

## **Portland Utility Board**

Thursday, January 18, 2024, 11:00 a.m.

Virtual meeting using Zoom platform

Meeting #168

### **Attendees:**

#### *PUB Members:*

Alexis Rife  
Bob Sallinger (departed ~12:00pm)  
Christopher Richard  
Karen Williams (from ~11:35am)  
Julia DeGraw (departed ~12:05)  
Robin Castro, Chair  
Joanne Johnson, Ex-Officio  
Joe Spada, Ex-Officio  
Roslyn Gray, Ex-Officio (from ~11:35am)

#### *Absent:*

Heather Day-Melgar\*  
Lorraine Wilson  
\*Notice of absence provided prior to meeting

#### *Staff:*

Amy Archer-Masters, Portland Utility Board Analyst, City Budget Office  
Adena Long, Portland Parks and Recreation  
Angela Henderson, Bureau of Environmental Services  
Anthony Locke, City Budget Office  
Cecelia Huynh, Portland Water Bureau  
Christa von Behren, Bureau of Environmental Services  
Dave Helzer, Bureau of Environmental Services  
Dawn Uchiyama, Bureau of Environmental Services  
Farshad Allahdadi, Bureau of Environmental Services  
Jacq Tjaden, Office of Commissioner Mapps  
Jeff Winner, Portland Water Bureau  
John Maloney, Bureau of Environmental Services  
Kaitlin Lovell, Bureau of Environmental Services  
Ken Bartocci, Bureau of Environmental Services  
Ken Finney, Bureau of Environmental Services  
Laura Lehman, Portland Parks and Recreation  
Matt Kreuger, Bureau of Environmental Services  
Nancy Hendrickson, Bureau of Environmental Services  
Rachel Felice, Portland Parks and Recreation  
Scott Hansen, Bureau of Environmental Services

Shannah Anderson, Bureau of Environmental Services  
Toby Query, Bureau of Environmental Services

*Consultant:* Chris Wallace Caldwell, Catalysis LLC

*Public:* none

### **Items Discussed, Action Items, Decisions**

In these notes PWB stands for Portland Water Bureau, BES for the Bureau of Environmental Services, PUB for the Portland Utility Board and PP&R for Portland Parks and Recreation.

The [video](#) of the meeting as well as supporting documents can be found here:

<https://www.portland.gov/pub/events/2024/1/18/portland-utility-board-meeting>

In the below notes the **blue timestamp** indicates the approximate place in the video where a particular topic begins as well as providing a link to that portion of the video. For example, **3:45** indicates that this topic begins at approximately 3 minutes and 45 seconds into the video. Closed captioning is available by clicking on the CC symbol in the lower right side of the video tool bar.

The Board briefly discussed the current Budget Development timeline and an update on a Council decision related to Ecoroofs. The Board also discussed the Natural Resources Service Delivery Assessment as a follow-up to a presentation at the [January 9<sup>th</sup> Board meeting](#) and approved providing testimony at the February 1<sup>st</sup> work session.

#### **I. Call to Order**

The Chair called the meeting to order at approximately 11:04am.

#### **II. Disclosure of communications [~3:34](#)**

Bob Sallinger shared that he has had multiple communications through Willamette Riverkeeper with the Council offices, Bureau of Planning and others regarding the recent housing package that effects BES programs and regarding the Natural Resources bureau.

#### **III. Public Comment [~4:25](#)**

There was no public comment.

#### **IV. Brief Items and Announcements [~5:12](#)**

##### **Budget Update**

The Chair shared the goal of navigating to be the most successful with the PUB's time and engagement and with PUB staff provided the following key dates and information:

- February 8<sup>th</sup> – Public Works work session – likely PUB will be listening, not speaking for that session.
- February 16<sup>th</sup> – Requested Budget – will need to read the budgets. It was confirmed that budget advisory committee reports should be part of that submission, so PUB should provide a letter.
- March 5<sup>th</sup> – Rate Hearing – earlier than usual, will need to navigate with intention.
- April – public listening sessions
- May 2<sup>nd</sup> – Proposed budget

Amy shared information regarding typical PUB deliverables. In past the Requested Budget letter often has been focused on values and priorities, so PUB could use the November PUB letter on values or rework a version of that letter to include. Documents would need to be prepared prior to the 15<sup>th</sup> with only one meeting left prior to that date. Are there any priorities to make sure included? The rate hearing is earlier this year for a good purpose to allow Council to make decisions about rates and giving guidance to bureaus earlier in the budget process to avoid late decisions that impact budgets. This does impact PUB because the March 5<sup>th</sup> rate hearing is likely one of the main opportunities for PUB to give input. A written letter with more details is also an option as in the past.

