

Portland Utility Board

February 21, 11:00 – 1:00pm
1900 SW Fourth Avenue, 1900 Building, Room 2500C
Meeting #62 Minutes

Attendees:

PUB Members: Allan Warman
Colleen Johnson (by phone)
Ana Brophy, ex officio
Dory Robinson
Heidi Bullock
Dan Peterson
Micah Meskel
Mike Weedall
Ted Labbe
Robert Martineau (arrived at 11:25 am)
Absent:
Scott Robinson
Lee Moore
Van Le, ex officio
*Vera Zaharova, ex officio

*Notice of absence provided prior to meeting

Staff: Cecelia Huynh (Director of Finance and Support Services, PWB)
Jonas Biery (Business Services Manager, BES)
Gabe Solmer (Communications Director, PWB)
Amy Archer-Masters (PUB Analyst, City Budget Office)
Cinthia Diaz Calvo (PUB Coordinator, City Budget Office)
Jamie Dunphy (Representative, Commissioner Fish's Office)
Ken Bartocci (Principal Financial Analyst, BES)
Jeff Winner (Capital Improvement Program Supervisor, PWB)

Public: Dee White
Carol Cushman, League of Women Voters

I. Call to Order

Allan called the meeting to order. He reminded everyone that the meeting was of citizen volunteers tasked to advise City Council on items related to the Water Bureau and the Bureau of Environmental Services. He gave an overview of the agenda.

II. Disclosure of Communications

Ted met with BES staff regarding City Green Room requirements
Colleen said she had no disclosure. She only exchanged a couple emails with Amy Archers-Masters and Cinthia Diaz Calvo.
Heidi exchanged emails BES staff regarding the Portland Harbor.
Micah said he was in communication with BES and PBEM regarding Portland Harbor.

III. Prior Meeting Minutes

Allan asked if there were any changes for the minutes of the February 5 meeting. The meeting minutes were accepted as submitted.

IV. **Public Comment**

Dee White gave testimony regarding Lead in Portland's drinking water. She stated:

"My name is Dee White.

It is well established that even as low levels, lead is a potent and irreversible neurotoxin that is especially damaging to pregnant women and young children's developing brains. A recent groundbreaking study also links lead to significant heart-related deaths in the US every year.

EPA scientists and water quality engineers nationwide know – the more corrosive the water, the more it will pull lead out of plumbing and into our drinking water. We have been an outlier for years with historically high levels while similar cities such as Seattle go to work decades ago and have shown significantly lower levels of lead ever since. Our local water officials have obfuscated on the reasons why our lead levels remain so much higher than Seattle's.

In the 90s, the Portland Water Bureau crafted a less rigorous "alternative" to the federal Lead and Copper Rule that mitigates for lead paint in lieu of controlling lead in our drinking water. Is this a Portland value – is it even good science? Why aren't our government officials at the state and local level earnestly and aggressively addressing this serious problem that has caused a silent public health threat and infrastructure damage in this community? And is it good science or a Portland value that 22 years later the PWB has no data or analysis to show that this home spun substitute for the federal rule has shown progress or improvement in reducing lead in our homes, schools, parks, or businesses. In fact, Portland remains at the top of the heap with the highest lead levels of all large public water systems in the US.

Being guided by good science and Portland values does not mean burying the lessons of Flint, dismissing public concern and condoning improperly treated water. Your rhetoric is counter to your data, and it's insulting. Last year Commissioner Fish proclaimed, "There is no lead in our water!" this is absolutely deceptive word play, since it conflates Portland's pure but corrosive Bull Run source water and drinking water that the Bureau has failed to properly manage.

It is disingenuous to pass blame to the schools in 2016, then to customer plumbing in 2017 and 2018, when it has been your responsibility to accept responsibility as you are legally required to do, and urgently protect our drinking water now – as you should have done over 20 years ago.

How is this acceptable?"

Allan asked if there was any other public testimony. He thanked Dee for sharing her comment and asked if PUB can have a copy of her comment.

Mike added that if a consistent message was presented to PUB especially around lead in the water, it made sense for PUB to ask the bureau to provide an update on the issue. He asked for an update on this, sooner rather than later.

Colleen said she agrees with Mike. That the bureau should provide a presentation and update on what how is this being addressed.

