

**Speaker:** I'm on the wrong one.

**Speaker:** Clerk: hardesty.

**Speaker:** Aye.

**Speaker:** Clerk: mayor.

**Speaker:** Mayor ted Wheeler: aye. Item 1062.

**Speaker:** J. Hardesty: I don't know if people's questions were answered last time. I was a bit discombobulated back from vacation. I had additional talking points but

commissioner Mapps and Ryan you had questions. I want to make sure they were answered.

**Speaker:** Yes, my office is in dialogue with your office and staff about what's happening but I have a question to clarify, are there amendments that we're going to hear today? Hardesty welcome.

**Speaker:** I didn't want to come forward unless called but we have a final amendment we'd like to request be moved and maybe I can explain why we have that amendment. I reached out at council's suggestion last week to the lone residential property owner and we had a conversation Monday. He is going to be selling his home and he and I brain stormed together and thought there's an opportunity to provide a little more clarity how the I.i.d. Will work and there's nothing substantive but provides a little additional clarity and happy to accommodate his request for that. And quick before I ask council to move this amendment. I wanted to give my thanks to commissioner hardesty. If you approve the ordinance it will be the sixth I.i.d. Approved during your tenure here and a might add three of those including this one would be east of 82nd avenue and point out to the council the five I.i.d.s previously approved under commissioner hardesty's tenure I want you to understand there's a risk and reward element of I.i.d.s and try to move those forward to build needed infrastructure particularly in east Portland. I wanted to request the motion be made to adopt the final amendment and to also add an emergency clause and if I may let me read it to council. The council declares an emergency exists to provide assurance of performance under code 17.24.055 for frontage improvement to enable the park as soon as possible therefore the ordinance shall be in full force and effect from and after its passage by the council. Happy to answer any final questions you may have.

**Speaker:** Mayor ted Wheeler: before we get to that, did we read 1063? Can you read it?

**Speaker:** Clerk: thank you. Create a local improvement district to construct street, sidewalk, and stormwater improvements in the se 89th ave and taylor st local improvement district

**Speaker:** Mayor ted Wheeler: does anyone want to move it?

**Speaker:** So moved.

**Speaker:** Mayor ted Wheeler: further discussion? Any public comment on the amendment?

**Speaker:** Clerk: i'll check. No.

**Speaker:** Mayor ted Wheeler: please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** I want to thank commissioner hardesty's office and the work on the project. It's always great to see new infrastructure east of 82nd. I vote aye.

**Speaker:** Clerk: Rubio.

**Speaker:** I want to thank commissioner hardesty and her team. This is important work to the community and I'm happy to support it. I vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** I want to specifically thank you andrew. You met with people on my team and addressed the concerns I put out and I enjoyed the engagement hearing from my staff. I vote aye. Thanks.

**Speaker:** Clerk: hardesty.

**Speaker:** Mayor ted Wheeler: hardesty, I'm a little confused. Are we reading on 62 or 63?

**Speaker:** Clerk: the amendment vote. Hardesty for 63?

**Speaker:** This is the amendment for 1062 the formation ordinance --

**Speaker:** Clerk: no. Not 1062. 1063.

**Speaker:** Mayor ted Wheeler: which one are we on? Hardesty what are we voting on?

**Speaker:** Clerk: the amendment for 1063.

**Speaker:** J. Hardesty: 63? So we skipped 1062.

**Speaker:** There's no amendment for deferral of 1064. I apologize for that confusion.

**Speaker:** Mayor ted Wheeler: now I'm confused. We're on 1063 and second reading and voting on the amendment to 1063. Okay. Anybody want to change they're vote.

**Speaker:** I'm good.

**Speaker:** Mayor ted Wheeler: this moves to a next reading.

**Speaker:** J. Hardesty: I should vote. Aye.

**Speaker:** Clerk: and it does include an emergency clause. So the amendment includes an amendment to the ordinance and emergency clause. So we're voting on the amendment and then we'll take a final vote also.

**Speaker:** Mayor ted Wheeler: got it. Thank you. Now to the main motion as amended item 1063. Any further discussion? Seeing none please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** Aye.

**Speaker:** Rubio.

**Speaker:** I want to thank commissioner hardesty and pdot and the engagement with the community. This project will allow us to move forward with parks updates to the park. While I do support this amended version, I do wish we could have found additional funds to help eliminate the cost to homeowners to go forward with the entire project and provide the infrastructure improvement the

communities needed because everyone who enjoys neighborhoods deserves sidewalks and safe streets. That said, I'm glad we went through the process and had these and seeing parts move forward. I vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** I want to acknowledge we've had a lot of back and forth on this. I think you set it best earlier about the payoffs and risk and reward. I think it's an opportunity to have a bigger picture dialogue about the standards as we want to allow people to age in place. What does that look like. Maybe also what was fascinating to me is people barely outside were supportive of it and I know there's a strict boundary on who is on the hook for this and like a lot of things in government when there's a quick cliff there usually needs to be a better slope. Is there a way to have an opportunity to have people that are near it pay something. I'm putting this out on the dais because I think a lot of our dialogue was about looking at the bigger picture going forward because we'll need these. I appreciate the fact you'll listen to the concerns. To make sure people aren't displaced at the end of their life on fixed income and found you were responsive. I vote aye.

**Speaker:** Clerk: hardesty.

**Speaker:** Thank you so much andrew. It's been such a pleasure to work with you. You are a true problem solver. You're someone that looks at a problem and never says it can't be done. You always are someone trying to figure out how to get the best outcome possible. I share commissioner Rubio's concern we're not able to do this project in a way we know would truly benefit all the members of that community but we can only use the resources we have to do the job that we're required to do. I just want to thank you so much for your due diligence. It's been a pleasure to work with you over the last four years. I'm happy to vote aye.

**Speaker:** Clerk: Wheeler.

**Speaker:** Mayor ted Wheeler: great work. Andrew, thanks as always. I vote aye. The ordinance is adopted as amended.

**Speaker:** I want to apologize for messing up the amendments I don't mess up often but when I do I really make them.

**Speaker:** Mayor ted Wheeler: if that's what passes as a big mistake you're free to do them anytime you want. We're going to do 1064.

**Speaker:** It's not amended.

**Speaker:** Mayor ted Wheeler: then we'll take a break and then come back and do 1062. We have a four-fifths amendment and something else I want to get to before we go away next up, 1064 second reading of non-emergency ordinance.

**Speaker:** Authorize a 5-year deferral of single-family residential assessments in the se 89th ave and taylor st local improvement

**Speaker:** Mayor ted Wheeler: second reading. Any further discussion. Seeing none, call the roll.

**Speaker:** Clerk: [roll call].

**Speaker:** Mayor ted Wheeler: ordinance is adopted. We'll take a five minute break and reconvene at 11:58 a.m.

**Speaker:** Mayor ted Wheeler: item 1062. This is emergency ordinance. \*approve findings to authorize exemption to the competitive bidding requirements and approve use of the alternative contracting method of a construction manager/general contractor for the 82nd ave major maintenance project commissioner hardesty.

**Speaker:** J. Hardesty: thank you mayor. I'm excited to bring this ordinance to the council before the new year and jump start this vitally important project bringing major maintenance project those city-owned 82nd avenue. This ordinance will allow pdot to bring a construction manager/general contractor on board quickly

and start designing and implementing the maintenance and safety projects sooner rather than later. As the short staff presentation will show us, timing is a critical piece and challenge for the phase of the project on 82nd avenue due to the funding coming through the state legislature from the federal American rescue plan act funds. Capital project manager breanna orr will walk us through the time line for the contracting method and then we'll take the vote as timing is critical.

**Speaker:** Thank you, commissioner hardesty and for having me. I'm joined by director from procurement to speak to anything I can't. Happy to be here to talk about 82nd avenue. You heard from our team. We've been to council and you've accepted the jurisdictional transfer and \$80 in arpa funding and council authorized a contract for the design contract for the project and in the past if you months you heard presentation simultaneous construction projects happening separate from the project I'm here to talk to you about today. The project is bread and butter projects and planning for trees as well. We have from miles of paving and sidewalks and we have segments and the fremont intersection and the segment and southeast we have southeast mill to foster road. Any segments were based on where the areas of greatest need or for paving repair where the acquisition for right of way is really low and reduces budget risk. Also has high equity needs and also serves centers like jade and lens and major destinations such as the shopping center and high school and they're areas of high safety need throughout the corridor. We're also looking to improve or add six pedestrian proving improvements and they would be at harrison, lafayette, bush, center and upgraded crossings at Portland communed college and 6 of 17 total improvements in crossings. We have seven signal rebuilds. I know council has heard quite a bit about the decades of long planning work that's gone in the jurisdictional transfer and funding. I wanted to give you an update on the most recent engagement our team



has been up to. Since the transfer we established an 18-person community advisory group and they held their first meeting in November. We've also hosted or participated in 10 community events and we hosted an online open house translated into five languages. For the open house we had 1900 survey responses and sent out 18,000 post cards to businesses and residences and reached 2800 people via social media and updates. For the coming year we have planned engagement in spring we'll have our first design concept available online and seek comment through an online open house and this summer we'll start direct mailers and more direct reach with affected property owners such as meeting in person. Again today's requested council action is to approve the findings to authorize an exemption to the competitive bidding requirements and solicitation for the alternative construction manager and general contractor. I'll talk a little bit what the findings say. We received \$80,000 of arpa funding and have two dead lines. The first is an obligation requirement that needs to be met by December 31, 2024 and the funds have to be spent by December 31, 2026. If you don't meet the requirements we have to give the funding back and for context the estimated total for our construction contract is \$30 to \$40 million for the cmdc. We're at the beginning of our design phase so we'll refine the estimate as we go through the process. Now, the schedule is the driving force for why we're recommending a cmgc contractor. At the top of the slide we have our traditional design build method which sequences everything, all the phases of a life of a project one after the another. It results in us not meeting the obligation deadline shown in the red dotted line. And it also doesn't have us meeting the expending the funds deadline shown in the solid red line. We know that we have a big scope for the project. We need at least two years to do the construction work. This doesn't get us there. So our team decided this would be the best bet to meche the challenging dead lines. That's shown in the teal

and blue. We're currently in the beginning of design and would like to bring on the general contractor for early 2023 between our 30% and 60% milestones and also allows us to start early work packages so contractors go out and start doing that really important safety and maintenance work. Towards the end of our design phase we're able to do negotiation with the contractor both on price as well as other requirements. And that comes back to council for approval in the form of a guaranteed maximum prize and that is what sets and meets the obligation deadline. We're able to do all that and then we have two years to construct all of the improvements and we think we can meet the deadline with the cmgc process. Also I want to talk about equity in contracting --

**Speaker:** J. Hardesty: we're all very excited about the project but we are running out of time and because pbot has done a great job in informing us and I would say cut to the chase.

**Speaker:** Great. This is my last slide. Just saying cmgc supports equity and contracting an we'll require the ada requirements to the extent they don't conflict.

**Speaker:** Mayor ted Wheeler: do we have public comment?

**Speaker:** Clerk: no one signed up.

**Speaker:** Mayor ted Wheeler: this is an emergency ordinance. Please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** Aye.

**Speaker:** Clerk: Rubio.

**Speaker:** Aye.

**Speaker:** Clerk: Ryan.

**Speaker:** Thank you for visiting with me and explaining.

**Speaker:** Clerk: hardesty.

**Speaker:** J. Hardesty: always a pleasure to see the major projects moving forward and so excited the my neighborhood will be able to enjoy the news transportation infrastructure. Isn't it wonderful you don't have to say a word you just look and smile.

**Speaker:** Mayor ted Wheeler: he looks exhausted.

**Speaker:** J. Hardesty: I'm happy to vote aye and excited for the work to this point.

**Speaker:** Clerk: mayor.

**Speaker:** Mayor ted Wheeler: it looks very technical and lots of words on lots of slides but something the community will note and appreciate it. I think it's historically significant what is being done here today and I want to thank commissioner hardesty for her outstanding not only advocacy on this but the details are really well thought out and includes the community's desires as well. It's terrific work. I want to thank the good folks at pbob. I vote aye and the ordinance is adopted. One last technical thing. I can barely read it, 1064.

**Speaker:** Authorize a 5-year deferral of single-family residential assessments in the se 89th ave and taylor st local improvement

**Speaker:** Mayor ted Wheeler: here to speak is the community safety division.

**Speaker:** Good to see you. The police accountability commission has begin work in December 2021 and has 20 active members for the remaining time in the commission's term will help the commission achieve its goals and there's a vacancy as the commission continues to develop the powers and duties of the new oversight system the board and accountability system it will be very helpful to have the position filled. There's members who applied and the pool of applicants has been used for all the previous appointments and used for filling the vacancy. Support staff reviews the application and ensures council has a pool of options still interested and all five council offices collaborated to support the appointment of

k.c. Lewis to support the commission and the process of rethinking police accountability in Portland. I'll pass it to k.c. Lewis here virtually to introduce himself.

**Speaker:** Mayor ted Wheeler: welcome.

**Speaker:** Thank you. Good afternoon. I'm k.c. Lewis I applied when the job first opened up and happy and honored to have been tapped for this opening. I am an attorney. Worked as a deputy district attorney at lincoln county and in the district attorney's office. I was the supervising attorney for the mental health project with disability rights Portland. I'm also a person with mental illness myself. Most recent diagnosis was bipolar 2 as though most people women tell you finding the right diagnosis to match the symptoms and the treatment that works best can be a life long journey. I'm a member of the mental health alliance and I'm hopeful all of that experience and knowledge can be helpful on this commission and wanted to address I appreciate the work already done by the members of the commission and commissioner hardesty bringing this forward. I think it's going to be impossible to have a functioning society and city if we don't have trust between the city and police bureau and having meaningful accountability is key to having the trust. I'm honored to be part of the work and take it very seriously.

**Speaker:** Mayor ted Wheeler: thank you, k.c. We appreciate it. Colleagues, any questions on this item? Public comment?

**Speaker:** Clerk: one person signed up. Mark.

**Speaker:** Mayor ted Wheeler: keep it as short as possible we'd appreciate it.

**Speaker:** I'm with the group Portland cop watch. We have no objection to k.c. Lewis. It's been down by one member and this means a quorum should only be 10 members instead of 11. We've been asking council for a resolution to allow all city commissions to set their quorums to active members and I'm asking to you please make this happen. The police accountability sent you a letter in June to allow their

work to continue in the face of the membership churn that occurs on the volunteer boards. We'd love it if the commission was always promptly restocked however, when the replacements aren't made promptly and meeting are missed because of quorum they can't do the work they need to do.

**Speaker:** Mayor ted Wheeler: I appreciate your testimony. Any further discussion? Please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** I want to thank k.c. For agreeing to serve. I vote aye.

**Speaker:** Clerk: Rubio.

**Speaker:** Threw for deciding to serve on this committee. I vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** Aye.

**Speaker:** Clerk: hardesty.

**Speaker:** Thank you mayor for your quick turn around and thank you k.c. For willing to step up in the role. I'm happy to vote aye.

**Speaker:** Clerk: Wheeler.

**Speaker:** Mayor ted Wheeler: thanks. K.c., thank you for your service and the four-fifths amendment is approved. That completes our formal business -- go ahead.

**Speaker:** Thank you for this and to the members of the public know if you'd like to join the meeting of the police accountability commission one is to come to an event and go to [Portland.gov/police- accountability](https://portland.gov/police-accountability) and the zoom link is at each event and then the second slide tells information how to if you are unable to join or want and prefer to send in feedback in another way also available from the website if you click get involved. Thank you.

**Speaker:** Mayor ted Wheeler: very good. Thank you. Before we get to our last item, I also want to knowledge our attorneys and council clerks. They don't all get the

credit they are due. Their job is difficult and often very last minute. We'll ask the question spur of the moment and our legal council in particular has to come up with accurate information. Karen has served in this capacity many years and has been a diligent public servant and has served with distinction and today represents her last meeting sitting in that chair. Karen, all of us want to thank you.

**Speaker:** It's my honor and I have the deepest respect for all of you.

**Speaker:** Mayor Ted Wheeler: I wish thank you best in the years ahead. Karen's not the only one with a last meeting it's the last session for Commissioner Hardesty on her current term on the Portland City Council. She has long been a strong voice for the public. I have prepared talking points but I'm not going to read them instead I have scribbles. I'd like to reflect on these instead. Commissioner Hardesty was not new to public service when she walked in the doors as a city commissioner. She served in our state legislature. Prior she served in many different capacities as a community organizer and activist. She is first and foremost of the community. She brought that community centric approach to her seat on the dais. I would say there's been no clearer voice for inclusion than Joanne Hardesty on her term on every item she'd ask who did you engage, how were they engaged? What were their opinions and how were they reflected in the policies we are implementing? Commissioner Hardesty and I don't always agree. We air those and sometimes in private and sometimes in public. It's not dysfunctionality, that is not bickering, and sometimes it is reported as such. No, that's the sign of a healthy democracy. That is the weighing of ideas. There has to be a back and forth in the weighing of ideas. And Commissioner Hardesty has been a tireless advocate for those approaches and values she holds dear and I'll miss that honest and forthright weighing of the ideas. This agreement should not be seen as a negative, it should be seen as a functional democracy. I hope in this time where we're so divided we remember that.

Commissioner Hardesty also worked with me to forge compromise at a time when people had been sharply divided. And I think she would agree the thank you for forge and compromise often people were angry with us and prompted my comment if all the stakeholders and everybody walks away a little bit upset maybe it's a win as long as it moves the ball forward for everyone. Commissioner Hardesty we had the opportunity to forge compromises around the environment. Around economic stability and inclusion and public safety and in so many other areas. I appreciated that opportunity to work with you. People see us at the dais but they don't see the hours we spend together working together to try and find that path that moves the ball forward for everyone. I appreciate you because you never failed to seek my input. Even if opinion was presumed you would ask and reflect and repeat it back and often were able to improve policies based on the input you provided. That struck me as very important. Last but not least as a rule recall after the last election, we had a conversation and quick laugh. You're not going anywhere. I want to end where I started, which is Commissioner Hardesty has served in many capacities in this community. It is my hope and expectation she will continue to serve as a strong leader in this community for many years to come. I want you to know how much I appreciated you and your perspective at the dais. I assume we'll continue to two out and have our social dinner and what not. You'll be in a slightly different role in that capacity but I believe every bit as resilient as you've proven to be as a member of the council. Commissioner Rubio.

