



## September 21, 2022 Council Agenda

5679

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

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Questions may be directed to [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov)

### Wednesday, September 21, 2022 9:30 am

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**Session Status** Adjourned

**Council in Attendance:** Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Commissioner Mapps presided.

Commissioner Hardesty left at 11:36 a.m. and returned at 11:38 a.m.

Officers in attendance: Linly Rees, Chief Deputy City Attorney; Megan Lehman, Acting Council Clerk

Items 776 and 778 were pulled from the Consent Agenda and on a Y-4 roll call (Wheeler absent), the balance of the Consent Agenda was adopted.

Council recessed at 11:05 a.m. and reconvened at 11:15 a.m.

Council adjourned at 12:11 p.m.

### Communications

766

[Request of Julie Winters to address Council regarding bias crime statute and protection of transgender citizens](#)  
(Communication)

**Document number:** 766-2022

**Disposition:** Placed on File

767

[Request of Jason Wilder to address Council regarding Central City Concern leadership and police negligence](#) (Communication)

**Document number:** 767-2022

**Disposition:** Placed on File

768

[Request of Tristan Sakamoto to address Council regarding inequitable and illogical City policies](#) (Communication)

**Document number:** 768-2022

**Disposition:** Placed on File

769

[Request of Kathryn Linzey to address Council regarding inequitable and illogical city policies](#) (Communication)

**Document number:** 769-2022

**Disposition:** Placed on File

770

[Request of James Dixon to address Council regarding Arts Oversight Commission Check-In](#) (Communication)

**Document number:** 770-2022

**Disposition:** Placed on File

## Time Certain

771

[Authorize competitive solicitation and contracts to support critical temporary professional modeling support service needs in the Bureau of Environmental Services for amount not to exceed \\$15,050,000 over five years](#) (Ordinance)

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Time certain:** 9:45 am

**Time requested:** 20 minutes

**Disposition:** Passed to second reading

Passed to second reading September 28, 2022 at 9:30 a.m.

772

[Amend Business License Law Code related to the apportionment and allocation of income \(amend Code Chapter 7.02\)](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

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

**Time certain:** 10:05 am

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

**Disposition:** Passed to second reading

Passed to second reading September 28, 2022 at 9:30 a.m.

773

[Amend Business License Law Code related to administrative and housekeeping changes \(amend Code Chapter 7.02\)](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

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

**Time certain:** 10:05 am

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

**Disposition:** Passed to second reading

Passed to second reading September 28, 2022 at 9:30 a.m.

774

[Accept the Police Accountability Commission Quarterly Report for April-June 2022](#) (Report)

**Document number:** 774-2022

**Introduced by:** Mayor Ted Wheeler

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

**Time certain:** 10:25 am

**Time requested:** 10 minutes

**Disposition:** Accepted

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

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Absent

## Consent Agenda

775

[\\*Authorize Settlement Agreement between the City and Portland City Laborers LiUNA Laborers' Local 483 relating to an Unfair Labor Practice Complaint](#) (Emergency Ordinance)

**Document number:** 190994

**Introduced by:** Mayor Ted Wheeler

**Bureau:** City Attorney; Environmental Services; Human Resources; Management and Finance

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Absent

776

[\\*Create two new non-represented classifications of Operations Director and Incident Command Manager and establish compensation ranges for these classifications](#) (Emergency Ordinance)

**Introduced by:** Mayor Ted Wheeler

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

Agenda item 776 was pulled from the Consent Agenda for discussion.

**Disposition:** Continued

Continued to September 28, 2022 at 9:30 a.m.

777

[\\*Pay property damage claim of Mario Rodriguez in the sum of \\$6,987 resulting from a motor vehicle collision involving Portland Parks & Recreation](#) (Emergency Ordinance)

**Document number:** 190995

**Introduced by:** Mayor Ted Wheeler

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

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Absent

778

[\\*Pay workers' compensation claim of Jerry Hidy in the sum of \\$55,000 involving Portland Fire & Rescue](#)  
(Emergency Ordinance)

**Document number:** 191002

**Introduced by:** Mayor Ted Wheeler

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

Agenda item 778 was pulled from the Consent Agenda for discussion.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Commissioner Mingus Mapps Yea  
Mayor Ted Wheeler Absent

779

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

**Document number:** 37587

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Adopted

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Absent

780

[\\*Amend Joint Office of Homeless Services Intergovernmental Agreement with Multnomah County to authorize FY 2022-23 revised budget allocation to the Joint Office of Homeless Services \(amend Contract No. 30005335\)](#)  
(Emergency Ordinance)

**Document number:** 190996

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Absent

781

[\\*Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Davis Apartments located at 1820 NE Davis St](#) (Emergency Ordinance)

**Document number:** 190997

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Absent

782

[\\*Authorize Intergovernmental Agreement with the City of Gresham for \\$1,527,781 for the HOME Investment Partnership Program](#) (Emergency Ordinance)

**Document number:** 190998

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Absent

783

[\\*Authorize an intergovernmental agreement with the City of Gresham for \\$2,087,311 for the HOME Investment Partnership Program American Rescue Plan Act of 2021](#) (Emergency Ordinance)

**Document number:** 190999

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Absent

784

[Amend Regulation of Lobbying Entities Code to update City Director definition \(amend Code Section 2.12.020\)](#)  
(Ordinance)

**Introduced by:** Auditor Mary Hull Caballero

**Bureau:** City of Portland Elections Office

**Disposition:** Passed to second reading

Passed to second reading September 28, 2022 at 9:30 a.m.

## Regular Agenda

785

[Authorize sewer revenue bonds to finance sewer system capital improvements for amount not to exceed \\$440 million and to refund outstanding bonds](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

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

**Time requested:** 15 minutes

**Disposition:** Passed to second reading

Passed to second reading September 28, 2022 at 9:30 a.m.

786

[Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \\$502,459 for the Edward Byrne Memorial Justice Assistance Grant Program FY 2022 Local Solicitation to assist the Portland-Metropolitan area law enforcement to prevent and reduce crime and violence](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

**Time requested:** 25 minutes

**Disposition:** Passed to second reading

Passed to second reading September 28, 2022 at 9:30 a.m.

787

[Amend Erosion and Sediment Control Regulations Code for clarity, consistency, and ease of administration and adopt the enforcement fee schedule to add escalating fees for non-compliance \(amend Code Title 10 and ENB 14.10\)](#) (Ordinance)

**Document number:** 191000

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

Second reading agenda item 765.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Absent

## Four-Fifths Agenda

788

[\\*Authorize a Letter of Agreement between the City, Portland Fire & Rescue, and the Portland Fire Fighters' Association, International Association of Fire Fighters Local 43 to amend the Collective Bargaining Agreement to outline incentives and other details of lateral firefighter training](#) (Emergency Ordinance)

**Document number:** 191001

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

**Bureau:** Human Resources; Management and Finance; Portland Fire & Rescue

**Time requested:** 15 minutes

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Absent

## Wednesday, September 21, 2022 2:00 pm

**Session Status:** No session scheduled

## Thursday, September 22, 2022 2:00 pm

**Session Status:** No session scheduled



**Portland City Council Meeting Speaker List  
September 21, 2022 – 9:30 a.m.**

<b>Name</b>	<b>Agenda Item</b>
Commissioner Mingus Mapps	
Megan Lehman	
Commissioner JoAnn Hardesty	
Commissioner Carmen Rubio	
Commissioner Dan Ryan	
Linly Rees	
Tristan Sakamoto	768
Kathryn Linzey	769
James Dixon	770
Shannon Reynolds	771
Thomas Lannom	772, 773
Don Jones	772, 773
Mike Myers	774
Sameer Kanal	774
Faythe Aiken	774
Lovisa Lloyd	774
Seemab Hussaini	774
Matthew Gierach	785
Nathan Leamy	786
Lauren Rosenstein	786
Chief Sara Boone	788
Ryan Gillespie	788
Viki Bisby	778
Linh Vu	778

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

**September 21, 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:** Hardesty, here.

**Speaker:** Mapps?

**Speaker:** Here.

**Speaker:** Rubio?

**Speaker:** Here.

**Speaker:** Ryan?

**Speaker:** Here.

**Speaker:** Wheeler. Okay. Okay, now over to legal council for rules of order and decorum.

**Speaker:** Thank you, welcome to Portland City Council, holding hybrid public meetings in limited public attendance if you wish to testify in person or virtually sign up in advance by visiting [www.Portland.gov](http://www.Portland.gov). You may sign up to speak about any subject and you may sign up for testimony. In person testimony may occur from City Council chambers and city hall and written testimony may be submitted at cc testimony. And testimony should be addressing the matter and state your name, your address is not necessary. Please disclose if you're a lobbyist, representing an organization, please identify it. For testifiers joining virtually unmute yourself once clerk calls your name. The presiding officer preserves order and decorum so everyone can feel welcome, comfortable and respected and safe.