Allan suggested the presentation(s) to be on March 14th.

Cecelia confirmed that the presentation was possible with an affirmative nod.

V. **PWB Requested Budget – PUB Questions/Discussion**

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Colleen started with comments regarding the PWB saying there is a need for more and better performance measures especially around equity. As performance measures are being developed, she said they need to be both meaningful and measurable. It has been reported that there have been little to no changes in the budget, however changes had been made. If there is an increase in the rates due to water filtration, it needs to be stated. Shorter statements would be helpful. Colleen said that a lot of the questions she had were comments and she had a couple that should be pointed out.

Gabe suggested to collect the questions from Colleen and send a response to PUB.

Mike said supported that suggestion.

Cecelia said she did not get the questions. She said she got a set of questions from Dawn and Gabe, but she was not prepared to address any of the questions. In previous years PWB have had a process to get read-ahead materials the Friday before the meetings. She explained that process and said she did not have enough time to review.

Colleen said she didn't understand how it possible to get questions to bureaus on the same day.

Colleen explained she didn't expect Cecelia to have an answer to all of the questions but that she also needed to be aware that it was impossible to read the entire document and have questions ready by Friday.

Cecelia said there is no equity impact to the budget changes round equity.

Colleen said that Cecelia claimed there are no FTE requests but there are 4 limited term employees that are now reflected in the program.

Cecelia explained that the staffing number does include limited term employees. She said the PWB has no plans to add FTE and we didn't. LT positions are outside of that. They didn't ask for FTE but they are continuing to use limited term positions.

Colleen asked if these Limited term positions are included in the six-fifteen or not.

Cecelia said yes, they are included.

Allan asked what the purpose of the LT positions are.

Cecelia said she is not sure, and that she was going to go back and look, and she affirms they are in the count and she knows what she does.

Ana asked something.

Cecelia said she needs to go back and look.

Alan asked if there was an increase in capital for \$100,000.

Cecelia said yes and that that is PWB's share of the program.

Colleen – appreciates their work and it makes a difference to Colleen that they provided that information.

Mike asked if PUB is doing questions now.

Cecelia said that what she can't answer she will write down and have a response.

Mike said that he will also be follow up with Cecelia. He also expressed that if he was a manager looking at those reports that he would find the programs' write ups and offers useless. He said there is a difference in the targets than the actual numbers and there is nothing that addresses when significant changes are made and there should be. Mike said that this is an improvement and learning process but there's has to be a smart goal and make sure the bureaus have the right metrics.

Micah said he appreciates Colleen's point on metrics. He said it would be useful for PUB to figure out what metrics PUB wants to see and that are representative. He said make a spreadsheet and lists them before the new budget next year and compare how those would mesh and or conflict.

Mike added that PUB spent time drafting a spotlight dashboard and that it's time to revisit that. When PUB has their own tracking system, the PUB can come to the bureaus and hold them accountable.

PUB can track what the public's interest are, as well as incorporated and report can be outfacing. That tool can become very useful.

Dan said that he agrees that it's a work in progress, but he asked what the process is for coming up with those specific metrics.

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Cecelia said that what PWB does not want to do is come up with metrics that don't tell them anything. She said that what makes sense for them is to have internal and external metrics and that there is a bit of work that goes on to developing those metrics.

Colleen said that in addition to the percentage that is applied to Bull Run. The change in org structure when changing and reallocating. Internal metrics are... when adding positions, it should be articulated thoroughly how it will affect efficiency, what is the measure for efficiency or effectiveness internally as well as external impact.

Cecelia said yes.

Mike said that what he notices is that PWB doesn't site what the rate of increase is. He said that what PWB is targeting should be presented up front. Instead of having to dig through the data to find the 7%, it would be good if it was more transparent.

Silence...

Allan said that structurally we have the next meeting and then a work session with council.

Amy confirmed. She said Water and BES are scheduled for the morning of March 12th.

Allan asked when the letter needs to go out.

Amy said the letter can be sent at the end of March, but that PUB does have to formalize what they want to say before the next meeting.

Allan asked if anyone wanted to join him at the work session.

Rob volunteered.

Heidi wants specifics to the meetings to be sent to her.

Colleen said she has questions that can't wait.

Allan said go for it.