**Speaker:** C. Rubio: I'm going to try to -- I'm very emotional. Commissioner, we've known each other more than 20 years and in that time I've seen you advocate for all our people and for change and you never compromise on your values. You always have something to say to give voice to those who aren't always heard. You brought discussions and changes to the city that would not have been here but for

you. Solidly from helping restaurants during the pandemic to the accountability commission and Portland street response and those are the ones I can think of off the top of my head. Even in the midst of criticism and attacks we get the good parts and hard parts. You as a black woman and leader, you continue to follow your heart and values and I admire you so much and I see you and I learn from you. I can't tell you how very special the last two years have been for me personally to work alongside you as a colleague. I know my experience would have been vastly different if you were not here. You've been a friend and adviser to me and grateful for your support and friendship and I fully expect as the mayor said you'll be back in community continuing to lift up community voices and continue to hold us all accountable. This also means our regular dinners will continue as well. You know they will. Thank you for your friendship and for your collegiality and i'll miss you.

**Speaker:** Mayor ted Wheeler: commissioner Ryan.

**Speaker:** I want to start by acknowledging that we were able to look at a proclamation and someone on my staff dove in deeper because you've done so much during the community. Thank you for diving in and adding addition points to the proclamation. Wasn't lost on me it's a younger african American man that wanted to dive in because they know who you are and you're a mentor. I appreciate your work ethic. I appreciate you've been in our meetings check-ins and critical of the joint office and it was a place where you and I would think out loud together. You gave me confidence when I had to take that forward to the chair and county government and out in the public as well. Thank you for never being as predictable as people may think. When you see something unjust and let your opinion be known. I always appreciate that about you. And as a life long democrat I appreciated your relationship with leaders at the democratic party and state level and you have respect and one reason why we've been able to leverage resources



because of your relationships with the democratic leaders at the federal and state level. Clearly your work for people in the LGBTQ communities were always singing your praises. Personally, I know when we had the world AIDS Day acknowledgement I missed you because you see me as a 39 year survivor in ways others can't because of your relationships with that community as well. I'll end with saying what I'll miss most is our dinners. We had good dinners. I appreciate the mayor's point. People would murmur and stare at us when we talked in places and I know your mother would be proud.

**Speaker:** Mayor Ted Wheeler: Commissioner Mapps.

**Speaker:** M. Mapps: Thank you for your service to our country, state and city. Let me take a minute to elaborate on this. First, Commissioner Hardesty, thank you for your service to our country. For those that don't know she was a petty officer third class on board the USS Gompers making her one of the first women to serve aboard a navy ship. Commissioner Hardesty, thank you for your service to our state. For those that don't know, Commissioner Hardesty in 1994 she was elected to the Oregon House Representatives which made her the fifth African American elected to the Oregon state legislature and thank you for your service to our city. As we all know in 2018 she was elected to this council making her the first woman of color to serve on Portland's City Council. Now, from that impressive resume, we're reminded Commissioner Hardesty is a true Portland trailblazer. Few have broken more glass ceilings than she has and why I'm glad to have the opportunity to thank her for her service. Thank you, Commissioner Hardesty.

**Speaker:** Mayor Ted Wheeler: and it goes without saying I see a number of members of Commissioner Hardesty's staff here. We appreciate your service to this community and to the city. We've appreciated the opportunities to work together

and collaborate. I'm glad to see council staff to not only wish her well but her entire team well.

**Speaker:** J. Hardesty: if I may, can I read the proclamation.

**Speaker:** Mayor ted Wheeler: absolutely. I have to say we have the same weird sense of humor because sometimes you're the only who laughs at my jokes and I get yours too.

**Speaker:** J. Hardesty: prior to me being elected I was in his office monthly when he got elected mayor and we had lovely conversations then as well. I want to say what a pleasure it was at the height of covid to know I had a strong leader and partner in mayor Wheeler. There are things we accomplished that people will never know just how hard it was during that time to do good things that were right for the people of Portland. Will never forget that partnership mayor because you and I both walked in our first meeting about recovery saying we have to center persons of color and women only businesses and that will be our priority. Without that leadership, mayor, we would not have been able to help so many small businesses survive. That wasn't the only time. The mayor and I did a couple meetings early in my administration to ask the public what they wanted to see in the new contract. That was revolutionary. That had never happened before. Both of those meetings were standing room only and had people who had never been in the same room together but both meetings gave the mayor and I the guidelines to start the conversation with the council and police union about what the community wanted. Again, I came in committed to changing policing. I came in committed to making sure that we were holding ourselves accountable to making sure that minorities and women benefitted from the riches the city of Portland had and came in committed to make sure people knew this was the people's house and they have a right to be here and right to have their voice heard and have the right to have a

government that is responsive to them. I also wrote things down because when you do the last thing you'll forget something and walk out and be annoyed. I want to start with my staff. Nat McNally and Doug Bradley, I have the list, Lynn Martin, Miller and Clin St. Clair. Clin is my newest staff person and let me say that none of what was accomplished by my office would have been possible without the incredible staff that I have. I have people smarter than me. I hired people that would carry my message forward and that refused to take no as an answer. I'm so proud of the staff that I've had in my four years here and all of them are going to go off and do great things and most already know where they're going to go. I want to take a moment and thank staff that left. I want to thank Christen Johnson. Came in saying what I wanted was a budget person that could help me follow the money in the city of Portland. Christen Johnson did that. And we had a brand new graduate and now she's off doing policy work at state legislature level. And my first communications person. If you would have ever told me a white dude would express my voice so articulately as Matt McNally has done over the last two and a half years I would have said no way but let me tell you, he embraces and embodied my values and my words and I'm so grateful for my team. I also want to take a moment to appreciate the incredible directors. We have incredible employees at the city of Portland. Most are under appreciated and don't hear thank you often enough. I want to tell you, I have watched the growth in leadership of chief for Portland fire and rescue since three years ago when I promoted her to chief of Portland fire and rescue. She does excellent work and grateful she said yes. I want to thank Portland street response program manager Robert Burk. It was the idea I had. What I knew was someone suffering mental health issues should not die when there was a call for help. And because of the early work and the support and and a want to thank fire and police disability requirement director Samuel Hutchinson. I said to him you've been my

least problematic bill in my entire time and that's true. I want to thank boss cosi. Had I not had boac the building emergency communication management and fire and rescue in my portfolio, the idea of portfolio street response would not have been realized. And I will say he continues to be a strong ally. I want to thank deputy chief. Everybody's shocked you're thank police officer? Yes, I'm thanking a police officer who is my kind of guy. You ask a question and he gives an answer and off he goes. He doesn't hem and haw he just does the job he's hired to do and he'll be missed when he leaves. I want to thank each and every one of you council colleagues. We don't always agree and as the mayor said, we shouldn't. When you elect five individual people we elect five individuals who are supposed to come together and pass good public policy. And not always supposed to sing kumbaya. They're supposed to challenge, question and make the best decision they can I want to thank the community members who showed up whether it was about police accountability and these chambers and e-mails have been full of community members who thought and believed they had a voice in our democracy. I know I love the city and people in it and want Portlanders to thrive. The four years have been challenging and overwhelming sometimes but what they've never been is lacking love, respect and appreciation for all the incredible employees who work or the city of Portland all the community members who show up expecting to be heard and proud of my time here and proud of what we've accomplished and I look forward to working with all of you to what's next. Thank you, mayor. I'll turn the podium back to you.

**Speaker:** Mayor ted Wheeler: thank you, commissioner hardesty. It's now my pleasure to read a proclamation on behalf of the entire City Council. I want to thank the many people who contributed to this. Whereas commissioner hardesty was elected in November 2018 and sworn into office on January 2, 2019, and whereas,

commissioner Hardesty is the first Black woman and first woman of color to serve in the city of Portland in its 171-year history. And whereas Commissioner Hardesty was the third Black woman to hold office in the House of Representatives from 1995 to 2001. And whereas Commissioner Hardesty was one of the first U.S. Sailors assigned to an American naval vessel and served her country six years ascending to the rank of Petty Officer Third Class while bravely stationing in places as diverse as Hawaii, Guam, Philippines, Japan, Australia, China and Kenya. And whereas Commissioner Hardesty has long been regarded as a prominent activist and community voice for all people of Portland serving in organizations that include Oregon Action, Portland Public Schools Community Budget Review Committee, the City Club of Portland, the World Affairs Council of Oregon, Black United Fund and the Portland Chapter of the NAACP to name a few. Whereas, Commissioner Hardesty's tenure she oversaw Portland Fire and Rescue and Bureau and Management and Portland Bureau of Transportation and Office of Community and Civic Life and whereas, Commissioner Hardesty championed the creation of the Portland Street Response program ensuring those experiencing mental or behavioral health crises get the urgent help they need. Whereas Commissioner Hardesty's voice was essential in the adaptation of the Portland Clean Energy Fund creating green jobs, funding improvements in homes through renewable energy and energy efficiency investments and supporting local businesses and whereas, Commissioner Hardesty dedicated her life to community while fighting for racial justice, LGBTQ+ justice and economic and climate justice and her impact will be felt in our city for generations to come. And whereas, she provided leadership with boldness and tenacity throughout the uncertain times of the pandemic and the city of Portland is forever grateful. I, Ted Wheeler, Mayor of the City of Portland the City of Roses, do hereby proclaim -- I was going to get through the whole thing right at the last minute.

Now, therefore, I ted Wheeler, the mayor, the city of roses proclaim our appreciation to commissioner joanne hardesty for her service to the city as an exemplary advocate and dedicated community leader. I will adjourn us but wonder if we can take photos. We are adjourned.

## **Portland City Council Meeting Closed Caption File**

**December 14, 2022 – 2:00 p.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** Commissioner Mapps: this is the December 14th, 2022, afternoon session of the Portland City Council. Please call the roll.

**Speaker:** Clerk: [roll call]

**Speaker:** Thank you, commissioner. Welcome to Portland City Council. City Council is holding hybrid public meetings with in-person attendance in addition to electronic attendance. If you wish to testify in person or virtually, you must sign up in advance by visiting the council clerk's web page at [www.Portland.gov/council/agenda](http://www.Portland.gov/council/agenda). You may sign up to speak testimony. Written testimony may be submitted at [cc@PortlandOregon.gov](mailto:cc@PortlandOregon.gov). When testifying, please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist. If you're representing an organization, please clarify it. So everyone can feel welcome, comfortable and safe. The presiding officer determines length of testimony. A timer will indicate when your time is done. Disruptive conduct such as shouting and refusing to conclude your testimony when your time is up or interrupting others' testimony our council deliberations will not be allowed. A person who fails to leave the meeting is subject to arrest. The council may take a short recess and reconvene virtually. Thank you.

**Speaker:** Commissioner Mapps: thank you. We have one time certain agenda item.

**Speaker:** Clerk: accept the city of Portland annual comprehensive financial report for fiscal year end of June 30th, 2022, and corresponding financial audit.

**Speaker:** Commissioner Mapps: colleagues, this report comes to us from the bureau of revenue and finance. I'll now turn the floor over to staff and I'll invite you to come on up.

**Speaker:** Do you want us to do anything special this week or just start talking?

**Speaker:** Commissioner Mapps: just tell us who you are and we'll figure it out as we go.

**Speaker:** All right. Thank you very much. Good afternoon, commissioners. Joining me today are my colleagues Sheila Greg and our supervisor over the reporting group. Next slide. It's made up of four sections and there are 34 positions responsible for managing incoming and outgoing grants. Management and training related to systems establishing financial policies, internal control monitoring and internal and external financial reporting. Today, we are here with the division's financial reporting team to present the annual comprehensive financial report for fiscal year end of June 30th, 2022. And they are here today and I would like them to stand and be recognized. Thank you much. Kevin and I will be discussing highlights and financial trends from the ACFR and look at some of the historical trends and Sheila will talk about federal grants. Copies of the annual report was delivered to each of your offices today. An extensive and managing the actual audit contract. And us in the accounting division talk to them about what their responsibilities and deliverables are going to be. It and then the staff from across the city then works with us and the auditors for about six months to compile a report and provide them with everything they need to reach an opinion. It is an interesting process. I really enjoyed doing it next slide, please. Now we'll discuss highlights from the fiscal 2022 annual report. At the end of the fiscal year which ensures that the information



is relevant and useful for decision-making by bond analysts, our investors, the public and the staff. And people don't really think about it this way, but we really do have investors. We've got about \$3 billion in bonds outstanding and those people depend on this report to help them make their financial decisions. External auditors gave the city an unmodified or cleaned opinion and found no material weaknesses in the city and county's process. We received the government finance officer's association award of excellence for the financial reporting for the 41st consecutive year. Next slide, please. That is not -- I did not want you to just casually go over -- that's pretty remarkable.

**Speaker:** Thank you. The city's accounting system tracks transactions using two measurement focuses and three bases of accounting. Most discussions that you all hear about are on the budgetary base of accounting, but the financial statements reports using the other two bases of accounting. Now, in the back of the report, you will find supplemental information, budget schedules that do report on the budgetary basis of accounting. At the highest level of reporting, we have government wide financial statements which uses the accrual basis of accounting. These are made up of governmental activities and business type activities. Governmental activities is things like the general fund and all of our internal service funds and that sort of stuff. Things like water governmental activities in that position went up from a negative \$2 billion to a negative \$1.7 billion due to reduced pension and property taxes. The actuaries tell us every year that the levy is adequate to always pay for the liability but under so we end up with a \$4 billion ask on our liability books. This is when the definition improved. Business type activities increased from \$3.5 billion to \$3.6 billion. Again, due to reduced pension expense. Improved revenues and increased capital assets. Now we'll run through a few slides using trends using this basis of accounting. Next slide, please.

This slide shows trends in the cost of our capital asset last accumulated appreciation over the past two decades. This shows the business type activities have been able to not only beat the deappreciation rate, but actually double our value of capital assets over the last 20 years. Governmental activities over the same period has seen capital assets decline. Due to primarily the Portland building reconstruction, it's kind of edged up just a little bit over the last couple of yearings, but it's still -- you could call it flat, but it's slightly declining. Next slide, please.

**Speaker:** Commissioner Mapps: let me ask a quick question here. Is p-bottom on the governmental side or the business side?

**Speaker:** Governmental.

**Speaker:** Commissioner Mapps: okay. Thank you.

**Speaker:** This shows the governmental activity and expenses gradually increase and revenue edged above expenses for the first time in fiscal year '22. Pension accounting has some interesting impacting that aren't really the pension in place for fire fell and that was solely due to the fact that interest rates are going up. So you have to discount all those costs or the actuary does and they use some rate of depopulation to deplate that back to a current value and come up with a present value of -- that stream of expenditures is going out into the future. And the higher the interest rate is the lower the liability is. So we actually benefited from inflation in this instance. Not so good this year return on investment. The final slide in our.

**Speaker:** Commissioner Mapps: I'm sorry. Can we go back. Just so I'm clear and the public's clear. We're going back a decade here. We're showing our expenses are consistently higher than our revenues which I think most people looking at that chart would go that's a bad and problematic thing. Can you just make it very transparent.

**Speaker:** Well, the difference is going to be even more extreme as we go to the next slide. So we've got a delta there. So for budgetary basis, we include our principle payments we budget our principle expenditures. So when you look at budgetary basis, you've got that principle in there when we move to accrual base accounting which is what we're using here, the principle disappears. So that delta is kind of, you've got to have a delta just to cover your principle payments on your debt.

**Speaker:** Commissioner Mapps: okay. Let's go on to the next slide. Sure, commissioner hardesty.

**Speaker:** Commissioner hardesty: thank you, president Mapps. Maybe another way to ask that same question would be over the last couple of years, the city of Portland has had a lot of one-time money that has come from the federal government. Is that why it kind of reflects for the very first time, we have more income than money going out?

**Speaker:** Probably not because we cannot recognize that revenue until we spent the money. And so for grants, we've got revenue and expense going up, but they should be going up in tandem. The difference here is primarily because [indiscernible] expense went down. Pension. So both were sworn because of that interest rate thing. That expense went down and then they had a great year which caused our pension expense for everybody else to go down. But I would say that difference is primarily pension.

**Speaker:** Commissioner Mapps: please continue.

**Speaker:** Next slide. So the final slide looks at revenues and expenses for business type. And while expensings remain fairly constant, revenues have gone up. And, like I said, the delta relates to debt service.

**Speaker:** Commissioner hardesty: would you like some water?

**Speaker:** I've got another. This is my last slide and then I'm going to be transferring. Anyway. It makes for an interesting dynamic. Also, for business, deposition has been going up. That's part of delta. The big part of that is the principle payments they've got to pay on their billions of dollars of outstanding debt. Any questions here? So, next slide. I'll turn it over to Kevin to talk about governmental funds.

