

## Portland Planning and Sustainability Commission

May 14, 2019

1:30 p.m.

### Meeting Minutes

**Commissioners Present:** Jeff Bachrach, Ben Bortolazzo, Mike Houck, Katie Larsell, Daisy Quiñonez, Chris Smith, Eli Spevak (3 open positions)

**Commissioners Absent:** Katherine Schultz

**City Staff Presenting:** Christine Kendrick, Hector Dominguez

*Vice Chair Smith* called the meeting to order at 1:32 p.m. and gave an overview of the agenda.

[Documents and Presentations for today's meeting](#)

### Consent Agenda

- Consideration of Minutes from the April 30, 2019 PSC meeting

*Commissioner Bachrach* moved to approve consent agenda. *Commissioner Houck* seconded.

(Y7 – Bachrach, Bortolazzo, Houck, Larsell, Quiñonez, Smith, Spevak)

### Items of Interest

- *Commissioner Bortolazzo* attended the Urbanism Next 2<sup>nd</sup> annual conference here in Portland. It focuses on technology and innovation, autonomous vehicles, the sharing economy, and e-commerce, and it is great to have a venue to discuss these topics in town. Someone said there would have been a different outcome if we sat down and tried to figure out what the outcome would be with the implementation of the car. This is our second change to get it right. The concept of mobility as a service (MaaS) stuck with me—integrating different transportation platforms into one.
- *Vice Chair Smith* attended the kickoff of the West Portland Town Center Advisory Committee, the planning process for the land use around the station area on the future light rail line. I am your liaison to that group.

### Introduction of New BPS Director Andrea Durbin

Briefing: Andrea Durbin

*Vice Chair Smith* introduced Andrea as the past executive director of the Oregon Environmental Council with past roles at Greenpeace and Friends of the Earth. She is also a bicycle commuter.

Andrea looks forward to working with the commission. She's been on the job for three weeks. BPS is involved in a lot of things and has been great to meet with staff, teams, other bureaus to learn about that work and our goals and missions.

She is impressed by the caliber of staff at BPS. We are fortunate to have an incredible group of experts in their fields committed to the mission and work.

She is excited to support them and the commission in its work. The role of the commissioners is a significant one; they work very hard and are asked to dive in and do a lot. She has a tremendous amount of respect for their commitment to the future of our city.

She most recently came from the Oregon Environmental Council as executive director for the past 12 years leading a great team doing work mostly at state level but also at the city level. Before that she worked in Brussels, Belgium and Washington, DC working on environmental policymaking and sustainability-related issues.

One thing that's inspired her is the intersection of mission of planning and sustainability. It's unusual that cities combine them, but Portland had the foresight to do so. Meets our goals to be a healthy, equitable, resilient city and adapt to the changing nature of the city.

She serves as Vice Chair of the board of JOIN, so this marries her interest in looking at housing affordability as well. It's a great opportunity to combine some of her personal interests and help build up the phenomenal leadership of Susan Anderson and the staff to help this bureau play the connecting, collaborative role. This is a role she has played in her work to collaborate and she looks forward to collaborating with other bureaus and leadership across the city.

She looks forward to getting to know the commissioners; Julie will schedule meetings for us to meet in the coming weeks to hear more about their interests and what they want to see.

Questions:

- *Commissioner Larsell*: What were you doing in Brussels?
  - Andrea: I had a consulting business and I worked with international banks working to establish environmental and social standards around lending practices.

## **Director's Report**

Andrea Durbin

- We are working on the PSC retreat for July 23; Julie will send out more details.
- Next week, City Council will look at our proposed three new PSC members. They will reappoint *Commissioners Spevak* and *Larsell*. Thank you for serving another term.
- No meeting on May 28; we will resume on June 11 with our new members.

## **Smart City PDX Privacy and Information Protection Resolution**

Briefing: Christine Kendrick, Hector Dominguez

### Presentation

Christine introduced the program. Smart City PDX is a citywide program BPS coordinates. Christine defined the term "smart cities" (slide 2) for the City of Portland: integration of human, physical, and digital systems to make communities resilient and prosperous. Data is an asset to be managed and is central to our work. City infrastructure and the public right-of-way is really increasing in value so we need to leverage those resources to solve problems in the community.

A lot of the problems we want to acknowledge with this program are already defined in our plans (slide 3). We want to create a foundation of improved use of technology and information management to support existing City goals.

We recognize that the opportunities from advancements in technology and data collection will not be accessible by all and may make harms worse for marginalized communities. In June 2018 City Council adopted the Smart City PDX Priorities Framework after the stakeholder committee process. This framework establishes our goal and helps us filter through opportunities to make sure we're choosing projects and policies based on equity goals and use limited resources efficiently.