Collen asked regarding the capital outlay, almost \$3 mil went from ... and then internally in went down.

Cecelia said it was probably that the project ended and there are no projects; capital numbers dropped.

Jeff Winner said some projects are scheduled to be completed and there are others that have not started yet.

Colleen asked about corrosion control distributed across programs.

Cecelia said that lead hazard programs are an ongoing operating piece such as corrosion control.

Colleen asked regarding the final requested budget, the 21% of the PIP and the number of terminal reservoirs that got lumped together in the PIP.

Cecelia said the program offer is another drill down and within that one there is another program. She said there are one at a higher level.

Mike asked if the questions needed to be turned in Friday.

Cecelia said if bureaus can get them today or by Friday they can get them to PUB by Monday.

Allan said the sooner the better and to move on to BES.

VI. BES Requested Budget – PUB Questions/Discussion

Jonas said the PUB talked about metrics and that it is something BES is working very hard on. Dawn volunteered to talk about the work we are doing and that's great. For next year's budget BES would love to include PUB's input. What has been identified as data still needs to be development into avenues to get the data. It needs to be developed. Consistent with what BES has presented in the past, there are 20 min; BES takes 10 minutes and gives 5 min to PUB and 5 min to CUB. In similar lines of the Water Bureau, he will need time to find answers to PUB's questions.

Ana said that she (Heidi) has a presentation, is there a way she can share that presentation.

Jonas said yes

Ana said it's important to read and understand the information and then listen to the person. She would appreciate the presentation ahead of time.

Mike said that coming back to the metrics, obviously this is a starting point to get data. There is a lot of the same metrics in all the programs. It's a save bet that the targets will reside within the same groups.

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Pointing out that the problems to manage needs to be much more challenging. He wishes bureau staff good luck.

Jonas said BES didn't have a good way to track, but that they will track specifics to the budget. It'll be an evolving discussion.

Rob said both bureaus are early, but what they are developing will drive everything. The more metrics the better. The blank will determine the usefulness of the metrics.

Colleen said that with similar program metrics, it would great if they were meaningful and measurable. She asked if there is going to be an increase in FTE in BES, needs to be articulated and set up for success. This was the benefit and be able to point it out. I will say, I am concerned with the number of FTE that BES is requesting (20) two limited term as well. Overall, if you look at the FTE numbers over the last 4 year, only 9 have been filled. There needs to be reckoning of how many years in a row we are going to see these many requests. Housing sales flow, I think that hits revenue not just in general fund but FTE everywhere else. I just think that there should not be any more requested this year.

Allan asked if anybody else had comments or questions.

Colleen said she had more. Financial plan the City of lake Oswego, she would like a presentation on that. She said she would like to weigh in on it.

Jonas said he will follow up with that and share.

Allan said they PUB talks a lot about budget and it gets fatiguing. Asked if anyone else had more topics.

Micah said Ted has talked about drought analysis specifically in Portland.

Ted said there might be less drought today, but we should still talk about it.

Gabe said both commissioners have put together a list of topics they want to focus on and for PUB to streamline and fit in the list of interests and timeline. The list is underway.

Ted said Rob suggested about low income assistance.

Mike said the multifamily initiative and an evaluation of that program.

Gabe said its imbedded in the program

Mike said PUB needs more detail. He wants to make sure it doesn't get a black eye.

Allan says to go back and asked if PUB was finished with questions for Jonas.

Colleen said that under designed services. Hires had not fully materialized.

Jonas said one or two of them have not been hired. It doesn't mean that the position isn't needed it just hasn't been hired. The language about not being fully materialized, impacted negatively when we have retirees to do the work.

Colleen said for next year, the request for 3 FTE, this current year. She wonders if it would make sense to ask for less and get those hired and reevaluate if the other asks make sense.

Jonas said the FTE are not performing the same things as last year.

Ted said PUB communicated this challenge to Council, and HR and blank have set obstacles for bureaus to do add more. Along your line of concern, do you think we should add it to the letter of recommendations?

Colleen said if there is a roadblock through BHR to do it, these conversations should happen before the next budget comes around. The concern is not just with BHR but also with the track record of FTE that have been requested over the years. The question is do they need that many? Those are important questions to ask BHR.