Advise generally have three minutes to testify unless stated and disruptive conduct will not be allowed and a warning will be given it may result in the person being ejected and council may take a short recess and reconvene virtually.

**Speaker:** Thank you. First up, communications. Can we read 766 please.

**Speaker:** Request of julie winters to address council regarding bias crime statute and protection of transgender citizens and cancelled request.

**Speaker:** Okay. 767.

**Speaker:** Request of jason wilder to address council regarding central city concern leadership and police negligence. It doesn't look like he's joined us.

**Speaker:** Okay. 768.

**Speaker:** Request of tristan sakamoto to address council regarding inequitable and ill logical city policies.

**Speaker:** Good morning tristan.

**Speaker:** Thank you for having me. On August 31st may Wheeler in response to communication item 728 henry benedict approach to the pandemic replied, we are to have a clear and objective analysis of what worked and didn't work. He went on to mention it's easy now to look in retrospect those responses resonated with me because have you an opportunity to do that now. To analyze what works and what doesn't work to look to make the appropriate changes in the name of equity and inclusion two. Weeks ago you lifted city has being policy for unvaccinated employees and I want to recognize your longer view accomplishment, lingering discrimination is a pressing issue. I will reiterate points from previous communications in hopes you're more receptive now that we have had a hans to accept the vaccine does not serve the purpose for which it was intended. June, 2020 the city of Portland passed a resolution states in short adopt antiracism, equity, transparency, communication, collaboration and responsibility and there are

several things the city can do rather impact on those it's meant to serve. Kate brown lifted the requirement for state employees to align with our guidelines. Why does the city allow a barrier? It has become equity. Covid vaccine does not prevent a person from getting or spreading covid. It is a matter of personal health, not public health as any benefit provider rests with the individual not society. Government officials have no greater moral authority to mandate a vaccination as they do to mandate chemotherapy. Have you a platform to take a stand, admit actions taken by City Council were impulsive, apologize to those who lost jobs and overwhelmed with fear and anxiety and those who received a vaccination out of fear of losing their jobs. They're lively hoods. I implore you to remove the city's inequitable requirement. Everyone deserves an opportunity to be a city employee not just those that follow narrative. Now is not the time to continue the divisiveness that fills our community and our country. Be a leader and lead a path to unity.

**Speaker:** Thank you. Next communications item 769.

**Speaker:** Request of Katherine Lindsey to address council regarding inequitable and ill logical city policies.

**Speaker:** We have Kathryn on the line. Hi. Good morning.

**Speaker:** Hi. Thank you for letting me speak to you. [ inaudible ] I worked for nine years in the city of Portland and want to work to make it a great place. Tristan, works very hard, I work with her and we're working through an unprecedented time and we do our best and try to serve the people well. We are mandated to have a vaccine that does not eradicate a virus. It doesn't stop the spread of a virus. It didn't reduce the impact of individuals receiving the virus and doesn't reduce the impact on people who are not receiving the vaccine. The virus has terrified this country for two years and it was especially terrifying in 2020 or 2021 when we're mandated to receive an injection of a vaccine that we didn't know what it would do because it was not

properly trialed. I personally did not want to with part of that. I thought the I didn't feel the risk of the vaccine was worth of risk of the side affects. I did not know and I waited until it was mandate that had I receive a vaccine. Curing that time I was derided as a person who didn't love science, I'm a liberal, science is a methodology to finding truth and I believe in it's rigor when applied it is a strong tool. And I did not feel it was time to have the vaccine. I was part of probably 3% of the work force that to not want to get this vaccine and I had pressure placed on me to receive this vaccine or get an accommodation and based on something I didn't feel was anyone's business. I'm asking to you remove this mandate for a vaccine that has been proven to not do any of the things we're told it would do when forced to go and do one of two things bet a vaccine, or get an accommodation. Please. Remove this mandate, it's not fair.

**Speaker:** Thank you, kathryn. Can we go to the next communications item, 770.

**Speaker:** Request of james dixon regarding arts oversight commission check in.

**Speaker:** Good morning mayor and commissioners. For the record I addressed council today as a private citizen and testimony today is not an official report. I served on several arts boards and built relationships locally, regionally and internationally so it goes with out saying that it has been awesome and humbling in promoting access for youth. As I it has been my access to create access out of necessity. I feel the same as a member of aoc. There were a notable number of folks of color asked to become members in the latest round. And there will be many recommendations regarding aeaf data however, I'm here to discuss a larger issue. There have been changes within our city over two years and that many grass roots organizations and businesses like school districts have shifted that change. With an independent equity review of data, contracts and procedures I believe that report will bring this closer to our goals and support of arts education. Already

conversations to have had and very not had many opportunities to communicate to council, outside of when I was voted on in November so I appreciate you giving me an opportunity to speak today and look forward to collaborating further in this work. Thank you.

**Speaker:** First, I want to thank you for being here today and expressing your [ inaudible ] I love conversations somehow [ inaudible ].

**Speaker:** We aren't hearing you in chambers but we are on zoom.

**Speaker:** Okay. Testing testing. Thank you for being here, I look forward and I know commissioner Rubio and i, I am the music commissioner, commissioner Rubio arts commissioner and I'm looking order to taking a deep dive had in how arts can help with healing as we try to remerge is thank you for your service, vision and I look forward to us continuing the conversation.

**Speaker:** Thank you.

**Speaker:** Okay. Hi, thanks, james for your comments. I am aware of what you're talking about and I just, we're grateful that so thank you for being here, it's important, and thank you.

**Speaker:** You, commissioner. Great.

**Speaker:** Okay. Communication, well done. Next we'll go to our first time-certain item. [ inaudible ].

**Speaker:** Would you like to vote on consent?

**Speaker:** Sure. Has anything been pulled from consent?

**Speaker:** Item 776 and 776.

**Speaker:** Great. Please call roll.

**Speaker:** Hardesty?

**Speaker:** Aye.

**Speaker:** Mapps?.

**Speaker:** Aye.

**Speaker:** Rubio?

**Speaker:** Aye.

**Speaker:** Ryan?

**Speaker:** Aye.

**Speaker:** Consent passes and next we'll go to time certain. Our first time certain item is I believe I am the sponsor that have one.

**Speaker:** I'll just read that briefly.

**Speaker:** Yes. Please. I just lost screen. There you go. Please read.

**Speaker:** For amount in the to exceed 15 \$ million over five years.

**Speaker:** This item authorizes bureau to hire temporary contractors to conduct complex computer modelling for environmental services projects. This modelling will be done by the contractors and support bes's work on waste water and storm water projects, restoration and remediation projects and regulatory efforts here to tell us more about this proposed ordinance we have shannon reynolds risk assessment division manager and three area experts the bureau.. We have andy gresh, and we have ving mao. Welcome theme bes.

**Speaker:** Thank you. And I'm excited to be here. I want to correct the record and so we just have would continue to deliver necessary hydraulic computer modelling and associated support services on as needed basis and these are essential and critical to ongoing planning and delivery of capital project improvements and this would authorize to support bureau increase in operational needs and capital project work. Services of systems will provide resources to continue to plan for and deliver critical improvement projects and keep on track. These will help address growing backlog of reinvestment needs and increasing number of requests for modelling services from internal bes kings and to avoid delays with project delivery.

Additionally, the categories and number of price agreements this solicitation would allow provides opportunity for diversity covid firms available with previous modelling contract price agreements. The solicitation will result in up to 17 firms with not to exceed limit of 15,050,000 \$ over five years, we have it adopted into our cip and operating budgets and will result in price agreements with firms that will have specialized modelling to support critical needs for analysis related to things like resiliency considerations. Bes is experiencing steady growth and pro projects and experiencing year over year increases from various city sectors including water bureau, p got, bureau of development services, bureau of planning and sustainability. And time to complete can range from a couple hours, weeks or months to hours and some examples include construction bypass reviews and development connections, and stream and river flow analysis. And bes has 11 full time employees providing modelling support for these requests in year 2020 we have had a combined 325cip and urgent modeling requests. This does not include modelling support needs for planning and reinvestment recommendation development. Bes uses computer modelling to inform risk profiles.

**Speaker:** Excuse me?

**Speaker:** Yes.

**Speaker:** Excuse me, mr. President. I hate to interrupt. Looks like you were on a roll, I don't want to interrupt. Can we go back to last slide, however?

**Speaker:** Sure.

**Speaker:** Looking is how it doubling and tripling it. Why are you proposing contracting verses hiring appropriate number of staff? To actually get you to where we want to be?

