

Portland Utility Board

Tuesday, November 7, 2023, 3:30 p.m.

Virtual meeting using Zoom platform

Meeting #163

Attendees:

PUB Members:

Bob Sallinger
Christopher Richard
Heather Day-Melgar
Karen Williams (arrived ~3:42pm)
Lorraine Wilson
Julia DeGraw
Robin Castro, Chair
Joe Spada, Ex-Officio
Roslyn Gray, Ex-Officio

Absent: Alexis Rife *
Joanne Johnson, Ex-Officio*

*Notice of absence provided prior to meeting

Staff: Amy Archer-Masters, Portland Utility Board Analyst, City Budget Office
Farshad Allahdadi, Bureau of Environmental Services
Jeff Winner, Portland Water Bureau

Public: Jessica Zahnow
One unidentified attendee/"Pac/West Communications"

Items Discussed, Action Items, Decisions

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

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

<https://www.portland.gov/pub/events/2023/11/7/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 discussed the PUB Budget and Policy Values and two members volunteered to draft a document for Board consideration. The Board also discussed a plan for Recruitment and established a subcommittee to proceed.

I. Call to Order

The Chair called the meeting to order at approximately 3:34pm.

II. Disclosure of communications [~3:52](#)

Bob Sallinger shared that Riverkeepers has been testifying on issues such as the new bureau of natural resources, transfer of programs and staff from BES to Parks, the potential elimination of ecoroofs and other items that undermine the Bureau of Environmental Services.

Julia DeGraw shared that she reached out to Commissioner Rubio's office and Mayor's office separate from her role on PUB to support the Natural Resources Bureau route rather than the route that Council moved forward and expressed concerns.

III. Public Comment [~5:38](#)

Jessica Zahnow shared that they continue to be here as they have over the past year plus. They are frustrated that base charges in rates have increased by over 40% over past five years and it is unsustainable. They have not seen any movement out of this group to impact rates in a positive manner but will continue to monitor.

IV. Review of Minutes [~7:13](#)

The October 19, 2023 and October 25, 2023 minutes were accepted as submitted.

V. Brief Items and Announcements [~8:04](#)

PUB Staff/Amy introduced Roslyn Gray as the new ex-officio from BES. Roslyn shared that they are an engineer in the engineering and design surface water restoration team at BES. They work with wetland and stream restoration project delivery primarily through the Capital Improvement program. They shared that they are pleased to be joining to learn more and support the PUB's work.

Amy shared that the BES Rate Study hearing was delayed and will share once we know more about when it will be heard. The Board discussed some concerns:

- A PUB member shared that they hear that the City is getting pressure from interests including floating home and industrial and wondered if changes are being proposed or considered, is that the reason it is being delayed?
 - Farshad from BES shared that the main reason for delay is based on feedback from some constituents impacted by the study that have not had ample opportunity to discuss concerns with the Commissioner and the Commissioner has continued to make opportunity to hear the concerns.
 - The PUB member responded with concern that the process has been long, well vetted and the public hearing provides opportunity for everybody to be heard. We recently have seen some things modify pretty substantially at the end of the process for specific interest groups and would be an unfortunate outcome. Staff have done a good job and there is fear that there will be last minute modifications and it makes it hard to discuss merits and problems once it has changed.
 - PUB staff noted that the initial letter of support from PUB was submitted and will be resubmitted once scheduled again. The letter was general and did not address specifics such as floating homes so if there was interest from the Board the letter could be revised.
 - The PUB member stated that if changes are going to be made between our last review and the public hearing that the Board would be notified. The ideal is a full and complete hearing and then changes. The behind-the-scenes modifications are problematic public process. There was some general support from members. A potential action is to share this concern in writing from Chair or PUB. There was discussion that sooner would be better to share concern with Commissioner's office.
 - PUB staff agreed to document the concerns shared during the meeting and will send a copy to PUB members as well.

PUB Staff noted that an update was sent to members regarding the City's hearing on November 1st and decisions made regarding the City Organizational Structure including the transfer of Natural Areas and Tree Management to Parks. There was discussion regarding the decisions:

- A PUB member shared that Commissioner Ryan brought forth an amendment the night before the hearing. There was no analysis of financial, staff, regulatory, capacity implications. Major programs, staff and potentially funding transfer with no real discussion. The hearing was distressing and irresponsible with major implementation and legal implications for BES. Public input was overwhelmingly in favor of a Natural Resources Bureau versus the transfer to Parks. This goes against the values and priorities PUB has established. Question why PUB is here when this kind of thing was not brought to the board in advance.
- A PUB member echoed the prior comments. It is distressing to have major change made without being consulted. Recognize it is a politicized process. The process was

terrible. Commissioners deciding to hold onto their bureaus until the last minute is also not helpful.