Rob said "(to ask) and or blame." Regionally and nationally, there are partnerships and committees that are serving the SWA, as well as the similar boards that advise these industries. I think those activities and researches they have PUB should be aware of. Successes and failures. CA moved to plastic and removed it and we benefited for that. Being updated can save us from mistakes.

Ted said we have been focusing more on BES and less on Water Bureau, but he seconds that.

Ana said the director hired a consultant to look at stormwater and that would be a good presentation and update. Auditor report. Jonas or someone in BES could give us an update.

Allan said that would be another presentation.

Ana said yes.

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Jonas said that comprehensive rates with stormwater, going through the RP process to have the consultant on board and waiting for that to have him talk to PUB.

Colleen said on that rate study, is that \$250 thousand?

Jonas - \$250 and then \$100 thousand in the following year.

Colleen asked if he could give an outline of what it will include.

Jonas said it will include everything. To various sources of collection. Residential, commercial and public. The consultants will provide their recommendations and then going up to Council for approval. The last time took longer but BES is aiming for faster this year. Will be in the next budget. BES is waiting for their proposals.

Allan asked if PWB plan to do that too.

Cecelia said no.

Jonas said stormwater has evolved drastically. There is a standard practice, there is a community and practice around stormwater.

Allan said that the topic fits in to the reality of being infrastructure limited.

Ted said the director coming to talk will open the way to talk and ask question about who is paying for what and so forth. That way PUB can help council through more thorough advising.

Colleen said that PUB listened to a lot of presentations but didn't do a lot of discussion. She said there needs to be some of both and have policy discussion.

Allan said ok and thanked Jonas for his time.

Rob said PUB should review what has been said: Org infrastructure...

Allan asked Amy to share with the board what they had so far.

Amy said the list includes: lead and corrosion control, the Tryon Creek, drought analysis. The Bureaus and Commissioner's staff are also providing their list of items for PUB consideration.

Cynthia said there might be one more, the financial plan for the City of lake Oswego.

Heidi said the presentation on the metrics from the bureaus.

Ana said last year PUB talked about a list and that they might go back and look at that list.

Micah said thinking about Portland harbor and rate impacts. PUB should have more of those discussions in the community.

Ted said there is also the proposed levy ready district, which is potentially going to be formed. He asked if PUB shall have a presentation about it.

Micah said there is discussion to create a new entity will oversee the whole thing.

Ted said at least this body should know more about, because that body would have new authority and revenue. A briefing would be ideal.

Colleen said if PUB asked bureaus to give a brief.

Jamie said C. Fish has been taking the lead, BES is a big player and the revenue source. Mike Jordan has been more of a spokesperson but that has been because of lack of knowledge.

Allan asked if there were any other legislative council decisions.

Ted said that after the legislature, it's in play.

Rob said further down the calendar – would be something around the rate methodology and how economic pressures affect that. Discussion about cost of living, some bureaus outpace that and have a discussion around that metric. Should it be one to one ratio? Or if that is an appropriate one to one ratio. We have been up and down, but the system is well over.

Jamie asked if there had been a change in how cost of living is calculated.

Rob said yes, the previous index died.

Allan asked if there were any other questions.

Colleen said she thought today PUB could provide some ideas on what will be on the letter of recommendations.

Amy said there has not been enough discussion, but that PUB can do that within the next two meetings.

Colleen said that all parties have to be on the same page. Main focus on March meeting is to come up with consensus? We have to go something in place by the 12th.

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Amy said by that point there should be something already, enough to craft talking points on the 12. On the March 5th meeting there will be time to discuss. Any other analysis that you want done prior to raise it today, so I can get started sooner than later.

Allan asked if Amy can send last year's notes.

Colleen said is that the FTE related to xyz.

Ted looped back to the hiring challenges, where BES was helping pay for resolving HR with hiring new staff.

Jonas said that BES arranged relationships with the...

Ted suggested to scratch that because he was confused about the topic.

Colleen asked about why the technical employees were transferred.

Jonas said it was not related to those issues. There is a classification that will be funded by BES but they are in BTS. That's separate from the procurement funding. Funding them via Interagency.

Ana said on those BTS positions, only they know how to manage that's why we are funding them. If equity is important to the program she would like to know why there is no metric. Fees to all the bureaus, if it will cost BES money than we should have a presentation on how this will be addressed.