**Speaker:** That is a great question, commissioner hardesty. A lot of these requests, ebb and flow throughout the year. Some of these modelling requests are more



specialized in nature. And so we are to find the right balance for requesting full time employees and also, hiring appropriate skill set. The temporary contracts allow us to be flexible in these moments so while we do, I don't want to make it sound like we don't need fte. We're requesting to help fill that gap and temporary modelling is needed to fill those gaps it's not in the city best interest to fire and doesn't allow for us to expand diversity in firms in terms of providing these niches. So there is a balance we need to try to find to fill kind of all of the services we need to provide from commuter modelling suggestive.

**Speaker:** Okay. If I just look at the chart you have, we haven't in front of us, and knowing what I know about the major construction and activities. What are you project something in the next year and year after that?

**Speaker:** So I can try to answer that as best as I can. I just.

**Speaker:** I don't mean to put you on the spot.

**Speaker:** Sure, sure. I will be honest. We do need about our work load trends suggest that we need about 5 to 10 fte to fill long term reinvestment needs we for see coming and in addition to that a lot of it is hard to gauge accurately. A lot of urge requests come interest other parts of the city. So bureau of development services depends on how many requests they're getting and how many we need to evaluate. Any changes from bps to zoning codes impacts our work load and those are hard for us to work into our trajectories for how we see demand from modelling services. I can tell you is that it is increasing and doesn't look like it's going to be slow down soon.

**Speaker:** That is what I would interpret from the chart and I would be interested to see how we can gradually add fte to address these emerging needs and let me just say my concern is that we'll continue in a cycle and who supervises 17 contracting firms?

**Speaker:** So we have our immediate now would be managing quite a bit with it. We'll be balancing that with support and help.

**Speaker:** I appreciate you taking time and if you want the right person, please have someone follow up with me. This is a tragic trend so I look for to getting more information, unpacking this before it comes up for a vote. Thank you.

**Speaker:** And shannon. Before you resume, I want to jump in here and thank commissioner hardesty for her comments. A agree with you. On this contract, and this couple of others I've asked to do strict scrutiny about when we contract verses permitted after. My preference is hire permanent staff. It's going to save money, I think it's cost efficient and more equitable. We have a project underway where we're reviewing all of these temporary contracts which are about to come before council and I am excited to say that he will see some of these contracts look very different in the near future than have you seen in the past. And I want to thank the bureau, and shannon for them helping us move into that direction. I'm provide with you information about how bureau thinking about the balance between contractors and permitted employees this is important for the city.

**Speaker:** I apologize for interruption, please, continue.

**Speaker:** So is modelling for \$21 billion asset portfolio to identify risk and initiate planning and solution efforts from becoming emergencies. We use information that is generated to identify where there may be identifies and risks and how we address them and we use this information to have discussions about which risks are acceptable and which are not and these are available to help determine long term recommendations to improvement to our infrastructure tour. We'll work with procurement to encourage covid and dmv firms to apply.

**Speaker:** I see commissioner Ryan has a hand up. Do you want to jump in now?

**Speaker:** Yes. I like this slide but there is a part of it missing for me. As a part of solutions and deliver if n maintenance there should be evaluation of what we did and so we can learn from that.

**Speaker:** Absolutely.

**Speaker:** Thanks.

**Speaker:** So rfps were crafted and drafted to enable smaller and covid certified firms to bid. We expanded this scope number and variety of price agreements to create opportunities for diversity of firms to contract with bes which is something we didn't have in last series of price agreements for this work this request consistent with past and ongoing scope for temporary computer model support services. And supports cip project delivery and modelling service requests and supports a pro active development requirement and efforts and opportunities. I appreciate your time and comments do you have questions?

**Speaker:** Commissioner Ryan is your hand up intentionally.

**Speaker:** I just have a comment perhaps. I appreciate the presentation. My question is what, where is the why in this one? Is the why that there is a backlog? Or extreme events putting pressures on this? So more tactical.

**Speaker:** No. No. So let me give a quick and dirty answer. We're bringing this forward now and this is a specialized skill and why this is a contract instead of permitted staff and what folks that can do complex computer modelling that we don't use that often but when we need it we need it and big projects are increasing owe it doesn't make sense to bring on new stuff, but the volume of new projects that are on our capital improvement and increasing and with that, i'll ask hahn onto clean up the answer.

**Speaker:** I think you got it 90% right. One part missing is that eyeing and all that have so you know, it is we've expanded scope to allow for and be more flexible to

respond to what commissioner Mapps just said. Our planning needs and risk evaluations and that includes change issues. So that one thing. I don't want to overestimate dependence to continue to provide cip support services lieu our modelling contracts. Our price agreements send in June, 2023 and if we let what expire our ability to support cip requests will substantially reduce and so that has a huge impact.

**Speaker:** Thank you so much.

**Speaker:** Is anyone signed up to testify on this item?

**Speaker:** Yes? Please.

**Speaker:** That is helpful. Thank you. For me, it makes sense to think backwards. At the end of ten years from today, we'll have completed x number of capital projects work force will be x. Right? Talking about 14 contractors, someone has to supervise them and what we typically do is have the city actually supervise people hired under contract at more money to do the same work so I do see this as equity issue and how we lack long term planning here at the city and so, as far as how we invest our resources to get outcomes we want tomorrow. So I appreciate your presentation. This has been a really good conversation. Ill a, you're not the only bureau that is over reliant on contractors and using city employees and some cases undo work done by those contractors so this is a bigger conversation than just a bes conversation and I'm grateful we're starting somewhere this conversation in the city of Portland so thank you, very much.

**Speaker:** Thank you, commissioner hardesty. Colleagues. Any discussion on this item? Is there public testimony?

**Speaker:** No.

**Speaker:** Okay. Well. This is the first reading of a nonemergency ordinance. And it moves to a second reading. And colleagues I just wanted to appreciate all of you for

your feed back on this item. I believe issues commissioner hardesty brought up are important and I look forward to engaging with them and I will have contracting ordinances coming forward and you'll cease see us reflect values and now, let's go to our next time certain. 772 and 773. Megan. Can you read those, together?

**Speaker:** 772 [ inaudible ].

**Speaker:** Thank you, also, I have to say I'm not sure your mic is working in chambers, either. I'll let you poke at that as I tell colleagues about these items, colleagues we're about to learn about two proposed ordinances, 772 updates the way the I apportion an aligns those processing to conform with the state of Oregon, Multnomah County moving forward with similar changes these are expected to be revenue neutral. However, by reducing references of business and electrical taxes will increase compliance and reduce burdens for taxpayers and today, council will review item 773 updating first between city of Portland and metro and second, these updates clarify how income taxes for these supporting housing services and preschool football will be administered and in particular, item 773 ex-pans scope of the revenue division appeal board and improves clarity for both revenue an taxpayers for issues like imposition of the tax and have corresponding protests and appeals. Now, we are fortunate to have the revenue division director and policy analyst who will present and answer questions you may v thank you. The floor is yours.

**Speaker:** Good morning commissioner Mapps and City Council I'm the revenue division director and joining me is don jones, that may have been the best introduction to any ordinance, ever, especially tax ordinances which tend to get convoluted. So we'll keep this straight forward today. As said there are two ordinances before you today, first is a substantive change to the way the revenue division apportion business income taxes, for tax purposes and in brief based on

where income producing activities occur this is called cause to performance sourcing and pertains to where service based employees physically perform work. The ordinance would change the income apportionment to market base based sourcing approach which allocates taxable income and commissioner said, matches state of Oregon apportionment rule adopted in 2018 change goes into effect only if all jurisdiction as prove it. And we work with economists, at the city, county and metro and anticipate no material change following this change and this is because locally will enjoy some tax relieve and businesses located out side of Portland sales are expected to pay more and impact would depend on specific taxpayer circumstances. And I misspoke this, is a first reading unless I'm mistaken so it won't actually be decided today. But second item is very well and go ahead, don.

