

Portland Utility Board
August 7, 2018 4pm – 6:30pm
1900 SW 4th Avenue Room 2500C
Meeting # 49 Minutes

Attendees:

PUB Members: Ana Brophy, ex officio
Allan Warman
Colleen Johnson
Dan Peterson
Dory Robinson
Heidi Bullock
Lee Moore
Micah Meskel
Mike Weedall
Robert Martineau
Scott Robinson
Ted Labbe
Van Le, ex officio
Vera Zaharova, ex-officio

Absent:
none

Staff: Dawn Uchiyama (Deputy Director, Bureau of Environmental Services)
Gabe Solmer (Deputy Director, Portland Water Bureau)
Megan Callahan (Communications Director, Bureau of Environmental Services)
David Peters (Principal Engineer, Portland Water Bureau)
Todd Lofgren (Senior Policy Advisor, Commissioner Fish)
Jeff Winner (Capital Improvement Program Planning Supervisor, Portland Water Bureau)
Melissa Merrell (Principal Analyst, City Budget Office)
Yung Ouyang (Senior Financial Analyst, City Budget Office)
Alexandra Martin (Executive Assistant, City Budget Office)

Public: Janice Thompson (Citizens Utility Board)
Mary Forst, Confluence Center for Training and Mediation

I. Call to Order

Colleen called the meeting to order. She reminded everyone that the meeting was of community volunteers tasked to advise City Council on items related to the Water Bureau and the Bureau of Environmental Services. She gave an overview of the [agenda](#).

II. **Prior Meeting Minutes**

Colleen asked if there were any changes to the minutes of the July 19 meeting. There were no changes and the [minutes](#) were accepted as submitted.

III. **Public Comment**

Public comment was requested, and commenter asked to wait until after agenda items completed. Colleen agreed to hold the time.

IV. **Disclosure of Communications**

Rob met with bureau leadership in his role as union leader.

Heidi met with city staff regarding Portland Harbor Superfund.

Allan met with staff from PBOT and BES.

Micah participated in an Administrative Review Committee.

Lee asked that the board discuss outside communications at some point in the future.

V. **Acceptance of Quarterly Reports**

Colleen said that since the last meeting, the board received a report from the Water Bureau about the progress of their Strategic Business Plan. She asked for a motion to accept the report. The motion was moved and seconded. Colleen asked if any members had questions or comments. There were none. Colleen asked if any public member wished to make comments. None did. All members voted in favor of accepting report.

Colleen noted that Melissa also sent out a memo from Director Jordan regarding the allocation of Stormwater Fees for some structures. This will likely go before Council in September. She asked if any members have any questions and asked Melissa to gather any additional questions after the meeting.

VI. **Board Development, Mary Forst, Confluence Center for Mediation and Training**

Colleen introduced Mary Forst and explained that the facilitator is here to discuss board dynamics. Mary introduced herself. She has been mediator and works on workplace policy issues and trainings.

She facilitated introductions by members of the PUB.

Micah said he has spent about two years on the board.

Dan said he has been on PUB for almost three years.

Van said she is starting her second year on the board.

Dory said she is a new member.

Allan said he has been on the PUB for about three years.

Colleen has been on the PUB for two plus years.

Heidi said she is a new member of the board.

Ana has been a member for one year.

Rob said this is his third year.

Mike said he has a year and a half on the board.

Scott said he has a year and a half on the board.

Vera is a new ex officio member.

Lee has been a member of the board since its inception.

Mary continued her presentation, saying she met with Melissa and Colleen to understand the goals of the next two facilitated meetings. She met with five members as well: Scott, Mike, Rob, Ted, and Dory. She got different points of view on why members joined the board.

Mary explained she would like to start with the core of the Board. She wanted to look at the original charter and how the values may have changed.

To begin, she wanted to focus on communicating with each other.

She directed members to look at two handouts:

“Conversation Roles and Underlying Intentions” and “Protocols for Improved Advocacy.”