- A PUB member shared concern about losing purpose to the PUB over time stating that other budget committees met earlier in fall and had expertise to look at details. The PUB was created to take it to a higher level with a standing committee meeting year-round with long term participants with expertise around budgets and other stakeholder interests. PUB is not close to that, submitting superficial budget comments at the last minute at a high level seems the antithesis of why PUB was created. Not sure how to relegate it. Saw recently with transfer of budget and people from one bureau to another that you must get down into the weeds with numbers. PUB needs to think about that in terms of efficacy, relevance and who we add to PUB over time as well as what PUB prioritizes over the year. We could spend a lot of time writing a letter but do not think it will have any impact the way we have done it.
  - A PUB member shared appreciation for putting into words the discontent and agreed it is something PUB should continue to talk about as we discuss the role.
  - The chair noted that at the end of the last budget process the PUB discussed the need for identifying tradeoffs and being mindful of that will be important moving forward.
  - A PUB member shared they thought the PUB was more deeply engaged throughout the budget process in the past. The challenge as a volunteer Board and as the PUB has worked to diversify so that it did not require going line by line through a budget. It would be helpful to get a briefing on how it was done in the past. The time for impact is earlier in the process. What would it look like for PUB to engage on a higher level and what did it look like previously?
  - PUB staff shared the challenge with this year having a lot going on. In past few years of their engagement, the goal has been continuing to evolve PUB's

engagement to be impactful rather than diving into line-by-line details in year-by-year budgets and instead engaging at the higher policy level and engaging with the bureaus throughout the year on broader issues. The goal for the current budget process was to provide the values information earlier in the process so that the bureaus could use it in developing the budget, then having a discussion later how the budget aligns with the stated values.

- PUB staff shared that the budget process has evolved over time and the current process was to be responsive to the Board and different perspectives around the table to engage in a more meaningful way. The goal was to focus less on the single year and more on the long-term budget and policy issues. The bureaus budgets are incredibly complicated, so it has been challenging to identify how to engage effectively. Each year there are lessons learned. This year is particularly different due to the speed at which they are moving and large issues such as Charter changes that impact everybody's ability to engage effectively.
- PUB staff shared a comment from a participant with concern about the statement made about the skillset in the room. Staff shared that the skillset in the room is valuable and diverse, and the judgement or criticism made about skillset is not wholistic or appropriate. The PUB is always evolving based on the makeup of the Board, but the decisions made by PUB leadership has been to maximize the skillset of those around the table.
- An ex-officio member shared that last year the PUB was involved at the end of the process, and it was PUB's intention to get involved earlier on this year and it seems that is happening. They do not feel PUB is failing by any means on the intentions for PUB. It is not a process that can happen overnight, but they feel PUB is getting back on track to align with those values of engaging early.
- The chair suggested that PUB staff send copies of letters from the past several cycles to review and consider whether the PUB is gaining traction. It is hard to navigate the history and make sure we are building on successes.
- A PUB member restated that they do not feel the PUB is back on track. They stated the purpose was to engage year-round in budget decisions, that could be brought on to a sophisticated level with budget. They acknowledged things are off a bit this year because of how crazy things are, but that usually the budget committees that are most effective are those with comments in by November to be ahead of the budget rather than to respond to it after the fact. The PUB is not on that timeline and is not on a year-round track to make sure the budget is a significant part of every meeting and new members are brought on to understand budget at a deep level. Without that you cannot have a significant impact on a municipal budget – too big, too complicated, and too many forces moving them. Public feedback almost must happen in the off-season to impact budget process. That may not be the mission of the PUB anymore, but we should be realistic about what we can and cannot do if we are engaging in February.