**Speaker:** Don. I don't know if you can hear me, you're on mute.

**Speaker:** This ordinance proposes conforming the business license tax to Oregon's apportionment methods and focus on changing to market based sourcing for service based income. Next slide, please. The city collects business taxes from metro and city before 2018, state and tax jurisdictions used cost to performance to source service based income and changed and ban using market based sourcing in 2018 and we did not. And the difference places a larger compliance burden on businesses and for the state and city. And next slide, please. Conformance will enhance our ability to enforce local codes. And the tax jurisdictions have discussed conformity proposal and agreed to implement changes we reach out and comments received were supportive of the changes. And next slide, please. Cost performance applies to income for sales of services. Sourcing that income to tax jurisdiction were income producing service activities being performed by employees of a subpoena and by a service located in the jurisdiction and increase tax paid by a service business located outside of the tax jurisdiction. By reducing

the type of data from two different types of data to nearly a subset of the same data currently tracked for state tax purposes. And then, by and reducing for purposes shifting that to outside businesses. This contracts a local law firm and results were this example Portland law firm performs 57% of income producing activity in Portland. But only 90% of customers are in Portland and by moving to market based sourcing it reduces income by \$14,000. Whereas san francisco law firm and 5% of customers are located in Portland. Moving to market based sourcing increases it's income assigned to Portland by \$54,000. Mother almost is a law 86272. Market based sourcing allays to businesses selling products with one carveout based on this law that protects a business. Selling physical products into a state by taxation by that state when business's only activity in the state is limited to activity of asking a customer to buy product. As applied by the city it allows a net or banned manufacturing business to avoid paying the city's business license tax on income are sales to Portland customers and allows california based manufacturing or wholesale businesses to avoid paying the city business license moving back allows market based sourcing to be applied to more of the sales of products made to customers, that the end of this presence presentation. About we can bring up the house keeping presentation, please.

**Speaker:** Thank you. This ordinance proposes certain house keeping changes with administration we expect an increase in compliance activities and in fields and proposed changes allowed delivery of revenue division notices by rec means. Also makes clear to change when the state updated this scheme for the state department of revenue. And finally, it updates taxpayer protest divisions to increase revenue division time from responding from 30 days to 180 days and clarifies when a determination is appealed to the revenue division, and verses to the appeals court. Thank you. Any questions? Is.

**Speaker:** Colleagues. Any questions? Let's start with one. [ inaudible ].

**Speaker:** Two individuals first up we have Andrew Holme.

**Speaker:** Welcome, Andrew. [ inaudible ].

**Speaker:** Sorry. Thank you for the opportunity. I want to second that was a great introduction and I hope you're as fired up by this tax presentation today. And I want to express our support and to commend and thank the staff for their excellent work and you for considering these ordinances. And by aligning rules and methods with the way the state of Oregon does it and you're aware, Portland now, as I know you know has the highest local personal income tax burden in the nation. And the city of Portland, Multnomah County and metro department are working with taxes and we help them to be the most supportive of the business community to pay for things we care for. If we do not take actions to mitigate what they're having, critical services will be threatened. Two before you today will help with challenges. They also have the benefit of making collection and processing of the taxes simpler. The city rules and periods with the state of Oregon rules and methods and importantly shift from the current system to a method taxing business activity within the city regardless of location of the business. This change means that the local business community will pay less as you can see in presentation, and entities that conduct business are located out of the city will pay the location and local businesses. It will not reduce revenues and, I want to be clear this is a perhaps, a point of divergence. If the city experience follows state of Oregon it will make it a true triple win. And increase in tax collections for over 15 years and ruling out a host of other circumstances predicated at that increase was based on the switch to market based sourcing. So what you have is a true, win, win for governments, private sector and services we depend on. Thank you for your



time and revenue bureau for their work. And of course, I'm happy to take questions.

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

**Speaker:** Robert are you able to unmute?

**Speaker:** I am unmuted now?

**Speaker:** We can hear you loud and clear.

**Speaker:** Thank you.

**Speaker:** And good morning under paid hard working City Council I'm Robert Butter and I'll say shame on the Portland business association. I can't imagine such propaganda and misinformation. Problem here is if you're a real estate agent as I understand it and you sell a property in Washington to a Portland resident, regardless of where their business is, and it's not clear in this where the residents is of the person receiving service or business is? That is receiving service. Don't know that. It sounds like you're changing the law, which, forever has been the taxes contributable to where the property is located and taxes agency so this looks like a change and the real problem of this is the inequity of the current tax code, particularly where it benefits the city of Portland and Portland is the only city in the united states that asks a question, are you a small tax, small company or large company? By how much share and stock you own, 5% or more. And you have two different tax structures depending on how much stock you own if you're a small employer you're getting screwed by the city of Portland, who is getting a wind fall. Same thing with loss carried forward. If have you a year of no revenue is Portland. You have a 0 revenue they eliminate all former carry forwards. So for inequity and unjust exclusion of small business this is hypocrisy. We should talk about equity for small business which this City Council refuses to do. And so, sorry. But shame on the Portland business alliance for this propaganda. Thank you.

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

**Speaker:** That concludes testimony.

**Speaker:** Colleagues any discussion or questions from the floor? This is first reading and moves to second reading.

**Speaker:** Excuse me.

**Speaker:** Yes.

**Speaker:** I just wanted to take a moment to appreciate thomas land on's leadership around this issue. If, I understand only half of what he said. What I will tell you is that if he was not someone with integrity he brings to his job and respect this would with filled with angry community members so I just wanted to, because they won't be here next week to take a moment to thank don jones and director planham it is one area that I have the least concerns about. I have concerns but rest assured thomas land ham brings something to us. I can take it to the bank.

**Speaker:** Sorry. I want to, thanks for reminding me. Sometimes things are clear, it's easy for us to just be quiet. And I appreciated the way this is laid out. Just simple framing. One is about conformity. Let's be good partners and then, second one is house keeping. Which many times we have these periods of house keeping. And anyway, I don't always hear it this way and it's refreshing.

**Speaker:** I want to thank colleagues and appreciate staff presentation and just to wrap up where we are on that is we'll go to our next time certain. Item 774. Megan can you read that item?

**Speaker:** Accountability commission quarterly report for April June 2022.

**Speaker:** I don't know if internal systems are picking up the microphone. City staff is here to help you. Welcome. And cheer about to hear a presentation on police accountability economics second quarterly report. And I'm pleased to welcome to present on this item, welcome, gentlemen.

**Speaker:** Good morning for the record I am mike meyers community safety director for city of Portland had here today in reference of item 774 to accept quarterly report and in fulfillment with requirements of resolution 37548 recommendation to council for new police oversight system and authorized by voters November 3, 2020, general election and submitting to quarterly report highlights project status of the police accountability commission for second quarter and first through June 30th w me are guests and members from the accountability commission and project manager to make a comment on this item. Great.

**Speaker:** Good morning. I'm join by co-chairs of the police accountability commission. We'll pass it over to them to the quarterly report.

**Speaker:** Thank you. I'm join by my colleagues on zoom. We're all members --.

**Speaker:** Excuse me, it doesn't appear the slide show is showing up.

**Speaker:** We're member as pointed by City Council and co-chairs of the police accountability commission during this fact finding phase of work. First half covered by this quarterly report. Today, we'll be providing a brief overview of the report and work from April 1st to June, 2022 and few your reports will cover more recent activities and members will return to present July, to September quarterly report and late October or early November.

**Speaker:** Hello, thank you City Council, I'm co-chair of the police accountability commission for fact finding phase.

**Speaker:** Mr. President, are we using a slide show?

**Speaker:** Yes.

**Speaker:** It went backwards, I think.

**Speaker:** I'll ask staff to confirm we're on the right slide.

**Speaker:** We are.

**Speaker:** Okay. Great. Thank you.

**Speaker:** November, 2020, 82% of Portland voters supported creation of charter section 210 creating a new board to replace both current systems of administrative investigation and discipline and accountability to allow for a greater community voice in changing policies and directions of Portland police. Accountability commission created by City Council to develop parameters and details of the community police oversight board authorized by this charter section. From December, 2021 to March, 2022 commission convened and worked through organizational phase. This was addressed by our colleagues, council chairs during this period of time presenting the report to City Council several weeks ago. Beginning in April, commission moved into fact finding phase designed to hear from key stakeholders, assess current system in Portland and receive and consider from subject matter experts and met 14 times, making part 1, 1 of the most active parts of the city government. Commission will have several key briefings, including many required by City Council in our establishing resolutions.

**Speaker:** Phase will result in adoption of three documents that are not code recommendations but set shared understandings among members to what information has been learned and commission viewpoints on it. They'll each be an important contribution to commission's decisions and recommendations. First areas of agreement on barriers to police accountability. Barriers are the problem that commission seeks to solve and this document is a problem statement of the commission work. The commission wants to recognize those practices that are working and should be retained and replicated and includes best practices as well. And commission began developing this in later part of the second quarter based on growing input and second is practices to avoid from other jurisdictions by assessing practices commission can develop ideas to create a system and evaluate their effectiveness in achieving goals of the new system. Final document is areas to

consider or avoid from subject matter experts commission is aware numerous experts to national organizations to individuals working in other jurisdictions may be areas he want to project and all three will be references for commission decisions on had to recommend to City Council for Portland's had you system. These southbound starting in the next phase of work.

