



CITY OF PORTLAND

Tom Potter, Mayor
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Portland Utility Review Board

Paulette Rossi
Chair & East Portland
Representative

Brook Drew
NE/SE Portland
Representative

David Johnson
West Portland
Representative

John Tyler
Public Interest
Advocacy

Lila Wickham
Public Interest
Advocacy

Tracy Marks
Commercial/Industrial
Representative

Vacant
Local Business
Representative

Sharon Kelly
At-Large Member

Loren Lutzenhiser
At-Large Member

Bob Tomlinson
Staff Liaison, OMF
Financial Planning

To: Mayor Tom Potter
Commissioner Sam Adams
Commissioner Nick Fish
Commissioner Randy Leonard
Commissioner Dan Saltzman
Auditor Gary Blackmer

Subject: FY 2007-08 PURB Annual Report

Date: September 30, 2008

As a founding member of PURB in November 1994, it is hard to believe that a Board that has existed in two formats for over a decade experienced many "FIRSTS" this year.

Obviously, I am still proud to be the first woman Chair of PURB appointed in December 2007. I am also the first member of the low income community to Chair PURB.

PURB held its first retreat in January 2008 and decided to take on a special project: Looking at the low income assistance program for sewer and water customers and how this could apply to Solid Waste and Recycling customers. PURB also decided they needed letterhead to report to Council on and a handbill for recruitment.

For the first time in February 2008 PURB worked with the City's Ombudsman's Office supporting the Ombudsman's conclusion that private well, sewer only customers should receive a credit for the overcharges that resulted when their accounts were changed from quarterly to monthly. No City Council member answered the PURB letter.

In May 2008 Scott Fernandez was denied re-appointment to PURB. This was the first time that a PURB member with excellent attendance was denied re-appointment.

With the adoption of the City Budget PURB had its first Budget notes adopted by City Council:

- The Water Bureau will convene a committee to study the base charges paid by water and/or sewer customers to determine how those costs can be better allocated among customer classes in a manner that reflects the true costs of delivering service to a particular customer group on the basis of the benefits they receive. The committee will include at least one member of the Portland Utility Review Board and will take public comment.

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- The Office of Sustainable Development will convene an interdepartmental committee to determine if there is need for a low-income assistance program for residential solid waste and recycling customers patterned on the current program provide to Portland water and sewer customers. The study committee will include at least one member of the Portland Utility Review Board and a member from the hauling community.

PURB members have the enthusiasm to continue more “firsts” in the new fiscal year. I am sure that our excellent staff, (Lead Bob Tomlinson, Kezia MacAlistaire and Ingrid Fish) will continue to supply support.

Best regards

Palette Rossi, Chair
Portland Utility Review Board

Portland Utility Review Board FY 2007-08 Annual Report to City Council

September 30, 2008

The purpose of the Portland Utility Review Board (PURB) is to advise the City Council, on behalf of and for the benefit of the citizens of Portland, on water, sewer, stormwater and solid waste and recycling financial plans and rates. This public involvement provides needed oversight in the establishment of fair and equitable rates for those utility services that the City provides or regulates. By September 30th of each year, the PURB is required to submit an annual report to the City Council summarizing its work for the past year.

The PURB is comprised of nine members appointed by City Council to represent a range of interests including neighborhoods, public interest and advocacy, commercial and industrial, local business. The PURB also has two at-large positions, please see attached membership list. Over the past year two PURB vacancies have been filled, with Tracy Marks representing commercial and industrial and Andrea Debnam representing public interest. Paulette Rossi was appointed chair of the PURB.

The PURB meets the third Thursday of the month with extra meetings as needed.

During the past year the PURB has had the following briefings and discussions (dates noted).

Solid Waste Management Plan Update – BES – 07-19-07
Bull Run Groundwater Testing – Water Bureau – 07-19-07
Water System Criticality Evaluation (CLEM) – Water Bureau – 07-19-07

BES Preliminary CIP and Financial Plan – BES – 11-15-07
CSO Status Report – BES – 11-15-07
Construction Dewatering – BES – 11-15-07
Party Line Sewers – BES – 11-15-07
Residential Solid Waste Franchise Agreement – BES – 11-15-07
Commercial Solid Waste Franchise Proposal – OSD – 11-15-07
Costs of Roll Carts – OSD – 11-15-07
Status Report on LT2 Enhanced Surface Water Treatment Rule – Water Bureau – 11-15-07

