

McClymont, Keelan

From: Lorie McFarlane <lorjmcfarlane@gmail.com>
Sent: Wednesday, June 26, 2019 9:11 AM
To: Council Clerk – Testimony
Cc: Bruce Lanphear; Mona Hanna-Attisha
Subject: Lack of health experts on PUB and 5 resigning

I am writing to request that you **read aloud the resignation letter of 5 PUB members** to the public (below), including those who resigned more than 2 weeks ago.

I am cc'ing two inter/nationally renowned health experts, Dr. Bruce Lanphear and Dr. Mona Hanna-Attisha, because of their seminal work on the health-harm of lead, a potent irreversible neurotoxin in even small amounts at chronic exposure levels. Portland (unlike any large city in the nation) unbelievably and **knowingly allows "partial corrosion control"**(PWB) techniques resulting in **higher levels of lead** leaching from our plumbing into our drinking water. This is allowable under a 1997, unique and now anachronistic, "alternate compliance strategy"(OHA) to the federal SDWA regulation.

Having attended PUB meetings, I was especially impressed by these 5 members' contributions; educated, experienced, and critical thinkers with no vested interest in politics or relationships with PWB and BES. In other words, perfect in an oversight role, on behalf of the citizenry of Portland.

Moreover, it's extraordinary that after 5 PUB members resign - understandably in frustration over conflict of interest -- that Council would **reject a candidate that is clearly qualified: Dr. Lisa Reynolds, a pediatrician**. Not only has a health perspective been a starkly missing voice on PUB, she appears to be interested in the same inconvenient questions about health-harm to developing brains and the **delays and lack of action here** to control corrosion of customer plumbing (those served by Portland Water Bureau). BOTH healthy drinking water and corrosion control are based in sound science and are being addressed *swiftly* all over the country...except here.

These 5 resignations from "oversight" members are significant news.

And yet, I cannot find any news on City websites; an announcement, a resignation letter, a public document. There is no media attention (have reporters assigned to govt even been informed?)

The resignation of these 5 members means the remaining members, many of whom either work for or are closely aligned with PWB (and Portland BES), are failing to perform the primary "independent oversight" role the PUB was created to do - represent and protect the interests of citizens and ratepayers.

After the rejection of pediatrician Dr. Reynolds as a member of the PUB, the optics are clear - PWB is making a power grab that will render the PUB not just powerless but a puppet of the PWB. This development is more than infuriating as a citizen and your constituent. It is shocking. And it is terrifying for our democracy.

Sincerely, Lorie McFarlane

Resignation letter:

Mayor Wheeler and Commissioners,

The five Portland Utility Board (PUB) members listed below are resigning as of June 11, prior to the end of our terms. As long-serving Portland Utility Board members, all of us would like to go on record about an issue that we believe is central to the Portland Utility Board's ongoing success.

The mission of the Portland Utility Board as stated in its founding ordinance was “to strengthen oversight functions for City's water, sewer and stormwater services.” To achieve that end, the composition of the PUB membership needs to assure Portland residents that they can expect independent and community-oriented oversight.

The ordinance creating PUB stipulates that there are to be four *ex officio* staff members, two from each bureau, one of whom has a vote. The result is that by ordinance almost 30% (4/14) of the Board consists of Bureau staff. Every additional City staff member appointed to the Board increases that percentage and undermines the integrity of a citizen oversight committee.

Unfortunately, what defines a community oversight committee is not addressed under Portland statutes. The PUB currently has not just the four City employees stipulated by the ordinance but five which brings the percentage of City staff on the PUB to 36%. During the recent recruitment process to fill Board vacancies two applicants, both with ties to one of the Bureaus were seriously considered, one of whom was recommended to the Board by the recruitment subcommittee but not forwarded to the City Council due to concerns about the number of City employees already on the PUB. Had the Council appointed another City employee to the PUB, the percentage of staff on the Board would have risen to 43%.