**Speaker:** Commission heard from commissioner Hardesty and the chair and co-chair and commissioner Mapps and heard from chief Lovell, commander Jeff Bell, acting captain and police review board coordinator. From the Portland police bureau we'd like to thank briefers and during this period, scheduled briefings with individuals and groups taking place in the next quarter. Including commission Ryan and Rubio and looking forward up to dating City Council.

**Speaker:** Thank you.

**Speaker:** We're doing, yeah. Okay.

**Speaker:** We know community members are interested in how the work organized and how the pack will get to specific questions. The commission established its phases of work in agenda and scope document and this covers the fact finding phase and conclusion of the phase will move into a powers and duties phase in which the functions of the new board and supporting city staff will be defined. After that, pack will determine structure and details including membership and appointment of the board and fifth phase of work will identify a transition plan and how it will relate to other city entities focussed on police, and policing. We'll take additional rounds before approving a proposal to send to you, City Council. Alongside is the ongoing work of community engagement which is a key component of our work and crucial to our success. To anyone watching slide? Sorry. To anyone watching this live or on video who wants to tell us their story about police or police accountability we have many ways to get input please go to

[www.Portland.gov/police-accountability](http://www.Portland.gov/police-accountability). And click on get involved to ensure your royce part of the development of the new system.

**Speaker:** If we can pause I believe commissioner hardesty has a question, or statement.

**Speaker:** Thank you. Thank you, mike meyers. Mayor and three vice chairs, police accountability committee. I think this is the page talk what the next steps are. It appears the commission giving more work than they're authorized to do. And I want to be clear about where, where did that happen? This commission has a charge, a specific charge given to them by voters and it looks like commission creek taking place within this committee. Could someone explain why we're going down paths that are not part of the original work plan of this committee?

**Speaker:** Thank you. The description of the work of the commission is based off of the agenda and scope document which was developed by the commission and approved in March by the commission members. Based off of the documents in, I believe 37527 and resolutions 37528 main additions we're hearing from more voices, there is a few items in those two resolutions which say other relevant parties and experts and was a commission and listed those out to come and brief the commission that is the main difference. If there is something specific, we're happy to answer.

**Speaker:** Maybe I misheard. What I heard was that this now in effect of fact finding phase. And so, you know, powers and duties makes sense. Structure, details. We did not ask to develop transition plan. That is not under the scope of work of the committee. We didn't ask them to do national best practices because we don't care what is working in the state of Oregon because this is like, new and we're building this from the ground up I'm concerned mission creek is moving in. When you start expanding what it is we are changed you with doing then you're going to miss your

dead lane to get us to what we need and so I love you and you're doing work that transformational. I don't want you to miss out on focusing on the mission your given and not bringing anything that happened around police accountability into this mission. That is a failed mission. I'll stop there.

**Speaker:** Yes. Commissioner hardesty I appreciate the call in and I think you created a commission of 20 people that care so we want to understand barriers of the current system we can write about it.

**Speaker:** I appreciate that and I'm committed to your success. So I don't want to you take on issues that we've been trying to fix for 20, 30, 40 years and I want you to only do mission we've given you. It's a huge mission that, requires you to build trust and that is more than enough work and so, don't allow people with 30, 40 years of experience to drag you down paths that are not going to get to us what we need. And I'm happy to come any time, anywhere that you want me to come and are this conversation because I need you to be successful and you can't do it if you're going to fix every ill that exists in placing within this one committee.

**Speaker:** Thank you. If there is new council guidance on this we're happy to change and adapt. And there is transition on and.

**Speaker:** Thank you, I'm not suggesting new guidance but I'm suggesting by stay laser focused and not allow mission creek to interfere with the enormous work the commission has to do and so I'm happy to come and review it with the commission itself. Just to make sure we stay on track because we don't have a lot of time to do this. Right? We have a set period of time and jeff stineman will only give more time if he believes we're doing the work the commission has been charged with doing.

**Speaker:** I want too give credit to our staff member samer, this allows us to create a expedient process. So we'd love to bring this to full commission, I'm grateful to what samer has been able to do in keeping us focused.

**Speaker:** It makes a difference to have good staffing and so I agree. [ inaudible ].

**Speaker:** Colleagues, I appreciate this die why log and encourage staff to check in to clarify guidance around the scope of the committee and I'm mindful of the pact we've not finished the presentation yet. I feel our invited guests to resume their presentation if there is something left.

**Speaker:** Absolutely.

**Speaker:** Are you up?

**Speaker:** Being o yes

**Speaker:** Thank you commissioner. By want to let you know what's happening next. Fact finding phase began in April and continuing into September. Community engagement events are being planned with community partners an will be held had late September or early October. And to pet more detail our colleagues an serving as co-chairs after us, will come to City Council to report on the next quarter, in late October, early November. I would lake to thank you, forgiving us the opportunity to brief you on the work of the police accountability commission through June, 2022 we lack forward to continuing to honor the will of the voters and covering accountability and we're happy to answer questions colleagues may have.

**Speaker:** Any questions? I see commissioner hardesty has one.

**Speaker:** Thank you, thank you for your second report and now, my question, what has been the biggest challenge you co-chairs have faced in this work? Thus far? What do you need from council to remove those barriers?

**Speaker:** Caught you off guard, did i?

**Speaker:** You're asking a question of the barriers of our barriers. So I think, as I mentioned earlier there are 20 people whom you've selected that care about this issue. And not even police accountability but culture of policing and so I do think that has been a challenge of we're asked to give a targeted recommendation when



the culture really broken. So I think, being that laser focus has been the challenge and I think colleagues are good at calling us back in and so that one of the challenges and we meet a lot. And I maybe see my colleagues more than I see my husband, like nights a week for many of us. It's been a little bit of a learning curve to work with 20 people closely whom are all volunteers so both of those have been areas I've seen.

**Speaker:** While think whether they want to share barriers I want to tell you, thank you. When learning about a issue you're unfamiliar with, then, making a dedicated commitment to say, or you know way too much bit right? Right? As you said, I just wanted to say, thank you to you. 20 community members thought was important enough to indicate time and energy and thoughtfulness that each of you continue to do. If this is easy we'd have fixed this a long time ago. Right? You need to take care of your other commission members. Right? So I hope you don't earlier questions as negative because you know me, I want this. I need this to work. Right? And to work fabulously. So once again, we're a national model.

**Speaker:** I think commissioner Lloyd had something to say? Looks like?

**Speaker:** Sure. Happy to comment on your question. Thank you for your support. It means a lot too we have your support and you know, we have had every member of the council and you have expressed into helpful and I think that hopes are well taken and I hi in terms of barriers to work and getting work done. There is a balance have you to try to strike right? This heights and weekends for most of us this is like a second job is how I would characterize it. Two meetings a week, in times, four meetings a week and we're attempting to heard cats. 20 people have so much knowledge and expertise in a huge variety of fields which brings richness to work we do and we're trying to get 20 people to come to consensus. And I would say, I think it's keenly aware of the time limits we're working with and we're hiking

about that all the time. Owe it is sort of a balance between looking at time limits and trying to work in a way that is humane to ourselves and is to staff I think any support council can do keeping staffing and I will say, it's something I wanted to mention. So thank you for, thank you for the council to have spots open for now. And we have 20 people and we're doing an enormous task and learning from scratch trying to hit this deadline and trying to keep it humane for people involved. So I will say that.

**Speaker:** I appreciate commissioner Lloyd, and let me a samer and I will talk. It's brutal for you to be meeting four, give times a week and then, on the weekends. So I think we can find a more battled approach. I want to you have a sense of urgency but don't want to you kill yourself in the process of guesting us proposal that we need and for me that is too much. Too many that too many meetings so we have to figure out as a city how to support you so that you can do the same work you can do. I will not be on a committee that made me meet 3 or 4 times a week. So. I think we, as city can middle good support of community volunteers that dedicate time and energy to these issues so samir and I and director will talk about how we make sure we're in the trying to kill new process. Thank you.

**Speaker:** Thank you. Does that wrap up the formal part of our presentation?

**Speaker:** Remark morris?

**Speaker:** Welcome mark.

**Speaker:** Good morning president Mapps and commissioners my name is mark. I use e, him pronouns, testifying for Portland cop watch. One of the barriers is when community oversight boards do work and ignored report states the commission sent a letter to City Council requesting a change to quorum rules in June, the rules that had led to commission cancelling a work session in may. The commission recent a letter July 15th with changes so as of today, 68 days are passed and with

no response to City Council. And there is a majority of seated and active members there is discussion hong mayor Wheeler and chief deputy heidi brown with potential result we support being that a resolution would be brought to council to allow all city commissions to set quorums to a majority of seated and active members and we hope this is in the works because we're just as tired of asking for this as you are of hearing us ask for it. This is timely, and we know there will be more president nations at some point. It will take time to fill vacancies. Commission work is too important to be hampered by unnecessary quorum restrictions and we look forward to seeing the community getting more involved in helping shape the police accountability commission work. The city doesn't want to find itself in the position the tate finds itself in now with standards of conduct and discipline lesc setting standards for activity and team up with their report receiving just a single comment and shutting out participation for Oregonians and have over 500,000 written comments to digest. And this commission needs to pay attention to what lesc is putting on paper their proposals are a lap on the wrist for serious misconduct and this is in danger of being handcuffed in ability to properly. However, it's the city of Portland where 82% of voters want more police accountability that should be providing guidance so we want to help them come up with a system of accountability that works are every Portlander, thank you.