Comments on the Residential Solid Waste & Recycling Plan – OSD – 1-17-08
Commercial Solid Waste & Recycling Goals – OSD – 1-17-08
Comments on the Bull Run Habitat Conservation Plan (HCP) – Water Bureau – 1-17-08

BES Grey-to-Green Program – BES – 2-21-08

BES FY 2008-09 Requested Budget Presentation – BES – 2-21-08
OSD FY 2008-09 Requested Budget Presentation – OSD – 2-21-08
Water Bureau Low Income Program – Water Bureau – 2-21-08
Water Bureau FY 2008-09 Requested Budget Presentation – Water Bureau – 2-21-08
Water Bureau – Sewer Only Accounts – Water Bureau – 2-21-08

BES Party Sewer Lines – BES – 3-20-08
OSD Portland Recycles Plan – OSD – 3-20-08
Water Base Charge Breakdown – Water Bureau – 3-20-08
Water Bureau Habitat Conservation Plan (HCP) Environmental Impact Statement (EIS) – Water Bureau – 3-20-08

Hilton Hotel Tour of Recycling Facilities – 4-17-08
Solid Waste and Recycling Rates – OSD – 4-17-08
Habitat Conservation Plan – Water Bureau – 4-17-08

Solid Waste and Recycling Rates – OSD – 5-15-08
Council Actions on Water Rates – Water Bureau – 5-15-08

During the past year our discussions have centered on fairness, transparency, affordability and maintenance.

Members of the PURB participate in a variety of other efforts and initiatives, many of these are associated with the City's utilities and solid waste regulations. These include:

- Solid Waste and Recycling Committee
- Participation in the LT2 process

Over the past year the PURB has submitted the following recommendations:

- Rate testimony - 05/13/08
- Commercial Solid Waste Letter - 1/17/08
- Letter on Well Accounts - 2/26/08

PORTLAND UTILITY REVIEW BOARD

Neighborhood Representation

Paulette Rossi, Chair - East Portland Rep

Term Expires: 06/30/09
3710 NE 147th Avenue
Portland, Oregon 97230
Phone: 503-797-1827
Email: rossip@metro.dst.or.us

Brook Drew - NE/SE Portland Representative

Term Expires: 10/09/09
8550 N. Allegheny Avenue
Portland, Oregon 97203
Phone: 503-943-2865
Email: bdrew@moonstruckchocolate.com

David Johnson - West Portland Representative

Term Expires: 4/30/10
3401 SW Stonebrook Drive
Portland, Oregon 97239
Phone: 503-730-5625
Email: Dave3401@gmail.com

Public Interest Advocacy

Lila Wickham

Term Expires: 6/30/10
Manager Multnomah County Environmental Health
3653 SE 34th Avenue
Portland, Oregon 97202
Phone: 503-988-3663 x22404
Email: lila.a.wickham@co.multnomah.or.us

John Tyler - Native Fish Society

Term Expires: 06/30/09
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Commercial/Industrial

Tracy Marks - Hilton Hotels

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Portland, Oregon 97204
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Local Business

Vacant

At Large

Sharon Kelly

Term Expires: 6/30/10
URS Corporation
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Loren Lutzenhiser

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Bureau of Environmental Services

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Comm. Adams' Office

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Revised: July 18, 2008



CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE

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Kenneth L. Rust, Chief Administrative Officer
Jennifer Sims, Director & Chief Financial Officer

Casey Short, Manager
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**Portland Utility
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Paulette Rossi, Chair,
East Rep

Brook Drew, NE/SE
Rep

Amber Lewis, West
Rep

John Tyler, Public
Interest Advocacy

Tracy Marks,
Commercial/Industrial

Scott Fernandez, At
Large

Loren Lutzenhiser, At
Large

Date: January 17, 2008

To: Mayor Tom Potter
Commissioner Sam Adams
Commissioner Randy Leonard
Commissioner Dan Saltzman
Commissioner Erik Sten
Auditor Gary Blackmer

From: Portland Utility Review Board

Subject: Commercial Solid Waste Collection

The Portland Utility Review Board (PURB) discussed the commercial collection section of The Portland Recycle's Plan at its January 17, 2008 meeting.