This level of city representation on an oversight committee invites the charge of bias and perceived conflict of interest. Is there a limit to how many City staff could be on the PUB? If 36% is acceptable, is 40%, 50% or higher acceptable? Would the City tolerate 30-50% of the members of the Citizens Review Committee for the Police Bureau being a combination of Police Officers and City employees? Or, more importantly, would the residents of Portland see such a committee as independent and unbiased in their review of the Police Bureau?

While it is true that three of the four *ex officio* members do not have a vote, they do have a voice and that voice is strong, articulate, and persuasive. At times, of course, this can be very helpful, but to the average resident of Portland, *ex officio* versus voting member is a distinction without a difference. What they see is employment status, not the nuances of different bureaus or parliamentary definitions and procedures.

As a Board tasked to advise on behalf of the citizens of Portland, actions that could impact trust and public perception of the Board will have an effect on the long-term success of this Board. And as we are all too aware of these days, trust and perception are malleable and easily changed as mainstream media has discovered. We believe every effort should be taken to strengthen the Board's independence from the bureaus it is tasked to oversee.

As Commissioners may remember problems of bias arose when PERS recipients were charged with oversight of their retirement system. Oversight should be the responsibility of those without a vested interest in the outcomes. City staff have an important and necessary commitment to the interests and well-being of their organizations. They should not be in positions where they find themselves both beneficiaries and gatekeepers at the same time.

Let us be clear: we are not questioning the integrity of any individual staff Board member. On the contrary, we have the utmost respect for their dedication, work, and service on the Board. However, the integrity and respect for the Portland Utility Board rest in large part on its structure and membership. If residents perceive the Board to be weighted with City employees, the independence and unbiased nature of their deliberations will be easily questioned and any trust in their recommendations to the City Council will be lost.

We believe this issue can only be resolved by the City leadership. In the case of the Portland Utility Board, we believe that if the City cares about the independent oversight function of the PUB, as stated in the founding ordinance, the Mayor and Council need to clarify the appropriate level of staff involvement. We also encourage the members of the Portland Utility Board to review their bylaws and make clear that beyond the language of the ordinance, voting members of the Board should reflect an independent voice in the community and not be employed by the City.

Thank you for the opportunity to serve the City of Portland.

Sincerely,

Allan Warman
Colleen Johnson
Mike Weedall
Dan Peterson
Lee Moore

Moore-Love, Karla

From: Dee White <deewhite1@mindspring.com>
Sent: Wednesday, June 26, 2019 6:11 AM
To: Council Clerk – Testimony
Subject: Testimony for Agenda 629
Attachments: Mayor Wheeler and Commissioners 5.docx; May 17 2019 PUB subcommittee meeting.pdf; May 15 2019 PUB subcommittee meeting.pdf; May 10 PUB subcommittee minutes.pdf; Email from City denying opportunity for citizens to read PUB resignation letter into the public record.pdf; Email request of Mayor Wheeler to allow testimony on PUB appointments to Council and PUB committee resignations.pdf

Dear Karla,

Please include this as testimony for this agenda item 629. Thank you, Dee White

Dear Mayor and Council,

PLEASE SEE AGENDA ITEM FROM JUNE 26 2019 CITY COUNCIL MEETING:

[629](#) Appoint Kaliska Day, Gabriela Saldaña-López, Karen Spencer, Karen Williams and Mia Sabanovic, as voting members and Ana Brophy, Brian Laurent and Sara Petrocine as ex-officio members of the Portland Utility Board (Report introduced by Mayor Wheeler, Commissioners Fish and Fritz) 10 minutes requested

Next, see attached letter and minutes from three PUB (Portland Utility Board) meetings. Finally, see attached email asking that the PUB resignation letter be read into the public record and finally, YOUR DENIAL.

Clearly, transparency and independent oversight is not a priority with the elected officials in the City of Portland.

Could you all try and explain to me and to the public how these people were independently and fairly chosen and appointed?

Dee White
Portland OR 97206

Mayor Wheeler and Commissioners,

The five Portland Utility Board (PUB) members listed below are resigning as of June 11, prior to the end of our terms. As long-serving Portland Utility Board members, all of us would like to go on record about an issue that we believe is central to the Portland Utility Board's ongoing success.