Hector is the Open Data Coordinator for the citywide program. In 2017 City Council approved the open data ordinance that encourages the City to proactively publish information for transparency and accountability. Out of that work came a directive to develop data governance strategy. One of the first tasks was to understand what's open and what's protected or needed to be kept private.

We started working on big umbrella privacy principles that could be transferred to all the services the City has and how the City works with third parties: businesses, community-based organizations, and other jurisdictions. We have those principles developed and we have a time-certain agenda item on May 22 at City Council.

Privacy is really one of those foundational stones for this new age of information and technology. When we are facing big data in our society, our lives are actively represented more and more in a digital fashion. There is a big responsibility; we are aware of issues of data breaches coming from the private sector, but the government has a lot of responsibility on how we can improve and implement best practices. We started working on that last year. At the same time, the Office of Equity and Human Rights (OEHR) was assigned tasks of assessing impacts on vulnerable communities and how privacy is a factor. We started working together in May of last year; we took a lot of inspiration from the work Europe was doing around General Data Protection Regulation (GDPR). As we kept evolving this work, one recommendation we got from City attorneys was that we should stick with principles because rights implied something legally binding. Principles are something they recommended as a first step and as a strategy to start these conversations at the City.

We involved experts from the Cities of Oakland and Seattle and OEHR, the Office of Information Security, City attorneys, and the Mayor's office and came up with principles (slide 8).

Hector discussed the timeline for the privacy principles (slide 9). At community events in November and January we presented the principles and heard from participants. We also gave briefings to different agencies in the City—about 30+ agencies and 140+ people. Police Bureau, BPS, City attorneys, PBOT, Emergency Management, everyone. We are proud of that.

Next steps (slide 10): This work goes in parallel with work about data governance. Privacy has been our presentation for all these discussions but in order to implement these privacy principles, we need an authority body that is missing in the city, so that's something we are having a kickoff meeting about on June 4 with a group of stakeholders already working on data governance in different bureaus so we can coordinate and put together a plan for the whole city. We are working in the region trying to promote these principles; we have a regional workgroup with Multnomah County, Hillsboro, Gresham, and Metro.

Christine noted that looking ahead to implementing this work, we are emphasizing how to have community involvement as we figure out data governance. We recognize the rapid pace of change in technology and data collection efforts mean risks, burdens, and benefits will also change quickly for communities. We are figuring out how to have continuous, rapid conversations.

## Questions:

- *Commissioner Spevak*: Can you give examples of how this intersects with this bureau, like public input or how people give testimony?
  - Hector: This is a citywide program; it intersects with every bureau. BPS has been reviewing how the bureau collects data on energy for energy inventories, for example. We have been working very closely in use cases with PBOT because they are one of the main sponsors for a lot of the infrastructure we are testing right now. We are also working on the Portland Urban Data Lake, a strategic asset we are developing.
- *Vice Chair Smith* offered a use case: one current topic is scooter trips; the City will get a lot of data of where people are using scooters because we want to know how they are affecting sidewalks and transportation. We have a big database that is public; if a trip ends in front a single-family home, what kind of protections are there to prevent de-anonymizing that data?
  - Christine: That work is led by PBOT and we are providing technical support. We are looking at how we can aggregate the data before we even get that information, not just de-anonymizing and the end. There will constantly be a tension between privacy, transparency, and open data, and it will be a continual struggle on how to apply it on each project.
  - Hector added that the next step of this resolution is a directive to us in coordination with the Bureau of Technology Services and OEHR to see how we can create a body that looks into privacy issues. At this point, everything is reactive—I've been getting requests to review surveys, permits, public records to see what needs to get redacted. We are providing those services, but it is reactive and not structural. The next step is to find out how to do that in a structural way.
- *Vice Chair Smith*: Shifting to privacy rights, in my day job I have gotten a Fortune 500 website into compliance for GDPR. Some of the key principles are that individuals have a right to know and correct what an entity knows about them and to control how it's used. California has adopted something much like GDPR and I've heard talk in the Oregon legislature about the same. What is the City doing to get ready for the next step?
  - Hector: We are working with the Information Security Office to promote those services and figure out what the next generation of services is. We are looking at GDPR-like guidelines as best practices. GDPR is designed for consumer data; government data is exempt, but we are still looking at it as best practices.
- *Commissioner Bortolazzo*: Under the principle on data utility, it says the City will collect a minimal amount of personal information to fulfill a well-defined purpose. This is a subjective interpretation; is there a way to be a lot more substantial and clear, perhaps adding what well-defined means in the definitions?
  - Hector: Yes, and these are only guidelines for all the bureaus—what utility means for different bureaus is different. Some other cities like Seattle and Oakland have procedures to do privacy impact assessments. Oakland has a procedure for surveillance technology; Seattle has a chief privacy officer and can provide data management services, features, and modules.
  - Christine: In forming the data governance structure, we are asking what the roles of data stewards across bureaus are. As each bureau develops their own policies, we would have a lot of education about what's in our admin rules.
- *Commissioner Quiñonez*: You mentioned you were advised to go with a resolution rather than rights. If an individual or group finds their data has been misused, what is their recourse under a resolution?
  - Hector: There have been some complaints about how data is being published by the City, and there are some misalignments. For instance, one of the most sensitive pieces of information is homeless count data. Our fire bureau manages that information about the services they provide as first responders; most is kept private and not published. However, with our cleaning services everything gets published. There have been complaints about

