



Office of Mayor Charlie Hales
City of Portland

December 5, 2016

Chairman Reyn Leno
Confederated Tribes of Grand Ronde
9615 Grand Ronde Road
Grand Ronde, OR 97347

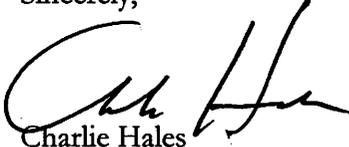
RE: Memorandum of Understanding

The Honorable Chairman Leno:

As the Mayor of the City of Portland, it is with great pleasure that I am enclosing the signed Memorandum of Understanding for your final approval. This office has enjoyed working with your Tribal Council and legal staff, Rob Greene, to formalize this government-to-government relationship.

I wish you the best in your future relationship with the City.

Sincerely,



Charlie Hales

cc: Rob Greene, Tribal Attorney



Office of Mayor Charlie Hales
City of Portland

Memorandum of Understanding
The City of Portland
And
The Confederated Tribes of
the Grand Ronde Community of Oregon

This Memorandum of Understanding is entered into by the City of Portland (“City”) and the Confederated Tribes of the Grand Ronde Community of Oregon (“Tribe”) in order to strengthen the government-to-government relationship between the City and the Tribe and facilitate communication and cooperation on matters of mutual interest.

The Tribe is the federally recognized Indian Tribe pursuant to the 1983 Grand Ronde Restoration Act (25 U.S.C. §713) which restored all rights and privileges of the Tribe and its members that might have been diminished or lost under the Western Oregon Indian Termination Act of 1954 (Pub. L. No. 588, 68 Stat. 724). The area which today makes up the present-day City was ceded by antecedent bands and tribes of the Confederated Tribes of Grand Ronde that signed the Willamette Valley Treaty of 1855 (Treaty with the Kalapuya, Etc., 1855, known as the Willamette Valley Treaty (10 Stat. 1122)). Upon signing the Willamette Valley Treaty, these bands and tribes were confederated and removed to temporary reservations near present-day Gladstone, St. Helen’s, and the Portland airport. On June 30, 1857, President James Buchanan signed an Executive Order creating the Grand Ronde Reserve “particularly for the Willamette tribes.” The Multnomah and Clackamas Chinookan people from the Portland area, along with other tribes in the outlying Portland metropolitan area were then removed to the Grand Ronde Indian Reservation.

The City is organized under the laws of the State of Oregon, and is an incorporated, home rule charter city and the county seat of Multnomah County.

The City recognizes the Tribe’s deep historic and cultural ties to the City and by Resolution 36941 attached as Exhibit A, has determined that upon request of its Tribal Government Partners, the City will enter into a Memorandum of Understanding (“MOU”).

This MOU establishes a Protocol to facilitate communication and cooperation between the parties and to also provide methods for reaching resolution on issues of mutual interest.

Toward these ends, the City and the Tribe will use reasonable efforts to proceed under the following Protocol:

Section 1: Communication and Coordination

Goals and Objectives: To provide for regularly scheduled meetings of representatives of both parties as follows:

- Discuss issues, concerns, policies, priorities, actions and initiatives;
- Develop a government-to-government relationship that is based on consistent contact, constructive dialogue, and problem solving;
- Promote cooperation with regard to projects, studies, development, and resource management/protection efforts;
- Seek agreements that promote stability, certainty and long-term cooperation; and
- Develop appropriate mechanisms for resolving issues such as: areas where Tribal interests and City projects intersect, gathering issues or general disputes that arise.
- It is not the goal or objective of this MOU to hinder or modify existing lines of communication between the Tribe and the City and its Departments. Rather, this Protocol provides an additional forum for consultation should the Tribe or City feel that an issue would benefit from an additional forum.
- This MOU does not amend or supersede any previous legal agreements between the Tribe and the City.

Section 2: Establishment of a Policy Committee

Formation of a Policy Committee: The City and the Tribe agree that a Policy Committee is an appropriate forum to discuss their respective issues and to attempt to seek agreements related to such issues.

Organization of the Policy Committee: The Policy Committee shall consist of Tribal Council members and/or their designees and the Mayor of Portland and/or his designees. Either party may request that the parties' elected leaders, the Tribe's Chairperson and the City's Mayor, attend a Policy Committee and the parties will use their best efforts to accommodate such a request. The Policy Committee shall be co-chaired by one of the Tribe's and one of the City's authorized representatives. The co-chairs, with assistance from their staffs, will be responsible for setting meeting dates, agendas, and the distribution of materials as may be required for meeting purposes. Written summaries of each meeting shall be taken and reviewed by the Tribe and the City for any corrections.