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Thank you for the opportunity to serve the City of Portland.

Sincerely,

Allan Warman
Colleen Johnson
Mike Weedall
Dan Peterson
Lee Moore

Reviewing Subcommittee Meeting Summary

111 SW Columbia St, Portland, OR 97201, Floor 5, Room 518

Wednesday, May 17, 2019

Attendees: Heidi Bullock
Micah Meskel
Colleen Johnson
Nadia Legorreta
Cristina Nieves
Dory Robinson
Angela Henderson
Dory Robinson
Opted out: Jamie Dunphy
Staff: Cinthia Diaz Calvo (PUB Coordinator)
Amy Archer- Masters (PUB Analyst)

I. Background / Introductions

Cinthia provided a reminder that the Portland Utility Board's purpose is to advise the City Council, on behalf of and for the benefit of the residents of Portland, on the financial plans, capital improvements, annual budget development and rate setting for the City's water, sewer, stormwater, and watershed services. The Board advises Council on the establishment of fair and equitable rates, consistent with balancing the goals of customer needs, legal mandates, existing public policies, such as protecting water quality and improving watershed health, operational requirements, and the long-term financial stability and viability of the utilities.

Cinthia introduced Yolanda Sanchez from Office of Equity and Human Rights who provided an overview of the Bias-Awareness training.

II. Bias Awareness Overview

Yolanda introduced three different types of biases and tools to reduce bias in decision making. Bias is a preference or prejudice toward a group of people. This can be categorizing, labeling, stereotyping or associating a group of people with another in a generalized way. Sometimes bias is known and sometimes it is unknown.

1. Implicit bias, also known as **unconscious** bias, are preferences and prejudices that we have about a person or a group of people, but *we don't know* that we have them.
2. Explicit bias operates in our conscious level, we know our biases and are aware of them.
3. Institutional bias, preferences and prejudice is legitimized in the policies, procedures, and practices. This reinforces harmful stereotypes that feed into the unconscious bias that individuals have.

Tips & Tools

1. Make a conscious effort to address bias through education and training.
2. Recognize it in yourself and others and name it when it is happening.
3. Challenge policies and practices that have bias.
4. Dispel first impressions.
5. Be as objective as possible.

6. Evaluate candidates against the qualifications that you are looking for and not against other candidates.
7. Have rational decisions for selecting the candidates you selected and have conversations about that.
8. Don't shame individuals for having bias, but rather recognize it, name it and try to find ways to address it.

III. Interview Session

Max Jones

- Engineer, specializing in commercial projects and construction.
- He is a subcontracted employee with ACMS; subcontracted by Stantech who is working with the Bureau of Environment Services. Their Focus is Columbia water treatment plant.
- He mentioned holding space and time for everyone involved. When there isn't consensus, he defers to core values, equity, health and Safety.
- Ensure the poor and underrepresented neighborhoods are represented. He wants a well outline emergency preparedness plan especially for those who are underrepresented.
- What he has found by working with Lyft is that many Portlanders think that their City doesn't care about them. He wants to build interface with the public and post flyers for localized events and providing them with options to engage. Holding open workshops would be a way to change Portlanders perspective about the City.
- He seeks the opportunity to build upon the knowledge base that PUB has to engage the community more. Engaging the community on their terms is important. i.e. in multiple languages and different outlets.
- He elaborated on his goal to increase preparedness on seismic and natural disasters i.e. water, power, etc. His interest as a PUB member would be to advocate for underrepresented/underserved neighborhoods to have better traffic lights/signage.
- He would work with PUB to take part in the way that money is distributed in different neighborhoods.
- Conflict of interest: They perform risk management and cost performance and indexes, and they oversee budget projections. The company' project currently counts with 50% of BES' CIP budget. He wouldn't disclose anything that the PUB discusses and vice versa, he wouldn't disclose to PUB anything that their company discusses.
 - **Deliberation:**
 - There was concern with his conflict of interest and his response to the conflict. It was mentioned that in order to mitigate the conflict, conversations about the conflict need to take place and Max' approach is not to disclose to either party which seems the opposite.
 - It was mentioned that it would be PUBs job to direct him to the City's attorney for guidance on dealing with his conflict of interest.
 - It was mentioned that any and all discussions that take place in PUB are public facing. It was also unclear how high of a role Max was in and the level of access he has may be limited – since he is a sub of a subcontractor, it seems like his access is very limited.