- The chair stated they do see value in engaging on budget every month, possibly every meeting, so that the PUB is not as late to the process. There is value to focusing on budget during the off-season to be engaged and impactful, getting into line-by-line if necessary.
- A PUB member asked about timeline for bureau updates on budget.
  - PUB staff responded that the plan was to hear from bureaus at the February meetings. This year is particularly challenging with the budget calendar just approved last week and bureaus meeting with service areas that are changing how they submit the budgets. There were early discussions with PUB leadership about whether to have initial presentation of early ideas and later the reality. The two meetings in February will be both of those areas because the work session is between the February meetings.
- The chair shared that they wondered whether it would be helpful to align the PUB's stated values with the Mayor's two guidance memos. They stated it seemed valuable to acknowledge priorities and tradeoffs when things need to be cut. The goal was not to focus less on values but to identify how our values translated into the budget to help navigate when cuts are needed.

PUB staff noted that they would document what was shared but noted that there was not a quorum in the meeting yet and some of those that engaged on deciding how to approach budget were not present so it would be valuable to get feedback from full membership. If prior membership moved in a direction that current membership wants something different. However it is approached in the future, the PUB is still in the middle of the current budget process where there are opportunities to engage if they so choose. PUB staff will connect with bureau staff about next steps based on what they have available to share.

#### Ecoroof Update ~31:12

Bob provided an update regarding the housing relief package that has worked its way through the City. Originally there were some regulations that were going to be waived including the green roof mandate, bird-safe building mandate and some public involvement. Planning Commission rejected the green-roof and bird-safe mandates and put some requirements about public notice back in. City Council got the package a few weeks ago and Commissioner Gonzalez tried to restore those exemptions, putting amendments in the night before the hearing. Approximately 40-50 people testified, and he believes they received over 300 letters. Despite no notice, Council voted to advance the housing package and it will likely pass with unanimous support the following week. Based on the vote yesterday, there will not be the suspension of the green-roof requirements, bird-safe requirements, and some of the public involvement requirements. This is good news from his perspective. BES was concerned about removal of some requirements and Commissioner Mapps communicated that in the hearing and voted against the amendments. From a public process standpoint, it was a trainwreck, needing to pause to confer with lawyers based on amendments being introduced after some testimony heard. These are big changes that are important, and these are exactly the kind of changes that should go through advisory boards like PUB and should not have been introduced the night

before the hearing, especially since there was no urgency. It supports his concern about how the City looks at advisory bodies. Although amendments were dodged, if PUB wants to be relevant that kind of thing needs to stop happening. There is a place for emergency amendments, but this process undermines the systems for checks and balances.

- A PUB member shared appreciation for Bob tracking this issue and bringing it to PUB's attention. It is discouraging and we need to figure out how to remain relevant, particularly as we are recruiting new members. We cannot in good faith recruit people to a board where we cannot demonstrate that the board exists for a purpose, has meaning and is relevant.
- Bob responded that he would like to request that if any of these items come back, that PUB would appreciate the opportunity to have them brought before the PUB. This can slow down these last-minute train wrecks. If the Commissioner has it from PUB that we want to hear these items, then they can state that they want to have the advisory body weigh in. He would like PUB to request that of the Commissioner.
  - The Chair noted that they were seeing general support from members present and that they supported this request. They stated that PUB could do some work behind the scenes if needed.

#### V. **Natural Resources Service Delivery Assessment** [~39:27](#)

The Chair invited a debrief of the January 9<sup>th</sup> joint meeting, indicating opportunity for questions and answers with a goal to identify desired feedback or testimony.