PURB supports the following goals:

- Seeing zero growth in the waste stream
- Increasing the recycling rate to 75% by 2015
- Making the whole system more sustainable including safer for haulers and neighborhoods
- Reducing toxics and green house gases

The PURB believes those goals can be met by the current free enterprise system.

The group noted the free market system gives both the hauler and the customer options to meet their needs. PURB believes haulers must reduce their vehicle miles traveled to gain efficiencies and to increase their profits.

PURB believes that Portland businesses (which include multi-family housing over four units, nonprofits, and government agencies) select haulers which give them not only the best price and best service but also those that meet their own internal sustainability goals.

Finally, while the PURB supports recycling the group emphasized that waste reduction must be stressed in the business community as the best approach to reduce green house gases and the vehicle miles traveled for collection.

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Large

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Rep

Loren Lutzenhiser, At
Large

Tracy Marks,
Commercial/Industrial

John Tyler, Public
Interest Advocacy

Date: February 26, 2008

To: Mayor Tom Potter
Commissioner Sam Adams
Commissioner Randy Leonard
Commissioner Dan Saltzman
Commissioner Erik Sten
Auditor Gary Blackmer

From: Portland Utility Review Board

Subject: Portland's Ombudsman's Final Investigation Case #2007-J-0053, Well
Accounts

This investigation dealt with residential sewer-only accounts served by a private well for water.

On February 21, 2008 the Portland Utility Review Board concluded that the Ombudsman was correct to recommend that the Portland Water Bureau credit each of the 205 well accounts for \$49.12.

While the Water Bureau switching these sewer-only customers from quarterly to monthly billing had the unintended consequence of these accounts paying more in service charges, the PURB agrees with the Ombudsman that this additional cost represents an inequitable charge that should be credited back to the accounts.

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PURB May 15, 2008 Testimony for May 21, 2008 Rate Hearing

To: Portland City Council
From: Paulette Rossi, Chair of the Portland Utility Review Board

On May 15, 2008 the PURB met to finalize our comments to City Council. While PURB has nine seats, two have been vacant for months. The small local business seat and the public interest advocacy seat remain unfilled.

Votes for the submission of the following statements broke down as follows:

- Solid Waste and Recycling with six member in attendance, five voted to forward the work and one abstained.
- Bureau of Environmental Services with six members in attendance, six members voted to forward the work.
- Water Bureau with five members in attendance, five members voted to forward the work.

While the phrases “ratepayer revolt” and “sticker shock” never were said by members the discussion centered around the unsustainability of yearly rate increases that greatly surpass inflation.

Some members noted that while many rate drivers are driven by Federal mandates the spending on them must return more to the ratepayer than just meeting the law. There must be community benefit or bluntly put ratepayers need more bang for the buck than just some pipes in the ground.

I would like to thank all the Bureau staff that provided PURB with briefings on CIP and financial plans, budgets and rates as well as answered follow-up questions from PURB members.

And, I would to thank our Office of Management and Finance staff that not only coordinated requests between members and Bureau staff but supplied us with their analysis of the Bureau’s budget requests.

PURB May 15, 2008 Testimony for May 21, 2008 Rate Hearing

The Portland Utility Review Board made two philosophical recommendations:

- Average rate increases should be in line with current inflation and cost of living increases. This recommendation coming now is not driven by bureau costs, but by the current economic slow down and the distress this is causing to both residential and commercial customers. In addition, the bureaus are facing declining consumption and this will result in falling revenues. In our opinion it is inappropriate for the bureaus to continue internal business as usual and to increase their rates to cover their spending.
- Only projects that represent a clear, sharp peak in bureau spending (Big Pipe or LT2 for example) can justify the added expense of bond financing. Currently both bureaus are planning to borrow money to fund a relatively continuous stream (\$70-\$80M/year for BES and \$45-\$50M/year for Water) for routine construction projects. This approach results in significantly higher costs to rate payers and reduced management flexibility in running the organizations without any long term benefit to rate payers. For example, the Water Bureau's current 5-year plan calls for spending \$390M to do \$245M in construction work. Water customers would be outraged if they knew that 25% of their payments are being used on debt service without significant benefit to them

Solid Waste and Recycling

When the City of Portland adopted the Residential portion of the Portland Recycled Plan in August 2007 they opened the door for Portland ratepayers across all customer classes to experience a \$2.60 monthly rate increase beginning July 1, 2008 and going into future years to pay for roll carts.