- It was mentioned that his strengths seem to be more technical and his goals and interests lean towards emergency preparedness and traffic lighting signage which is not within PUB's scope of work.
- It was appreciated Max' general interaction systems, even if they were more transportation oriented. Having an eye/ear for what the public shares paired with his engineering background there is potential for growth there.
- He seemed like a thoughtful young man, but his responses were less in-depth or as sophisticated as the other candidates. At times his ODOT observations and interests revealed his level of understanding of what PUB does.
- There was a level of naivety on what PUB's scope of work entails.

Gabriela Saldaña-Lopez

- She grew up in E Portland. She is passionate about community engagement and organizing, both on campus and the community; low income upbringing; knows the need for public outreach.
- She faces disagreements often and believes it's important to have boundaries and built respect. Using a system of thumbs up, middle and down and talking about the whys even if someone was in the middle can be one way to deal with disagreement. Continue discussion until a set deadline and if there is still disagreement then the decision is based on a vote.
- In terms of government and equity there are restrictions to accessing resources. She spoke about institutional barriers. She thinks that by helping public with education and aide language barriers would make resources more available.
- She has done a lot of community organizing and engagement. Building trust and showing up. Southeast uplift is a neighborhood coalition she is involved with. She spoke about different types of outreach and working past current conflict to achieve goals.
- She is an Americorp member and she supported a cohort of over 100 students. She likes working with young people. She coordinated a lot of events. It involved a lot of email communication and follow up, goal setting and target reaching.
 - **Deliberation:**
 - The subcommittee enjoyed Gabriela's interview– mentioned she was passionate, with fresh ideas and practical experience in outreach, community organizing. She projected her ability, potential and capacity to understand the type of discussions that take place in PUB.
 - She has experience working and dealing with conflict and disagreements in various settings and has practical experience coming to consensus. She was very specific as to how she resolved conflict/disagreements.
 - There was a level of naivety on what PUB's scope of work entails.

Lisa Reynolds

- Pediatrician for 25 years; public health; evidence based for solutions. She has direct communication with families and prescribing methods that work for them. Meet the families where they are at.
- She collaborates with other 25 co-workers to come up with consensus, ideas and solutions. Volunteers against gun violence trying to find common ground. She is trying to be less dogmatic, listen and discuss to hear a variety of solutions.
- She has heard, and lead debates and knows the challenge of clear water, corrosion. She said that optimization of resources is a good start.

- Her practice includes many immigrant families. She speaks conversational Spanish. She has noticed a lack of diversity in volunteer groups. She looks forward to collaborating more.
 - **Deliberation:**
 - She talked about her interest and research in water.
 - The committee likes her background, however, Lisa admitted she didn't know a lot about sewer and water and the reason why she wanted to serve on the board.
 - She demonstrated that even though she had no experience she is aware and engaged in topics around water. She also took the time to research, attend a PUB meeting and took a tour on water systems, which shows her interest and time availability to learn and be engaged in this body of work.
 - Her use of evidence to reach fact-based conclusions and solutions was appreciated.
 - Lisa was not able to provide concrete examples of how her experience and education tie to the work that PUB does. She only mentions that she participates in the Gun violence and other committees but no concrete examples as to the set of skills she would bring to the discussions at PUB.
 - There was a level of naivety on what PUB's scope of work entails.