- A PUB member asked whether there was an answer from legal about whether it is okay to use BES resources/ratepayer funds to do this.
  - PUB staff noted that at the prior meeting Dawn provided details on the questions that had been asked of legal as of that time, so the [January 9th meeting](#) may have some information.
  - Dawn responded that there have not been additional conversations with legal. The work group is still working on a definition for “Natural Resources”, which is tied to operations, so it is difficult for legal to weigh in when it is not defined which services are included and what operations means. BES’ Stormwater work brings BES into the realm of natural resource management so it isn’t just a question of whether the dollars can be used but which resources it can be used for based on BES’ charter and that has not been agreed upon in any detail with PP&R.
  - A PUB member asked when the definition may be coming.
    - Dawn responded that they are working on it, in fact had plans to work on it last week but the storm set them back. It is part of the work plan so it has started and will continue to happen. It is acknowledged that getting legal review is a great starting point once staff have defined what is included and relates to BES regulatory work.
    - Shannah shared that they do have a February 1<sup>st</sup> work session, so they do need to make progress on the definition before that date.

- A PUB member stated that it would be great if legal review was a starting point, but Council already made a decision so now it is a mid-point.
- A PUB member stated that they had heard that there was an opportunity for the advisory boards to participate in the February 1<sup>st</sup> work session and asked if that is true. They see value in having a PUB representative in that session.
  - PUB staff responded that Commissioner Mapps' staff confirmed that if PUB is interested then they can request being invited testimony. PUB just needs to confirm, identify key talking points and identify volunteer(s). The Parks Board and Urban Forestry Commission have requested to provide joint testimony at the session.
  - A PUB member agreed that it would be valuable for PUB to testify in the session.
- A PUB member asked whether written updates may be available as the work group proceeds so that they can keep up to date about the definitions, legal question, etc. What will communications with the advisory bodies be along the way?
  - Shannah responded that BES would be happy to give written updates and/or come to meetings and talk to the Board. There will be more material to provide as they progress toward the February work session.
  - Dawn added that they are working with the consultant Chris Wallace Caldwell to put together a proposal to engage all the boards, perhaps with a small project team or other opportunities for the boards to have active participation. They have not worked out the details but hope to come back to PUB with a proposal. Adena echoed the commitment to engage all the boards.
  - Chris Wallace Caldwell noted that it would help to have some input from the advisory bodies on what would work best for them.

PUB staff noted that a PUB member needed to leave the meeting for a conflict and that they will lose quorum for the meeting so any discussion would continue as a subcommittee. If any decisions were desired, PUB needs to make them before quorum is lost.

### **VOTE**

Karen Williams made a motion that PUB develop testimony to present at the February 1<sup>st</sup> work session, Bob Sallinger and one other volunteer (if any) present the testimony, and delegate to those volunteers to finalize the testimony. Seconded by Chris Richard.

There was no further discussion or public comment.

Yes: RC, BS, CR, AR, JD, KW

No: n/a

Abstain: n/a

Motion passes.

Discussion regarding potential feedback resumed.

- Julia DeGraw volunteered to help provide testimony but stated that the schedule is difficult so preferred if somebody else was able to fill that gap. Roslyn Gray, ex-officio, also volunteered if the voting members were unable and additional support needed.
- Per request, a copy of the [December 12, 2023 PUB letter](#) was pulled on screen for reference. A PUB member suggested that the PUB identify highlights from the letter for the talking points. They suggested not belaboring the criticism of process failures since it is water under the bridge, but the specific concerns that are forward looking and actionable recommendations to consider.
  - PUB staff noted that in absence of other members they wanted to highlight that another member had continued to advocate for slowing down the process so that the work group could do their work and the public adequately engaged. The current process is still on a quick timeline, so this is an opportunity to share if there is feedback on that as well as anything about the roadmap.
  - A PUB member stated that it is an area important to raise and it came up at the joint meeting. Public participation and engagement with the public on the issue should be highlighted as important. They remain concerned about the speed and decisions made about reorganizing things prior to the transition. Highlight the power of slowing down, being inclusive, seeking feedback from community in a careful, thoughtful, and intentional way.
    - There was support from other members in response.
- A PUB member shared frustrations with the joint meeting, particularly that it started without a quorum of PUB. It isn't clear if this should be stated in the letter, but it does illustrate failure to adequately engage the public and how hard it is to engage even as a board. It is not just individual public but even advisory bodies if engaged it is superficial.
- A PUB member asked if the focus of the work session is clear. It may help refine talking points to be most timely and relevant.
  - PUB staff noted that the schedule reflects a work session on the work plan, which is still being drafted and PUB has not seen yet.
  - Shannah shared that the development of the agenda is in progress, but it will include a draft work plan that they will provide to PUB in advance. It will be a current state and a plan towards implementation of the resolutions that intersect with Natural Resources.
  - Shannah confirmed that the work session on the work plan is February 1<sup>st</sup>, and the plan was to return to advisory boards in March to get feedback, but they would also be available in February and return again in March. The due date is to deliver the plan to the Chief Administrative Officer in April.
  - A PUB member asked what Council expectation is for the work session. Is there a plan to reach a decision or just receive feedback?
    - Dawn responded that the work session was requested by the Mayor with an understanding that the decision in November was rushed and not all information was available to Council to make a decision. They will not make decisions at the work session, just follow up with the detail to