Mary said that for improved advocacy, one should think of advocacy and inquiry as blended to have a fruitful discussion. When advocating it helps to say what one’s position is. It is helpful to state the assumptions and describe the resources and data that led to assumption. It is also important to make the reasoning explicit. This helps the listener not only react but understand what led to the conclusion and point of view of the other person.

Mary said that improving inquiry is a way to be a better advocate.

She said that instead of being challenging by saying, “What’s your proof,” it works better to say, “Help me understand your thinking.”

She introduced a practice exercise. The conversation roles in the exercise were developed in David Kantor’s research. In skillful conversation there are four roles: the mover who takes the initial stance, the follower who supports the topic and builds on it, the opposer who is not oppositional but will look for difficulties and critique the idea, and the bystander who steps back and shares the larger perspective with the group.

The group process gets skewed if not all roles are represented.

Mary referred to a chart in her handouts. She said to consider intentions of person when having a judgement.

Mary explained her first activity. Members will pair with each other and discuss three questions:

- What is the understanding of the original purpose of the PUB?
- What drew you to serve on the Board?
- What are your priorities? Consider this question in terms of the stated values of the Board.

Members paired with each other for five minutes. Mary suggested they consider the inquiry questions and using advocacy pointers. Sometimes people take a role that is for good of group.

Lee mentioned his concern with the word advocacy in this context. He doesn't like the term position or advocacy in a group context format. Mary suggested he consider a statement of the desired outcome.

Members spoke in pairs for five minutes.

Mary asked, "What stands out from the conversation experience?"

Colleen heard that Heidi was involved in starting nonprofit environmental science board with charters in many states.

Dory spoke to another board member and explained that was valuable. She couldn't connect with anyone else on the Board during training for conflict of interest reasons. She got a perspective on the values and what they mean to Van. Dory said discussions like this would guide her thinking and help her make more informed decisions.

Mary asked if anything was surprising or intriguing.

Heidi said it was important to stay curious and open and ask more questions to understand others thinking.

Mary asked if anyone tried the tips for advocacy.

Ana said her and her partner both have a commitment to engage with the community. They need to understand and communicate what bureaus do. They need to clarify what a person's view point is.

Van said the tips were easy to use and they can change tone of conversation.

Rob said he thought this approach could make the thinking process visible and experienced it in his conversation with Allan. He said he felt advocacy is everywhere. Mary agreed and said it also needs to be improved.

Mary said she had heard often the phrase from this group "own one's bias." She said it doesn't sound like the phrase is used with negative connotation but as a substitute for judgment or discernment. She said the members are all experts with information and experience. The bias question may be mixed in with this. She said she heard concerns that biases that drew members to the board might skew interest in the board's purpose and affect other people. She said that if members come from this place they may dismiss points of view. One may think because of bias others do not have the best interest of group at the forefront. This contrasts with situations where bias is valuable and adds to the work of the board.

Mary directed everyone to pair with someone whose bias is most different from their own and discuss positions and bias. She advised members to consider what they bring to group and

practice the advocacy tips and why they have that bias. She asked members to be listeners and try the inquiry questions. She asked members to consider why points are important to someone.

Lee said he thought goal was to think of each person's point of view and said he doesn't know what peoples bias are. To contradict, he thought they all have different bias which is good to represent diversity on behalf of city of Portland. He wants everyone to have different points of view and not parrot what others say. He is not bringing a judgement to that. He hasn't identified different bias to different points of view.

Heidi asked if goal is to have a common understanding of the purpose the PUB.

Mary said yes but not today. She said PUB would work on the goal of understanding the purpose of PUB next time.

Mary some people label expertise as negative or positive. She said that sometimes people say it is a question of owning biases and putting the information on the table. She said this exercise was to address members assuming bias and discount other members contributions. This is opportunity to name bias in pairs and put them on the table.

Ana asked for clarity around owning bias. She believes she is on PUB to serve and hear but not judge. She said they should also understand implicit bias. Ana suggested a question should be what one is passionate about. Mike said bias is perspective based on experience

Pairs spoke for five minutes.

Mary continued, asking pairs to summarize their own bias, judgement, passion, and experience.