**Speaker:** Thank you, Ron. Good afternoon members of the City Council. For the record, my name is Kevin Sanders and I'm the accounting supervisor for the financial reporting team of the Bureau of Revenue and Financial Services. We're now going to turn our attention towards the governmental funds reporting from the FY'22 financial report. Governmental funds differ from the government wide additionally the city has private funds and fiduciary funds. Here, we're moving from the basis of accounting to the modified accrual basis of accounting. There are five types of funds that fall into the governmental category. Those are the general fund, debt service funds, capital project funds and permanent funds. The general fund is the city's main operating fund and it accounts for all natural resources not allotted for in any of the other funds. The city reports special funds. Debt service funds are used to -- excuse me. Used to accumulate resources and principle interest payments. The city currently has 21 payments that fall into this category. Resources that are rickets or assign including the acquisition or construction of capital facilities and other capital assets. This enables us to distinguish between operating. Finally, the city has one fund which is used to financial resources that are restricted such that only earnings the not principle can be used to support the fund's intended purposes. Next slide, please. Overall from fiscal year 2021 to fiscal year 2021-22, we'll see revenue's increased and expenditures decreased. A balance of \$217 million. This represents an 18% increase to the governmental funds during this

most recent fiscal year. Next slide, please. On this graph, we can see a ten-year trend of revenues. They're generally maintained a close relationship to one another over the years which is what we expect next slide. Here, we're looking at this same trend of revenues and expenditures, but now broken up. We can see more volatility with the capital funding trends. This trend is due to these funds generally having more expenditures and revenues which is made up by transfer from other funds that will receive capital assets once they're placed into service. Also, we can see the debt service funds experience a decline in revenues over expenditures from fiscal year 2020 to 2021. Due to the covid pandemic and the sharp decline in revenues we experienced during that time with no corresponding drop in expenditures. Since those expenditures are based upon bond and debt. We can also see this trend is beginning to recover in this most recent fiscal year. Next slide. A major fund is a term that identifies certain funds that the size or other qualitative factors. The city has three major funds that fall into the category. These are the general fund, and the grants fund. Next slide. The general funds revenues and expenditures have been steadily increasing in tandem over the past decade with a slightly additional increase of revenues over expenditures in this most recent fiscal year. Next slide. The Portland bureau transportation funds also has seen a general fund of revenues and expenditures over the past few years. Next slide. Finally, the grants fund revenues and expenditures have followed each other closely over the past decade due to the reimbursement nature of the grants fund. Spending is then reimbursed to the receipt of the grant its fund. Expenditures are slightly above revenues as expected. This concludes my part of the presentation. Thank you for your time and I will turn you over to sheila craig who will walk you through the city's [indiscernible] for fiscal year --

**Speaker:** Next slide, please. Thank you, Kevin. Good morning members of City Council. Next slide. The schedule of expenditures the federal wards also known as the single or single audit, we call it many different things is the final -- in the final stages of completion. The final report will be delivered to each one of your offices in the following weeks. The preparation is an extensive project which requires a group effort to make it a success. Involvement is needed from all the city bureaus, the city auditor's office and our independent Moss Adams to insure the timely and successful completion of this report. The grants management division responsible for preparing the CFA ensuring its accuracy. Under uniformed guidance, a nonfederal entity that expends \$750,000 or more must have a single audit conducted. The city is reporting \$225 million in federal expenditures in fiscal year '22. Next slide, please. In the past five years, the city has seen a steady increase in the amount of federal funding. Federal expenditures have increased over \$100 million since fiscal year '18. Of course, this is mainly due to CARES, COVID response funding. Next slide, please.

**Speaker:** Commissioner Mapps: can I ask a question on the last slide? What's the dotted line showing us here? Is that just a trend line or something?

**Speaker:** Yes. Just the increase over the last five years in federal funding.

**Speaker:** Commissioner Mapps: okay. Thank you.

**Speaker:** In fiscal year '22, 16 bureaus had federally funded programs and \$59 million were passed through to our external partners. Next slide, please. We are currently in the final review stages of the CFA. Current reports are showing that there are no material weaknesses, no significant deficiencies, no audit findings, no financial statement findings, no federal award or fiscal cost and the city will qualify as a low-risk auditee. The city has received 0 findings for the past five years. That is

all the excitement I have for the single I audit and now we're going to turn it over to our external auditors. So that's the single audit.

**Speaker:** Good afternoon members of City Council. This feels really good to be here in front of you. I was just telling them that it's been since 2019 since the last time I was sitting here in front of many of you and presenting on the audit. So the last couple of years of doing that virtually, it's really good to be back here doing this in person. For our presentation, you heard a lot of the good news already from your staff. Lots of good news to share with you and I'm going to be giving you a little more insight into our process and what it took to kind of get to this end point from our perspective. You can hear the results directly from us and give you an opportunity to ask any questions that you might have about our process and the final results in this. Go ahead and advance the slides, please. So briefly, we're going to be going through our engagement team. I'm kind of lonely up here by myself. There's a huge team behind me. There's a number of components of the city that we audit. So we'll talk through that. You'll see some of our different team members on here. It's not just me doing that. We'll talk through kind of the different reports that we issue, what it means when you hire an independent external auditor to perform a financial statement audit, what are the different reports you can expect to receive. So we'll talk through those. We'll talk through our audit process. What are the different procedures we can employ as we're going through this process to give you these reports at the end of the day. Really, you see those reports and you don't see the in between. So we'll talk about what are those procedures. So the accuracy and the fairness and the presentation of the city's financial results. We'll go through what those actual final audit reports say and we'll go through some of our required. As part of every audit that we depose is required by our professional standards and it's called our communications to those charged with governance.

It's just a letter to tell you a little bit more than other than what's in those reports. That goes out to the world. It goes out to bondholders. Goes out to the residents of the city. It gives you a little more insight as we went through this process. Go ahead and advance the slides. So this is diving into our team. There's a couple slides here to fit the core group. This isn't everyone definitely. But the core of our team, myself, I partner with moss adams. I've been involved in the city's audit for a number of years now. I stepped into the reviewer role. So I'm responsible for settling our audit plan, overseeing our staff's work that they're doing and taking responsibility ultimately for the final audit results in our final audit reports. Laurie tish leads our governmental services practice that I'm involved in as well and I work primarily with local governments is really all I do. Laurie is in that same boat as well, but leads our firm's national practice for government services and she is really involved as the quality control viewer. Somebody that's not connected to anyone here at the city. And none of the staff. They don't sit in with any of the staff at any of the meetings. Really, intend to be unbiased making sure did we do what we said we were going to do. Did we miss anything? Do all the final audit reports include all the bells and whistles they should have as well. So a very key roll. Happy to have someone like laurie involved this year. Mandy hale stepped in for the second year now. She served as our manager over seeing your team during our field work. And got to do hybrid work as well. We've been pretty good at doing it remotely these last few years. So mandy led our team for that. Go ahead and advance the slides. I'll go through these pretty quick. Harley whack really served and worked on the single audit as well as the prosper Portland audit. Of course, prosper Portland, their financial statements are included in the financial report. So we do a stand alone report for them as well and harvey was the manager on both those engagements. Daniel hyman was our in charge senior. So she led our team for the prosper



Portland field of work that we did. She's been on that for a number of years. On the utilities portion of the city's audit. We bring a separate group out to that has a lot of expertise working with municipal utilities and do some of the work surrounding that area. And Alise Horsley. You can see there's a lot of different pieces moving with this and a lot of different teams. This is the core team, we have a lot of staff and dozens of staff involved as well. Kind of the breadth and depth of the services we offer. Go ahead and advance the slides.

**Speaker:** Commissioner Mapps: can I jump in here and ask a quick question?

**Speaker:** Of course.

**Speaker:** Commissioner Mapps: just so I have a sense of the scope of how big of a project this is, how many people did you have working on this audit and when did you start?

**Speaker:** So we start the audits at different times depending on which component. They all kind of finalize right around the same time, right around October. And I'd say the city's in a very good position in terms of when they finalize compared to a lot of other local governments. I mean, they're really, they made a huge effort over the last five, six years, something like that to move up the time frame for that. So all of the issues kind of light up around the end of October. A lot of them start somewhere around -- we start getting into conversations even as early as March and April about planning and we start diving into our field work as early as probably May and June doing some of our internal control evaluations that we start. So it's a long process throughout the year.

**Speaker:** Commissioner Mapps: and, how many --

**Speaker:** So for the city's audit itself, we probably have anywhere from ten to twelve people involved over the course of time. For the FPDNR engagement, we

probably have four people involved. Prosper Portland is seven involved. So all in, there could be about 25 to 30 people.

**Speaker:** Commissioner Mapps: okay. Thank you. A massive project. Yeah. I appreciate it. You can carry on.

**Speaker:** Very good question. So I know there's a lot of words on here, but I want to go through these briefly to give you of the deliverables and you've heard about these from the finance team. Box one, this is probably the report you might be most familiar with, that the public might be most familiar with. That's our audit report issued over the fairness and accuracy information. If you dare to open up the annual comprehensive financial report, I know commissioner Hardesty was holding that up earlier. It's a thick document. It's 400 and something pages now. But that report is kind of towards the front of it and that's the main report that most people are familiar with and through all the work that we do to trace things back to substantive records. To support what is recorded, what is presented in that document, is it actually a fair and accurate picture of the city's financial results for the year. Also, connected to that is really box two, the technical review of that document. That document has to be prepared in a very specific way to follow the governmental accounting standards. Not only that, you've got a team that goes above and beyond and has for a number of years as you heard from your team just a minute ago. They go above and beyond to present a full acfer, the annual comprehensive financial report that's got additional documents and pieces in it that aren't actually required by the state or for bondholders or anything like that. It's something they go above and beyond to put that together for any third party that wants to get their hands on this document and be able to apply for the gfoa government finance officers for the government of achievement. The city has had a long ten year of obtaining that award. You've got staff that have got the chops to be

able to put that document together and has obtained that award for 41 straight years. So very impressive and I was presenting to another local government yesterday and they were about 20 years. So you've got a few in there. Box three has to do with an additional report that we have to issue in accordance with government auditing standards. Not only do we have to comply with our government. Issuing a separate report. If we noted things like material weaknesses or specific deficiencies. Kind of the highest level and our audits speak of something where we'd say you're missing a check and balance in place to catch something before it slips through the cracks. Those are the types of things that can get reported in this type of report and that's what the audit requires us to put in there.

**Speaker:** Commissioner Mapps: just to be clear, is there anything for us to note this year?

**Speaker:** No. Very good question. Box four, very unique to the state of Oregon. Every municipal corporation has to have their auditor look at person compliance areas and there's a bullet point list we issue within your report that notes the different areas we looked at. The bulk of our time is going to be in compliance with local budget law as well as compliance with procurement standards. There's a number of areas we look at as well and those are the ones we spend the bulk of our time. Box five is related to that single audit. You heard from sheila talking a little bit about that and that's an additional report we have to issue where you spend more than \$750,000 in federal funding. Definitely have passed that this year and have as long as I've been involve Wednesday this engagement and that's something we have to say for the programs that we look at and there's a certain way we pick federal programs we have to look at each year. Were there any compliance findings with how those funds were spent. Did you follow all the grant agreements. Finally, I mentioned the communication to those charged with

governance. We'll talk about that a little bit more in a second. Go ahead and advance the slides. Just real brief. These are the different audit engagements we're involved in. You can see the different report that is we issue. Not only are a lot of these components combined in the city of Portland's acfer, but a lot of them have stand alone components as well and of course, president Mapps mention someday of the different or asked about all the different teams we've got, how many people, you can see the different deliverables that were issued in connection with each and every one of those. Go ahead and advance the slides. So for our audit process, this just gives you a little more flavor of how do I get to this point. At the end of the day, we start this thing in April. We finished in October. How do we get to this point. There's a number of different procedures to employ to test whether that document is fair and accurate. One that's very important where we've spent a lot of time and we do a lot of this upfront probably in the may, June, July timeframe is looking at internal controls. The system of checks and balances that the city has in place to make sure errors don't slip through the cracks within the system. We want to understand what are the reviews, approvals, reconciliation to make sure by the time we start looking at final numbers, really they've been through an internal audit. A very key piece. I.t. Is a key piece of that as well. It's much more of an electric environment today. So it really is important to understand who has access to the system and what can they do. Analytical procedures are another way we can test our balances. Hey, is there anything that's not jiving with what we've read in the minutes over the course of the year. What transactions we know transpired during the year. If there's certain things that we're seeing in the budget document that we know, we expected certain transactions run through this system and we're not seeing that. Those are that 30,000' view about to sustain documentation. We send third party documentations outlet to any depositories, your debt holders as well.

Make sure we show on their side what the city is showing as well. Go ahead and advance the slides. So good news here and this is really kind of echoing things that you heard earlier and, of course, president Mapps you asked about the government auditing report. This lays it all out there for you for all the different reports that we issue. And, as you can see across the board, this is as clean as you could hope for in this process. It says a lot about the internal controls that you have in place and the team that you have in place to get to this point. Over the course of the last year, been able to continue having a very good set of internal controls to be able to put together a very clean set of financial documents that we go through contest without significant or material errors in the process. So very good news. The financial statements and no other reports that we noted earlier. Go ahead and advance the slide: in that separate letter, I mentioned that gives you a little more insight into the audit process. There's bullet points on here that are consistent with the different paragraphs we have on here. I'm not going to go through each one in depth, but the things I always like to call out explicitly, one would be the audit adjustments. Is there anything we noted material error in what we're looking at. Something that wasn't required. Wasn't recorded in the right period. Things like that are kind of what we're looking for that could drive a material audit adjustment. We didn't have any of those in the current year. Through all the testing we did, everything looked very clean and we didn't need to make any adjustments. Everything was clean right upfront. We didn't have any internal control deficiencies to note. Best practices that we continue to work with your team on. Outside of that, we always mentioned were there any difficulties in performing the audit? This goes back to scope exceptions. Was there anything where we asked for a piece of documentation where they didn't give it to us. None of that happened. There weren't any limitations on the work that we did which could impact our ability. Very good news there. Everyone we felt was

very transparent in this process. Gave us all the documentation we needed. It's probably hundreds of pieces of documentation. Probably thousands of pieces of documentation that they're providing to us in this process and everything we asked for, we received. All right. Go ahead and advance the slides: again, I already kind of mentioned, thank you to the staff for hosting us on site for part of this definitely and making this a very smooth process, getting to this point again for the city. Again, you know, we're in this effort over the last five, six, seven years to move this process up earlier. Continue to hit that each and every year. By the end of October has been very impressive and we appreciate and continue to work with the team here in the city. Any questions?

**Speaker:** Commissioner Mapps: colleagues? Colleagues, any questions at this moment? Thank you very much.

**Speaker:** Thank you. Appreciate it.

**Speaker:** Commissioner Mapps: is that the end of the formal presentation? Excellent. Keylin, do we have any public testimony?

**Speaker:** Clerk: we do have one person signed up. Kevin matches.

**Speaker:** Commissioner Mapps: welcome, kevin.

**Speaker:** So there should be some powerpoint slides. Thank you, I'm kevin matches. I'm a cfa charter holder. I urge you to take action on the retirement bureau. The city charter defines the funding policy of the pension plan for police and firefighters sworn in before 2007 and puts them on a pay as you go basis. Property taxes benefit payments as they come to retirement. No money is ever set aside before those benefit payments are due. This is a curse on the long-term financial condition of the city of Portland. I urge the city to request its actuary, provide a comprehensive, an analysis of a comprehensive actuary funding policy. Turning to slide two, the only two places in the united states using a pay as you go

approach are Portland and Puerto Rico. Turning to slide three, this puts Portland out of line versus peers and best practice. Portland has the most costly public pension in the United States. The left side of this chart shows Portland police and firefighters. The right side of this chart is Oregon participants. The difference is the ludicrous annual cost associated with Portland's pensions shown in red. It's costing Portland more than twice as much to employ a single member compared to the rest of Oregon. Turn to the next slide. Pay as you go. Costs shouldn't be hidden by passing them off to future generations of taxpayers. Second, it would move the system towards inter-generational equity. Third, it would reduce cumulative cost. Turning to slide five, let's talk about red flags. The city auditor has made repeated recommendations since 2007-2011 that the city has failed to implement. Including, City staff the city auditor. OMF agrees that the fiscal challenges facing the city audit its financial statements trends. One often overlooks fairness that results by a significant works of past users. Will not allow sufficient resources. Turning to the next slide, FPDF's financial statements. Under state law would be a risk to the city before any theoretical limit prevented by the charter. Turning to the next slide. Shown here is contemporary coverage to the children's levy fund that occurred during 2012 and a more recent example Portland fire rescue proposed. Alternative funding policies by 2007, but those were never implemented. The next slide, national experts have also commented. You may be aware that the city has a credit rating of AAA. Credit agencies place the city of Portland on November 3rd. The pension is central focus of their review. Final slide, the next one an analysis of a comprehensive funding policy. Thank you.

**Speaker:** Commissioner Mapps: thank you very much, Kevin. Kevin, I appreciate your crisp presentation and argument and I would appreciate it if you could at least

send those slides to my office and i'll make sure that the appropriate oversight we'll take a look at what you're mentioning. Thank you very much.

**Speaker:** Clerk: that completes testimony.

**Speaker:** Commissioner Mapps: thank you. That completes testimony. Colleagues, do we have any questions or comments at this time? No. Okay. This is a report, keylin, could you please call the roll.

**Speaker:** Commissioner hardesty: would you like a motion?

**Speaker:** Commissioner Mapps: oh, yes.

**Speaker:** Commissioner hardesty: I move that we adopt the report as presented.

**Speaker:** Commissioner Ryan: second.

**Speaker:** Commissioner Mapps: thank you both for the reminder and the motion. Keylin, please call the roll.

**Speaker:** Clerk: Rubio.

**Speaker:** Commissioner Rubio: I just want to thank moss adams. I'm very happy to vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** Commissioner Ryan: thank you for the great presentation. I've run organizations that have concerns and these can be really long, difficult meetings, so it's always nice to be on the other side of that. The well done. I vote aye.

**Speaker:** Clerk: hardesty.

**Speaker:** Commissioner hardesty: I want to thank the revenue division for their great work as always. I want to thank moss adams for keeping the channel live that we have an excellent audit with no bad notes attached to it. It's been an honor for four years to consistently that message, the fact that we the city of Portland have had that for 41 years in counting is absolutely phenomenal for any government and it doesn't say a lot of good things about the office of revenue at the city of world



and their attention to detail. Kevin, I don't want you to think we did not hear you. We did hear you and we have this conversation also every year when we have this report under a system that's much more transparent. It's still going to cost us a million dollars, but at least you'll know so you don't just get it trickling once a year into your tax bill. And so I didn't want you to think that we just like politely listened and didn't hear you. But I'm very happy to vote aye and I am happy for what they do year in and year out. Thank you.

**Speaker:** Clerk: Mapps.

**Speaker:** Commissioner Mapps: I'd like to start out by thanking the revenue division and I want to thank Moss Adams for that presentation. And many things the city is going well. Financial oversight. At the same time, despite these strengths, I believe there are areas where the city needs to do better. For example, I am concerned about the condition of the city's asset report. 22% of the city's assets representing about \$13 billion are in poor or very poor condition. Despite the urgent need here, recently, this council voted to waive the city's policy to set aside half of our ending funding balance for major maintenance. I understand why we made that choice. However, that decision is also what unsustainable financial policy looks like. There's a second area where I have concerns about the city's performance and that area deals with program evaluation. This council has done a good job of identifying our top priorities which include homelessness, community safety, and economic recovery. However, we have not done a good job at holding ourselves accountable for achieving these goals. I believe council should strive to build a more accountable government and I believe we can build a more accountable government by setting clear performance metrics for the programs we fund by vaulting programs against those performance measures, by reinvesting in successful programs and by having the courage to change course when our

investments fail to yield results for Portlanders. Now, next year, I look forward to extending the city's long record at successful financial management. And, next year, I pledge to work with council to sure up our city's asset management program and our program evaluation efforts. In the meantime, I'm glad to accept the reports. I vote aye and the measure passes. And, keylin, I believe that completes our work for today?

