

Portland Utility Board

May 20, 2021, 11:00 a.m.
Virtual meeting using Zoom platform
Meeting #103

Attendees:

PUB Members: Amy Chomowicz, ex-officio
Brian Laurent, ex-officio (arrive a little late)
Dory Robinson, co-chair
Gabriela Saldaña-López (arrived at ~10:10)
Heidi Bullock
Kaliska Day
Karen Y. Spencer
Karen Williams, co-chair
Robin Castro
Robert Martineau
Tom Liptan
Sara Petrocine, ex officio

Absent:

Julia DeGraw*
Theresa Huang*

*Notice of absence provided prior to meeting

Staff:

Amy Archer-Masters, Portland Utility Board Analyst, City Budget Office
Cecelia Huynh, Director of Finance and Support Services, Portland Water Bureau
Eliza Lindsay, Portland Utility Board Coordinator, City Budget Office
Erich Pacheco, Portland Water Bureau
Gabriel Solmer, Director, Portland
Jeff Winner, Portland Water Bureau
Jessica Kinard, Director, City Budget Office
Joanne Johnson, Portland Water Bureau
Ken Bartocci, Bureau of Environmental Services
Mike Jordan, Director, Bureau of Environmental Services
Robert Cheney, City Budget Office
Sherri Peterson, Bureau of Environmental Services
Yung Ouyang, City Budget Office

Public:

Carol Cushman
Dee White
Diane Henkels
Lori McFarlane

Tillie with Brian

Synopsis, Action Items, Decisions

A brief update on PUB code and stipends was provided by the CBO Director. PWB staff asked for PUB input on PWB's community engagement strategy.

The Board decided on recommended appointees for the two open seats as well as two alternates. Details on the vote below.

Action Items include:

- Ex officio Amy C has met with two people in BES and is preparing notes to share with the Board regarding any BES policies related to installation of UICs (sumps) versus green streets.
- There is interest in hearing about equity efforts after PWB's audit on creating more inclusive internal practices and policies is completed. A PUB member suggested that perhaps PWB and BES could do a joint presentation.
- PUB to hear back from PWB in 2-4 months, (late summer-fall) with updates on plans to resume collections and further discuss any potential recommendations.

I. Call to Order

The Co-Chair called the meeting to order at approximately 11:00 a.m.

II. Disclosure of Communications

Heidi went on a walking tour with BES staff. She had the usual biweekly meetings with BES staff regarding the Portland Harbor Superfund site.

Karen YS reported back from the rate hearing. She presented PUB's perspective, particularly around PUB's Values, Beliefs and Anti-racist Principles. She did not get any questions from Council.

III. Public Comment

There was no public comment.

IV. Approval of Prior Minutes

The minutes from the April 6 full Board meeting, May 4 full Board meeting, and the two April 26 subcommittee meetings were approved as submitted.

Action Item A PUB member asked for follow-up from BES regarding any policies related to installation of UICs (sumps) versus green street infrastructure. Ex officio Amy C said she was looking into it. She had met with two people and is preparing notes to share with the Board.

V. PUB Code and Stipends updates

Director Kinard provided an update on PUB code and stipends. In March proposed PUB code changes were brought to City Council which sparked a conversation amongst City Council members about the desire for PUB to connect with the City-wide stipends work. Since then Director Kinard has met twice

with the Civic Life staff who have been working on this policy. They have expressed the challenges of an issue that seems straightforward but has many complex layers to it. During their first conversation she realized that if PUB were to partner with Civic Life in piloting stipends, PUB might be able to help address some of the issues and inform practices for the entire City. The Civic Life team was very interested in the idea of a pilot. They discussed how PUB might serve as a test to understand the administrative aspects more fully as well as to gather information related to the stated goals of a stipends policy. Director Kinard shared the idea of PUB providing a stipends pilot to both the Mayor's office and Commissioner Mapps' office. Both offices were interested in pursuing this. She also discussed the idea with Commissioner Hardesty's office, as the Commissioner-in-charge of Civic Life. Commissioner Hardesty was interested in knowing more about PUB's membership and expressed an interest in having the pilot be with an advisory body that reflects the diversity of the City. In consultation with the Co-chair and Amy, Director Kinard responded with some basic information. At this point Commissioner Hardesty is most interested in understanding more about the proposal and the details of the pilot PUB is considering. These details will be helpful for all Council offices. Earlier this week Director Kinard, PUB staff, and staff from Civic Life had a good conversation. Civic Life staff expressed a desire to center volunteers in the process and to remove barriers to participation in City advisory bodies. These goals are challenged by the bureaucratic processes in the City and some of the legal requirements. Director Kinard left the conversations encouraged. If there are a couple of PUB members who are interested in working with PUB staff to help inform what the pilot could look like, that would be very helpful. Director Kinard closed by noting that through the Board's work and dedication, she believes we can get to a place that benefits the entire City.

