PORTLAND UTILITY REVIEW BOARD

January 21, 2010 - Meeting Minutes

Attendees

PURB Members:	Janis Adler, Michael Crean, Bill Dayton, Dave Johnson, Sharon Kelly, Tracy Marks, Charles Rosenthal, Charles Van Rossen, and Lila Wickham
Excused Absence:	None
Unexcused Absence:	None
City Staff:	Claudio Campuzano and Bob Tomlinson (OMF - FPD) Jim Hagerman (BES) Arianne Sperry and Bruce Walker (BPS) Dave Hasson (Water) David Shaff (Water/Comm. Leonard) Megan Ponder (Mayor Adams Staff) Patti Howard (Comm. Fritz Staff) Amy Trieu (Comm. Saltzman Staff)
Public:	Floy Jones and Dee White (Friends of the Reservoirs) Paulette Rossi and Brad Yazzolino (Citizens)

Introductions

Tracy welcomed new PURB member Janis Adler. Everyone introduced themselves.

Review Meeting Agenda

Tracy said that Public Comment will be moved up to before the PURB By-Laws agenda item.

Volunteers for PURB Chair

Megan Ponder from the Mayor's Office said that the Mayor wants to appoint the new PURB chair soon since the group is back up to full membership. She asked if anyone was interested in the position and reminded the group that if no one volunteers the Mayor will still need to appoint someone. Bob said that members could contact him if they are interested or the group could nominate someone. Lila said she did not want to be the Chair. No one volunteered at this time.

Amend/Approve December PURB Minutes

- Tracy polled PURB members and no one had any changes to the December minutes.
- Floy read her January 21, 2010 email to PURB for the record. Copy attached.
- Lila said that Dr. Oxman did approve the boil water notice issued by the Water Bureau the weekend after Thanksgiving.
- Sharon moved, Dave J. seconded, and the minutes were approved unanimously as written.

PURB Hearing on Open Reservoirs

- Lila distributed a handout on the proposed meeting format for the PURB hearing on open reservoirs.

- Sharon asked when the PURB would make a recommendation. Dave J. said that he and Lila would bring a recommendation to the PURB at the next PURB meeting following the hearing.
- Janis asked that someone provide at the hearing a list of actions, their dates, and the dollars spent to date to avoid the LT2 Rule. She also wants the status of our variance and that of New York City's.
- Floy said to keep the hearing in context. She claimed that Council was not happy with just a two-person subcommittee making a recommendation to Council. The purpose of the hearing is to get public input.
- Mike asked if the variance for the reservoirs had been officially denied by EPA. David S. said that a variance for open reservoirs on the LT2 Rule is not available. Mike asked if Council would be taking the variance further at this point and David S. said no.
- Dave J. asked that all public comment be held until the designated time on the agenda.
- Lila will work on the hearing schedule based on the invited presenters' and facilitator's availability.
- Dave J. moved that the public hearing proposal be accepted by the PURB, Mike seconded, and the vote was unanimous approval.

Develop PURB Calendar

- Bob distributed the budget calendar approved by Council and the schedule of bureau presentations to Council in March.
- Mike asked if PURB needed decisions by the March 18th meeting to take to the March 30th Council Worksessions with BES and Water. David S. said the March 30th worksession is more if a give and take between Council, the bureau, and PURB. Usually the bureaus present their budgets and then have a week to prepare answers to questions raised at the worksessions. PURB needs to take a position by the May 19th utility rate hearing.
- Dave J. said PURB needs to vote in March on the subcommittee recommendations because Council values the full PURB recommendation more then just a subcommittee recommendation. Mike noted that the March 30th recommendation would still not be the final PURB recommendation.
- Charlie said the subcommittee recommendations needed to be distributed to the group one to two weeks before the March 18th meeting:
  - PURB receives the Requested Budgets on February 1st
  - Discuss them at the February 18th meeting
  - Subcommittee recommendations written and distributed by March 4th
  - PURB vote on recommendations on March 18th
- Bruce stated that solid waste and recycling was different and they won't have their rates calculated until late April. PURB usually moves their May meeting up a couple of weeks to hear the solid waste rates and to prepare their testimony for the May 19th utility rate hearing.