Meetings of Policy Committee: The Policy Committee shall meet quarterly each calendar year, unless the Co-Chairs mutually agree to meet less or more often. Meetings of the Policy Committee will take place at a mutually agreed upon location. The Tribe and/or City may request that leadership from specific Committees (Tribe) and Departments (City) be in attendance at a meeting of the Policy Committee.

Scope of Issues for Policy Committee: The scope of the issues that may be brought before the Policy Committee for consideration will be matters of interest to the Tribe and/or the City and may include, but are not limited to, matters such as environmental protection, habitat protection, land use planning and regulation, City projects and other identified matters of mutual interest.

Selection of Issues/Process for Discussion: Either the Tribe or the City may propose an issue for consideration by the Policy Committee. Issues proposed should be provided to the Co-chairs for purposes of scheduling, discussion and agenda action.

Decision making by Policy Committee: It is the goal of the Policy Committee that decisions will be reached on a consensus basis.

Section 3. Miscellaneous

Amendments: This MOU may be modified or amended upon the mutual written agreement of the parties.

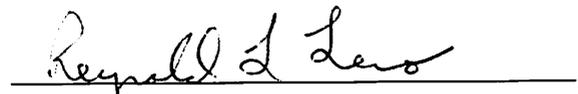
Termination: Either party may decline to participate in the processes and procedures set forth within this MOU at any time. As a matter of courtesy any party declining further participation should attempt to provide the other party ninety (90) days written notice of that decision.

No Legally Binding Force or Effect: It is expressly understood and agreed by the Tribe and the City that the parties do not intend that this MOU create any legally binding or enforceable obligation on the part of either party, either with respect to the MOU itself or any issues that may be considered under this agreement. If the parties wish an agreement they reach to be legally binding and enforceable, they shall put the agreement into an appropriate written form and have it executed by their authorized leaders. Should the City execute a binding agreement with another tribe dealing with any of the goals and objectives of this MOU, it will notify the Tribe and negotiate in good faith a similar agreement.

Dated this 5th day of December 2016.

Charlie Hales
Mayor of Portland
City of Portland

Reynold L. Leno, Tribal Council Chair
Confederated Tribes of the Grand Ronde
Community of Oregon



RESOLUTION No: 36941

Formalize governmental relationship with Tribal Government Partners and establish government-to-government consultation agreements (Resolution)

WHEREAS, federally recognized tribal governments are sovereign governmental entities with an interest in the preservation and protection of their treaty rights and cultural heritage; and

WHEREAS, the City of Portland (City) is an incorporated, home rule charter City under the laws of the State of Oregon and is the county seat of Multnomah County; and

WHEREAS, the City recognizes the unique legal status of its Tribal Government Partners as sovereign nations as recognized by Treaty, Executive Order, or federal law of the United States; and

WHEREAS, it is the policy of the City to implement its programs and activities within the context of honoring and respecting tribal treaty rights, federal-tribal trust responsibilities, traditional Native religious beliefs; and

WHEREAS, the City seeks opportunities to partner with its Tribal Government Partners in initiatives related to economic, environmental, and social improvements; and

WHEREAS, the City recognizes that cultural and natural resources and customary use locations are invaluable and critical to the preservation of treaty rights, cultural heritage, and pursuit of traditional lifeways for present and future generations; and

WHEREAS, respectful of tribal sovereignty, the City wishes to establish and maintain a relationship of mutual respect to achieve positive, mutually understood, and beneficial solutions to common situations; and

WHEREAS, to achieve this goal, the City wishes to formalize its government-to-government consultation with its Tribal Government Partners to build relationships, promote effective communication and coordination, to seek opportunities, and prevent conflict; and

NOW, THEREFORE BE IT RESOLVED, that the City of Portland will mutually formalize coordination and consultation with its Tribal Government Partners; and

BE IT FURTHER RESOLVED, the City will develop internal City policies and procedures that support and affirm its commitment to government-to-government consultation with Tribal Government Partners; and

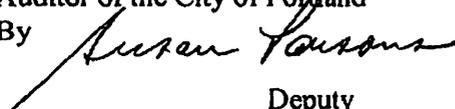
BE IT FURTHER RESOLVED, the City will enter into intergovernmental agreements and/or memorandums of understanding at the request of its Tribal Government Partners.

Adopted by the Council: JUL 11 2012

Commissioner Amanda Fritz
Prepared by: Patti Howard
Date Prepared: July 5, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy