



THE BUREAU OF
**PLANNING &
SUSTAINABILITY**

City of Portland Bureau of Planning & Sustainability

Renewable Fuel Standard Technical Advisory Committee (RFS TAC)

Thursday, September 20, 2023

Minutes

TAC Members Present: Mark Bunch – Chair, Andrew Dyke – Vice-Chair, Jim Verburg, Marc Ventura, Matthew Jubitz, Paul Reed, David Vanthof (Alternate for Chris Efird)

Facilitator: Marti Frank

Staff liaison: Pam Neild

Participants:

Jordan Bice, Brianna Bishop, Ashley Burton, Haley Ellett, Kelsey Erickson, Vanessa Hammond, Marilyn Herman, Robert Hill, Andria Jacob, Kelly Johnson, Alan Lehto, Juan Loera, Ellen Mestelske, Marc Meyers, Matthieu Miller, Jesse Nowicki, Molly OConnell, Donnie Oliveira, Mary Peveto, Cindy Rogers, Celina Russell, Meredith Shield, Sherita Shurelds, Joseph Sorena, Sebastian Soto, Jacquelyn Steen, Gregory Stone, Miles Swanson, Chris West, Cory-Ann Wind

Minutes: Pam Neild

Call to Order and Introductions

Pam called the meeting to order at 9:30 am. She invited Director Olivera to say a few words. Director Olivera thanked the TAC members for their participation on this important policy for the city of Portland. He emphasized that we need everyone's help to ensure the policy is effective and successful. He recognizes the expertise on the TAC and wants to leverage existing systems for reporting, accountability and market analysis to ensure that the standard is always meeting its goals, but also being innovative, and pushing the envelope of what a renewable fuel standard looks like for the City and beyond. He also shared that this is an aspirational target. He encouraged the TAC to share the lessons learned in this space with both industry and government, so we can continue to build stronger partnerships, keep moving markets and ensuring that Portland residents get the results that they are asking for.

Next, Marti asked each TAC member to introduce themselves and provide some background on their expertise.

Mark Bunch, Chair, bp America shared examples from his 20 plus years of experience with the company including technical and commercial fields across the fuel supply chain, product strategy and marketing with retail, and supply chain.

Andrew Dyke, Vice-Chair, EcoNorthWest, shared that he is an economist and partner at EcoNorthwest and has been working there for about 20 years. He focuses on regional economic modeling and has done some transportation analysis. He's worked on the Oregon highway cost allocation study and been involved in forecasting efforts related to VMT and fuel consumption. He brings a general economics background to the TAC.

Paul (Ender) Reed, Neste, shared that he looks forward to working on the committee because it combines two of his passions – renewable fuels and local government. Previously, he worked as head lobbyist for Harris County, Texas where he worked with local government there. He understands local needs and looks forward to working with the committee.

Jim Verburg, Western State Petroleum Alliance (WSPA), shared that he originally worked with Mark Bunch at BP for 15 years before taking his role with WSPA. He's worked on the finance team and worked in compliance as well as with the clean fuels program in the Pacific Northwest and California.

Marc Ventura, Phillips 66, shared that he is a fuel advisor for the company, which until 2012 was an integrated oil and gas company under the name Conoco Phillips. Phillips 66 is a fuel company that refines fuels such as renewable diesel. Marc works on state fuel regulation on the West Coast, including climate regulation and low carbon fuels. He's very familiar with various clean fuel programs as well.

Matthew Jubitz, Jubitz, shared that he is Marketing President at the company's headquarters in Portland, Oregon. The company has been serving customers at their truck stop for 70 years and has 200 employees. He recognizes his company is downstream from the fuel producers, but hopes to be the eyes and ears of what he's seeing in the day-to-day marketplace.

David Vanthof, Alternate for Chris Efird, NEXT, shared that NEXT is a developer and soon to be producer of renewable diesel fuel in Oregon. Chris Efird is the CEO of NEXT and

looks forward to participating in the next meeting. Chris was just seated a few days ago, so a previous engagement prevented him from attending today.