PUB staff shared that the next steps are drafting the procedural elements of the pilot, noting that they are waiting on a short issues document from Civic Life. The pilot should address the issues identified in the document. The timeline is maybe a short meeting soon-ish and then working on the developing the draft pilot during the June-August timeframe. PUB staff asked for one to two folks interested in helping with this.

Question and Answer

A PUB member asked what makes PUB's stipend ask a pilot since there are other Boards within the City that already offer stipends. It doesn't seem like PUB is necessarily starting anything so much as building on what others have already done.

Director Kinard answered that the use of the term pilot signifies two things. There is awareness that other advisory bodies are already offering stipends. When we came to Council, they were concerned that there would be another advisory body offering stipends without more fully developing the City-wide policy. The use of the term 'pilot' is aimed at making more explicit a partnership with Civic Life in a way that advances a City-wide policy. The use of 'pilot' also indicates that it is one-time with the hope of continuation if they can figure out a right way to offer stipends on an ongoing basis.

A PUB member asked if the team working on this would involve folks from Civic Life?

PUB staff said it very well could. An initial step would be to meet amongst ourselves and map out some basics, utilizing PUB staff existing knowledge about disbursing funds to community members and the hard parameters and working to draft a proposal that addresses the issues Civic Life has identified.

A PUB member asked if the stipend would come out of Civic Life's budget and if this is the reason PUB needs to work in tandem with them regarding whatever challenges they are facing?

Director Kinard answered that the stipends would come out of PUB's budget. The partnership is really in service to the overall goal to align whatever PUB decides to do with City-wide practices and to advance that City-wide work.

The Co-chair asked folks who are interested in spending a little more time on thinking about the stipends procedures to let PUB staff know.

VI. PUB appointments

A member of the recruitment subcommittee gave a brief report back sharing that there were many strong candidates to choose from. The team ended up recommending two candidates for the two open positions as well as first and second alternate candidates should a seat end up being open.

Candidate E was unanimously chosen. They have a wide range of volunteer experience and work within organizations, e.g., East County Rising and Pacific Islander and Asian Family Center. They are connected to vulnerable populations, have a strong grasp on financial challenges faced by community, and a connection to PUB values. They mentioned utilities as a human right and that stuck with the committee. They also have lived experience and an understanding of social services and people-driven policy.

The second unanimously selected candidate, Candidate H, has strong technical background and community connections. They spoke about active listening, reconnecting, and re-engaging with underserved communities, especially when they can't be at meetings. They are also a former business owner and geologist. They are connected to Portland Harbor Community Coalition. They have an intersectional identity and a background in STEM and, if the PUB member recollects correctly, are about to receive their master's in social work. This allows them to critically review and understand the sciences through a social lens.

Candidate C, first alternate, had an amazing financial background, experience with business-supply chain, and a natural resources background. They mentioned that water rights were very important for their child and identified the intergenerational need to look after watersheds.

Candidate J, second alternate, also had a small business focus as well as a lot of policy and law experience.

The PUB member said they enjoyed being part of the interview process, especially since they were on the other side 6 months earlier. There was a lot of agreement on the subcommittee and they are excited to put forth the recommendations.

The Co-chair and others thanked the subcommittee for their work.

PUB staff shared that they followed up with Candidates E and H after the interviews. They both expressed continued interest. They would be filling seats that begin on July 1, 2021, so the goal is to get this before Council in mid-June or so.

A PUB member asked if there were any people who had no background other than being a person who was interested in participating.

A team member said there were candidates who had a background in water and environmental sciences and those who didn't but were engaged community members and/or community organizers.

VOTE Tom made a motion to accept the two candidates for the open positions and the two alternates.

Karen YS seconded the motion.

There was no public comment.

All present voted yes: Karen W, Dory, Heidi, Kaliska, Karen YS, Robin, Tom, Rob, and Gaby.

VII. PWB Community Engagement Strategy

Joanne Johnson, Accessibility Analyst with PWB, introduced herself. She explained that the community engagement strategy is part of PWB's plan to advance equity, diversity, and inclusion. PWB is focused on expanding the ways they collaborate with community and building deeper partnerships.

Erich Pacheco, Equity Manager with PWB, provided a brief update on equity accomplishments from the past year. He noted that he started with PWB in May 2019. Like many bureaus, PWB had an equity plan from 2016 which had largely gone unutilized. They decided to go through a process of developing a more comprehensive equity plan. They put together a taskforce that worked together for six months, did a literature review, and met with experts. The result is an equity plan with desired outcomes, priorities, actions, and goals. The categories within the equity plan match PWB's strategic plan. They began recruiting for two new equity related positions and hired in February 2021 for a team of four. Now they are working to implement the actions. They contracted with an outside firm to do an independent audit of how to develop more inclusive internal policies and practices. The Equity Committee had been bureau wide. This presented challenges for participation, so they are creating smaller Equity Champions teams within each of the 7 workgroups. They will focus on advancing equity in the areas relevant to their work. They will have paid time, 5%, to devote to advancing this work. PWB is working with BES on a community equity index to better embed equity into their projects. Lastly but not least is community engagement. Community engagement had been approached ad hoc, team-by-team, without any overarching guiding framework. A community engagement strategy will allow the bureau to better coordinate together. He then turned things back over to Joanne.