Ignacio Falcon

- He shared his focus in Geography as a PSU master's student. Ecology, forest dynamics and conservation in Mt St Helen's is the focus of his theses. Moisture availability is one of his main concerns. He noted that since the logging industry is big in Oregon, moisture will play a big role in its sustainability.
- He also counts with trainings on spatial analysis and GIS. He mentioned that he had read the minutes and the outcomes that resulted, and he thinks that voicing his opinion and listening to concerns would build upon this experience. This area interests him.
- His work background includes managing the operations of an Australian company in the cannabis industry. He learned to independently manage and operate and those are the types of skills he can bring to PUB – the ability to implement, find solutions in a way that is beneficial to everyone.
- The steps he would take to resolve conflict or reach consensus is: listening and being open to others' perspectives and stating what he thinks and have a discussion on what the best output would be. Sustainability and ensuring that no one gets the lower end of the stick is the most important for him.
- Listening to the community and learning and taking their ideas on potential solutions is essential.
- He thinks it's important to understand and play a role in how things work, and decisions are made from a governmental perspective and that is why he is interested in serving on the board.
 - **Deliberation:**
 - He seemed casual and casually dressed. There was an element to his approach how much he elaborated, and it didn't give a clear sense of how much he was invested.
 - There was general consensus about the statement above.
 - There was a level of naivety on what PUB's scope of work entails.

Karen Williams

- She has lived in Portland since 1989. She has experience with water quality, received hydrogeologist academic training. Has background work experience with DEQ and is an active volunteer at home associations, and the union.
- She seeks consensus by finding the middle ground and then finding a solution that everyone can live with, understanding that it might not be everyone's ideal method. She mentioned that having a clear purpose, goal or outcome is important, as well as seeking the greatest good for the greatest number of people and trying to meet the needs for the most vulnerable.
- She thinks it's important to spend time collecting, examining and evaluating data and asking what the gaps are. One of the challenges that she sees is that government operates from a place of feeling like they don't have enough information. Another challenge is that entities place limitations on themselves based on past failures – looking into the past can be helpful but it can also be limiting, to a point entities feel like that is all they can do, which is not always the case. She thinks that the challenge that government faces is balancing resources for delivering services.
- She had a very informative and transformative experience supporting a campaign. This experience led her to be more observative in how the organizers found leaders within the community that supported them in leading the campaign. Her role was to help and support and what she learned is what she would like to bring to PUB.
- She had an organizer role with the Union advocating for underrepresented individuals. She values supporting others.
 - Deliberation:
 - She was good on paper and good on the phone.
 - It was appreciated how specific she was about her experience and skills.
 - She talked about the support she provided Motor Voter and Causa and this validated her statement that about providing to those that need it the most.
 - Her equity responses were underdevelopment.
 - Her response of looking into past failures as being a limitation seems to be representative of her own background and not representative of other groups. (equity)
 - Her responses were strong at the beginning but weaker towards the end.
 - Her science background is strong and that helped balance the score.
 - Karen mentioned that history is important, but it can't be the focus – Some subcommittee members thought this was concerning because history is a huge factor to improve future efforts and not make the same mistakes. Other subcommittee members interpreted more as like the way things have been done historically isn't necessarily the way we will continue doing things.
 - She kept laughing and that was confusing to some subcommittee members. It was explained by one subcommittee member that sometimes it can be funny to be address the fact that part of the company/organization is resistant to change and others are change agent champions.

Mia Sabanovic

- Water is her passion since she learned how to swim. She has 13 years of experience working with the City. She is familiar with both BES and PWB and wants to help them optimize how to

preserve and deliver on those services- familiar with the needs of the PUB. Mia has desire to be a public servant.

- She mentions that prior to building the team or inviting people to the table, they have to identify the needs, the vision and outcome as well as the time frame.
- She has experience with team dynamic. She mentions that the team needs to understand challenges and past failures, have good communication and trust.
- She is expressed ability and awareness in equity and has good understanding of having the right voices on the table. She thinks that in order to be successful in engaging the community is to simplify (speak their language) and not use complicated words.
- She has personal experience as a refugee and thinks it's important to find portals to reach communities. She understands the oppression that communities have gone through and gave examples of barriers that need to be addressed in order to ensure all voices are heard. She has a cross cultural lenses.
- Conflict of interest: She was clear that she does not profit from any decision that takes place. She will advocate for the groups she supports and is interested in optimizing the resources that we have (water) and the work that BES/PWB does.
- She is interested in integrating PUB in the strategic objective of the bureau and making sure that the budget ties to the vision and mission of the bureaus. She thinks there is more gain to focusing on this than just approving or prioritizing the budget.
- She is a leader in the Bosnian community, engineering groups and in the Muslim Educational Trust.