Next, Andria Jacob, Climate Policy and Programs Manager and BPS introduced herself. She has worked closely with RFS staff Pam Neild and Kyle Diesner on this project.

TAC Procedures

Pam shared a slide deck with sections of the draft bylaws for RFS TAC members to review and discuss. Each section is summarized below along with any action or decisions made.

Section I – Purpose of the Committee

Pam reviewed the purpose of the committee which is required to issue a report to the BPS Director regarding renewable fuel market conditions, including an assessment of supply availability and costs by October 15, 2025.

There were no action items, votes or major deliberations on this topic.

Section II – City's role

Pam reviewed the City's role which is to provide a staff liaison to take meeting minutes, organize meetings and be a liaison between the Director and the TAC membership.

There were no action items, votes or major deliberations on this topic.

Section III – Frequency of meetings

Pam reminded TAC members that the ordinance requires that they meet at least four times per fiscal year.

There were no action items, votes or major deliberations on this topic.

Section IV – Membership and Term

Pam reviewed membership and term details. The first term is July 31, 2023 thru December 31, 2025. This is the term of the current RFS TAC. The second term is Jan 1, 2026 thru Dec 31, 2029. If TAC members would like to remain on the TAC the bylaws ask them to submit a letter of intent in writing to the Director. TAC members may send

alternates to take notes on their behalf and/or submit written testimony if they cannot attend a meeting.

Action Item: Pam asked the membership to review the [Oregon Guide for Public Officials](#) on their own time before the next meeting.

Section V – Quorum and Voting

First, quorums were discussed. The RFS TAC is a Type III advisory body, which means it does not need a quorum to conduct a meeting, but staff suggested a quorum exist in order to conduct meetings.

Members voted to require a quorum in order to conduct a meeting. The results of the vote were:

Voting results: 6 – yays, 0 – nays, 0 – abstentions

Next, Pam explained that the RFS TAC is not required to take a formal vote in order to submit the report, but staff suggest that each member vote to approve/disapprove the report before it is submitted. Some discussion took place on the benefits of having each member vote on record.

Members voted on whether to vote on approving or disapproving the report before it is submitted. The results of the vote were:

Voting results: 6 – yays, 0 – nays, 0 – abstentions

In addition, if the report or portions of the report are disapproved, those members will have an opportunity to include an explanation as part of the report.

Section VI – General Operating Procedures

This section of the bylaw describes operating procedures. The first topic discussed was conflict of interest. After some discussion it was decided that Pam would work with city staff to bring better guidance to the membership than what is currently described in the bylaws. These will be included before the next meeting.

The next topic discussed was decision-making. In general, Robert’s Rules of Order culminating in a majority vote will be used. At times, consensus decision making tools

may be used. In sum, the bylaws do not require one version or the other and staff recommends using one or both, as needed.

Next, the floor was handed to Marti for a discussion about the TAC’s scope and anti-trust expectations. The following table is a summary of what was discussed.

The committee is not to engage in any anti-competitive behavior, including but limited to:	
Topic	Summary
Role of the TAC - scope what will be discussed	<ul style="list-style-type: none"> • Technical and economic issues related to the renewable fuel supply. • Technical and economic issues related to meeting the renewable fuel requirements in the RFS. • General market knowledge and perspectives. • Expectations of future conditions.
Out of scope What not to discuss	<ul style="list-style-type: none"> • Development and implementation of RFS rules. • Response to acute market conditions or emergencies.
Out of scope – anti-trust What not to discuss	<ul style="list-style-type: none"> • Costs, discounts, allowances, pricing methods, cost data, terms of sale, profit margin. • The resale prices customers should be charged. • Allocating markets, customers, territories, or products with competitors. • Limiting production. • Whether or not to do business with another company. • Any special contractual arrangements. • Any competitively sensitive information concerning your own company or a competitor company.
How to use the information discussed during meetings Chatham House Rule	Chatham House Rule Participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.

Discussion ensued, with an understanding that committee members would have an opportunity to review and comment more in depth prior to the next meeting. It was generally agreed that the Chatham House Rule was not going to be useful in the public meeting setting of the RFS TAC. The bullet points listed under “out of scope” in the table above will be added to the draft bylaws in order for members to review and comment.