Colleen told Ted her values/passion/biases were affordability, long tern sustainability and quality of service. Affordability is connected to assistance to low income. She thinks it is two sides of same coin.

Dory said when she talked about her values with Van she thought that many of the boards stated values should be married and considered together. Dory also said her vision is that the board would be collective in how it speaks about each other and on resolutions. She thinks changing language can enhance how people understand. Colleen noted that the board cannot speak to an issue until there is a vote. Dory wanted to reflect on bylaws and enhance them.

Mary noted Dory's passion may be hoping board can speak with consensus.

Dory noted that this board is appointed by the mayor and have to see the public meeting space as the only space to communicate. She said this makes it hard to do team building and thinks that is needed.

Mike said his bias comes from 30+ years working for an electric utility and having to balance shareholders investment and public ownership with long terms needs and affordability. He said that's the model he applies for the board.

Allan said he sees work duplication and lack of communication with customers from the two bureaus and wants to see both those areas improve. He wants to see them adopt efficiencies that will enhance all bureaus.

Rob said he learned that he and Mike judged each other's biases correctly. Rob said he brings labor and represented employee's perspective.

Dan said Van did a good job eliciting his responses. He is a new homeowner and brings that perspective on challenges of quarterly water bills. He said they talked about pet peeves like the lack of communication about good things bureaus are doing.

Ana talked about her background being a former union representative on the board and being involved in equity work. As BES is starting to implement their plans, she will consider community engage and what do they want from PUB. She said she brings expertise understanding how groups work internally.

Micah said his bias changed from watershed health and as he has been on the board he sees the intersectionality of health, affordability, sustainability, and improvements of systems. He is still grounded in watershed and health. He thinks it's helpful to voice bias.

Scott talked about the conversation he had with his partner Vera. Scott said he represents service providers and citizenry in regulated and unregulated arenas. He said he brings senior position level thinking and recognizes that environ of bureaus. He said that there are never enough resources for all needs. He wants the board to provide a framework to communicate to residents, so they understand some of this complexity. He also thinks the board should be asking questions on behalf of community members who don't have access to ask the questions.

Vera said her passion was to learn more about the water bureau and BES. She works for BES but is still learning new processes. She wants to help bring BES information to the community.

Lee believes government can and does work. There needs to be an improved rate payer customer knowledge about how the bureaus invest in infrastructure. There isn't an infinite amount of resources and bureaus are called upon to make trade-offs; the public doesn't yet know the full impact of those trade-offs. He raised he similarity to the current school issue where \$300 million has been spent but nothing has been built yet.

Lee said he was sensitive to the capacity issue but also thinks the bureaus and board needs to get a handle on total cost to better communicate to rate payers.

Ted said he has a bias towards watershed health and public health and feels the bureaus need more communication with public. He thinks the board could be more transparent and have more ways to hear feedback. He agrees with what Lee has said. He says they hear a lot about grey infrastructure (pipes) but he has bias is towards green infrastructure and think open spaces and green ways are taken for granted. He raised the issue of the polling and survey results that show the public doesn't know or appreciate what either bureau does. He thinks the public doesn't say thank you enough and should support public servants more.

Heidi said her passion is participating in a highly functioning board. She echoed the statements about there is a huge disconnect between the bureaus and the public information and education. Clean water is important. She views the board as bridge between bureaus and community.

Van said as an ex-officio member, she reserves judgement for topics like procedural items. She cares passionately about the long-term strength of the board. She focuses on precedents and the way the board makes decisions. She wants to help build a strong board for the long-term. She'd like the board to be a strong partner to Water Bureau. She thinks a strong PUB can say more clearly what are the perceived gaps. She wants the board to be a strong sounding board, to test answers, to hear comments. She sees her role as helping PUB and bureau connect better so little by little both sides feel value. She's worked for lots of boards. This board is unusual in that members appear. They have to work within a political structure with limited time to give input. She said she sees differences in opinions but not a divisive board. They need time to get to know each other. They don't need to change opinions or reach consensus.

Mary asked members for an evaluation of the time - worked helped, what didn't work so well, what would they like to see next week.

Scott said he found the Individual conversations very helpful. He thought it was very worthwhile to listen to other's perspectives.