- PUB staff noted that many prior communications have shared concerns about decisions moving forward without adequate public process and PUB engagement. There is planning that was under way that will continue but in light of new decisions that changes.
- A PUB member stated that PUB should go on record regarding concern. They also recognized the outstanding testimony from the Commissioner and BES Director Dawn during the hearing. Recommend a letter that it was unacceptable, disrespectful to the PUB and community, poorly thought out, and that the PUB needs information on this change and its implications. Suggest asking how the City will meet regulatory, legal and financial obligations. Otherwise, there is not much point to PUB's existence or public process.
- A PUB member stated support for a communication to Council, likening it to what happened with budget hearing and process but more egregious. It may not be effective but warrants a public statement of outrage. As members of community advisory committee communicate that it is insulting and discourages public participation, which appears that may be some of the intent.
- A PUB member stated the hearing was shocking, especially with amendment night before without time to hash out key details. What was most bothersome was clear agreement by three commissioners, indicating potentially behind the scenes communication. The business of the City should not be discussed outside of the public forum. It appeared to be a power play not in the best interest of the greater community.
- A PUB ex-officio member shared that BES Director Dawn is working closely on the Natural Resources working group, the planning process mentioned previously, to tackle the concept of management of natural resources. There is a December 1st due date for the work plan, after months of collaborative planning among bureaus including Parks and BES. That work plan will be presented to Council. Dawn and that working group also intends to get a work session with Council prior to or in conjunction with budget process required to put the amendment into motion.
- PUB staff agreed to work on drafting a document to capture some of the concerns raised to review at the next meeting.

VI. Reflections on Field Trip to Tryon Creek Wastewater Treatment Plant [~35:07](#)

The Chair shared that some PUB members and City Budget Office Staff were able to attend the field trip on October 25th. Video and summary of the trip is available [online](#). Special thanks to Farshad, director, engineers, operators and other staff that coordinated and shared their expertise. The chair shared the physical, biological and chemical treatment process that occurs. It was interesting to see the facility and learn about staffing. The potential for apprenticeship as a means to gain expertise for those jobs may be an equity focus in the future for PUB to consider supporting. Staff shared that the bureau would come back to PUB in the future for a

more thorough briefing before anything goes back to Council, and that would be a point where PUB could consider whether to document support or any concerns. Farshad shared that they are in the final phases of negotiation with the contractor for this work, so once more details are available, they will present to PUB again. Farshad invited any that missed the event to arrange a visit. Please contact PUB Staff to coordinate if interested.

VII. PUB Budget and Policy Values [~42:25](#)

PUB Staff shared reminder about the budget process and goal for a general values statement and trade-offs early in budget process so it could be considered as developing budget. Council held a work session earlier the same day about the city's financial forecast including rate related information from PWB and BES. An additional priority setting work session will be held on November 14th. The Mayor's budget guidance will come out later in November and early December. Part of prior guidance included adjusting rate-setting process to be earlier in budget process to avoid decisions so late in the timeline. Staff brought the draft document on screen and members discussed feedback and changes, comments noted in the document attached at the end of these minutes as part of the record.

- There was brief discussion regarding the combination of Maintenance of Infrastructure and Regulatory Compliance.
- A PUB member stated that the equity section reads differently than prior language. The “through the lens of intersectionality...” is new language and it is not clear what is meant. It had been added by another PUB member but intent is unclear. There was discussion regarding equity language used in prior documents that is clearer, though language more in depth. That section of the letter was flagged for review and clarification.
- There was discussion regarding the draft language of “through immediate Climate Change Mitigation” and what language may be more appropriate to capture ongoing work and suggestion to cite the 2022 Climate Workplan. There was suggestion to shift language to climate resiliency and general support for the change.
- There was discussion regarding assistance programs and desire to call out “multi-family residents” and specifics regarding receiving services but no protection from high bills due to break or other issues.
- A PUB member suggested using language that is less certain than we have the knowledge to project, shifting it to statements of concerns and potential impacts such as “the PUB is concerned that not having sufficient funding....may lead to....”.
- There was discussion regarding the affordability section and suggestion to shift away from income specific language to more tiered rate structure since it relates to stormwater and square footage rather than income based.
- PUB staff noted that revisions would be possible prior to next meeting and agreed to coordinate with members that had additional feedback to incorporate.

VIII. Eco Roof Requirements [~1:14:35](#)

The Chair decided to hold this topic for a future meeting due to time limitations. A PUB member noted that the topic is live right now and the Planning Commission had a hearing on the topic today so it may be passed by the next meeting. There may be an opportunity to hit it again before it goes to Council.

IX. Announcements and Next Meeting [~1:15:31](#)

Next regularly scheduled meeting is Thursday, November 16, 2023 at 11am, and topics will include carry over from this meeting including the Budget and Policy Values letter as well as the letter regarding recent Council decisions.

A PUB member suggested having the Commissioner come speak to the PUB regarding the recent decision made by Council. The PUB can submit a letter but it would be better to give feedback directly and hear the Commissioner's thinking. Staff will coordinate to see if it is possible.

Potential future topics –recruitment, ecoroof requirements, filtration plant and other priorities to be determined.

The meeting adjourned at approximately ~4:56 p.m.