**Speaker:** Clerk: it does.

**Speaker:** Commissioner Mapps: all right. We are in our opinioned. Thank you everybody.

## **Portland City Council Meeting Closed Caption File**

**December 15, 2022 – 2:00 p.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** Mayor Wheeler: this is the Wednesday, December 15th, 2022, City Council meeting. Please call the roll.

**Speaker:** Clerk: [roll call]

**Speaker:** Mayor Wheeler: and now we'll hear from legal council on rules and order and decorum.

**Speaker:** Good afternoon. Welcome to the City Council meeting. If you wish to steph before council in person or virtually, you must sign up in advance by visiting the agenda on the council page -- you may sign up for communications to briefly speak about any subject. You may also sign up for resolutions, first readings or 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. For testifiers joining virtually, please unmute yourself once the calls your name. Presiding officer reserves decorum. Individuals general or interrupting others testimony council deliberations will not be allowed. If there are disruptions, a warning may be given that further disruption may result in a person being ejected for the remainder of the meeting. Additionally, council may take a short recess and reconvene virtually.

**Speaker:** Mayor Wheeler: very good. Thank you. Our first item this afternoon is item 1066. It's a hastings item.

**Speaker:** Mayor Wheeler: I am pleased to jointly introduce this item with commissioner Rubio who is the commissioner in charge of the cities arts portfolio and liaison to the regional arts and culture council. We're joined by city manager jeff hawthorn and joaquin lopez. Artists are organization and arts related businesses are obviously a very important part of our community's identity and essential to our recovery efforts. Today, jeff will walk us through where the city has invested in arts and culture what & what the impact of those investments have been. I'd like to turn it over to commissioner Rubio, but first, I have to point out that the light on your iphone is on and it will burn out quickly.

**Speaker:** Thank you.

**Speaker:** Mayor Wheeler: commissioner Rubio.

**Speaker:** Commissioner Rubio: thank you, mayor. It's my honor to serve as liaison for arts and culture for the city of Portland. The city arts program was initially established in 2018 to oversee the city's contract with the regional arts and culture council and to ensure the services are aligned with this contract and also more broadly, our arts and culture portfolio here at the city. And over the past two years, my office and I have collaborated very closely with the city arts program not only to explore our city's relationship to arts and culture, but also our contract holders and ensure we are on the right track with our art stakeholders. We've engaged council offices to develop arts policy and expand our support through direct investments and collaborations across city bureaus. I'm most excited about the cultural planning process we have just launched to assess the state of arts and culture in our city and to develop a bold new vision for the next generation of arts and culture throughout the region. Our work together has eliminated a need for increased capacity in the arts program which will now have two new positions. City arts policy advisor and council liaison and the arts education coordinator. I'm extremely thankful for the

support of my colleagues for expanding the city arts capacity. My hope is that to institutionalize roles in the city in the long term to align with the cultural planning process. With that, I will turn this over to the city arts program manager jeff hawthorn and our special guest joaquin lopez.

**Speaker:** Thank you, mayor and members of council. It's so nice to be with you this afternoon to talk about the arts. I've heard you say before that City Council sessions should always begin with song, so to help us do that today, I'd like to turn it right over to joaquin lopez.

**Speaker:** Good afternoon mayor ted Wheeler and members of the City Council. My name is joaquin lopez. I'm an artist and mental health counselor. I serve for the city of Portland. Highlights of my work include speaking to students and schools and colleges inspiring young people to harness the power of creativity. One of the biggest privileges in this role was preventing the story telling event called pentemento featuring the life of latino leader linda haramil on September 10th. With a musician and youth actor. Linda shared her experiences from childhood and adulthood that led her to what she calls today her encore years. We learned about linda's trials and 'tribulations and what she endured that helped forge and contribute to social justice and common good transforming her community. We tell stories so that we may learn how we are all very different working towards the same thing being human or vice versa. Through stories may we learn that we are all the same in very different ways human beings. Today as we learn and observe and learn the works of arts and culture in our city, I share with you some words of inspiration and a song called universal about the common search for ourselves to break free and feel the universe inside. A song from the event pentimento. Enjoy.

[m\m]

**Speaker:** When an artist externalizes their inner life on to the canvas or dance floor. They express all of their community's hopes, wishes, and possibilities. They become conduitconduits. Expression of the artists who live in it the [\m\m] [Singing in spanish]

**Speaker:** The vitality of a community is directly related to the vitality of its creative expression venlt we the people have the power to develop new works of art, new ideas to share and new products to fuel an economic and cultural exchange. And, we have the power of imagination to stir the soul of a community. [Singing in spanish]

**Speaker:** Thank you. [applause]

**Speaker:** Mayor Wheeler: well, I'd hate to follow that, jeff.

**Speaker:** That concludes my report. You really said it all right there. So i'll just fill in some additional details. Joaquin, thank you. Thank you so much for being with us today. So the creative laureate program is one of the thing wes do in the city arts program and it's my honor to share with you a little bit more about this work we do. As a quick reminder, the city arts program was established in 2018, just a few years ago, following a recommendation from the city auditor that the city's contract with the regional arts and culture council required more oversight. We'll be hearing from r.a.c. A little later this afternoon, but I wanted to start with a reminder of our shared purpose. We're here to support Portland's vibrant and diverse arts and culture eco system and to expand opportunities for all Portlanders to participate in expressions of creativity. We are of course guided by the city's core values of anti-racism, equity, transparency, communication, collaboration, and fiscal responsibility. And we also are committed to the value of providing arts access for all, accountability to the taxpayers on how their funds are being spent and the role of arts and culture as a catalyst for innovation across the arts sector and in our

businesses and in our classrooms. To put it another way at the city arts program, we believe that everyone in the city of Portland could should full access to a vibrant, creative life and a culture, creativity and the arts are essential to a healthy and democratic society. The city arts program budget is shown here. We received \$4.24 million last year and \$4.41 million from the general fund as a special appropriation this year. That budget includes a significant contract with the regional arts and culture council shown here in orange. It's our primary provider of art its related services since 198 knife. R.a.c. Received \$3.8 million of the city arts program budget last year and \$3.9 million this year. R.a.c. Also receives other city funds besides the general fund including percent for art funds and their capital construction projects and some of the proceeds from the city's arts education and access fund or arts tax. So in a separate report coming up right after me at 2:30 this afternoon, r.a.c. Will talk more about their total budget and the programs and services they provide as a contract with the city including grants for artists and nonprofit organizations, public art, advocacy and fundraising. I want you to know we've been working with r.a.c. On a new set of reporting requirements and new performance measures to help us better understand how these funds are reinvested in our community and to analyze the demographics of the people that they serve. I know that you're looking forward to their report at 2:30 just as I am. For now, I'm going to focus on this blue sliver here, some of the things we do in the city arts program above and beyond our contract with r.a.c. And how we are adding value to the city's arts and culture eco system. My report today is focused on the direct services provided by the city arts program which include cultural planning, collaborating with council offices and other city bureaus. Supporting the city's creative laureate program and managing \$2 million in arpa funding. I'd like to tell you a little bit of what's happening with our cultural planning process which is now under way. These are our planning goals for

the cultural planning process. We will be assessing the state of arts and culture in the region and I should note here it's not just the city of Portland. The city is initiating this work, but because we are all partners in i.g.a.'s with clackamas, multnomah and metro to name our regional service provider, we are all collaborating on this effort now to re-assess the state of arts and culture in our region. Another goal is to identify some opportunities. What are ways that we can achieve a stronger return on our arts and culture investments and we will be addressing inequities examining who has access to publicly funded creative experiences and who does not. And with all of this information in hand, we will develop a clear vision for arts and culture and develop some goals and strategies for your consideration over the next ten years to achieve that vision. The total budget for this cultural planning process is \$500,000 and the city is leading the way with \$250,000 over a two-year period. We are collaborating with clackamas and multnomah counties and metro and have secured support from their government and nonprofit agencies as well including the cities of beaverton and hillsboro plus contributions from the Portland parks and recreation district. We've also raised money from the private sector to support this plan including a generous grant of \$100,000. They're excited to be partnering with us in this investigation. This will be our third cultural plan in the last 30 years. Some of you know that our first plan was called arts plan 2000. That was adopted in 1992. And one of the primary recommendations of arts plan 2000 was for the city's metropolitan arts commission to be spun off into a dependent nonprofit arts and that entity is the regional arts and culture council a few years after this plan was adopted. Many years later in 2009, we published act for art. That work was led by former mayor sam adams -- [garbled audio]. Key observation of this plan in 2009 was that arts and culture were significantly underfunded across the region and the plan recommended a



dedicated funding mechanism to support arts education and access. As you all know, the arts education and access fund was approved by Portland voters three years later, but it was only in the city of Portland. It was not the regional solution that we originally imagined. Our community has, of course, changed a lot since then and it's time for a new cultural plan that represent who we are today and can help us build a more creative, more equitable, and more prosperous future. The working title our creative future will be completed over the next year or so and you can expect us to be a final report along with recommendations to this body in early 2024. This work is being guided by consultants from the cultural planning group who have offices in san diego, atlanta, and miami and the metropolitan group based here in Portland. Along with 24 community members with diverse backgrounds, ethnicities, cultural practices. These people also represent multiple sectors of the creative community which is broadly defined to include artists, creative workers, educators, business leaders and social justice leaders. Their names and affiliations are published in your report and online at Portland.gov. This steering committee meets monthly to ensure that our engagement strategies, so all of those surveys and town halls and focus groups that we'll be conducting in the year ahead reach all of the communities we're trying to reach together with this steering committee we will co-create a vision and goals. I'd like to thank all of you on City Council who have taken the time to meet with me and our consultants and we look forward to starting our broad community engagement work next month. In addition to that heavy lift cultural planning, we continue to to collect all of your ideas and get your feedback on arts policy proposals and programs. We've collaborated with you all in a number of ways including community healing through arts of last year. To help Portlanders process all of the emotional toll of the events of the covid-19 pandemic, the economic recession [garbled audio] -- about the

importance of artists in our economic recovery and emotional healing. I just couldn't agree more. Thank you for that. We also collaborated with the -- to look really great in that space and I encourage folks to check them out -- historic park rose farmer's market. The Portland chinese festival and this photo here is from race talks. Sponsored by the city arts program to highlight the intersection between bipoc and qt+ community stories. Some of our collaborations with city bureaus have included staff and many of these bureaus do have arts related programs. And many others are partnering with artists and arts organizations in really important ways and I've appreciated the opportunity to collaborate with them and share information. I'd really like to thank cassandra shultay for facilitating those. Last month, we collaborated again with the city's tribal relations program, an indigenous story-telling collective to show case public spaces across the city and throughout native arts and throughout native American heritage month and beyond. So maybe you've seen some of these portraits at omsi, the native arts and culture foundation. The multinomah county courthouse and r.a.c.s. Offices. They really are spectacular and we'll [indiscernible] as long as they weather. We're all on our way to restoring the thompson I. Fountain. This has been a collaboration with the water bureau, Portland foundation and r.a.c. And I'm pleased to report that the plans were well-received by the historic landmarks commission when we had a request last month and I'd like at the Portland parks foundation for all of his leadership. And, of course, the fine city employees at bds, p-pot, and the water bureau for supporting this project. We are now preparing three historic reviews that should pave the path for work to begin. We also have the creative learning and each receives an annual honorarium. To help support community based programs, including, for example, the it's really hard to believe that walkway keen and layla have been serving in this position for a year and a half and it will soon be time. So we'll be starting that

process soon and have new creative laureates to appoint by July. In the meantime, we'll look forward to bringing joaquin and layla back to City Council one more time for you to hear from them about their experiences and maybe they can share some of the wisdom they have about serving in this role. And, I want to thank you. Lastly in terms of the main projects we've focused on this year, I want to touch on the \$2 million American rescue plan funds. Thanks to the advocacy of commissioner Rubio and the support of this council, we've been managing four specific initiatives. One is to activate the ifcc. Another is to provide resiliency support for cultural organizations. We are acquiring and installing indigenous arts in the cully neighborhood and supporting individual artists in underrepresented communities. First on this ifcc project, the work of activating the interstate fire house cultural center with Portland parks and rec and the advisory committee and it's really designed to support the idea of black arts and culture in north Portland. We have awarded artists and residents granted ten individual artists and community organization so far and another round of applications will open in the summer.. The city arts program has contracted with the native American family center to procure and install new public artworks in the cully neighborhood. Last month, we did a site vision in that neighborhood and we will be honing our call to indigenous artists with the goal of having these new artworks installed in 2024. Over the summer, we established a beneficiary agreement with r.a.c. Grants ranging from \$500 to \$500,000 to support artists and other workers in underserved and underrepresented communities lgbtqia+ artists and artists with disabilities. 196 grants supporting artists in almost every zip code and I found it interesting to note the highest concentration of artists we served in this program and buckman sunny side area. The grant recipients who received z this support represent a range of races and ethnicities. 28% of those and 8% identified as American indian or

American native. Lastly in collaboration with commissioner Rubio's office, we awarded 500,000. Here you can see a complete list of all of the funded organizations from one world chorus. These organizations were selected for their cultural contributions with track records of honoring ancestral language and lineage and dialect and culturalry 75% who identify as black or indigenous people of color. I should say that all of the demographics from these arpa programs are being uploaded into the city's rescue plan open data portal as they come in. I really encourage folks to check it out. Now, just looking ahead for a moment. I want to touch on some of the things we'll be working on in the coming year. Now part of the city arts program as our arts policy advisor and council liaison. Steven and I look forward to continuing collaboration with you all in the year ahead. In addition earlier this fall, council approved changes to city code creating a new position in the city arts program to support services for those who benefit from the arts programs. We look forward to support the work of our oversight committee in measuring the impact of the arts education efforts in our schools. And, lastly, with regard to monuments and memorials, I'm sure many of you saw commissioner Rubio's announcement yesterday. We have forged a relationship to develop an inclusive and about the monuments that were removed in December 2020. This work is being integrated and aligned with our cultural planning progress, but on a shorter time frame. The lanning work is starting now. City Council will receive our recommendations about the toppled monuments this fall so thank you commissioner Rubio for all of your leadership on monuments and that's really it for my report. I do want to thank all of you for recognizing the value of arts and culture in our I'm especially grateful to you, commissioner Rubio, and your team for your commissioner Rubio's leadership has illuminated numerous opportunities for

collaboration and innovation and I just really appreciate it so thank you all for your support and I'm happy to answer any questions.

**Speaker:** Mayor Wheeler: thank you, jeff. Thank you, joaquin. Any questions at this point? Do we have public testimony?

**Speaker:** Clerk: one individual signed up.

**Speaker:** Mayor Wheeler: let's do that first. Hi. Thanks for being here.

**Speaker:** Mr. Hawthorns points mention monuments. These laws applied to citizens as they apply to the city as we saw with the thompson fountain. Like citizens of the city can remove historic resources after the city has followed certain rules. The rules require that the city first allow public comment. The city should make a decision about restoring resources and not follow emotional impulse now, more than two years after removing the statues of lincoln and roosevelt, it's clear the city has removed those statues. To say they have not been removed is a fiction. Mr. Hawthorn mentions a monuments process which we are told might yield a protective result. Other cities have led a process, but with the monuments in place. Other cities have led a process, but without violating their own code in a way that rewards vandalism and denies a city's obligation to historic resources. It was difficult to stop mr. Hawthorn and r.a.c. From removing the thompson fountain's historic resources. Yet r.a.c. And mr. Hawthorn. Let me give you another example. The contractor told r.a.c. This would entail breaking the three granite pieces of the base into eight small pieces. This was of course taken by r.a.c. And by mr. Hawthorn. I hope you agree that breaking public art into small pieces is not okay. R.a.c. Saved \$1500. R.a.c. And mr. Hawthorn. So the city ignores preservation all laws and creates the fiction that lincoln and roosevelt can be removed before public comment and notice these monuments are historic resource inventory rank one elevated to significant resource quote unquote which has special protected status. I

hope that City Council will not forget that city code protects these resources. I hope that City Council will not choose an unknown process that is alternative to following city code. The city should follow the law and its other objectives.

**Speaker:** Mayor Wheeler: thank you. Did you have a question? Thank you for being here. We appreciate it. Colleagues, any further questions of jeff? Jeff, could I just ask, when will we get the report again? You mentioned --

**Speaker:** For cultural planning?

**Speaker:** Mayor Wheeler: the monuments.

**Speaker:** This fall. There will be some recommendations about the toppled monuments and winter more recommendations more broadly.

**Speaker:** Commissioner Mapps: could you expand that a little bit. I think there was an announcement that came out yesterday about the process for thinking about monuments. I'm sure a lot of people including myself were in meetings all day and all night. Can we learn more about what happens next.

**Speaker:** If I may, I've invited steven up to the table.

**Speaker:** Steven hererra. So in commissioner Rubio's press release yesterday, she mentioned a broad overview of the monuments planning and community engagement process. So phase one will start in January and we have partnered with lewis and clark college to help us design and other academic institutions to help us design and co-create the community engagement plan. So community engagement will happen from January through June. And by June, we will have recommendations to share with council and feedback from all of those and so we will have a recommendation for community engagement plan that we will share with council from June until -- for four months. From June until August, September, sorry, I can't get my math right we'll have a four-month community engaged

process and then by fall, we will be bringing those recommendations and findings to council. Is that helpful?

**Speaker:** Mayor Wheeler: I have one question. Maybe this isn't the right forum for this and we can put it off until later. So I'll put this in the form of a statement, not a question and I appreciate you haven't had a chance to prepare for this, but I'm very eager to see what the criteria are around this issue. I don't need to tell you that there are all kinds of overlays here. And I would very much like to know how you're going to come up with the trade-offs on this.