**Speaker:** Thank you. Thank you. Anymore testimony?

**Speaker:** That concludes testimony.

**Speaker:** Colleagues?.

**Speaker:** Commissioner Ryan? Had.

**Speaker:** Go ahead.

**Speaker:** First, thank you for being here. So hard to build something this complex. So I realize what you've been going through. And perhaps your question about

scope, like to make sure you don't go through too many rabbit holes. You mention you reach out to experts and is there a list of the experts you spoke to? That would be great.

**Speaker:** The subcommittee started with desk research in terms of reports coming out. That the meeting materials and we can summarize that for sure ask broken up in the meeting in which it was discussed as part of discussing other your's dictions members of the commission in contact with someone that said we do it this way. And it would be better if we can do it that way. And here is why and a barrier we're pacing so part of that those folks are subject experts and to this every day. That information was put into the, along with the desk research on reports there are notes on that and that published on our resources page and thank you.

**Speaker:** Thank you. I realize might have been an addendum I wouldn't see. Just in full transparency, I wanted to know that existed. Thank you for your time. It's a little overwhelming.

**Speaker:** Colleagues, other comments?

**Speaker:** No I'm happy to make a motion.

**Speaker:** That would be welcome. I have a motion from commissioner hardesty. Do we are a second?

**Speaker:** Sure. Second.

**Speaker:** Commissioner hardesty moves report. Commissioner Ryan seconds, megan, please call roll.

**Speaker:** Hardesty?

**Speaker:** Let me again thank co-chairs for showing up today both virtually and in person and thank you for your commitment to the mission of making sure we have the most accountable lease in the country when the work you're involved in is done. I'm grateful an have identified a new role for me to remind you that self care

is key in getting through this process. And I will be like your mother reminding you of that as we move forward. I'm happy to vote aye and look forward to continued success.

**Speaker:** I want to thank you all, and echo comments my colleagues have made about the tremendous work you're doing and I really appreciate that you're here in person today and virtually to share with us directly that. Makes a big difference to hear from you. And to appreciate samir for hard work and keeping offices informed and moving the ball forward on behalf of the commission and you're doing this largely on your own. I want to appreciate the work you're doing and thank you on behalf of us as well as director hires as well and it's clear you're going deep on this and it gives me confidence you're doing all of the careful work to ensure we're coming up with something right for Portland and so I appreciate you're doing that. It gives me a lot of confidence, and trust your analysis. Thank you. We're looking forward to what your outcome is and I'm there, too. And I am here to support anyway that I can.

**Speaker:** Ryan? Caught me off guard. I want to echo. I like the word thoughtful. You're being so thoughtful. My experience with you dialogue was different than with other commissions. You can tell you're passionate and have a lot of curiosity and so it didn't feel as what I have experienced and that's important to keep that openness. 82% voted yes on this and you can get a lot of variations on what that means so I appreciate openness and that is why it's so good to see who experts are that we continue to be open. In times, involved in complex issues the more you know are the more you don't know. So the good news is that we have had a chance to dive in more of late. This is confusing like this back already so it feels like inertia, physics equation is taking off and I appreciate you all and excited to support this report.

**Speaker:** Mapps?.

**Speaker:** Yes. I'd like to thank staff and commissioners today. I vote aye. The report accepted. And thank you very much. And colleagues. Now, we will move to the regular agenda. Megan. Can you --.

**Speaker:** Absolutely. Let's do that. We'll reconvene at, how about a ten minute break? At 11:15.

**Speaker:** > we're back in session, folks and about to take up regular agenda. And Megan. Could you please read item 785?

**Speaker:** Authorize sewer revenue bonds.

**Speaker:** This authorizes issuance of sewer system revenue bonds. The bureau of environmental services manages city sewer system and provides more financial stability for utility and predictable sewer rates for ratepayers and the debt manner an staff are here to present the ordinance. Welcome. Before we go.

**Speaker:** Can you hear me okay?

**Speaker:** Good morning commissioners. This ordinance authorizes city to issue up to 440 \$ million of sewer system revenue bonds under bureau improvement plan and covered approximately the next two years of the finance structures including a portion of the regulatory mandated expansion program our current expectation is issue a bank credit form to provide interim funding for the spring and we'll issue the long term bonds. This is driven to commune enhancement which we expect to refund for debt service savings at the earliest possible date next year. 2013 bonds for 15 years of current rates 3.4 as you know, interest rates move up and for 430 million must money portion of our rate 4.08% and will work to negotiate banking part mores to obtain a temporary credit facility commander prepare for and execute a public bond sale next calendar year. Happy to answer questions and joined by team members. Thank you.

**Speaker:** Megan, do we have testimony?

**Speaker:** We have one.

**Speaker:** Joesica cosano.

**Speaker:** Welcome, jessica.

**Speaker:** Jessica. Are you able to unmute.

**Speaker:** Apologies, dealing with unmute buttons. Thank you. About good morning I'm testifying as a Portland water bureau customer. Thank you for the opportunity to comment today and thank you to for getting back to me with research in time to prepare for today's meeting I have submitted this testimony in writing. This ordinance refers to a new city bond issuance I see this is a broader opportunity to comment on concerns very with the city's water rates concerns fall into three buckets, transparency and another increase in may, 2022. And rate increased was approved with out sufficient public communication allowing time for ratepayers to intervene provide comment or ask questions. I'm a regulatory professional and I have difficulty finding information about water rates, forecast future rate increases and what process is for public engagement. The city employees have been friendly and helpful water bills should provide envelopes on percentage increases and forecast rate increases for the fiscal year and five-year projection period and time line for when new rates are set, how they're set and what the public process is and how to intervene and testify. Portland board information should be provided on all customer bills with regard to accountability, with any other service watt we are bureau should be accountable for ability to deliver rates that are just and reasonable. And spending should be given scrutiny and accountable for justifying any rate increase we just heard about a contract for \$15 million over five years Portlanders are the right to accountability and this shouldn't be a rubber stamp operation. Rate burden, i'll quickly get to this. For me as a single person my rates

are double of what my gas and power bills are come wined and I lower twice a week, wash a load of laundry and one dish washer run over five years rates up 44.32%. And my ask that commissioners consider it and my ask is information in written testimony and i'll close there.

**Speaker:** Jessica, thank you for your testimony. I know you have reached out to the water bureau and my office in recent weeks. I appreciate your dialogue. You're asking smart questions and pointing us into the right direction. I'll ask my staff to continue to engage with you to help you have an understand are this part of our normal city budgeting process which I recognize can be complex and we'd like to have you on the table.

**Speaker:** Is there any testimony? I turn to my colleagues. Seeing none, I believe this is the reading that moves to second reading. Thank you. Next, let's continue with our next regular agenda item, 786.

**Speaker:** Authorize application to us department of justice for a grant in the amount of 502,459 \$ for assisting law enforcement to prevent and reduce crime, and violence.

**Speaker:** Thank you. I still think we might be having troubles with your mic inside chambers but we can move forward colleagues this will authorize Portland police bureau to apply for the 2022 Edward Byrne Memorial Justice Assistance Grant in about half a million dollars. We have the community safety division and Lauren Rosenstein from Portland Police Bureau.

**Speaker:** Welcome.

**Speaker:** Thank you for the time. I'm going to share screen and walk through a little bit about the grant itself. And about this year's application. This grant is a federal grant the city has applied for and received every year for the last 17 years, since 2005. This is a noncompetitive grant meaning we apply and receive it. And



due to a if he value allocation that comes out based on populations. It's a grant we have applied for as lead sponsor along with other government in Multnomah County. Funding can go towards any number of things related to personnel, supplies, contractual support. There are limitations that bureau has says can't replace budget expenses. The bureau has. One thing to note is that there is a low risk to the grant. It didn't have a match to it. There are so obligated bonds in terms of split for the year we'll have with our partners city receives about half of that whole \$502,000 and other funds are going to be split across Multnomah County and gresham. To tell you more about the programs my colleague, lauren.