Allan asked if there was anything else.

VII. New Member Recruitment Process

Cynthia went through the memo. The visual laid out the timeline. She explained the proposed subcommittee composition. She explained the vacancies available to be 3- 3-year term and 1- 1-year term. She also explained that all expiring terms need to reapply and those would also include the ex-officios.

Rob asked if the ex-officios were Ana, Van and Vera.

Cynthia confirmed that they are.

Amy mentioned that the items that CBO/PUB staff wanted to get feedback on are the outreach plan and the potential subcommittee member, which is a starting point of all the stakeholders.

Ana asked if ex-officios would be part of that subcommittee.

Amy said that one of the PUB members could be ex-officio and the other voting-members.

Rob suggested it was up to what the PUB wanted to do. PUB members are already volunteering to this board and there is no intention to overwhelm anyone.

Cynthia asked if anyone wanted volunteer.

Rob said that the one thing that was agreed upon was that anyone whose term is expiring and are interested in reapplying, they would not be able to serve on the subcommittee.

Ted said he was on the committee last year.

Ana volunteered

Colleen said that the subcommittee was not going to meet until April. She suggested CBO staff give PUB members time to decide.

Amy said yes.

Rob said that one thing that hasn't been addressed was the time left on the one year from this next appointment. He suggests for discussion if someone is appointed to an expiring term, that they shouldn't be restricted from serving their two complete 3-year terms.

Amy asked if there was a reason why the person can't serve for a full 3-year term. Because there would be three vacancies in this cycle, a 3-year term would not skew the timeline significantly.

Rob said that with 11 members there isn't a multiple of 3, so...

Allan said that if PUB got someone onboard and they are good, we wouldn't want to lose the value they add.

Amy said there is 2 vacancies that are expiring and are eligible to reapply and there is Scott's vacancy making it a total of 3 vacancies. There is also Dan's expiring 1-year term, which makes it a total of 4 positions.

Rob said that inevitably PUB should be aware that they don't want to have 6 openings in one year.

Amy said that we would look how terms are staggered and plan to avoid that.

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Dory asked about the conflict of interest and the restrictions of sharing with her own networks. She also asked how to avoid nepotism since she is newer to the board.

Carol asked if she could comment. She said that she was there during the previous recruitment processes and that she knew none of the applicants and there may have been one person that knew one of the applicants. In her opinion she thinks that nepotism hasn't been an issue because CBO has done a really good job at pushing out for getting the applicants and the names in. She said that she would definitely bring up her concerns if there were favoritisms.

Dory mentioned that her network was large, and she would like to know the restrictions in that regard. She asked if she should exclude herself from sharing with her network.

Allan said that there is a list of skills that PUB wants to fill to have a balanced board.

Ted said that it really wasn't PUB recruiting, because Civic Life was monitoring. He said that last recruitment he knew someone, and he fully disclosed it. He said they didn't make it, but he would still encourage the full board to promote beyond their networks.

Dory just wanted to know if there were things to be cautious about. She thanked the board.

Allan started to preview the upcoming agenda.

Colleen suggested going back to page 3. The only thing she wanted to point out was the bias-awareness training by the Office of Equity and Human Rights, since it was the first time she has seen that. She said she has not been in a hiring committee before that has that. She asked if this happened last year.

Rob said yes it did happen and that someone from HR and EOHR briefed the subcommittee, did a presentation on how to avoid implicit bias. When he participated, it was at the start of the session. Its not extensive training, its just a brief.

Colleen said she was just curious about it.

Ana said it might just be a form and a mention.

Allan said he has seen that happen.

Micah second Allan and thinks it's a good idea.

Ted seconds Micah.

Allan suggested moving on to Next Meeting Agenda items.

VIII. Next Meeting Agenda

Allan suggested putting together consensus about what will be said in front of council. That would be the item to cover next meeting agenda.

Amy said PUB can have the CBO analysts provide input about budgets during the next meeting. All connect with one topic.

Colleen asked when the CBO reports are due to PUB.

Amy said the public version is available Monday the 4th.

Colleen asked if PUB can get a copy before that.

Amy said possibly.

Allan motion to adjourn.

Ted and Dory second.

The meeting adjourned at 12:45 PM.