**Speaker:** Commissioner Rubio: I will just respond to that. Mayor, absolutely, that's the crux of why we thought it was important to bring in experts who have grappled with the monument question before. If you remember, monuments have been an issue that's come up for a lot of universities across the country recently. And this is why we are really appreciative to work with the new president at Lewis and Clark and her colleagues to come together and actually dive deep on your questions. So to put a fine point on it, we don't have those answers. We don't believe that those should come from us. That's what this group is going to help us develop and we'll be contacting each of our colleagues as they develop them.

**Speaker:** Mayor Wheeler: commissioner Ryan.

**Speaker:** Commissioner Ryan: thank you. I just wanted to get clear on the timeline. I think I got confused. So January through June is something and then phase two is June through summer basically as community engagement and in the fall, you'll tell us that's when the recommendations come back. What's happening from January to June again?

**Speaker:** That's where we sit down, the office of commissioner Rubio, myself and Hawthorn sit down twice monthly for six months to design the community engagement process that will be implemented.

**Speaker:** Commissioner Ryan: so it's the planning.

**Speaker:** Yes. And I do want to add there are two pieces that will be addressed through that community engagement planning process. One is we will be making -- we will try to come up with recommendations through the community engagement process on how to restore or what do we do with the five toppled monuments and decide on or make recommendations on the city's monuments policy in general moving forward.

**Speaker:** Mayor Wheeler: could I just ask one question and then i'll leave it be? I have a feeling with this comes back to council, it's going to generate a lot of interest.

**Speaker:** I'm sure it will.

**Speaker:** Mayor Wheeler: and so I just want you to be prepared for that. But the monuments were taken down illegally. They were vandalized and I realize the elk statue, the entire infrastructure was destroyed. So that's kind of a one off. But lincoln and roosevelt, why not put them back until we make this decision since it's going to be what almost a year until we have made a decision.

**Speaker:** Unfortunately, mayor, that's not my decision and I can't answer that. But to reiterate what commissioner Rubio has already stated, we think the public should weigh in and it should be the decision to return those should be informed by our community engagement efforts.

**Speaker:** Mayor Wheeler: okay. I mean, again, i'll move on. But they weren't taken down through a community process. They were vandalized. And I realize your attempt here is to engage the community and I'm supportive of that, but it just kind of rubs me wrong that they were vandalized and taken down and I feel like we should put them up until we have that community conversation. The community says they don't want them, fine. But I just feel like we should have put them back.



That's just my personal perspective and I'll move on. I'll look forward to the conversation. If people want to engage in this conversation, how do they do it? Where do they go? Is there a website?

**Speaker:** That's what we're designing now and we will communicate far and wide how people can be involved in the process and give us their perspectives.

**Speaker:** Commissioner Rubio: mayor, may I respond to your question.

**Speaker:** Commissioner Hardesty: and Commissioner Hardesty's here trying to respond as well.

**Speaker:** Mayor Wheeler: thank you, commissioner. I'll get you next.

**Speaker:** Commissioner Rubio: so when I assume this portfolio, that was part of the discussion with my colleagues, they were already toppled and my charge when I was assigned, we had a conversation that we were to design something to bring them back. So that was my understanding when I assumed the portfolio.

**Speaker:** Mayor Wheeler: very good. Thank you. Commissioner Hardesty.

**Speaker:** Commissioner Hardesty: thank you, mayor. And thank you commissioner Rubio for that clarification. Let me just remind council that we've learned a lot since the summer of 2020 and I think there's a recognition that we are actually honoring people that maybe back in the good ole days, we perceive them as being good people. We don't think that way today for many reasons. And most of them are around racial inequality and racial discrimination. I am very supportive of R.A.C. And commissioner Rubio's desire to have a broader community conversation around are we really honoring the right people and just because we've had a monument in place for 100 or 200 years, is it appropriate for us to continue to honor people who today based on our values system don't deserve the honor that they have been -- that they've enjoyed. So I want to push back on this notion is because they were

destroyed illegally that somehow we should just automatically put them back.

Thank you.

**Speaker:** Mayor Wheeler: very good. Thank you, commissioner Hardesty. All right.

**Speaker:** Commissioner Mapps: Mr. Mayor, I have one last quick question for staff.

**Speaker:** Mayor Wheeler: Commissioner Mapps.

**Speaker:** Commissioner Mapps: Jeff. When do we expect the elk to be back? I was hoping that was an easy one.

**Speaker:** Unfortunately not. The good news is that the water bureau has agreed to take the lead on the project. The unknowns are how long procurement processes will take. We'd like to ask for your help moving that more quickly. You know, permits and all of those things. In a normal process, the work that has yet to be done would normally take about two years. We're in the process of speeding that up wherever we possibly can.

**Speaker:** Commissioner Mapps: Thank you for that clarification. I didn't realize that was our current timeline. I know the water bureau plays an important role. Thank you, Mr. Mayor, and thanks staff.

**Speaker:** Mayor Wheeler: very good. I will entertain a motion to accept the report.

**Speaker:** Commissioner Mapps: so moved.

**Speaker:** Mayor Wheeler: I'll entertain a second. Commissioner Mapps moves, I've seconded. Any motion on the report. Please call the roll.

**Speaker:** Clerk: Mapps.

**Speaker:** Commissioner Mapps: I want to thank Jeff for the presentation. I'm especially impressed by the arts program on resurrecting the arts statue which is a high priority for me and everyone on this council and the city of Portland. I think you've also done great work on distributing ARPA funds and I'm very impressed by

the work you are doing on cultural planning processes. A big part of the arts program is r.a.c. And I'm eager to hear about the good work being done over the past year, but I'll save that conversation until we get to that presentation. In the meantime, I'm glad to vote aye.

**Speaker:** Clerk: Rubio.

**Speaker:** Commissioner Rubio: I also want to thank our presenters for being here today and for sharing your voice with us. We're so grateful for the work that you and Layla are doing as arts and culture ambassadors for our city. We just really appreciate your voice and your expression. I also want to thank Jeff Hawthorn for his support and ongoing support with our offices and this council. You've been extremely helpful to get us up to speed in my office on the arts landscape and to connect us with key stakeholders and we're very appreciative. My hope is that the city will commit to strategic investments that will continue to incubate ideas for cultural expression and methods particularly among underserved communities and I look forward to working closely with the city arts program, regional partners and creative communities to ensure that our investment in arts and cultural grow and thrive. I accept this report.

**Speaker:** Clerk: Ryan.

**Speaker:** Commissioner Ryan: first of all, thank you, Joaquin. It really makes a difference. We could have used it last month. And thank you, Jeff, and Steven for the update. I think I'll make most of my remarks after we hear the totality with r.a.c. I just want to put out there how important it is to weave together that as somebody who came from the arts artists are some of the toughest entrepreneurs in the city. This is an economic driver that's very important for all of us to remember and Commissioner Rubio, I want to acknowledge we get these bureau assignments and then we get these other ones that are below the bureaus, this is like a bureau

assignment. So I want to acknowledge how much work it takes when a commissioner has this portfolio. And so I wanted to lift that as well. Anyway, I look forward to the r.a.c. Presentation and we're taking an afternoon to look at one of the most important economic drivers of our city which is the arts. I vote aye to accept the report.

**Speaker:** Clerk: Hardesty.

**Speaker:** Commissioner Hardesty: So I want to thank our arts director for this report. I want to thank commissioner Rubio for her steadfast support and vision around what's possible when we start talking about arts. I'm happy to hear we're having conversations now with folks around who should be paying for a regional arts council and whether or not the city of Portland by itself are the appropriate people to be doing that. So I am very happy that this is moving forward. I think it's wonderful that we are bringing academics along to help us with developing and designing and I want to remind my colleagues, many of us didn't have a chance to weigh in on what art became public art and so I'm looking forward to a very deliberative intentional conversation about how we make public art representative of the public and not some vision of what the good ole days. And so I'm happy to vote aye for this report and look forward to working with commissioner Rubio as this process moves forward. Thank you.

**Speaker:** Clerk: Wheeler.

**Speaker:** Mayor Wheeler: I want to start by thanking commissioner Rubio. And I want to acknowledge something. When I did assign this bureau assignment, it really is like a bureau assignment. I do agree with commissioner Hardesty on that point. Sorry, commissioner Ryan, a wise person who spoke before me. I didn't appreciate the amount of controversy that goes with it. Art is a reflection of our society. And right now our society is divided. Politics is divisive. Anybody who just went through

a thanksgiving dinner knows that and so art today is being reflective of the current circumstances in our society and as such, we have to navigate divided waters, right, very stretchous waters. I want you to know I think you're doing an exceptional job first and foremost. That being said, I also think this is going to generate a lot of heat when this comes back. I'm just being honest, I don't see how it doesn't. I hope we do give ample opportunity for voices to be heard so when it does come to this chamber, we have an easier time of navigating those troubled waters and having an opportunity to bring our community together and not dividing it. I guess that's my concern that I'm trying to articulate. I appreciate the work that you've all done, jeff. I think you're doing an exemplary job. Joaquin, I second everything everybody else. It's fun to have you here. It's feiningful. Your passion shines through. And I really appreciate you. Thank you for being here. I'm very happy to support this report. I vote aye. The report is accepted. Colleagues, we're going to take a little bit of a detour here, but it's an important detour. I want to formally recognize jessica kinard. I had the opportunity to meet with her and the other bureau directors earlier today and I promised her I was going to embarrass the heck out of her and I let that be a warning to all other bureau directors before they leave. They should know they might be publicly embarrassed similarly. Director kinard has served the city of Portland since 2015 first as a principle analyst and then for the last four years as the director of the city budget office. My team and I have worked very closely with her. She has helped us navigate very complex and multiple budget processes including the annual budget, the fall bumps, the spring bumps and then, on, the fiscal year budgets. She's not only a wealth of knowledge and a terrific fiscal leader, we have called on her time and time again and her entire team to do things beyond the call of duty. These have been very challenging times in which to lead the city budget office. We have difficult economic times. We had the economic

impacts of covid. We then had the arpa dollars and the budgets were changing all over the place as we get ready to retool and reform our government at the will of the voters. We've asked her and her team to do very difficult and complex things we maybe don't appreciate on the surface level. When we separated the fall bump into two pieces, there was a lot of behind the scenes juggling. I wasn't as aware as I should have been the stress that it probably put on your co-workers and their families and people are working evenings and weekends and playing catch-up, that takes time away from other life priorities and I want to acknowledge that. Jessica has been a team player. She is continuously worked to support our council offices, our many bureaus and our city staff and she's provided thorough and in my opinion always timely information. And the process itself has always been collaborative and inclusive. When I've worked with her, she's always represented the other offices fairly and evenly she makes sure our budgets are not only legally. She's worked to make sure complex budgets digestible by the public adding an important level of transparency. The budget is volumes long and she's been able to transparently communicate that through the public and various publications that I know people appreciate and I just really want to tell you how much I appreciate your service to the city director. You've achieved a wide range of accomplishments during your ten year and contributions to the city I believe will be here for years to come reflecting the good work and hard work that you've done. I want to thank you for your leadership and your expertise and I do have a formal letter of recognition I would like to read. Before I do, I wanted to open it up for my colleagues if they have any comments. And i'll start with commissioner hardesty. She's joining us here. Commissioner hardesty.

**Speaker:** Commissioner hardesty: thank you, mayor. Commissioner Mapps' hand was up first.

**Speaker:** Mayor Wheeler: I'm just afraid i'll forget you online.

**Speaker:** Commissioner Mapps: I prefer to go to the back of the line.

**Speaker:** Commissioner Hardesty: wonderful. Let me just say thank you Mayor Wheeler, thank you, Director Kinard. I will say that when I was elected in -- when I took office in 2019, I came in with a budget person in my office. I didn't need the budget person in my office because Director Kinard and her staff are the most responsive budget office I've ever had the pleasure of working with. They have kept knowledge of every issue area that the city prioritizes and I have never once not made a request that was not timely responded to. Director Kinard, I wish you great success and you will have it wherever you end up and I want you to know how grateful I am to know that we had a budget office that truly didn't work for the entire council and really put in the time and the energy to get to know what our personal priorities were and navigate to help us and absolutely un-navigatable budget process. I want to also remind the public. When I joined this council, I made a commitment to the public that quarterly, I would do community meetings and most of the meetings were around. Not only Director Kinard volunteered to show up after a very long work day, but she was really excited to participate in these community budget meetings. Director Kinard, I just want you to know that the city of Portland finances are in great shape and a lot of that is absolutely because of the incredible work and leadership that you have shown over my four years here at city hall. Anybody who comes in with no budget experience, you are there. You are there to help them figure out and budget that, you know, is un-navigatable for most people. Not only do you do it with expertise, do you do it with kindness and you also do it with a smile. It's been an absolute honor to work with you over the last four years and I have no doubt that had we taken your advice, we'd be in a much better financial situation as a city. You always give great advice and it is up to us

whether or not we take it or not. So I want to thank for your partnership over these last four years. Thank you for your gracefulness and thank you for your heart. Your heart has always been a community and I see you thrive when community members ask you questions that because they're trying to get a better understanding. Thank you for your leadership. You are leaving us in a much stronger position than we were prior to you assuming the role as director. Thank you. Nothing but love and appreciation for the great work you have done and the leadership you've shown the city. Thank you.

**Speaker:** Mayor Wheeler: thank you, commissioner Hardesty. Commissioner Mapps.

**Speaker:** Commissioner Mapps: yes. Thank you, Mr. Mayor. Colleagues, I'm glad we have this opportunity to thank Jessica Kinard for her service to our city. Director Kinard, I want to say this to you, I am in awe of the knowledge that you possess. And truth be told today, I'm also in mourning because the city is losing your expertise. Just yesterday as Commissioner Hardesty pointed out, that audit came back clean which is an awesome achievement considering the size of this enterprise and the turbulent times the city has gone through in recent years which I think we can attribute our success to you and the team that you have built. You know, I'm really proud of the fact that I can look around the room and look every Portlander in the eye and tell them that the state of our city is strong and one of the reasons it is strong is because of the hard work and good work you have done on our behalf. On behalf of myself and the people I represent, I want to thank you for your service to our city. I hope you enjoy your time off and once you are rested and recouped, I also hope that you return to the life of public service. Our city and state need public service like you.

**Speaker:** Mayor Wheeler: thank you, Commissioner Mapps. Commissioner Rubio.



**Speaker:** Commissioner Rubio: jessica, I know we had the chance to talk last week and it's so nice to have a chance to connect with you. We're running all the time and trying to do our best to do the city's work, but I just want to tell you that arguably, you've had the hardest job in the city. You've had to while we all love to consider ourselves really great well-meaning people, you know, you're dealing with five different elected officials, their budgets, their bureaus, the bureau directors in really challenging times for the city. So I just appreciate so much your. I just want you to know you carried a lot and there's no one more deservant of following their dream than you. I appreciate the work you did with us which was extremely professional. You never talked down to me even though I felt dumb a lot of the times in my early days, but you were just very helpful and kind and you're just an excellent professional and public servant and I agree with my colleague. I hope that one day you know our community can benefit from your presence. I wish you a very joyful experience in your transition.

**Speaker:** Commissioner Ryan: hi, director kinard. I notice your family's there.

**Speaker:** Sure, my in-laws are also joining in the back as well.

**Speaker:** Commissioner Ryan: welcome. What are your daughters' names again?

**Speaker:** Grace is the older one. Naomi's the younger one.

**Speaker:** Commissioner Ryan: hi. So I wanted to start off with them because I just have to thank you for the fact that you've allowed your wife, james, and your mother to work so many hours. I think it must have been youngest. It seemed like woe always had these meetings on Fridays in the afternoons and your kids would be anxious like, mom, you're working all the time. When is this ever going to end? And so the gift of covid, well, the curse of covid, we got to know peoples' insides of their homes and it got to be personal at times and I just was so impressed at how you were managing that as a mother and you would not miss a beat and stay

focused on the topic and, you know, these are big digits and you would like spell them out and then say what tranche they were from and I say tranche because we received a lot of federal funding during this covid challenge and I can only imagine how much more complex your job became because of that and the way you had to go through so many hours to figure out how to allocate that so we stay clean and get the wonderful audit that commissioner Mapps mentioned. I'm in awe of your talent and skill sets. You're crazy smart. You're very youthful and young and you're going to have this really long career. I'm in complete denial that you're leaving. Unlike you I wasn't prepared for this and now it's hitting. You are leaving, but you can play this any time you're looking for whatever your new advancement is and this is your amazing letter of recommendation because no one up here wants you to leave. And we just really -- I just really appreciate you and I really appreciate you dumbing down what you're going over. You'd have like eight staff members on there all talking to me so prepared, so eloquent, so clear and then I'd have to say time out. Please explain that again and you've never missed a beat or made me feel like an idiot for asking those types of questions. Anyway, you're going to be missed. Big shoes to fill. I wish you the best. Have a great holiday season with your mother and your wife. Enjoy the next few months and I wish you well and I look forward to connecting with you and I really hope you stay in Portland, our region really needs your leadership and your kindness and your wit. I'll miss you so much.

**Speaker:** Thank you.

**Speaker:** Mayor Wheeler: thank you, commissioner Ryan. It's now my pleasure to read a letter of recommendation for director kinard. Whereas public workers at all levels of government do extraordinary things to make our lives better and whereas director jessica kinard has served the city of Portland since June of 2015 first as a principal analyst and for the last four years as a director of the city budget office

serving in these roles with courage, grace, and innovation. And whereas director kinard has led the city budget office in its pursuit of providing timely, independent, thorough, and transparent analysis to the mayor and council. In the last three years, director kinard gave her time and expertise selflessly to support the city in a time of uncertainty brought on by a global pandemic. Led the city budget office through the uncertainty of the covid-19 pandemic and her calm but honest and whereas director kinard lives city values in her work, especially her dedication to not only providing a legally compliant annual budget, but one that's financially resilient and strives to serve the community in a more equitable manner. Director kinard truly adheres to processes and intention for the community to be better off at each juncture of her involvement in the delivery of services. And whereas director kinard showed humor, resourcefulness, commitment, and helped make sure that identified problems were thoroughly addressed. Now therefore I ted Wheeler mayor of the city of Portland do hereby proclaim an official thank you to the director jessica kinard for being an exemplary public servant and a compassionate leader both in her bureau and amongst her colleagues. Thank you. [applause]

**Speaker:** This is really too much.

**Speaker:** Mayor Wheeler: I'm going to ask director kinard to say a few words after we take a photo.

**Speaker:** I'll be right there, sweetie. Wow. Well, that was -- yeah. I don't really have words. I have to say that I was probably more anxious about this than I have been for any budget presentation that I've had in the last few years. Your words, all of your words are so generous. I'm so incredibly humbled to have had this opportunity at all. I think that -- yeah. I have to say first that I think that while I so much value and appreciate your kind words, I think some of it is misplaced because

so much of what I've done, I've only been able to do because of my team. They have I think my greatest accomplishment has been my ability to attract, hire, and retain my staff. They are phenomenal and I'm especially appreciative of those who stuck with me through four years of craziness. But they do it because they're committed to public service and we all are. And it's really hard to be a public servant right now, but we do it anyway and I have a lot of love as commissioner Hardesty mentioned. I have a lot of love for our community who's so engaged and so passionate about wanting to make the city better and I know everybody's just trying their best to make the city better and I have so much empathy and respect for all of you for getting up every day and continuing to work through these challenges. I just want to thank you again for the opportunity, for your kind words and this is not the last you'll see of me. I will be back in some form and I do love public service, so I do intend to continue to serve the public in one way or another.