Sewer/Stormwater Subcommittee Report (Bill/Charles R./Tracy)

- Tracy said there were four BAC meetings and a wrap-up session with Comm. Saltzman yesterday. The bureau is proposing 4% cuts of $4.7 million and an add-on list totaling $4.7 million. Virtually a wash.
- Tracy said the BAC told the commissioner that too much time is spent on looking at cuts. About 96% of the time the BAC considered cutting 4% out of the budget. The BAC process should focus on the whole budget.
- Charles said that looking at about $4.0 million out of a $100 million operating budget meant a lot of $1,000 cuts here and $5,000 cuts there. The bureau should do zero based budgeting and look at

the big items, not the $1,000 items. Zero based budgeting does not take much more time then incremental budgeting.

- Mike asked what the proposed rate increase is. Jim said it is about 7.0% with a net of +12 FTE on top of the current 528 FTE.

Solid Waste Subcommittee Report (Janis/Charles V.R./Sharon)

- Sharon said that the solid waste and recycling budget is a very small part of the total budget for the Bureau of Planning and Sustainability. The subcommittee has not met yet and she asked Bruce to help them get organized and discuss solid waste issues.
- Bruce distributed a handout on the Portland Recycles! Plan. He said the City's goal is a 75% recycling rate.
- Arianne discussed the food composting proposal and the various options for emptying roll carts (green yard debris bins with food waste every week and garbage every other week, blue roll carts every other week or every week, etc.).
- Lila asked that they address three issues at the February meeting:
  - Rodent control
  - Hungry people eating garbage
  - Keeping the sidewalks clear with extra containers (restaurants)
- Bruce said 30% of the garbage is food waste. He added that Seattle and San Francisco have about a 40% participation rate in food composting because they can still put the garbage out weekly. Going to every other week garbage pickup in Portland is an incentive to participate.
- Claudio asked about the smell and quantity of diaper pickup every other week.
- Patti asked about people who compost on their own and don't have much garbage. Arianne said they can save money using a mini-can or monthly pickup. Each option accounts for about 10% of customers.

Water Subcommittee Report (Dave/Lila/Mike)

- Lila distributed the subcommittee report. Dave J. said the first page shows eight topics that the subcommittee will focus on.
- Mike said the proposed rate increased is 12.9% with 4.9% for debt service, 3.1% for economic factors, 3.7% for deferred rate increases, and about 1.0% for lower retail demand. When you factor in the 4% cuts and fountain discharge fee going to BES, the increase would be about 10.6%.
- Mike said the bureau is also considering changing the base charge. Dave H. said they were considering going back to the way it was which is more of a cost of service approach.

Amend PURB By-Laws

- Change the name of the Office of Sustainable development to the Bureau of Planning and Sustainability.
- Bob read from the December 2009 meeting minutes which indicated the PURB wanted to add a requirement for an annual PURB calendar to the By-Laws.
- Sharon said the intent would be to adapt an annual calendar to coincide with the annual budget calendar.
- The group developed new wording for the By-Laws. Bob will incorporate the new language into the By-Laws, email it to the group for review, and put it on the February agenda for a vote.

Agenda Items for the February 18th PURB Meeting

- Correct/Approve January meeting minutes

- Status of PURB Public Hearing; Date, Time, Place, Facilitator, etc.
- Portland Recycles! Plan
- PURB Subcommittee Reports
- Amend PURB By-Laws

Public Comment
Floy Jones of Friends of the Reservoirs presented testimony for the record which is attached at the end of these minutes.

Dee White also of Friends of the Reservoirs said tens of millions of people drink from open reservoirs from around the nation. Dr. Oxman has said that there is no public health issue with *Cryptosporidium*. She added that the subcommittee report to Council on January 12th really wasn't a subcommittee because only two people were there. The next day The Oregonian indicated a "panel" met with Council and it was not a panel. An apology needs to be made to the public, it wasn't right.