Mike said he thought bias wasn't a good word and liked using passion or experiences.

A member said that the members differences are what makes them strong. How members communicate and engage is important. They are just scratching the surface.

Micah raised the question of the timing of the conversation; making bureau staff wait through it.

Colleen said she'd like communication to be part of the next step – both internal or the board communications and how members can disagree without being disagreeable. She's like the board to have a conversation about the role the board might play to enhance communication between the bureau and the community.

Dory would like to see clear deliverables or metrics for measuring against core values, how the board reviews measures and outcomes.

Lee asked Mary if there was an exercise or approach so that if someone is concerned about how something is presented in adverse way or negative it can be addressed upfront.

Heidi asked the board to consider a statement or commitment on how they are going to engage with each other.

Melissa will solicit additional input before the next meeting.

VII. PUB Co-Chair Board Discussion and Vote on Recommendation

The board revisited the prior agenda item of recommending a co-chair. Melissa facilitated the conversation. She gave an overview of the co-chair voting process. The board has two co-chairs and they are appointed by the Mayor for staggered two-year terms. After the last vote, Melissa check in with the Attorney's office. The board will have a new vote on the issue.

Rob asked if that meant they should begin the whole recruitment process again and offer all members a change to run as chair. Melissa clarified that the Attorney's Office said the vote should be a new vote; not that the process had to begin again. She opened the opportunity to all members again; no other member volunteered.

Two members have volunteered: Ted and Allan. Each member had three minutes to state to the members why they wanted to be co-chair.

Ted gave a summary of his thoughts on the role of the board and the co-chair position. He highlighted his long career around water and conservation and his volunteer work. He is very interested in working to improve how PUB can better engage with the public, not just rate payers but all residents. He thinks the board is where the bureaus should start with public engagement but that the PUB could help the bureaus increase outreach and engagement. He thinks the board should talk about increasing access to its meetings and change its internal processes.

Allan said that he would like to continue his role as PUB co-chair, working with Colleen and providing continuity of leadership for the board. He feels strongly that the board needs to be an advocate and voice for the residents of Portland. He thinks the board can help the bureau find solutions to the challenges they face while keeping an eye to affordability. He would like to see the board continue to do board development activities like it just did to increase each other's awareness of viewpoints and ideas. He would like to see the board become more efficient and stronger. He thinks his experience working with the utilities offers a unique and valuable experience for the board.

Melissa opened the floor to member comments or questions.

Lee asked first if Colleen could speak to her background since it's good to see how the co-chair complement each other. Colleen spoke of her years as Mayor of La Grande, OR and her economics background. There was a member discussion about the similarities and differences between Colleen and Allan. Rob said he thought the focus in the past year has been too much on cut, cut, cut and he thinks Allan and Colleen are too similar. Micah said he would appreciate diversity in the chair positions. Lee commented that the chairs manage the meetings and facilitate, they aren't directive as to the positions of the board. Lee didn't see value in change for changes sake. Dory commented that while she wants to see the board increase its community engagement she doesn't think there needs to be a trade off with the focus on affordability and sees them as tied. Dory asked Ted to talk about how he would balance affordability with more community engagement. Ted talked about the rate setting process and the Low Income discount program. He thinks that is something the board should watch closely as its implemented. Mike W. commented that he sees a lot of difference between Colleen and Allan and thinks the bring complementary public and private sector experience.

Allan said he was confident he and Ted would continue to work together regardless of the outcome of the vote. Ted agreed.

Melissa opened the floor for public comments. There were none.

VOTE:

Ted--4 (Ted, Micah, Rob and Heidi)

Allan—5 (Allan, Colleen, Mike, Scott, Dory, Lee, and Dan)

Mike W. moved that now that a vote has happened, member could recommend Allan by acclamation. Colleen seconded for discussion. Members consider the motion. After discussion Colleen withdrew her second and Mike withdrew the motion.

Melissa said she would forward the recommendation to the Mayor's office and work with them to get the appointment made.