Action Item A PUB member shared that they would be very interested in hearing about equity efforts after the audit is completed and suggested maybe PWB and BES could do a joint presentation.

Joanne shared that she has talked to many staff and is spending May and June talking with community. She said that as she is talking with PUB today, she hopes the Board can wear two hats for her. One is the PUB advisory member and the other is yourself, as a community member. She said she is asking very broad questions purposely because she is interested in hearing what PUB members have to share. She asked: What do you need as a PUB member and a community member to build deeper relations with PWB and to feel like your needs are met by the bureau?

A PUB member asked if the assumption is that the current methodology used to charge for water is the best possible. They noted that there are projects the bureau does to accommodate different parts of the City that cost a lot, e.g., the Willamette Crossing project to get water to the west side. So, there is an expense associated with where people live. They are not sure how this relates to equity but think it does. Theoretically it costs more to get water to the west side than the east side, yet everyone pays the

same rate. They asked whether the methods used to determine rates will be up for consideration and evaluation.

Joanne shared that she is just beginning to understand how rates are structured and might have disparate impacts. She said what she is hearing from the PUB member as a PUB member and a community member is that it is critically important that PWB engage community around the rate structure.

Erich added that the strategic plan includes conducting a rate study over the next couple of years. Is the current structure the most equitable way to charge folks? The rates are flat, i.e., everyone pays the same rate. He noted that the people most heavily impacted by the flat-rate structure are those folks who are just above the eligibility cut-off point for the financial assistance programs. Proportionally, they are carrying the biggest burden. World-wide, there are different ways utilities structure rates to make them fairer. Commissioner Mapps asked PWB to start looking more deeply into affordability, given that rates are going up because of the filtration project. And, PWB just recently prepared a memo for Commissioner Mapps.

A PUB member shared the importance of hearing from the quiet voices, not so much the folks who easily speak up. They also shared something that stood out from serving on the SPUR committee last summer. A business owner shared reticence in participating in the SPUR grant because government gives with one hand and takes with the other. They recommended addressing this reticence to interact with government with a sense of humility and the recognition that not all past actions of the government may have been great.

A PUB member shared that they would like the bureau to consider aligning with the idea that water is a human right and objectively stating this in core governing documents. Affordability is talked about a lot but that doesn't necessarily mean access to water. If principles and actions are aligned with the idea of water as a human right this would also lead to greater equity.

A PUB member said they really appreciated the idea of water as human right and want to understand it better but don't want to take up time now.

The PUB member added clarification that eliminating water shut-offs is something they are advocating for and is an action linked to the value of water as a human right.

PWB staff mentioned that the strategic plan has an action item to analyze what it costs to shut-off water compared to what is gained by shutting off water. They have a feeling that others within the bureau are also thinking along these lines.

Joanne asked if there are other times or places where Board members think PWB should be reaching out to them as a PUB member or community member? When would you like to hear from PWB?

A PUB member answered that quality of communication is important. They would find it helpful as a PUB member and a community member for there to be timely updates on points of interest beyond the annual water quality report. More frequent communications would be useful.

PWB staff asked what does more frequent or timely look like for you?

The PUB member responded maybe a couple of times of year, more than annually, less than quarterly. It doesn't have to be on a regimented timeline. Maybe seasonally?

A PUB member shared that they appreciate the statements, thus far, especially around water as a human right. They are reminded how we are grappling with the effects of climate change, especially as summer and the fire season approaches. They feel it is important for PWB to have communication around this. With climate change there is a lot of emphasis on the individual and it must go back to the overall system. What are entities like PWB doing to conserve water and use it wisely? There are a lot of conversations in other parts of Oregon around privatization and they think as one of the bigger water utilities in the state it is important to stand more in favor of community, community having equitable access, and against privatization; not just here in Portland but all over the state. Even PWB if can't control what happens elsewhere, PWB can have influence.

A PUB member mentioned that PUB rarely has community input at meetings but when PUB does it is overwhelmingly about the fear of lead in water and the concern that PWB is not adequately addressing the issue.

Erich asked a follow-up question about how recently PUB heard this. PWB is building a Corrosion Control Treatment Plant to address this very issue. He wondered if this is a communications issue, a perception issue, or something else.