**Speaker:** Good morning my name is lauren rosenstein, equity training specialist and it's in the equity and inclusion office. And the position that we're looking for to find what this grant, is a approximately 22-month limited term employee, a coordinator two. Their title new is inclusion and social justice trainor. This is modelled after the city Seattle position of a similar name this, position will be a subject matter expert related to law enforcement and inclusive practices and cultural humility and instructional design and delivery. While i, we'd love them to have knowledge of law enforcement it's not the primary point of the position. Social justice initiative is the primary point this will support efforts of the training division and equity and promote equitable outcomes throughout Portland. Next item. This will be working with the equity training specialist, myself and training division as a whole, council which is the advisory council which the court districts to and experts as well as community partners, so we can have input on training and evaluate training and compliance. Had will be designing courses an training material they'll evaluate training from internal and external sources. And goal is to have a he can witness yes lens tool and that will be ensuring that practice. Next one. To date --.

**Speaker:** Excuse me?

**Speaker:** Yes. Go for it.

**Speaker:** I apologize. I didn't have my mic on.

**Speaker:** Thank you. Thank you. If you can go back a slide? My biggest question is we're about to hire a civilian training team and to make recommendations for new training. This feels premature to be hiring someone to develop training materials without the civilian training deed in place. And I know we get this money every year. I'm curious to why we didn't pick something else to fund with grants? Rather than creating a program without a civilian training dean leading that effort.

**Speaker:** Thank you for the question. This is work I'm doing which was instituted before the dean was brought to the intention of hiring. The dean themselves as I understand the position, will be a position that is about a 30,000 foot view. This position is directly related to analysis.

**Speaker:** Excuse me. Lauren, it's more reason to have civilian training be involved in hiring someone whose sole job is developing training curriculum that. Is why the DOJ is mandate we hire a civilian training team. Our current team won't pass constitutional muster, for me it's not about the value of the position. It's about why fund this? With this grant? You have other things you can fund and that would not that this is bad but you picked the wrong thing to fund from this federal grant.

**Speaker:** I hear you. This is something that has an immediate need an support. While I understand this position is going to be hired for I don't know when that is going to happen. I know we need this work done immediately. And I hear you. I hear the recommendation and so that is something that Nathan can speak more to.

**Speaker:** I'm just concern we hire someone that develops training that is unconstitutional. And we pretend it's equity training and then, hiring a dean whose job will be to view any training we have. So we're going to have double work to develop training outside of the process of a civilian training dean making sure that

what is being developed is constitutional. Is racially just and what training bureau needs. You know? You think you know what you need but you don't. Is that is where we're hiring a dean.

**Speaker:** To support that effort, right now, with natalie porta from parks and rec is leading a program now so we can develop a training guide that supports how to stay in compliance with title 2, 6, title 23 of the city so that we, as train professionals and analysts equity trainers throughout the city of Portland are in line with those requirements and the goal is to have this guide so that we can follow it.

**Speaker:** Owe now we have the parks bureau working with the police bureau to develop a he can wilt yes training. I would say, again, I think we're putting a cart before the horse. I think it's ludicrous to develop practices we anticipate will be instituted throughout the stiff Portland before we've evaluated how we do this training today and what we know, based on what we've seen in training curriculum is that we do not, have not looked at it through a constitutional lens so it just doesn't make sense to me without pausing how we train the people elected to be serve.

**Speaker:** I appreciate the point that you are making. Here. I'm still processing your argument. And I would contend the questions what are, that you're raising are policy level I encourage council to engage on issues and I hope I was going to invite commissioner, to read the presentation.

**Speaker:** It's not new I had questions about this proposal. I did reach out and say I would ask questions so if the police bureau did not bring appropriate people to answer questions, that also says something.

**Speaker:** Okay. Thank you, commissioner hardesty. Lauren. I will, if about you I'd like to invite to you resume your presentation.

**Speaker:** Sure. Thank you. To date, Portland police bureau received up to 100 lesson points to be evaluated and ensure all lesson plans and delivery are consistent with best practices. The 200 lesson plans and power points come out to 600 hours of instructional content. This position is ensuring those best practices around diversity, equity, and antiracism are kept at the fore front. Next slide. I have delivered 100 hours of instructional content this, position will item six of the civil rights act and two this has and would be identifying and working to fulfill them. We have gaps within special units and training so this position would be ensuring that is falling within compliance.

**Speaker:** Thank you. I would like to poll colleagues to see if you have questions and first, I should check in with Megan to see if we have public testimony on this?

**Speaker:** No one signed up great. Colleagues do you have questions? Okay. Yes. Please.

**Speaker:** This will report to the dean, correct?

**Speaker:** It's a limited term position right? This is a bit of a test to see about proof of concept. As Nathan described it's a way to are a will he barer, training commission does not have capacity because the dean has in the been hired and with no time line, it's going to be held in the equity and inclusion office. The goal would be in the year, we can demonstrate this is the position that is incredibly valuable and necessary and would move into the training division.

**Speaker:** This will have a dotted line to city office? Equity office?

**Speaker:** The city has it's own office. Owe I assume this, is an assumption moment. Sorry, commissioner Rubio I'm in the trying to put you on the spot. I'm just trying to understand how we do our organizational chart in the city. I assume since we have that office that each bureau's people have a dotted line to this system?

**Speaker:** Yes. We work with partners over at office of equity and human rights. This would be embedded within the police bureau. So yes. Dotted line. Not solid line.

**Speaker:** In terms of timing wise this is for two years worth of funding. Could begin now or could be extended for four years so we can have that back in terms of flexibility. It also meant for pilot projects to be a way to test something out and move forward with it. So commissioner Hardesty? Concerns there, if that timing could shift things and concerns, you know, that question would be answered until after the team would be hired.

**Speaker:** Commission your Rubio?

**Speaker:** Thank you to that. If I recall correctly, the last year, we hired someone to develop training video films we realized we cannot bring people in person to do training so where is that position now?

**Speaker:** That will be until the end of the fiscal year and bureau is considering whether or not to put that forward as a long term request or whether they'd let it expire.

**Speaker:** To we go back and say are we going keep this one? Do away with this one? Unfortunately we're asked as a one off. So I are questions answered now but if you're going to keep doing video training because my assumption is that we'll continue to do things virtually and in person where is that going to come from? Rather than may be what is the most critical need now? When it comes to training police officers?.

**Speaker:** Thank you. Commissioner Rubio? Had.

**Speaker:** I just want to go back to the question that commissioner Ryan raised. You said we're working along side with the office of equity. I'd love to sit down with you and talk about how and what that looks like. How to be part of that.

**Speaker:** Thank you. I appreciate that.

**Speaker:** Colleagues?.

**Speaker:** Yes. Thank you. You're handling a lot of questions right now. I appreciate that. I think you said delivery and outcomes it is representing the i. We want to follow through delivery and outcomes so we don't want to open up new grants until we have clarity about are we getting traction and what is our success. Is that make sense?

**Speaker:** I appreciate that and I think it's going to have to work with the newly hired analyst a solid line to office of equity and human rights and nested here, within our Portland police bureau. The goal there is for this newer position to work and understand while building our plan, what the equitable outcome is we're working toward and what it is we need to do to take action today this seems like it's going to be small but the goal is to be more of a wider web in the way it's moving from area to area an connecting these together. Of now this is work I'm doing. I was hired about a year and a half ago and through this year I realized there is more than can be done by one person. Speaking to the self ware you spoke to before this an overwhelming space and I need help. More and more.

**Speaker:** Thank you. Lauren, let me say how grateful and appreciative I am of your transparency. Right? I reach that and I want to you know if you need help we're here and the city continues to hire one person that is going to change equity in a bureau which is, you know definition of insanity. I do want you to know I see you and here you and I want to help you be successful how does this fit into the big picture of where we say we're move something right? I'm here to help you figure out there should never be a one person shops but already too many of them. Questions? Seeing none this first reading and moves to second reading. Next, 787. This is second reading.

**Speaker:** Amend erosion and sediment control regulations code to clarify consistency and ease of administration and adopt enforcement fee schedule to add fees for noncompliance.

**Speaker:** Colleagues any discussion? Seeing none, Megan please call roll.

**Speaker:** Hardesty?

**Speaker:** Aye.

**Speaker:** Rubio?

**Speaker:** Aye

**Speaker:** Ryan?

**Speaker:** Aye.

**Speaker:** Mapps?.

**Speaker:** Aye.

**Speaker:** Item passes. Next we have a four-fifths agenda item. Megan please read title.

**Speaker:** Authorize a letter of agreement between city, Portland fire, and rescue and Portland firefighters association international association of firefighters local 43 to amend collective bargaining agreement to outline incentives and other details of lateral firefighter training.