Section VII – Officers

Pam reviewed expectations around the committee's officers. In sum, the Director designates the Chair and Vice-Chair. If either resigns, then the Director will fill the role. Finally, the Vice-Chair does not automatically take the Chairperson's seat.

There were no action items, votes or major deliberations on this topic.

Section VIII – Facilitation

Have a facilitator is optional. Staff recommends using the meeting facilitator who is currently in the role. There is budget set aside for BPS to pay for this service through the end of the RFS TAC's first term.

There were no action items, votes or major deliberations on this topic.

Section IX – Communications

Next, Pam summarized communication rules. These are:

- Members are required to notify City staff liaison of verbal communications with interest groups and all communications with media.
- Members are required to copy the City staff liaison and, when appropriate, the Facilitator on all written communications from/to interest groups (other than a group specifically represented by a member) commenting on the Body's deliberations.
- Communications are subject to public records requests.

Members asked that it be made clear that any communication rules only pertain to the business of the RFS TAC. This change will be made to the bylaws.

There were no action items, votes or major deliberations on this topic.

Section X- Public Meetings and Records

Next, Pam summarized communication rules. These include:

- Meetings are open to the public.
- Notice will go out via the listserv as well as on the website.
- All documents, drafts, meeting summaries, exhibits are public records via public records request.
- Communications among members should not be treated as confidential.

Staff recommend public comment be placed on the agenda for five minutes at the beginning and at the end of each agenda. Discussion ensued, but no permanent decision was made. TAC members want to make sure enough time is given for public comment given that some of the topics to be discussed are complex and may need much more than five minutes on any given day. It was agreed that for the next meeting, public comment will be open for five minutes at the beginning and the end of the agenda. Pam will ask during the registration period for interest in making public comment and send a summary to the committee prior to the meeting. Any committee member has the right to update the agenda based on the number or nature of comments received.

A five-minute break was taken, after which Marti introduced the next section of the agenda.

2024 Work Planning

Next, Marti reviewed the proposed 2024 work schedule. The goal of the next year is to test and refine a process for reporting to the Bureau Director. The output will be a report on market conditions and assessment of local supply/costs of review fuel.

Proposed workplan for 2024 is:

<i>Meeting</i>	<i>Key question</i>
November 2023	How do we report on the diesel fuel market? At this meeting, TAC members will discuss the market indicators (quantitative and qualitative) that need to be reported on in order to advise the Director.
January 2024	How do we organize the report? Prior to this meeting, staff will prepare and circulate a draft report outline based on key data points from the previous meeting.
May 2024	What is the status of the renewable fuel market? At this meeting, TAC members will hear from one another and invited experts as to the status of key data points in the renewable fuel market.
August 2024	Review final report key content Prior to this meeting, staff will survey TAC members regarding the status of the key data points and each members' recommendations to the Director.
October 2024	Review and vote on draft final report Prior to this meeting, staff will draft the final 2024 report based on discussion at the previous meeting, conducting any additional research as needed.

Next Steps

The next RFS TAC meeting is set for **Thursday, Nov. 9, 9:30 – 11:00 PST**. Meeting registration details will be posted the RFS TAC website at least one week prior to the meeting. The meeting is planned to take place via ZOOM.

Pam will send meeting minutes and an updated version of the bylaws to committee members by October. She requested any bylaw edits be returned by **October 20**.

The next meeting will include bylaw discussion and adoption, a discussion about in-person vs. online meetings, and the majority of the meeting will be dedicated to reporting needs both qualitative and quantitative.

The meeting was adjourned at 11:00 AM PST.

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Traducción e Interpretación | Biên Dịch và Thông Dịch | अनुवादन तथा व्याख्या | 口笔译服务
| Устный и письменный перевод | Turjumaad iyo Fasiraad | Письмовий і усний
переклад | Traducere și interpretariat | Chiaku me Awewen Kapas | 翻訳または通訳 |
ການແປພາສາ ຫຼື ການອະທິບາຍ | الشفوية أو التحريرية الترجمة |
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