inform budget decisions and future transition decisions. It will set a course for City expectations through the transition.

- Jacq took the opportunity to name the tension in the room and the confusion shared by staff and Council offices. There are a lot of questions and not a lot of answers, but we hope in the next few weeks there will be clearer definitions and answers. As was noted, Council had less than 24 hours to review what was voted on so the Mayor requested the work session to hear more about it.
- PUB staff asked about the timeline established for delivery in April. Is that timeline driven by an attempt to address the transition in the budget process. If so, they noted for PUB that the fast timeline has been part of PUB’s criticism and wondered if advocating for slower timeline would be beneficial to staff to a more achievable or reasonable timeline.
  - Dawn responded that it is a tight timeline, but it is important to think of it as an evolution. Both Directors are working towards progress and doing what they can to advance these ideas incrementally. Whether it is “reasonable” or “achievable” depends on the definition of what we are going to get done. We have a commitment from the bureaus to work to collaborate, define the mission and advance the agenda efficiently. They hope to take advantage of the moment to elevate the bigger vision. It will take years and decades to fully realize but each year we can advance our ideas and evaluate what is being accomplished and whether it is successful.
  - Nancy noted that they are a member of the work group, that especially when you are moving people and positions it is valuable to take the time to make sure we fix more than we break.
- A PUB member noted that it is very difficult to be specific amid vagueness and uncertainty. How can we be timely, relevant, and influential when we don’t know the details? They suggested that the PUB take a step back and identify what they need out of this process, what they value. The process really is still relevant, it is how you get to the outcome so withdraw original suggestion about not talking about process. Suggest including a talking point about the importance of slowing down, not imposing artificial timelines.
- A PUB member asked whether staff could share the draft of the work plan even if in early draft form.
  - Dawn responded that it is a great idea and will work with Shannah to get a copy to PUB. They also shared feedback on the process, and they have learned some things from the past and that is why they are engaging with Catalysis and trying to put a thoughtful workplan together to be clear about the process moving forward. Being clear about expectations about the process will help us all understand how to engage, how to make decisions and how to communicate. Dawn shared that it is not a consolidation of all natural resources into Parks. Parks has been clear that they are talking about the consolidation of operational parts of natural resources (maintenance/ O&M). The work group is identifying

which parts make sense. The process really does matter, and they encourage PUB to consider identifying a member as a project team member and think about processes that have worked well and help them be successful in this space. It is frustrating to revisit processes that have not work. Take the opportunity as they are defining a process to make sure it is defined to be successful.

- The Chair noted that it seems that the talking points are primarily from the existing document and anything additional upon review of the draft work plan. It is important PUB is there to be clear that we do not have all the information and process concerns, as well as commentary added based on workplan.
- Dawn shared that they would get information to PUB as soon as they can but would need to coordinate for sharing with all the relevant advisory boards according to their engagement plan.
- PUB staff will coordinate with the volunteers and get materials to the Board in advance of the work session.

#### **VI. Announcements and Next Meeting [~1:26:38](#)**

PUB Staff/Amy provided the following quick updates:

- Reminder that volunteers need to be confirmed for Administrative Review Committee for February and April, contact PUB staff/Amy if you are available.

Potential future meetings and topics to be determined, likely focus at upcoming meetings are budget and natural resources.

The meeting adjourned at approximately ~12:31 p.m.