VIII. **Filtration** Gabe Solmer, Deputy Director, and David Peters, Principal Engineer, Portland Water Bureau

Gabe began first with an update on the fire situation. She talked about the Table Mountain Fire (1.5 acres) that is 1 mile from the watershed, NW of Lost Lake, and just outside the Eagle Creek Burn area. The fire has been knocked down from the canopy to the ground, but it is not completely out. Ten firefighters are on site and are being supplied by helicopter. There are no water drops, the crews are supplied by Eagle Creek. There is not a set timeline for removing the firefighters, they will hike out when they are satisfied that the danger is past.

Gabe then gave an overview on the background of issue with cryptosporidium and city council action. She shared with the board a draft [presentation](#) that will be used next week for the City Council work session on Tuesday at 9:30am.

She spoke to a timeline that showed the actions on two treatment items – corrosion control and filtration. She also reviewed the benefits of filtration with the board.

She then talked with the board about the results of the online survey, stakeholder interviews, and social media. The board received a [memo](#) on the community values and the online [survey](#) prior to the meeting.

Gabe said that 97% of online respondents are PWB customers and another 2% drink PWB water but not customers (they likely work in Portland but probably don't live there). She said that respondents came from 34 zipcodes 12% lived in multifamily residents. Seventy percent had lived in Portland more than 10 years.

Gabe said that water quality and cost benefit were top concerns. Gabe said the bureau built those values into the bureau's process from beginning. She talked about the structure the bureau used to evaluate options. They created a team with representatives across the bureau

and worked with consultants to consider alternatives for four items: capacity, location, technology, and contract vehicle. The team identified 8 values to guide the decision-making. The work included expert analysis in 11 broad areas.

David then presented the work on each of the four areas starting with the procurement method. He said that regardless of the vehicle, PWB is committed to meeting or exceeding the City's D/M/W/ESB goals and will be including a Community Benefits Agreement. He talked about the benefits to a Construction Manager/General Contractor structure including innovation, cost and schedule control, promoting D/M/W/ESB participation. **CM/GC is the preferred method.**

David then talked about the analysis for plant capacity. He showed the board peak day demand curves in a stress year and in weather normalized years. He noted that there has been declining demand and the bureau hasn't seen 200 MGD since the 1990s. They began with a narrow band between 160MGD and 115MGD with a midrange of 145. They considered several factors when forecasting future demands. The bureau kept two public values in mind: plan for future use but don't overbuild and ensure the ability to meet future regulatory needs.

Analysis showed that capacity larger than 160 MGD was not consistent with demand projects and smaller than 145 MGD would require increased use of groundwater. Capacity of 160 MGD would meet peak demand through 2045 and additional capacity could be added later. The costs and benefits of 145MGD to 160 MGD was similar. **145MGD to 160 MGD is the preferred capacity.**

The bureau considered 6 possible locations for building the facility. They evaluated options based on factors such as geotechnical, environmental, land use suitability, land ownership, parcel size, hydraulics, and proximity to system. The bureau kept two public values in mind: avoid factors that make it harder to implement or more expensive and consider the impact to site neighbors.

David said some sites were eliminated due to incompatible hydraulics, incompatible zoning, poor land conditions, or land ownership concerns.

Carpenter Lane is currently owned by PWB and is 1.5 miles from Lusted Hill. PWB owns 95 and the site has good hydraulics. Lee asked about elevation. Carpenter Lane is about 700 feet of elevation compared to 685 feet of elevation at _____. **Carpenter Lane is the preferred location.**

David then talked about technology. There are three basic options: membrane, slow sand, and granular media. The bureau considered water quality, hydraulics, regulatory requirements, comparative costs, and other utility comparison. The bureau kept two public values in mind: think beyond cryptosporidium and use a robust process and explain your choices to the public.

David said that membrane has the smallest footprint but is the most expensive and has to be replaced about every 10 years. In addition, everything has to be pumped. Only four facilities in the US use membrane and none are as big as PWB would need.

Slow sand filtration includes building big bins and running water through slowly. It is easy to operate and easy to clean. It takes a large footprint and is the least flexible for future

alterations. Salem and Clackamas have slow sand filtration. There are no slow sand facilities as large as PWB would need. Slow sand would take more land than PWB currently owns.