The PUB member said they have been on the Board since January, so just in the past 6 months. They noted that they get updates from PWB but don't see that much reference to these issues, especially given that the plant is coming online.

An ex officio member shared that some of the risks that people experience with their water are not something the bureaus can control, e.g., they just bought a 100 year old house and they don't trust the pipes but the risk is on their side. The way housing works is that many people don't have the resources or authority to do anything to the place they live. This is a distributed problem outside of PWB's authority. However, as other people have shared, PWB has a leadership role and if you think of concentric circles of closeness to the issue then their questions are: What are the priorities around this? Is there a connection with anything happening at BES? Beyond coordination, in the realm of the housing crisis and houselessness is there a way for both bureaus to participate in right-sized ways? That is, both bureaus have roles to play in participating in City-wide efforts on these issues.

Joanne answered that she always tries to align with other bureaus' work and collaborate. She has talked with BES staff to learn what they are doing and to share information. And, she has been tasked to develop a community engagement strategy for PWB. This is the scope of my work.

The ex officio member clarified that they were not thinking that the items they mentioned were directly in Joanne's scope of work.

A PUB member mentioned their concern about cryptosporidium. How often does PWB test for cryptosporidium. Since it is seven years till the facility comes online, are we prepared if there is a big hit? They feel more communication about this with public would be good. They added that they signed up for a home water quality test. Their home was .11. So, PWB water is very clean. The issue is when it gets into old private systems.

PWB staff answered that they test for cryptosporidium several times a week. PWB has an emergency plan if elevated levels are detected. The last time there was a boil water notice was something like 2006/2008. They said they hear you saying we need to better communicate with the public on this.

A PUB member mentioned appreciating the conversation and feedback. They wondered if some of what has been shared might better be directed, as a Board, towards Council.

A PUB member shared the idea that, if Joanne has capacity, having her at PUB's larger community meeting to ask the same questions might be valuable.

Another PUB member said they think they would be in favor of this. They asked if Commissioner Mapps' office had been invited.

The PUB member replied that it would be wise to invite Commissioner Mapps if he has capacity.

A community member shared a question: What is the strategy for involving small businesses?

Joanne closed out by explaining that she is getting community input in May and June. She will produce a draft in July. She will send the draft to PUB for review and additional input. Follow-up questions or thoughts can be sent to PUB staff.

VIII. PWB plans to resume collections

The Co-chair opened the topic with questions: Are there additional thoughts from the Board on this topic? Any next steps for the Board? Timing of next update from PWB?

A PUB member shared that, given some of the thoughts expressed about collections it might be useful for the Board to have a conversation about this and perhaps more broadly about access to water as a human right. They noted that they kind of want to balance that with some of the follow-up information received about past due bill amounts have increased and hearing that people won't pay the bills until they absolutely must. They felt this should be discussed sooner rather than later. They weren't sure there needed to be a specific proposal from the bureaus to have the conversation.

The co-chair asked a clarifying question about whether the PUB member felt this was a topic for further discussion at a full Board meeting or...?

The PUB member shared that it might be a better topic for a subcommittee to work on and come up with a proposal for the full Board. They shared that they have thoughts but don't have enough information to feel like they can even discuss the topic at this point.

The Co-chair asked what might be a good time to have an update from PWB?

A PUB member shared that it would be good to give PWB a chance to put their strategy into motion for a couple of months and so long as there were no drastic measures taken during that time period, e.g., no shut-offs during that time. PWB could then come to PUB with updates and information about how many people are in different situations, e.g., really in dire economic situations or just not willing to pay. PWB and PUB could look at the situation and information together. They said they are not opposed to forgiving bills. They know PWB has said they can't do this, but they think there may be ways to talk about it, assuming all agree it is a good idea.

Another PUB member shared they would be interested in a report back at the point it is causing shortfalls and requiring budget adjustments. This would probably be closer to the bureaus' preparation for Fall BMP submission or some other point in the budget cycle. They shared that their understanding is that the bureaus already exercise all the options they have under charter and code.

Action Item Co-chair suggested that PUB hear back from PWB in 2-4 months, (late summer-fall). This might be a more appropriate time for the Board to have a conversation about our role and put something on the record about how PUB recommends the bureaus proceed. There was general agreement to that timing.

IX. Announcements & Updates

PUB staff shared that the Tribal Nations training was postponed till September. If you are interested but haven't already let PUB staff know, please do.

Reminder: Please let PUB staff know by Saturday, May 22 if you are interested in the Co-chair position.

The other updates were carried over to the next meeting.

X. Next meeting

Next meeting: Tuesday, June 1, 2021, 3:30 p.m.

Topics: Filtration Project Updates and carry-over from today

A PUB member mentioned wanting to keep the comprehensive rate study front and center.

The meeting adjourned at approximately 12:30 p.m.