**Speaker:** Commissioner Hardesty? You're the sponsor of this item?

**Speaker:** Correct and I wanted to thank the mayor for co-sponsoring with me. For incredible men and women, last three years have been like nothing we have seen before and good news is that fire and rescue are committed to care and support of people that deal with disasters in the community. I was shocked to learn that Portland fire and rescue could not do lateral rescues as per their contract at that time. And figure out how we can make that opportunity available. And I was shocked to learn a firefighter could move from alum and have to start over and do

training over again which is unacceptable. So because of the leadership of the fire bureau today we're able to test out a pilot project to see how we could and now, the order has before you today is going to make this a permanent part for people that want to be firefighters in the city of Portland. I'm going to steal chief boone's thunder for just a moment. She told me last night that we have a federal grant approved for over \$2 million owe help us you know hose hinges don't happen overnight. It has been in works since 2019. We were denied in 2019 I'm happy to say, being denied once does not stop Portland fire and rescue from continuing to look for additional resources so we're just told last night. So, more excitement to come. Now, I'd like to turn it over to not deputy director Ryan gillespie. I'm going to turn it over to chief boone. And are her take this away.

**Speaker:** Good morning commissioner hardesty. Thank you for the introduction and good morning to president Mapps and members of council w me I have division chief of training, antoinette jackson as well as our business operations manager tibia warner for questions. I want to put on record I do not make these decisions alone. Fire service is about work from boots on the ground, firefighters to officers to chiefs and deputy chiefs and up to the chief's office and this as well as partners things we've went lieu, one person does not have all of the answers and I relied on ideas andalusians up and down the be chain of command and we'd not be here without our partnership so thank you to the organization as well as our field training to ensure or the land fire and rescue can move forward with accelerated training to address shortages. This the first time and we've conducted a ram and out in the peeled to reduce overtime this, is the first time we've done this. I'd like to acknowledge chief jackson from raining tames and seconds as well as recruitment office and emergency chiefs are emergency rations to implement we're asking for your approval to compensate our officers for premium pay for taking on



an additional work load and this will enable us to send had our training division from one year to six and a half months and our goal is to get as many in training without compromising safety. Thank you.

**Speaker:** Commissioner hardesty is that the end of the presentation?

**Speaker:** Yes. That is the end of the formal presentation.

**Speaker:** Great. Let he see if there is anyone, any member of the public that would like testimony on this item.

**Speaker:** This one signed up.

**Speaker:** Colleagues any questions? Congratulations we're talking about training and new training for our additional training or how do we incentivize trainers.

**Speaker:** This is making sure that we continue to support the training that will happen in the field so this will be the delayed training officer and it's trainor fee that will be mobile. Right? So now, because we're doing a lot of transfers so some will be on the job training in the field. We need a trainor to monitor how they're working with the public and leagues to make sure that high standards are maintained. We have 14 hires that will be graduating next month, early next month. October 3rd, ourj, fifth.

**Speaker:** 4th.

**Speaker:** Will be rad waiting and we want to make sure they'll be able to work with them and that we don't penalize trainers who are going to be training on the job with these hires.

**Speaker:** Thank you. Commissioner hardesty.

**Speaker:** You're welcome. I bet you didn't know I had that detailed knowledge.

**Speaker:** I very much sympathize. Very similar issues with some of my bureaus. And how are we going to pay for this?

**Speaker:** What do you mean?

**Speaker:** Correct to say we're increasing the rate at which we pay trainers?.

**Speaker:** Short version that we're going to pay for it and have to utilize less force overtime with savorings what we're spending on overtime.

**Speaker:** You're saying bringing on more firefighters you'll have less in the future, what pot does the trainer get paid for.

**Speaker:** The firefighters budget is where the current money comes from.

**Speaker:** Excellent. So this is revenue neutral.

**Speaker:** City gate showed we'd cut every administrative back ground and Portland fire and rescue and still need more firefighters, but don't just need firefighters we need the back room folks doing support for the great men and women who are out there, doing this work every day. So. We'll be having a lively conversation we're looking at where we've lacked ing vestments so, it wasn't me or chief boon so we'll are lively conversations as we start preparing for next year but there no budget implication for tow, to it.

**Speaker:** One more question in her presentation by virtue of passing today one thing we'll be doing is reducing time to train these 17, 14 lateral hires are 12 to 6 months?.

**Speaker:** Thank you. I'm going to turn it over to division antoinette jackson who has been invested in how we've done it in the past. Normally it's been a year this, is a group effort we have looked at every perspective hot only entry level training academy but and having to continue some of the training as well as certification we're just getting them into emergency situations and having to displace teams. But will redeploy them. I want give the floor back over to.

**Speaker:** My name aj jackson division chief of medical services division and just to highlight a little bit. This gives us an opportunity to leverage training and not put them through firefighter type training so this was a brand new program. This group

is our first take on it and realize we're going to be asking for feed back not only from the recruits themselves, but the trainers so we've gone from 12 month to five and a half month program meaning these folks are filling a seat and with that we know there are differences between agencies there mechanical we know our city core fall vals and how important it to hair that side and that goaled in but acknowledging what they're bringing to the table an making sure from our side we're able to fill hose seats and are them under a watchful eye and know training will occur after they leave station two so this phase three set to be three months and then we'll ask for an assessment and see where we need adjustments but we're lacking at three-month phase three fto out in merging.

**Speaker:** You. Do I have one more question. Can I'm catching up and there a lot of back ground that I haven't been exposed to. So just to simp fully mri fi. I think the fire bureau hasn't had a program for hires that we're trying to implement one. Correct? So what is the stand up? What did that come from?

**Speaker:** We didn't have a job position that recognized title for experience or what that would mean. That was built from the ground up but had to that with partnership of local 43 and some back end benefit. There was a lot of work at the table with a small group requirements allowed to us shorten training because they came an we're leveraging that an already previous certifications bringing to fireland fire and rescue so we have had to add that many it was had combination with local resources.

**Speaker:** Interesting. Thank you.

**Speaker:** We were billing a team an just weren't focused on one part of our community safety system. And chief jackson is too polite to say that so I will say that and that is part of the problem and we lost brilliant firefighter candidates when moved here are other states because with 10, 12 years of experience we're telling

them they had to start over again. How insane is that? So we knew we can do something different, we pushed until we can make it happen.

**Speaker:** Do we have any questions or concerns here in I believe this is equivalent of an emergency ordinance.

**Speaker:** Hardesty?

**Speaker:** I just want to say thank you to chief boone and deputy chief jackson and the incredible leadership team at Portland fire and rescue. This team looks a lot different than any leadership team. And it's going to matter for generations still to come. I just want to apply great work. And that is a three-year funding and so if we're bold enough to open I hope we're bold enough to fund it.

**Speaker:** I just want to thank you for lifting this up. I'm glad these are going to be may, happy to vote aye.

**Speaker:** Ryan?

**Speaker:** Wonderful presentation, thank you, chief boone and lieutenant jackson. I vote aye.

**Speaker:** Mapps?.

**Speaker:** I vote aye. The item passes and now items pulled off consent.

**Speaker:** I think 776?

**Speaker:** Create two new non-represented classifications of operations director and incident command manager and establish compensation ranges for class fings.

**Speaker:** I mayor asked this item continued until next week is we'll move to next item pulled off of consent, I believe is 778.

**Speaker:** Hay worker's comp claim involving Portland fire and rescue.

**Speaker:** Was incorrectly filed and had ordinance resolves a worker's compensation claim we have deputy senior worker compensation disability analyst vicky bisby. Welcome.

**Speaker:** Good morning and I'm with office of office and management and have been processing claim for jerry heidi. He's a retired firefighter and working on this claim and we have processed this ordinance together. I'd like to introduce lynn for more information on this particular ordinance.

**Speaker:** Thank you. City. And thank you for having me here today. And I am a senior city attorney asked to talk about item 778 involving one of the city's now retired firefighter this, firefighter has been accepted worker's corporation claim an open status and this means city has an obligation to provide benefits for a work related health condition and in lieu of going through state prescribed process for assessing parties agreed to settle and provide a lump sum benefit and that is what is reflected in the settlement here, today and that the gift of it. I'm happy to address questions.

**Speaker:** Any questions? Any public testimony?

**Speaker:** No one signed up.

**Speaker:** Since we have no question owes or comments, please call roll.

**Speaker:** Hardesty?

**Speaker:** Aye.

**Speaker:** Rubio?

**Speaker:** Aye.

**Speaker:** Mapps.

**Speaker:** With that, item passes. Megan, I believe that takes care of business for us today.

**Speaker:** Thank you.

**Speaker:** Thank you, colleagues we're adjourned.