**Speaker:** Mayor Wheeler: commissioner Hardesty, you had a comment. Nope. Thank you, director Kinard. [applause]

**Speaker:** Mayor Wheeler: we'll move to item 1067.

**Speaker:** Clerk: accept regional arts and culture council fy2021-22 annual report.

**Speaker:** Mayor Wheeler: colleagues, this is our second arts and cultural item which I'm also co-introducing with commissioner Rubio. The city of Portland has contracted with r.a.c. To act as the primary provider of arts and culture services for 27 years. This afternoon, we're joined by three representatives of the regional arts and culture council or r.a.c.. Co-executive director and chief external -- chief of external operations and co-executive of internal operations Dela Ray who will present the fiscal 2021-2022 regional arts and culture annual report. Before I do that, I'd like to hand this over to commissioner Rubio, the commissioner in charge to provide some background on this report.



nominees and I want to thank those of you who have already communicated with us and I look forward to sharing the final list before the end of the year. To kick off the presentation, I would like to introduce interim board chair and chief of external operations and the co-executive director and the chief of internal operations dela ray. I'll turn it over to you.

**Speaker:** All right. Hello. Thank you, commissioner Rubio. Good afternoon commissioners and members of the community. My name is elizabeth stock and as commissioner Rubio shared, I am interim chair of the r.a.c. Board of directors. Thank you for the opportunity to open up this presentation today. In addition to my role as board chair, I'm also a city of Portland appointed board member. So I've had the opportunity to connect with members of commissioner Rubio's office and jeff hawthorn over the last several months since my appointment. I'm incredibly optimistic about our continued partnership. It's one that is intentional, complex, and necessary to a thriving arts and culture community in Portland. I'm also thrilled that our organization has moved into our second year with a co-leadership model with carol tach and dela ray. Thanks to them, we are modelling what shared leadership can look like and the depth of opportunity it provides to our community and organization as a whole. As we heard earlier today and as we will continue to hear, r.a.c. Works alongside the city of Portland to ensure the arts and culture here are advocated in the Portland metro area. While our work is local, we've paired across Oregon and the u.s. To ensure we're relative, responsible, and accessible to the community. As we move towards our organization's 50th anniversary, I can't help but reflect on the countless lives, hearts, and minds our organization in partnership with community members and city leaders and creatives have touched. We'll be celebrating our anniversary throughout next year and so I hope you'll be on the look-out for opportunities to engage in this meaningful milestone. Just last

week I along with a few of the board members had the opportunity to meet with jeff hawthorn in the building to discuss or work together. Taking in the art installations that are in progress fill med to the brim with pride to be part of this organization and to live in a city that truly invests in arts and culture using a lens that's inclusive, innovative and dynamic. So you'll hear from r.a.c. Leadership and constituents today about r.a.c.'s recent opportunities and initiatives. There's more we can share that will be in this presentation today. So I welcome anyone to follow up with our team and our leadership if you want to dig into anything we're covering today. Thank you again for joining us today. And I'm pleased to pass the virtual mic over to r.a.c. Executive director dela ray.

**Speaker:** Thank you, elizabeth. Hello City Council. It is good to be with you this afternoon. My name is dela ray. Co-director of the regional arts and culture council leading the charge of internal operations. It is my pleasure to introduce you to the r.a.c. Team. Your eyes show you pictures that represent 35% diversity. What cannot be seen visually can only be felt and experienced is our innovative culture that centers who we are as an organization. Our values, shared agreements and decision making to ultimately inform how we operate. Who we are on the outside is a reflection of who we are on the inside. We are a capable, experienced and invested team. Next slide. Now, please meet our board of directors. That is inclusive of 45% diversity. --

**Speaker:** Commissioner Mapps: I'm going to jump in here right now. I apologize. We seem to be having some technical difficulties in chambers. We are not seeing a powerpoint presentation. But I believe it's coming up right now. I apologize for the interruption and you may resume.

**Speaker:** Thank you, commissioner Mapps.

**Speaker:** Please go to slide three.

**Speaker:** The second slide. That's our team. And now the next slide, please to our board. Which is our board of directors that is inclusive of 45% diversity. This evolving group of leaders brings guidance and clears a pathway for r.a.c. To continue exceeding expectations in support of our regional arts community. Thank you for being together this afternoon and now I hand it over to carol tatch co-executive director of external operations.

**Speaker:** Good afternoon everyone. My name is carol tatch and I'm the director of -- I'm the co-executive director for the regional arts and culture council and I'm the chief for external operations for the organization. I am an african American female. I have very tiny dread locks and I'm sitting here at the table in a mustard colored sweater. Thank you very much for being here with us today. I want to thank r.a.c. Team members and guests who've joined us on council and in video. Thank you, for your verbal recognition of arts and culture as economic drivers for the region. This is especially true for our artists and creatives who are sharing their joy with an in community. I am joined in council today by mario mesquita. Out of respect for our guests, we are asking that those who are live go first so we will be going out of order and in addition, our interim chair has had to leave because she needs to be with her children. And I want to extend my apologies to our guests in council and online for the delay. I would like to start this off with our white lotus video and then we will start with our first speaker in council today. Please go to the next slide as you play the video. [\m\m] [video]

**Speaker:** Thank you very much. That was a celebration video, a thank you video sent to r.a.c. From the white lotus dragon and dancers after they received a grant to their foundation. We would -- I would love to invite talayla marfal up so he can give his presentation to council. Also known as kind taho tahan. He is a filipino American hip hop artist residing in Portland. He's known for illustrating issues through its



dynamic rhythm, schemes, through -- sorry. Through dynamic rhyme schemes and choppy lyrics.

**Speaker:** Thank you for that introduction. Hello, ya'll. My story is a story of lack of resources and a lost identity during the filipino American war. Two million filipinos were murdered above the age of 10 years old and they didn't tell that in the history books and prior to that, we were colonized for 300 years by the spaniards. So our culture is really hard to remember especially growing up as an immigrant in this country. In 2005, I became a homeless youth in Portland. I remember being downtown with a sign next to my partner saying that she's pregnant, can you give me some change and someone was walking past me. I heard change in his pocket, we made eye contact and he continued to walk. At that moment, I snapped and I went downtown and I started hitting my chest and rapping and people started giving me money then. I started developing my talent as a musician by rapping on the streets, also going to the apple music store at pioneer store and playing on garage band for hours. They knew I was homeless, but they let me slide and let me use the equipment. Unfortunately, my time on the streets eventually led me to prison. I went to prison for two years due to a robbery charge and music followed me there and when I got out, I couldn't be the fire -- the city firefighter that I wanted to be because of my felonies. I couldn't do a lot of things that I wanted to do because of my felonies. So I went to pcc for music and I actually became a mentor outside in ended up hiring me. That's the organization I grew up in and outside the frame put a camera in my hands and told me to tell my story and now I am an alumni of outside the frame. I stand here before you being instrumental in developing five programs and currently running a program on 122nd called ascending flow working with foster youth out of the dhs system. We have a basement full of music, art, and a whole bunch of stuff that helps people heal. I also

run a national pilot program turning peer support into a career pathway for youth to get in the field and we hired one of our youth that graduated from ascending flow and he is currently in that apprenticeship program today. Music has followed me throughout my journey and without r.a.c. Giving me the opportunity to amplify my voice. I've been rapping for a long time on the streets, in basements and once they gave me the opportunity to take this grant money and multiply it, it really, I became a voice for my people. I went viral on tiktok. I got on the news. News articles had been written about me. I'm getting booked around the country. In my islander community is gathering around me because of the message I rap about to remember what happened to us. Big shout out to sally, marvin, salvador not just for supporting me but a lot of people in the community and to joaquin in the back, he gave me my first hip hop job. And I wouldn't be where I am taking me under their wing and cultivating me. Rubio, I remember you when I spoke at new avenues and I shared my story of losing my son during my homeless days and it's good to see you up here still doing your thing. You know what I'm saying. So much love. We ended up starting a filipino community center in Portland called the nehan center and I'm throwing a screening a movie. This is a filipino movie and I want to invite all ya'll to pull up January 28th and we're going to show big foot, the music video this went viral and celebrate it together as a community and celebrate our filipinos that have been in our community add to go this community not just here in Portland, but all across the country, specific also in ward two and it's time for people to get what's due to them and thank you for hearing me out today. Much love. [speaking foreign language] -- that means charge.

**Speaker:** Thank you. We will now hear from maradon who is on zoom.

**Speaker:** Hi. Can you hear me all right?

**Speaker:** Yes.

**Speaker:** Awesome. I just really want to present something of a love letter to regional arts and culture council. Because they have affected my art but also festivals, exhibits, and public offerings at black fish gallery where I'm a member owner. Black fish gallery is one of the oldest and most iconic art galleries in Portland and one of the longest artists collecting west of the mississippi. As you know in the arts community, there are all different kinds of funders in Portland. And I've been the recipient of some. Participants in others, readers for some, but I really think that none of them have the breath and the weight and the impact of r.a.c., one reason is because equity and community and support are tossed around and pursued either in good faith or because of the flavor of the day by founders, but equity, community, and vision are built into the very structure of r. A. C. And have been as long as we've been on the receiving end of all kinds of their hard work. They're absolutely unique in their commitment to both traditional and innovative projects. Statement, their process strives to unhold the highest standards of excellence and fairness and I don't even know how they do that. I've gotten grants from r.a.c. And I've failed to get other grants from r.a.c. And every time I was treated with such respect and professionalism and kindness and education. They funded my land art exhibit, the first land art exhibit ever in Oregon and allowed me to provide a platform for native American presence so we can learn from other communities. They funded an arts and performance festival at black fish called "be about love" inspired to show that the arts can bring people together even in very devicive times which are the times we live in. Mostly what I came here to say is that r.a.c. Is way more than individuals and individual projects. Arts in Oregon truthfully are very interdependent on each other. It's not only about what I create but also about what I see, what my eyes are open to. What new ideas I'm exposed to. What brings me into contact with creativity, resilience and excitement about the

world and so many times i'll go and see unbelievable performances. I'll hear words. I'll go to films. I'll meet people and on the program, the logo is from r.a.c., there is this notion going about that trees and forests communicate with each other through a system of roots and I don't know if it's backed by science or anything like that, but I think it's almost the perfect metaphor for what r.a.c. Means to the arts community. There's the foundation of so much. I'm so grateful for all the ways they foster, support, and encourage a whole diverse eco system of art that makes Oregon arts vibrant and necessary and ground breaking and we need them. Please support them and celebrate them and that's my testimony.

**Speaker:** Thank you very much. I would like to read a description for her. Maradon is a writer from Oregon. Her poetry and fiction have been widely published. Her plays have been performed nationwide. Again, thank you. Next, we were here. From michael bernard stevenson who is an artist ask recipient from r.a.c.'s public arts program. Michael is a master artist, black italian queer, nonbinary, and practices primarily in America. Their collaborative approach results in artwork by and for the people. Stevenson's practice in developing the necessary skills to encourage advanced imaginary thinking. Welcome.

**Speaker:** Glat. Thank you. It's always nice to have someone read your bio because you're like, you don't know me, but now you do sort of. Yeah. My formal title master artist michael bernard. I got my masters at Portland state university. I came here to get my degree and one of the reasons I'm still sticking around, there are many, but as it relates to r.a.c., it's hard to be an artist and that kind of came up in today's session earlier and so it's nice to be and feel supported. I do a lot of work in the community. I do a lot of work currently working on the jefferson modernization project and there's a lot of hard work to kind of advocate for the community when dove tailing with larger governmental systems and so I think one of the main

reasons I was invited is because I was supported with a project called gallery blue. This is an installation that exists in the facility that's on 122nd. And the process of negotiating this project initially was quite challenging and, you know, in building a story here where I was working particularly with peggy kendon who's retired from r.a.c., but the nature of my work is hard to understand and so I was trying to convince the group that the idea I had was important and it took a while and eventually peggy was like, I think I get this. Let's write the contract in this way. Essentially what we pitched was to create a gallery for formerly incarcerated artists. R.a.c. Was for the institution and they were like we've got some money, we want some art on the wall and we want it to look good and I was like yes, you have to get it to want it. And it took a while for the concept to make sense and when we were negotiating it, r.a.c. Was like maybe we can make the frames. Withfigured out how to make 17 of these new frames. It took a while to do that. And it wasn't until we brought the frames and we brought the work from currently formerly incarcerated artists to the day of installation and we put the work in for the first time that members of the r.a.c. Staff and everyone alike, our minds were blown. We were just like I can't even believe it looks this good. Ironically, we, you know, I do a pod cast about currently formerly incarcerated life and the producer of that show is in documentary film making school and he was making a documentary about nonunanimous jury decision which those of you may or may not know is unique in Oregon something that was permitted until recently the supreme court said you can't do that and we were shooting the gallery blue and it was the first time I've seen it because the dcj was closed to the public for a long time due to covid and now there's clients moving through the space. And so we covered every wall in there with something and for the first time, I guess a chance to see it with the metal detector there and the security guard sitting with his giant artwork, but the clients

are moving to the space. The staff are totally elated with something so rich and meaningful in the space. It's not just a pretty picture. And my collaborator blue who's in the back also with us today, he did a large installation and it was one of the largest artworks he's ever produced but also blue wanted to get vinyl stickers to go in all of the individual interview rooms and all of this with ewas made possible because we could do this thing. There was a moment in the installation where one of the staff persons was like, oh, do we want this and r.a.c. Was like through this entire process felt really supported by r.a.c. To understand the complicated nature of what this project was and to be the advocated in connection with the city to allow this to happen. A really wanted to make the time because my relationship is challenging because I'm always trying to shift the status quo and r.a.c. Has done a great job supporting me in that I want to stress the importance of the human component and so for this opportunity for currently formerly incarcerated artist, this is the only gallery to exist in the planet. So this is a shining gem that r.a.c. Is an agent in bringing it to the city. So thank you for hearing my testimony.

**Speaker:** Thank you very much. Thank you for making the time to be here today.

**Speaker:** My pleasure.

**Speaker:** Thank you. We can go to the slide that you stopped on, our mission. We'll start the presentation. Back. Thank you. Forward. Thank you. We'd love to take the time as we open up all of our presentations to bring forward our mission, vision, and values. You know, we see r.a.c.'s mission which is to enrich our community it's simple, but it's very broad. This has allowed r.a.c.c. To explore ways using arts and culture to use powerful tools. Next slide, please. Our strategic framework and core values are how we exist in the world. We build an equitable innovative and sustainable organization. We increase access. We advocate for arts and culture. We diversify and increase the resources we have in the community to

support community and to support the operations of the organization and we drive innovation and partnerships. We do this through accessibility, advocacy, equity, diversity, community, and innovation. Next slide, please. I will be talking about racc's work for the city through the lens of our strategic framework. Goal one which is to build an equitable, sustainable organization. Examples of racc's accessibility. We have creative engagement with the community through covid although we are still in covid, we continue to meet the challenges and we are seeking and procuring the state and national funding to support our work. Racc's position to a shared leadership model also leads into this. This opportunity for us to be equitable, innovative and sustainable. And allows us to be able to speak with our colleagues at national levels and here in the local region in order to lift up the opportunity that sits in shared leadership. Next slide, please. Racc has increased access. I seem to be out of order. Did it again. Weird. Thank you, I appreciate that. My printer seems to be printing only every other page. So, from 2018, and for us to increase access, we have better engagement with social media and engaging online platforms. From 2018, to fy 22, racc almost doubled the number of applicants for our core grant funding program. Our program offerings and both grants and public art are sought after. We offer engagements with the community in a myriad of ways that include being compensated or being a volunteer such as our board members. We will shortly begin to offer spaces for interns. And the possible rumgs of our resource council which has set latent for a few years 22% of responds did not engage due to initial and ongoing impacts from covid-19. Or they had a lack of time with capacity and/or they were not familiar with racc. We use our survey to ensure we are connecting with community and we are simplifying processes and removing barriers. Next slide, please. Our strategic framework and we will not play the video for this one because it's long and I want to make sure folks aren't stuck here. I will

include it in our reference document. It is part of our interview with congresswoman that we had last fall and she's responding to a question and i'll make sure you have access to that. Our strategic plan goal three is to advocate for arts and culture. We will not play that clip. Our recent visit from the followup from seeing that clip which was with congresswoman bonamitchi which we also had a visit from chair maria jackson to talk about the half million dollars grant that we brought in to increase municipal and county support for artists in Washington and clackamas counties. We did that and we met it was actually wonderful because we had the opportunity to meet with local arts leaders. You will hear more about that in our fy23 report to council. Slide four please. Strategic plan four, framework goal four is we diversify and increase our resources. Racc has resources from the arts and local to support art itselfes, creatives, and art serving organizations. For example, the our town grant which we'll speak about a little bit more is creating a cultural corridor in partnership with cultural community based organizations that are the division midway alliance and the slovik family northwest. Also in collaboration with Portland bureau transportation and tri-met. We look to ensure that we're able to find different ways to bring dollars and support into the community Portland metro as well as region wide. Next slide, please. And this is primarily for external. We continue to be innovative with our grants and public arts programs including the hyper designed specifically for those who are underrepresented in this medium. For our arts education program, racc renewed our program with trauma informed Oregon and six Portland metro's public school districts. Of this was critical support for teachers as well as the impacts of the pep and racial tensions continue to impact mental health. I'm going to flip to that slide so that I can see it better. Our program, the city of Portland highlights. The nea our town Portland tunnel project was initiated which I just spoke about. Racc's culturally



responsive intensive program was launched in fiscal year 22. And we had both regional and national and professional engagements such as we did with the nea recently and congresswoman bonnamichi. Our program finances. These are the figures from our fy22 audit financial statement. They show a comparison of our expenses and revenues. It includes work -- it highlights our programmatic exsource and funding source would be our revenue engagements. And then the breakdown of city funding is also presented here for your review. Next slide, please. Our program finances which we've broken it down a little bit more at the behest of council members to identify the city of Portland support as well as regional support that comes outside of the city of Portland and what that makeup is. And these figures are directly related to the ones on the prior slide. The city of Portland funds, several of our programs including Portland centers for art. At the general fund, we received funding from the general fund. We have an fy22, we received funding for the arts and education income tax fund. And then all other funding that came in from the the city was at a 43% rate. Other regional support, our largest outside of Portland funder would go multinomah county, then Washington county clackamas county and metro who are all partners in our intragovernmental agreement. Next slide, please. We have a prerecorded message from laura molton who is the founder of street books. I will read her bio as you pull that up. Are you able to launch that. Okay. I'll read it at the end.