that. Part of this effort is to create a way to support how the City publishes and manages sensitive information.

- *Commissioner Spevak*: The interaction I have most often with website is PortlandMaps. Two things that are not here are home energy scores and the rental registry. How would the City decide whether and how to share these potentially sensitive items?
  - Hector: Relatively speaking, there is some control from our corporate GIS team on what gets published and what doesn't. Another way users can get access to data is through public records requests. However, all these different services are completely separated from each other; there is no unified way to understand what the City has. That's one main motivation for creating an organized structure. The first step to understanding data is understanding what needs to be protected. We need a data governance piece to define all of that.
  - *Vice Chair Smith*: So it's not set up yet, but if we've recommended that certain pieces of data be visible on PortlandMaps, it would go through some organizational screen to figure out whether it's appropriate?
  - Christine: Now corporate GIS does have protocols. What's missing is an additional extra privacy lens for things that have been released in different processes.
- *Vice Chair Smith*: What is the data governance decision-making process look like?
  - Christine: This is coming next; bureaus are making up the stakeholder committee. Some have more mature ongoing processes so we are using them to make a citywide framework.
- *Commissioner Larsell*: Sounds like you are involved in important work and the City is going to get a lot of value. Sounds like we had a big hole. What other projects is Smart City working on? I think of new technology coming in and taking over fast. Are you doing anything with new technologies?
  - Christine: Some of the projects are open data and data governance; the Smart City steering committee getting bureaus to work together; the Portland Urban Data Lake, a multi-agency project to build a platform to enable data-driven decision making—we have use cases around bus arrival times and scooter data and want to try to create a full data pipeline for the City—how you manage it, clean it, are a good steward of it, and analyze it; air quality sensor testing project; Prep Hub project in partnership with PSU and the MIT Risk Lab to create new infrastructure in neighborhoods that creates awareness of disaster resiliency and helps during disaster events; traffic sensor safety project; and we are looking to start a new project to make sure that when we decide about new projects we make sure we are working with needs identified by community.
  - *Commissioner Larsell*: I was thinking of how there will be a lot of changes when cars are self-driving. Some articles say it'll be wonderful with reduced congestion and others are the exact opposite. As a PSC member I wonder which way it'll be and which way we should be moving. Is anything like that part of your work?
  - Christine: PBOT has led the Smart Autonomous Vehicles Initiative, and we work with them, to be proactive about that.
  - Hector: One of the main projects from my perspective is our priorities framework, which is using equity as the center point for how technology has to be used and deployed throughout the city. Through that lens we are trying to develop policies and guidelines for other bureaus. Smart Cities was a term crafted by the private sector as way to sell stuff to cities and government. We are trying to reclaim it in a way that is actually working for cities.
- *Commissioner Houck* gets frustrated at Metro and the City and elsewhere every time we bring up interest in developing indicators for ecological health. Through this project and interacting with other cities, will there be an ancillary product for opportunities to collect the data we say we don't have or we don't have the capacity to collect, around ecological health?
  - Hector: We have 3 buckets of focus for open data—public records requests, specific use cases that need better data management, and key performance indicators for the city.

Through the latter we understand how the city is doing; they are defined by every bureau.  
We can redefine those as we need as we move forward to our moonshot goals.

- *Vice Chair Smith* called out the policy about using an equity lens on automated decision systems—it's innovative and aligned with our values.

*Vice Chair Smith* asked the commission if there was interest in sending a letter of support for this including additional steps that need to happen around privacy. There is.

## **Adjourn**

*Vice Chair Smith* adjourned the meeting at 2:20 p.m.

Submitted by Love Jonson