While some customers can reduce their service level for example going from a 32-gallon can to a 20-gallon can or going from weekly to monthly service those already in 20 gallon cans or those already with once a month collection have no means of rate relief.

Even if our economy was thriving a 12 percent rate increase to cover the cost of two roll carts is excessive especially when compared to other local jurisdictions that may have done it for less. But, this huge rate increase coming with other spikes in energy, food and transportation costs could usher in the unintended consequences of increased illegal dumping, theft of service and nuisance complaints.

The cost of roll cars is a constant. The other rate drivers such as health care costs, the tip fee and cost of fuel - proposed to increase the average bill by about a dollar a month – fluctuate each year.

The total proposed rate increase for a 20-gallon can and a 32-gallon can is \$3.60 for fiscal year 2008-09. **This 17% rate increase is unacceptable.** We believe that OSD needs to review its internal operation to find savings to mitigate this rate increase.

PURB May 15, 2008 Testimony for May 21, 2008 Rate Hearing

Likewise the commercial tonnage fee increasing 53% from \$3.80 to \$5.80 should also be reviewed.

PURB also suggests removing non-core utility cost from the solid waste and recycling management fund budget. These costs include:

- Returning to the Office of Transportation the funding of Public Trash Cans. Until July 1998 these cans in the City core and some neighborhoods were paid for by PDOT. The program now costs the Solid Waste Recycling Commercial program about \$210,000 annually.
- The Green Incentive Fund should either be phased out simply because Green Building is a force in the market and should no longer need incentives. If City Council believes the Green Incentive Fund is still needed than it should come out of General Fund Dollars. This would save the Solid Waste Management Fund \$50,000 annually.
- Finally, the actual budget for the Green Building program was \$562,416 in FY 2006-07 and is projected to increase to \$764,974 in FY 2012-13. The Green Building program is split 33 percent commercial tonnage fees and 67 percent from residential franchise fees. The Solid Waste Management fund should only pay for those Green Building Services that provide technical assistance on waste prevention and reduction, job site recycling, recycling facilities in buildings, reuse of salvage materials and recycled content building products.

Bureau of Environmental Services

CSO Project

The current budget request to pay for the CSO project is appropriate to comply with the regulatory and legal requirements that the projects come in on time and meet mandated standards. PURB members did ask what the payback on this project was. The return on investment is based on avoiding future litigation and court fees associated with not compiling. PURB believes that the City should continue to look for Federal or State aid to sustain the project. And, that the projects do more – provide community benefit - than just meet legal requirements.

Portland Harbor Fund

Continue to pursue companies liable for pollution within the superfund clean-up site and hold them accountable. Companies responsible for generating the pollution should be held liable for clean up costs. Costs should be paid via the insurance companies of liable companies.

PURB May 15, 2008 Testimony for May 21, 2008 Rate Hearing

Watershed Projects

Improving surface water runoff and filtration at the source or educating residents of the environmental impact of their personal actions on the water shed is a proactive strategy that saves money over reacting to watershed issues down stream.

City Hall Eco-Roof

Does City Hall need a new roof now? Is the cost going to be a definite \$325,000 or less? Would it not be better to select another public building like the Union Station that needs a new roof and is more assessable to the public than City Hall?

Gray to Green/Green Streets

Combining the Green Streets Initiative with the Gray to Green Program should further improve on the positive rate impacts and cost savings to rate payers through:

- Encouraging City Bureaus and Departments to work together on projects that have overlapping service and maintenance responsibilities.
- Treating storm water on site or where it falls can result in a cost savings. It reduces the amount of storm water that must be transported and treated at facilities that are owned and operated by the City.
- Reducing the amount of storm water flowing through the storm water system could extend the life of this expensive infrastructure.
- Meeting multiple policy objectives and compliance obligations (federal, state, regional and local) through one set of actions can result in a net benefit to the City and its utility ratepayers.

Current streets should not be used for the green street projects unless the cost of development can be justified. Instead, green streets should be implemented during the construction phase of new streets or when storm water run off becomes an issue and alternative measures need to be implemented.

Debt Fund Savings

Debt Funding Savings should be used for rate relief not to support existing or new activities or programs.

Water Bureau

- All hydro revenue should be used by the Water Bureau for rate relief. Currently, much of the revenue goes to the General Fund. This change would add \$400,000 in revenue to the Water Bureau.
- The LT2 reserve account is not helpful and should not be funded. The LT2 variance decision will be made within the next 12 months. The reserve fund will gain less than \$2 million this year which will have insignificant impact on the projected \$200 million in costs the LT2 compliance would cost.