Granular media is the most common. Chicago has the largest facility. It's most adaptable for future needs and has a moderate footprint and costs.

Lee asked about the waste problem and how often it would need to be cleaned. David said it wouldn't need major cleaning for 20 years.

Granular media is the preferred technology.

David then talked about next steps. PWB is exploring a federal loan – Water Infrastructure Finance and Innovation Act (WIFIA). They will be starting a pilot project and begin pilot definition. Two items will be coming before City Council including the design request and the CM/GC contract. They expect to have both online in early 2019. They are working on a short-term communications communication framework – while they develop a long-term communications plan.

Colleen confirmed that the Council work session will be on August 14 and PWB would give Council a similar presentation. No decisions would be made until later in August or September. The first reading is expected on August 22.

Heidi raised concerns about CM/CG as the preferred method and raised concerns about minority contracting. She asked if the bureau had already looked at workforce as part of the evaluation.

Gabe, Dave, and Mike S. responded that in general, CMGC method offers more opportunity to advance D/M/W/ESB participation because the bureau has more control. The bureau can dictate participation levels. Todd said that for traditional design/bid/build (low bid) minority participation levels are aspirational. The city's experience with CM/GC has always exceeded goal. Lee added that this was a very important component of the work groups recommendation. Ana said procurement is working with city bureaus on equity requirements and D/M/W/ESB to focus on alternative contacting.

Rob said that the Community Benefits Agreement would be as important as the contracting vehicle. He asked if water chemistry played a factor into the preferred alternatives. David said water quality played into the selection. Slow sand doesn't handle highly turbid water so that was a feasibility consideration.

Scott offered some suggestions to help communicate the analysis the bureau did. He said that it would be helpful if the bureau simplified the trade-offs: a table with each option and make it visually easy to understand.

He added a comment that at Metro, CM/GC allowed them to put teeth into contracts. They could specify criteria for subcontractors and also workforce and training upfront. Gabe and Scott talked about a question that Scott raised at the prior meeting: it wasn't clear when the

contractor and designer would come on line. Gabe and Dave said they would be on at about the same time.

Micah asked what is currently at the Carpenter Lane site – it is currently used as farm with a year to year lease. He asked if there were any streams onsite and the answer was no. Micah talked about the interviews with stakeholders and encouraged the bureau to continue to reach back out to them. Micah added that within the stakeholder group he felt that conservation groups working in the watershed were missing and encouraged the bureau to reach out to those groups as well as renewable energy groups.

Micah asked if PWB was working with the Bureau of Planning and Sustainability for items like the climate action plan and other city initiatives. Dave said yes, though more will get done when they get to the project definition. There will be more cross bureau conversations then.

Dory asked if there would be any wetland impact and suggested the bureau reach out to the Army Corps and strongly encouraged communication with vulnerable communities. She also asked if the bureau had done this presentation to other groups. She suggested a lunch and learn presentation with OHA.

Heidi raised a concern with the reliance on the online survey and wanted everyone to be aware of who was excluded from that tool. She asked if the bureau was doing outreach in a number of offline ways. Gabe said the bureau was cognizant of the digital divide and they did outreach in a number of ways. She said the would continue talking with the community groups.

Lee said PWB has examples of different treatment plants within 10 miles of Portland and suggested they highlight the pros and cons of them to reinforce the preferred alternatives. Oak Lodge has membrane and it has had problems. Lake Oswego had a new plant. Clackamas has slow sand.

Lee also wanted to congratulate the bureau on how they went about the contracting process. The bureau made each provide a list of who they would use. The selection panel was also cross representative. Lee said the bureau did an excellent job.

Rob reminded the board of public comment. The individual no longer opted to provide comment.

IX. Board Meeting Agendas

Colleen previewed the upcoming agenda for the next board meeting.

August 16, 2018

Location: Pettygrove Room

11:30am Board Meeting

Agenda: Filtration, Board Development, Audit of Private Stormwater Management

The meeting adjourned at 7:10 PM.