Brad Yazzolino (citizen) agreed with Dee. He said the attempt to change the By-Laws had to be composed on the fly and it was a retro-active changing of the By-Laws. The public understands that PURB is a gate to represent the public but PURB is getting run over by appointees of the Water Commissioner.

For the record Lila read the disclaimer on the handout that she and Dave J. gave to Council dated January 5, 2010. It is:

> "Disclaimer: The ideas presented in this memorandum represent our opinions, as members of the Water Bureau subcommittee. They do not represent the opinions of the entire Portland Utility Review Board. They have not been presented to the PURB as a whole and the PURB has not voted on them."

Dave J. said there were three members on the PURB water subcommittee on January 12, 2010. Mike Crean was a member who could not attend the Council Worksession.

Adjournment
The meeting adjourned at 6:50 pm.

Next Meeting
The next PURB meeting will be held at 4:30 pm on Thursday February 18, 2010 in the Lovejoy Room of City Hall.

Minutes respectfully submitted by the Financial Planning Division, Office of Management & Finance.

From: floy jones [mailto:floy21@msn.com]

Sent: Thursday, January 21, 2010 12:49 PM

To: OMF-Portland Utility Review Board; Tomlinson, Bob; Howard, Patti; bradyazzolino.com
Cc: Anderson, Susan; Bessee, Dominique; Campbell, Edward; City Elected Officials; City Elected Officials Exec's; Glascock, Bob; Greisen, Mila; Grumm, Matt; Hagerman, James; Hasson, David; Huynh, Cecelia; Keil, Sue; Klobertanz, Sue; Koch, Kathy; Marriott, Dean; O'Sullivan, Babe; Ponder, Megan; Rust, Ken; Scott, Andrew; Shaff, David; Sims, Jennifer (FinPlan); Sperry, Arianne; Trieu, Amy; Vizzini, Dan; Walker, Bruce; karl.ockert@bridgeportbrewing.com; Bixby, Richard; chuckl@portlandfrench.com; dhendricks@mcdd.org; davidw@orra.net; dkampfer@wm.com; dorothy.sperry@portofportland.com; jpowell@resource-recycling.com; tjabrahams@aol.com; Rossi, Paulette; rapaul@farwestfibers.com; Fernandez, Scott; clackamas9@aol.com; valerie.hunter@providence.org; v.hunter@comcast.net; yahoogroup-reservoirs; Frank Ray; Stephanie Stewart - MTNA Board; Regna Merritt

Subject: Re: Correction PURB December Meeting Minutes- non infectious bacteria
PURB,

Please correct the December 2009 PURB minutes to reflect the information provided by David Shaff regarding the Thanksgiving bacteria detect. While a great deal of media attention was devoted to the Thanksgiving "scare", little to no effort was made by the Bureau to make clear when speaking with the media and the public that the bacteria was harmless non-infectious, not unlike the bacteria we encounter in our everyday lives. And that e-coli is detected in other parts of the system as documented by the State Drinking Water Program.

Please correct the minutes to include: David Shaff's report that the detect was non-infectious harmless bacteria and that "Dr. Gary Oxman Multnomah Co. public health officer did not approve of the Bureau's reporting that the source of the bacteria was avian." Shaff stated that the Bureau "just barely detected the presence that triggered the 24-hour resample". He also stated that regulations prohibit making a statement that the detect was just a trace when issuing a boil water alert.

Also for the record, I made a public comment questioning how the PURB intended to inform City Council regarding the open reservoirs when the issue had never been discussed by this PURB. The response was that the PURB would not be giving a presentation to Council on January 12, the Water Bureau would do so. David Shaff told the PURB that Council did not want a recommendation by the PURB. Given the community interest in these issues, these statements need to be included in the record.

Thank you,

Floy Jones