PURB May 15, 2008 Testimony for May 21, 2008 Rate Hearing

- The Open Reservoir Maintenance project should not be done this year. The Bureau proposed to spend \$9 million in reservoir maintenance this year. If the LT2 variance is denied and Portland moves to LT2 compliance this work would be wasted dollars.
- The bureau should be more conservative in its financial planning assumptions. Over estimating future revenue could result in unexpected rate increases.
- The bureau must be dedicated to seeking cost savings in the Bull Run Dam 2 Tower modification including re-examining the pros and cons of fish screens.
- The bureau must look for ways to speed up the Sandy River conduit crossing project as this makes the system vulnerable to sabotage or natural disaster.
- The bureau should seek partnerships with property owners in the Sandy River Basin to mitigate the cost of the Habitat Conservation Plan.
- The bureau should study returning to block pricing to promote water conservation.

Estimated Budget & Rate Impact of PURB Identified Non-Core Mission Items

09/30/08

PURB Identified Non-Core Mission Budget Items	BES		Water	
	FY 2008-09 Budget	Estimated Rate Impact	FY 2008-09 Budget	Estimated Rate Impact
Portland Harbor Superfund Program	\$5,905,000	0.06%	N.A.	N.A.
Low-Income Discount Program	\$1,552,124	0.16%		
Single Family Residential Discount			\$566,160	0.9%
Crisis Voucher			\$225,000	0.3%
Fixture Repair			\$65,000	0.1%
Administrative Cost			\$180,468	0.3%
Safety Net Program	Unknown	Unknown	\$125,000	0.2%
SDC Waivers for Low-Income Housing	\$1,000,000	0.10%	\$600,000	0.9%
Voter Owned Elections	\$144,381	0.02%	\$30,051	< 0.1%
Fountain Improvements	N.A.	N.A.	\$245,000	< 0.1%
Operation & Maintenance of City's Decorative Fountains	N.A.	N.A.	\$347,288	0.5%
Utility License Fee	\$12,809,000	0.45%	\$4,184,153	1.6%
Subtotal	<u>\$21,410,505</u>	<u>0.79%</u>	<u>\$6,568,120</u>	<u>4.8%</u>
Waiver for Impervious Stormwater Charges for Transportation	\$37,500,000	17.80%	N.A.	N.A.
Total	<u>\$58,910,505</u>	<u>18.59%</u>	<u>\$6,568,120</u>	<u>4.8%</u>

BES Note: Portland Harbor Superfund Expenses and Utility License Fees are assumed to be removed from expenditures for each year of the five year planning interval. In addition, they are not considered operating expenses for debt service coverage calculations and will therefore not affect rates in the same way as either operating expenses or revenue reductions.

**Full PURB Meeting Absences
July 2007 - June 2008**

PURB Members	PURB Absences (a)			Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08
	Unexcused	Excused	Total												
Brook Drew		3	3	Excused	N.A.	Excused	N.A.		N.A.						Excused
David Johnson		1	1	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.			Excused
Loren Lutzenhiser		1	1		N.A.		N.A.		N.A.	Excused					
Tracy Marks		3	3		N.A.	Excused	N.A.		N.A.		Excused	Excused			N.A.
Paulette Rossi		1	1		N.A.	Excused	N.A.		N.A.						
John Tyler		2	2		N.A.		N.A.		N.A.	Excused				Excused	
Vacant			0		N.A.		N.A.		N.A.						
Vacant			0		N.A.		N.A.		N.A.						
Vacant			0		N.A.		N.A.		N.A.						

(a) Three (3) unexcused absences of regularly scheduled monthly meetings in a twelve (12) month period results in automatic dismissal from the PURB.

**Full PURB Meeting Attendance of Council Staff
July 2007 - June 2008**

Council Offices	Comm. Staff Absences (b)			Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08
			Total												
Mayor Potter			9		N.A.		N.A.		N.A.						
Comm. Adams			6	X	N.A.	X	N.A.		N.A.		X				
Comm. Fish			1	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	
Comm. Leonard			2	X	N.A.		N.A.	X	N.A.	X	X	X	X	X	
Comm. Saltzman			9		N.A.		N.A.		N.A.						

(b) An X indicates staff attendance at that meeting.