**Speaker:** Hi, my name's laura molten and I'm with street books. We're a mobile powered serving people outside and at the margins in our city. I applied for a three-month art project in 2011 and they funded it. One of my regular patrons approached, returned books, checked out new ones and said i'll see you in a week and I realized I had launched this art project called street books thinking of it as a temporary thing and then I realized that there was a need for and many other

patrons would come back the next week and the next as well. We are going on year 13 now and that initial funding from racc is hugely instrumental in how street books came into being in the first place. We've also got support from them over the years. In 2014, we got a literary arts grant which helped me co-write a book with then library patron now integral part of the team, a man named ben hodgeson who was living outdoors in old town when I met him. That book has sold almost 2,000 copies. It's in the staff pick section at powell's and we're thrilled to have that in the world. It tells the story of Portland of the patrons we met and who became beloved the first seasons and the seasons after and it also contains a how-to guide for other places across the united states that want to launch their own library. In 2018, we got a professional development grant which helped in part to take a crew of us to austin, texas, to participate in the texas festival of the book and to help launch our sister library there street books atx. Mobile library serving people who live outside. She is the author of the co-written memoir loaners, debuted at the Portland film festival in 2021. Now we get to talk about our programs. Community grant make, reinvestment, public art, art education and advocacy. Please advance the slides. We have a prerecorded message from talon jackson and I will read his bio once we are done. I received a grant this year. The impact of the grant has been tremendous. I had the confidence to start a short film series that focuses on unrepresented voices here in Oregon. I was able to connect with other natives for the project. I started the project as part of my grieving process and honor the memory of my sister who passed on earlier this year. With the help of mali gray, I was able to start and complete the first of the short film series. I have recovered and managed my substance use disorder and find meaning through the arts. It gives the opportunity to create and heal. Support is a support for those voices in Oregon. Thank you for your time and have a good day. Enrolled member of the klamath tribes. In his

substance use recovery, he began film making as a creative outlet and deepened spiritual need. His film making work now focuses on under represented voices. Next slide, please. And now the joy. Grants. Our grants program and service to our community. General operating support which comes out of the citbg fund and arts income tax fund total little more than \$7 million. Our capacity building program granted out \$175,000 to seven non-profit arts organizations whose leadership is a majority unrepresented individuals. Our make/learn/build program, we had two iterations, granted out \$721,000 of citpg and arts education and access income tax fund monies, awarded to 243 grantees. This includes artists, organizations and businesses who are making work, gaining skills or building up a business. Our cultural leadership program supported 31 nonprofit businesses. Do it yourself accounting supported 12 arts organizations and arts-based businesses. Next slide, please. We have a pre-recorded message from tabitha nicolai.

**Speaker:** Hello City Council members, my name is tabitha nicolai, I'm an art teacher and educator out of Portland the last 12 years. I can say I have racc to thank for my career. Over the years racc has seen fit to award me approximately six grants. Predominantly project grants supporting the creation of new art work. The art I make takes a number of forms, sculptural, installations, but it's all experimental. Fascism, the way transgender people experience discrimination. This work isn't particularly viable. A lot of deep critical thinking just isn't. We can agree profit shouldn't be the only or even primary metric of success in life. I'm validated when I take note that art I created with racc's invaluable support has been exhibited not only regionally but venues on three continents and covered in publications, vice magazine, art in America, the "new york times", architectural review and academic sources such as journal of video games and virtual worlds and a new book titled "wandering games". But simply racc helps bring powerful things

into existence which have no other way of getting made. With each program I was able to build on the successes and difficulties of the one before it. I was able to grow skills professionally, technically and interpersonally brick by brick to have the career I have today. And last, I want to linger a moment about that piece about interpersonal growth. The production of art isn't creation of art or attainment of career. It's to connect people with each other. A way of staving off isolation or connecting people through space and time through the act of viewer ship. Art is about reaching out through the strange abstract side door of the poetic senses and connecting with one another so we can know ourselves and each other better and in so doing learn to love each other more. This is the work that racc does as a hub of the regional creative ecology. It stewards a pilot light for us to find each other. Thank you for sharing your time and thank you for your support of this vital cultural trust.

**Speaker:** Thank you.

**Speaker:** Tabitha nicolai is a transgender raised in salt lake city utah and based in Portland Oregon. I thought we were going to dub step there, are you doing great, no worries. Based in Portland Oregon, she creates the things that would have been her better self. Tabitha will end our guests we brought the rest of our live guests forward. I want to thank mario who worked with these artists to bring them in the space and team members who supported mario to find the right folks to bring into this space. Next slide, please. Public art is an investment in community. Portland's 2% for art prioritizes working historically represented -- I will start that again y'all. It prioritizes working with artists with historically under represented identities and placing art in underserved communities. Next slide. And this is the next slide is a list of our current public works in progress. This supports part of the report we submitted to the city arts program manager but I want to bring out and highlight

some of the items you have going on in the city. Narrow heights southwest 45th and harrow, artists teresa, east 117 and mill court, alex shoe. And south taber access, southwest 67 division, artist adam kooby. Place making initiative has multiple locations and artists. National endowment for the art funding the east Portland cultural corridor is currently working with apano, slavic community center northwest. And Portland bureau of transportation and try met, we have 43 works purchased for the collection in fiscal year 2022, with 62% of our artists added to the collection that are new. And 68% who identify as black, indigenous or people of color. Next slide, please. At the request of commissioner hardesty at our last presentation, there was an ask to distinguish out the ethnic and racial demographic data for the recipients of our grants in both our awards and grants, both our grants program and our public art and this is what this slide represents. The thing to note, I will read an example of the slides so you know how to interpret the data. That of the, I will start with native American or alaskan native, of the pool, 6% of the applicants were of native American or a alaska decent and it made up 8%. This is the continuing commitment to ensure there is under represented group representation growing under-represented group representation in our programs as we send out awards into the community. Our community panelists also coming from a diverse pool of our community and you can see the results of that there as well. What that make up is. Next slide. Racial demographic data. The additional data on this slide also shows all of our public art opportunities, not just those within the city of Portland public space. So again, there's an incredible diversity in this space. The number of those who are from under represented groups who make up the pool of those who have been awarded continues to grow and we look forward to continuing to make this difference in our community. Hopefully this disaggregated data supports the need that commissioner hardesty brought to us. If not, please let

us know. Next slide, please. You have already heard from michael. Great. I will take this opportunity to turn the presentation over to my colleague, mario who will continue.

**Speaker:** Hi there. Thank you for having me. First and foremost I would like to say that arts education is more than just learning about painting, reciting shakespeare but it's also about knowledge sharing. The arts actually are another way of expressing ones self rgs ones identity and history. With that said racc moves forward continuing our meeting with congressmen and women. We will continue. Racc is quick to respond as well. And we will continue to do our work with all representatives. Racc is collaborative. Supported and has worked with the oversight committee and subcommittees through quarterly reports as well as meetings with art educators and district leaders. A plan that started in fy '21 but continued into fy '22 started with the redesign of the logo. And phase ii included more social media outreach, op-ed sharing, including using the new logo on five of the six aef district websites. Phase iii also extended to continue a campaign to schools. Which includes new newsletters, news for your heart directed at our arts education leaders which now many have received. As carol has also mentioned, racc also offer trauma-informed workshops for all who receive aef funding. Next slide, please. Some of those we are able to showcase such as pushing forward and disseminating information. Capacity building, leveraging funding. Resulting in visit from our chair, as mentioned earlier in October. We continue learning opportunities through videos, online platforms and one-on-one consultations. Next slide, please. These are examples of some of our outreach opportunities. Art notes which is now known as arts in focus, raccs monthly newsletter continues as a vehicle for community engagement. Grant opportunities and calls for public art and more. Now rebranded as arts in focus we have news for your heart as mentioned earlier that does reach

all educators which was distributed four times, reaching over 900 recipients.

Artlook Oregon has 265 arts partnerships uploaded. Which is actually a growth of nearly 4,000%. It's now a tri-county platform and extends relevance and usefulness as a tool to eliminate inequities and connect folks to arts and culture, resources and educational opportunities. We continue as mentioned earlier, we always want to maintain our foot and thumb print in legislature and continue to receive endorsements as well. We sit as a partner and we continue to do so. Next slide. We will continue to move forward, future forward thinking. Connecting opportunities for advocacy with artists and arts organizations with videos and short psa's highlighting the process. The numbers increased and we have created new allies and friends in social media sphere. Our twitter followers increased to 6,600 followers. We have increased our impressions from 2,828 in January. Now to 6,910 in June. We continue to curate our artist voices, stories and highlights through instagram as well as making community announcements. Our followers now account for 8,184. We continue to use facebook as the place for tried and true space. Opportunity for our followers which reaches now over 10,000. Next slide, please. Racc is also the lead in Multnomah County for the sixth edition of arts and economic study prosperity. This is impact study of nonprofits arts and cultural industry. It documents contributions of arts in diverse communities and regions throughout the country. We are now currently partnering and coordinating focusing in Multnomah County but partnering with our sister programs in Washington and also clackamas county. Through the previous study, eep5 it generated -- additional \$323 million in event-related expenditures by their audiences. This supported 220 -- 22,299 full-time equivalent jobs and generated \$53 million in revenue to local and state governments. Next slide.

**Speaker:** Great, this is our opportunity to say thank you very much. I want to lean into a question I should have done when we were doing our program expenses that was asked by commissioner Ryan who isn't here. But I wanted to be on record. When we met with him he wanted to have an understanding of how much of the funding from the city of Portland went to artists who may not live within the city of Portland. And then I responded by saying and let's also find out how much funding from outside the Portland comes in to support Portland artists. My sincere thanks to helen, our grants director who provided me with some delicious numbers. I want to have it go on record to note that \$20,077 went to eight racc recipients that provided Portland mailing addresses but were outside of the service limits. Of those total awarded of these eight grantees, \$45,000 of leverage funds from other sources were also used to support their work. These included Multnomah County, Oregon arts commission, Washington county, clackamas county and the nea. Of the \$3,970,040 awarded to the city of Portland-based grantees, \$301,850 was leveraged from other funding sources. That would be funding that came into support the city of Portland artists. So \$301,850 and it came from funding sources including Multnomah County and the nea. Thank you very much. We are working together for change and we look forward to your questions and comments with regards to our report to the city.

**Speaker:** Thank you for that very thorough report. -- I want to build upon an answer you gave to commissioner Ryan about the demographics of folks who have participated in your grant programs. I think there's a slide that actually addresses that. Can we pull up that slide? I think it's the second demographic slide that is in the presentation.

**Speaker:** Do you want grant making or public art?



**Speaker:** Commissioner Mapps: I thought it was this. I don't think the slide was in the slide deck that you presented --

**Speaker:** I think it was updated.

**Speaker:** Commissioner Mapps: yeah, which was great. Can you explain to me what's going on in this?

**Speaker:** Yes. So as you read this slide, and it would be the same for the grant making program. What commissioner Hardesty wanted to know what are the actual demographics of the people receiving the grants. Specifically to see if race was meeting or what it looked like for the black indigenous and people of color. So as you look at this slide those who applied are pink. Even starting with the first one, which I can't read from there. But who have multiple identities. Of the 18% that applied for grants, 24% actually -- they made up 24% of the pool. So they made up 18% of the applicant pool, but 24% of the award pool.

**Speaker:** Commissioner Mapps: okay. What's the difference between only city of Portland public art opportunities versus all public art opportunities?

**Speaker:** It's just funding for non-city of Portland public art. Other regions. Multnomah County.

**Speaker:** Commissioner Mapps: I'm really glad you put this slide in here. Although, for next year, I would request that maybe you put it in a different format. If you take a look at the data in these two graphs, you will notice that they are, it's essentially the same. There's only like 24, 18, 4, 3, I think it might be more helpful if you showed us a bar chart that showed us funding for the different counties. Because I think right now, so much of Portland represents your data that these two graphs are not meaningfully different from each other. It's really hard for me to tell what's going on. Other than it appears Portland is overwhelmingly wagging the dog here, there's only a 1% difference in most of these categories. So I don't know how

much new information it's telling me other than largely Portland dominates this space. Am I getting that right or misreading something here?

**Speaker:** I don't think I'm clear on what the question is. All public art opportunities, ones that are funded by the city of Portland and other places. So city of Portland is within that. I will pick one. It's so hard to see this. 24%, 24%. The whole pool in comparison. Oh great, what you are saying and what I'm understanding there isn't a significant difference between just Portland and everybody. And perhaps it just doesn't make any difference for you if we show all public art. If just city of Portland is representative of what you are looking for.

**Speaker:** Commissioner Mapps: yeah, I don't necessarily understand what new information comes from the way you presented the data here. I think there might be a way to reframe the all public art opportunities. Maybe if you just did, public art opportunities that are not in the city of Portland or something. That would tell me something more.

**Speaker:** Absolutely. In fact, feel free to not look at all public art opportunities, pay attention to Portland. It's a subtraction.

**Speaker:** Commissioner Mapps: great. Excellent. Is that the end of your presentation?

**Speaker:** Yes, it is.

**Speaker:** Commissioner Mapps: thanks. At this point I should ask the clerk if there is any public testimony.

**Speaker:** Mayor ted Wheeler: commissioner hardesty has a question.

**Speaker:** Commissioner hardesty: thank you very much. Before we get to public testimony, I really had a question about the president's question. In my mind, the reason why we asked for the disaggregated data based on who is funding it, you said so well, the city of Portland is actually funding a regional art program. And

there is little money coming from any jurisdiction outside of the city of Portland's ballot-approved ballot measure that provides most of the funding that goes into racc. Of course we have the 1% program as well. And so I think that's the question. The question is why is Portland paying for a regional arts program and when are we going to have the other regional partners step up and provide additional resources so it really is a regional arts and culture program? So that's my question for you, director carol. I understand you are about to start a process and you are engaging the other "partners". But the other partners are not as invested as Portland voters are. What will be different next year as we go through this new process?

**Speaker:** Okay. One of the things that will be different was elucidated in our mention of nea grant of half a million dollars which is seeking to leverage support from our partner counties of clackamas and Washington county. Seeing if infusion of additional funding from those counties which is supported by the nea speaks to the municipalities as well as the counties. And what we are understanding from our engagements from talking to the county commissioners for both counties is they are much like Multnomah County looking at seriously reduced budgets. So we are using that space for our advocacy program to look at what funding looks like from municipalities to support. Which we have already seen. Again that funding from nea is showing them, if you are not funding your programs fully, we can bring in dollars that also support that and this is what it looks like when your artists are fully activated. It's racc kind of making the case with the commissioners and we are having these discussions with both county commissioners who are aware and we have the support of board and community activists to spur this on. And that was intentionally the reason for nea chair maria jackson's visit to Portland in October. Was to visit this program that racc brought in they hadn't seen before or seen in action before.

**Speaker:** Commissioner Mapps: commissioner hardesty, you are on mute.

**Speaker:** Commissioner hardesty: thank you. Thank you for that response, carol. I guess my next question is, as we know, the people who pay for art in the city of Portland is not an equitable process. And as you are moving into these broader community conversations, I would hope that part of the conversation will be to make sure that we are not over burdening our low-income community members and paying a tax that people when who are retired from the city of Portland do not pay. It is very controversial. It always will be. But the inequity that was built taxed from the beginning is something that is going to continue to cause problems for folks who are living on the edges in our community. And so I hope, as you go through this broader process, that you come back to this City Council with a proposal that actually makes this tax more equitable and more fair. And more accessible for more people in the city of Portland. And I will end by saying I do not want to fund arts, and the reason, I want to make sure the money that the city of Portland invests is actually adding value for the city of Portland residents. I don't have to say it, but I will say it, just because someone will take my comments out of context. I am a strong supporter of both arts and music. That is the core reason why I am still a Portlander. Why I did not pack up and move somewhere else. When I first moved here over 30 years ago. But the reality is, the taxes put together without any consideration for how it's impacting the low-income people who are forced to pay this tax every year. Thank you.

**Speaker:** Yes. And if I may --

**Speaker:** Commissioner Mapps: sure, of course.

**Speaker:** The opportunity, especially with the aaf functioning moving out of racc and into the city processes, you have within your own spaces, your own borders, the opportunity to really examine what it means to have something that doesn't

have an equitable access point. Racc is here to be a partner for that. We had the ability to engage with the school systems at least. To ask about it via surveys and then connect with the community about the purpose of it, which of course is to support arts education. And we look for that hopefully voluminous conversation that will come through from the process now that it resides with the city.

**Speaker:** Commissioner Mapps: great. Do we have any public testimony?

**Speaker:** One signed up. Aubrey wrestle.

**Speaker:** Commissioner Mapps: come on up. Thank you.

**Speaker:** Aubrey rustle on racc and monuments. Commissioner Rubio issued a press release yesterday and sent a letter to commissioner Rubio asking, among other things, that the city "follow its own zoning code". 15 months ago mr. Hawthorn who is always very polite told me the city was listening to conversations that come out of prototypes and exhibit in the pearl. I went to this exhibit adjacent to a theme the violence of the American experiment. Removal of this existing monument was the start. Washington in flames, with paint et cetera. In my view arts that attacks people, dishonors people, demeans people is not the best art but has every right to embrace that art, which is not that racc -- they were doing at the same time they were engaged with the city to determine the fate of public art. This struck me as a conflict in addition to being a strange and private way to decide a very public issue. Now years later it appears racc may play a role in public monuments. Last year they lobbied to keep monuments, racc has already worked to undermine historic resource protections. I have not heard racc comment on the need to follow the city's law. I do not hear racc address the need to follow the laws that protect the thompson fountain. As a private nonprofit racc hired mack mcfarland, the director of the art gallery that organized the prototypes exhibit I just described and worked at arts program at lewis and clark college. Per let's still

works. We heard from commissioner Rubio's office yesterday that the college will help design and run a process for assessing monuments. This unknown process is offered as an alternative to the city following its own preservation laws. I hope the city follows its code instead of being distracted by a process run by an outside entity that will not conform with city code. Finally I would like to ask the city please adopt a positive additive approach to public art. The negative subtractive seems an unfortunate use of resources. Thank you.

**Speaker:** Thank you. Do we have any other public testimony?

**Speaker:** That concludes testimony.

**Speaker:** Thank you. Colleagues, do you have any questions? Actually, I do have a couple of questions. So I will ask, I will give people heads up, I will ask racc staff to come up and answer a couple questions and then jeff. Why don't we start with racc staff. Welcome back. And I want to thank you for this very thorough presentation. And I want to thank you for the work on behalf of the city and the region. I also want to say I'm impressed with your strategic framework. The ability to achieve two components of your strategic framework, strategy one which is sustainable and strategy four diversifying resources. So what I would like to ask the clerk to do now is pull up the slide which shows us the budget data from the presentation we received today. Finances -- keep going. There is a different one. Expense and revenues. This is the one I wanted to spend a little bit of time on. And here one, I have several questions that I think are pretty straight forward, I was hoping you can clarify them for us. One has to do with spending. I believe if we look at the slide last year racc had \$8.3 million in expenses and \$7.4 million dollars in revenues, which should translate into about \$900,000 in deficit spending. Now I know sometimes nonprofits and organizations engage in a little bit of deficit spending but in the

presentation I heard today I didn't really get an understanding where that came from and how that was sustainable.

**Speaker:** We didn't have a deficit last year.

**Speaker:** Commissioner Mapps: you didn't?

**Speaker:** No, we had a nice positive.

**Speaker:** Commissioner Mapps: okay, can you summarize. Is it possible to make the slide bigger? When I took a look at slides shared with council -- what were your revenues last year. Let's start there. What were your total revenues?

**Speaker:** I don't think I have that here with me in front of me.

**Speaker:** Commissioner Mapps: it would be nice if that were on the slide.

**Speaker:** Yep, it would be. I don't have the 990 with me in the packet. Maybe one I have to put in the memo. I don't have the 990 with me and I don't want to guesstimate since its on public record.

**Speaker:** Commissioner Mapps: do you know if the amount of money that you brought -- so you are saying the amount of money that you brought, you raised last year was greater than the amount of money that you spent?

**Speaker:** Yes. Or with our reserves in place, which we do have from, you know, two years of covid and having, and the organization itself which changed its dynamic in 2020. Budget from fy '21 and '22 is still being impacted by the funding we got from c.a.r.e.s. Funding. It's allocated for our revenue space.

**Speaker:** Commissioner Mapps: okay. Thank you. I kind of follow, but, it would be great if that was in the presentation received by council.

**Speaker:** We do have our budget as part of our annual reporting to you. Please look at it, jeff can correct but I think it was our quarter 4 report. It has our entire budget, as approved by our board.

**Speaker:** Commissioner Mapps: thank you, and I confess this is the question I wanted to pose to jeff. I don't think the council received that report as part of this ordinance. What we did receive, I think a rough draft of this presentation and at least in the rough draft I received, it shows that racc raised about \$7.4 million last year and spent about \$8.3 million. Which accounts for about \$900,000 in deficit spending. I recognize there are ways that deficit spending could happen and it might be fine but it just wasn't explained in the data that I received. I can just make decisions based on what I received. I also have a question about fundraising in the past year. Is there a slide that captures this data from 2022?

**Speaker:** I don't think so. But I can look at our --

**Speaker:** Commissioner Mapps: are you familiar with kind of how it went?

**Speaker:** Prior iteration, because we did have that in the earlier one. I think what I have in my folder here is just the slim down what I needed at the table.

**Speaker:** Commissioner Mapps: okay.

**Speaker:** Ask your question. It's similar to the email you sent.

**Speaker:** Commissioner Mapps: yeah, I think I gave you a heads up on the questions I was going to ask. In the data shared in the ordinance before us today, you show us a graph that suggests that last year racc spent about \$282,000 on fundraising. But only brought in \$195,000. Which would suggest that you guys actually lost about \$86,000 in your efforts to fundraise. I was just wondering, can you put that into some context for us?

**Speaker:** Yeah, I can reiterate how I responded. Because of the way we budget across our program, so if we are fundraising for a grant making program. For instance, we know with nea it was a half million dollars, right? Already you are not seeing the number that you should. It's because it's budgeted in our grants program. Though it's fundraising dollars, it sits in the program where the dollars



are being fundraised for. That's how our cfo puts it into our budget process. And it's part of our audit and financial statement, so our auditor is aware that alignment happens. If it's fundraising for a specific program it goes into that program and not necessarily reflected in our fundraising line. Because that's an entire program for the organization.

**Speaker:** Commissioner Mapps: what was your net on fundraising for last year, ballpark?

**Speaker:** Yes. That ballpark I will have to send you. I asked the cfo today in relationship to the question you asked me. I can send you the total. It will be chunks out of the different programs that sit on the fundraising line into the final fundraising amount. And I can send you that.

**Speaker:** Commissioner Mapps: okay, I can appreciate that. For the public record and just so you understand what I seem to understand based on the information that was presented to me, it looks like you guys lost about \$86,000 in fundraising last year. And sometimes you have bad fundraising years and it certainly was a big year and there's no crime in trying to fundraise and not meeting your goals. But based on --

**Speaker:** That's not the case.

**Speaker:** Commissioner Mapps: but based on our conversation you are telling me that's not the case. That's fine. So I would love to know how much you raised. Because right now it looks like, based on the information I have, it looks like there's kind of a problem here. I'm told not only is there not a problem but this is just a misunderstanding and I just don't understand.

**Speaker:** It's just how the data is represented on our budget, how we allocate for it in our budgeting process and how our board sees that data when they approve the budget.

**Speaker:** Commissioner Mapps: thank you.

**Speaker:** Absolutely.

**Speaker:** Commissioner Mapps: another piece here that I'm kind of concerned about in terms of budget stuff has to do with budget projections. I think commissioner Hardesty talked about the need to diversify resources. I was actually really happy, at least in the initial budget you shared with us in the ordinance before us today. Which suggested that last year you guys had a budget of about \$7.4 million, but you are anticipating next year, the budget is almost going to double to \$13.6 million dollars. But it looks like the funding you are expecting from the city is essentially flat. Which is great news. But what I don't understand is where that \$5.9 million in new money that you are expecting is going to come from.

**Speaker:** Yes. Primarily coming from grant making resources. Again, we seek funding from external partners as part of the work of a nonprofit. Our budget in every case for every organization is for the programs that we are hoping to run during that year. If we run the programs, it moves into the budget. If we don't run the programs it slides back out of the budget or other activity that's come up during the course of the year take their place. As our board approved our budget in June, it was for the anticipated programs that we would be doing in fiscal year 2023. Having seen the sources of the revenues matched against the opportunities for the expenses going out, that's how that sits. New programs being covered. Not necessarily for the city of Portland. Because our work is beyond just the city of Portland.

**Speaker:**

**Speaker:** Commissioner Mapps: so that \$5.9 million in new money you are expecting next year, are there contracts for that or you are going to pursue and you expect to raise \$5.9.

**Speaker:** Some is through programs, depends where the funding is allocated from. It looks like you need to see where the funding is expected to be expensed from so you can see where the revenues are in place for it to be used for it. Again, that budget has been provided to the city. I guess at this point, just to jeff.

**Speaker:** Commissioner Mapps: okay. Let me put it this way. How confident are you that this new \$5.9 million is going to come in next year?

**Speaker:** 100%. That was the presentation we made to our board in June.

**Speaker:** Commissioner Mapps: okay.

**Speaker:** We do know some of that will be affected by the loss of the aaf program so that has to roll up as part of our rebudgeting for the year, which happens when we turn the year when we look at fiscal year-end and that has not been adjusted at this point. If that means a roll back in a program, it will be a roll back in a program.

**Speaker:** Commissioner Mapps: okay, you are saying when you come next year your budget will double in size compared to this year?

**Speaker:** Minus the amount we are not going to get with aaf. If the programs we assume we will be running in 2023 continue to run. Absolutely.

**Speaker:** Commissioner Mapps: okay. I'll confess, I'm not fully tracking. I'm trying hard to track.

**Speaker:** Okay, here is what I'm saying. We are aware that there are already going to be shortfalls in whatever program was planned ie around the arts education and tax fund. So those have to be applied to our budget. That would not have been something you would have now because our budget was approved in June. And we will not reassess our budget until we go into next, until we round the corner in the year. So what you will see is an adjusted budget because we have to adjust it because we know funding will not be coming in. What we had in June and what you need is where we are now or where we will be as of January/February when we

start the next budgeting process, which anticipates the fiscal year end, what that will look like. It will not be the same because it has been affected.

**Speaker:** Commissioner Mapps: one more question then to jeff hawthorn. Do you have a since of how much the budgets covered last year from the city of Portland?

**Speaker:** That should be in the reports. [multiple speakers]

**Speaker:** I'm going to --

**Speaker:** Commissioner Mapps: it's 86%.

**Speaker:** Perfect.

**Speaker:** Commissioner Mapps: 86% of rec's budget from the city of Portland. The good news according to the presentation shared, the good news is in the data that you shared with us, at least on one you project that next year the budget is going to double in size that will be city of Portland money. That balance --

**Speaker:** There are no increases for the city of Portland.

**Speaker:** Commissioner Mapps: okay, I will say after the conversation I don't understand are where the 5.9 million is. We'll continue to have this discussion.

Thank you very much. Colleagues, did you have any questions for reck staff?

Commissioner hardesty. I'm sorry.

**Speaker:** Commissioner hardesty: yes, I am thank you. And I did have a question. Thank you. I guess my question is clearly last budget changed radically with the influx of one-time federal dollars that allowed drag to extend recto extend some of the community support that was distributed to those who had no access to resources during covid and beyond. I'm curious, if you can tell us, carol, how that -- what is the difference between the one-time money and the ongoing plan that you have around the long-term viability of rack? It's hard to track the budget numbers because what I know is both nationally and locally, there was a lot of one-time money that was provided last year. But I'm really unclear how do you get and ask as

commissioner Mapps said how do you double the budget when we don't have a commitment at the regional level that they are going to share the responsibility for a regional arts and cultural organization.

**Speaker:** Okay. I think i'll step -- boy, I want to step aside for a moment. And first speak to the regional commitment for arts and culture. Again, with the --

**Speaker:** Commissioner hardesty: carol, if you will speak to the one-time money and how that was a one-time activity first and talk about what the plan is regionally that would help me to tremendously.

**Speaker:** For me, it's one time because I've been with recfor two years, no idea what it's been doing in the past time. The opportunity that the cares funding provided for reck to both really sustain and help support the community leans into that opportunity with the nea, which we are firming up our partnership with the nea, of course, in this process received a largeb grant are grant for our work to be able to do that. And again, with this relationship with the new chair, we continue to lean in around the opportunities in the pacific northwest and rack being a major partner for that engagement. The funding that is there, you are correct it is not local, and that's the piece I want today set aside. We do have increasing support not necessarily from the state but certainly from the national level. Is commissioner hardesty still available? I think she went ba.

**Speaker:** Commissioner hardesty: oh, yeah.

**Speaker:** Sorry. Okay. Cool.

**Speaker:** Commissioner hardesty: and so, I appreciate the fact that we have identified some money from the national level. And my understanding is that's going to help you plan for what your strategic plan looks like as you engage with both cities and counties and the region. Is that accurate?

**Speaker:** It is, just a wee bit short-sided. The purpose of bringing in the national funding to activate the local spaces. Throughout Washington county and I'm going to bring that even further down to say the municipalities, the importance of arts and cultures, ap6 survey which is the arts and prosperity 6 survey as parts of the data, we're letting our partner county commissioners know the impact is arts and culture, it's already changing the conversation. Correct? So we are already looking in especially for example within Washington county for what it looks like where the dollars aren't necessarily coming out of the county's general fund, they are coming out of an equity fund. It will 35 thrive in that space. Building relationships beyond what we've been doing over time because over time has not seen that change, that's the innovation. That's the opportunity that we haven't taken advantage of that we are now. We're having these conversations nationally to bring in the dollars locally to activate the community to respond to the needs that here. Again, as you said, city of Portland money is fairly flat. City of Portland artists are growing. So how does that continue to support the community. Rack size its place as coming into to help fill the gap. We brought in \$301,000 to support Portland artists. That is a bonus for the city of Portland. We want to do that in all of our regions and perhaps in some of those spaces where they haven't activated the community for arts and culture funding, rack can say this is how you do it, bring in the national partnerships that are making a difference in the pacific northwest where they are literally surprised to see the activate happening and continuing our work. If we don't advocate for it, we will not get it. And we are advocating for it louder and louder.

**Speaker:** Mayor Wheeler: colleagues, we've had these fine folks with us for quite some time. And the hour is it getting late. I would like, if people have further questions that's fine. I would like to move acceptance to have the report.

**Speaker:** Commissioner Mapps: mr. Mayor, normally I would work without on this. I would like -- [multiple speakers]

**Speaker:** Mayor Wheeler: please.

**Speaker:** Commissioner Mapps: I have a question for jeff. Hi, jeff. [please stand by] on November 15th that includes some of the information I think they are wanting to share with you.

**Speaker:** Commissioner Mapps: so the rack report for the official record is the slide show that is linked to and ordinance that is I see one headshaking no, the rack report is the -- I guess the slide show that was linked to in the ordinance, the documentation?

**Speaker:** That is the report that we filed in relationship to this council action on accepting the report. The word testimony is different from the written testimony. I think in terms of educating at least my office, with the information I have today, I'm not comfortable voting yes, I so I will vote no.

**Speaker:** Rubio.

**Speaker:** I want to thank the codirectors as well as mario, board chair and elizabeth stockton and the guests for today's presentation. It's clear that there is a deep commitment to equity and inclusion in the organization which is great. My staff and I look more -- look forward to working with jeff, with the racc team and creative communities to make sure that the city's investments in arts and culture not only grow, but they thrive. I look forward to more clarity the next time the report comes up and I vote aye.

**Speaker:** Hardesty.

**Speaker:** J. Hardesty: I want to thank the presenters that came today. I want to make sure that the auditors understand that the dialogue and conversation that we've had has nothing do with the quality and expectation that we'll support artists

throughout the region race resources. Having said that, this is the fourth time that I've had a report that told me absolutely nothing about how we're investing dollars and whether equity that we all talk about so much is really the incentive and how we do the work. And I find it disappointing that we continue to ask questions about how public dollars are being spent. And I get the impression that basically we should mind our own business because there is a ballot measure on it. There is a 1% tax that funds race. As a council we should be grateful that you bring fabulous artists to us. I'm voting no because I want to support a renewed commitment to actually being transparent about how resources raised from city of Portland residents are utilized to ensure that we all have access to arts and culture in the city of Portland. It says -- I have no disrespect for the hard work being people who work for race, but it's unacceptable to come to elected leaders and tell them, trust us that we're centering equity and centering communities of color, yet we have no pathway or documentation to show that is so. So I'm a no vote today. Thank you very much.

**Speaker:** Wheeler.

**Speaker:** Point of order. And this is a great example of something we've talked about previously. Can you define "accepting the report?" what is implied on the part of the council if we accept the report? It's my understanding that means we've heard the report and asked them to come and report and we've heard the report. That's my understanding of what accepting the report is.

**Speaker:** That is correct. In accepting the report does not necessarily -- it's not necessarily a council endorsement of every single part of the report. If a member of council feels that the information provided is insufficient, and does not provide information sufficient to constitute a report, then a member of council can vote no on that basis.



**Speaker:** Very good. I'm going to vote aye, but I hope you've heard my colleagues' concerns. I share them. I'm going to vote aye that we've heard the report, and I assume you've also heard some of the concerns expressed by City Council. I'm not going to vote no because if I do, we'll go through this tedious process of trying to reconcile a tie vote which I don't think any of us want do. Let's pledge to do this.

**Speaker:** Mr. Mayor, before we go, commissioner Hardesty just raised her hand. I don't know --

**Speaker:** I'm fine with that. Commissioner Hardesty.

**Speaker:** Thank you, Mayor. I want to remind you that in the last four years, only once did we not accept the report as presented. I will also remind that you if you vote yes today, absent Commissioner Ryan, this report will not pass. So the only last time this council voted to reject the report was the report that was presented by the OIR group that was totally unresponsive to the RSP that they were presenting on. A vote -- if you vote yes, it doesn't matter, the report will not be accepted because Commissioner Ryan is not here. And so, it is what it is.

**Speaker:** That's correct, Commissioner Hardesty. We'll just end up leaving it there. We don't have an affirmative vote on this.

**Speaker:** No. The council action would be the report is not accepted.

**Speaker:** Very good, I'll vote aye.

**Speaker:** Thank you, Mr. Mayor. The report is not accepted [gavel]. We are adjourned and I will ask Commissioner Rubio's staff and office and staff to work with RACC to figure out what happens here. It's a moving situation. And I want to thank the staff. I wanted to thank everyone who testified today and staff for sticking around. I know it's been a long day. And we are adjourned for the year.

**Speaker:** And we will make sure you get the report we sent in November.

**Speaker:** Thank you very much. I appreciate that. You should have already had it.