- **Deliberation:**

- It was mentioned that at the State level there is a third category and that is "perceived" conflict of interest and that addresses the optics of how it would look to the public.
- Mia got the highest score for some subcommittee members.
- It was mentioned that Mia was delightful; she has 13 years of experience; but she came across as a very strong advocate for the bureaus and PUB may benefit more from a member that is more of an advocate for the community. City employment is a relevant topic and it was mentioned that PUB may not need another City employee; there are enough city-employee-members now that are very articulate now.
- It was mentioned by a City employee/PUB ex-officio member, that they themselves received clarification from their manager at the beginning because they were supposed to be supporting the PUB by providing their bureau knowledge and expertise, and not advocating for the community and the tax payer and saving them money. It was mentioned that just because you work for a bureau it doesn't mean you'll going to solely advocating for the bureau. They said that they can see both perspectives bureau's/community's and they can be objective in wanting to optimize resources and services and the rates to be low.
- It was mentioned that it is important to make clear in their recommendation to council that the restrictions are specific that it's not a conflict to be an employee of the utility bureaus. There is, however, an opportunity for council to decide to institutionalize that response and that those remaining seats

should go to community members. It should be explained why the subcommittee has decided to move Mia forward, if it is decided.

- Mia would bring the community leadership and outreach aspect that the board doesn't have.
- Her common theme is that her intent is to optimize services for BES and PWB.

Karen Spenser

- She has technical skills and expertise in strategic planning, looking at financial statements and moving the process along, through her role at Nike.
- She is a lifelong learner and loves to learn a variety of topics. She is comfortable going into the details of things and looking at the bigger picture at the same time.
- She is a team player and loves to be on teams and working to advance goals.
- She has always been involved in non-profit activity and giving her experience and personal status she finds it appropriate to take on a broader leadership role and exposing herself to government. On the personal side she does improvisation and film direction and she is interested in continuing to expand her abilities in this field as well.
- She has been on advisor boards before and understand that educating herself and doing the *homework* is vital to the effectiveness of the board. She is comfortable picking up the phone and talking to anybody.
- In teams that she has led, she listens and understands where each person is coming from. Understanding people's perspective is important. Disagreement is seen positively and as a path forward to innovation. Most people want to feel listened to, respected and valued for their opinion and if they can be heard it goes along way towards consensus. Sometimes there won't be agreement and in that case prioritizing the purpose, needs and what decisions need to be made now and who is the ultimate decision maker. She understands that sometimes the vote is towards a recommendation and the group must understand that there will always be disagreements.
- She is analytical when weighing choices. She likes to visually place pluses and minuses and sometimes use weights; ultimately is about trying to find what the best of the worst choice is when making decisions on affordability and services.
- She explains that the City faces a challenge when dealing with a 100-year-old system that needs regular maintenance and future upkeep. Challenges also come from climate change which can be costly. There are mandates around what the City can and cannot charge rate payers which impacts the affordability piece. It's important for her to listen to the rate payers and understand what their current economic challenges.
- She has worked with immigrants and has understanding in working with refugees and immigrant communities. In her career she has often been the only woman or the only African-American, or both. Sometimes she has been the only diversity and inclusion effort and she has been in an equity and inclusion team.
 - **Deliberation:**
 - Karen has been in advisory bodies before - she understands dynamics. There was general consensus that she would be great to have on the board.
 - She was specific about connecting objectives and priorities with metrics and evidence, specifically, around equity and diversity. There was general consensus around this comment.

- There was general consensus that Karen was among the top candidates interviewed and the subcommittee decided to move her forward.

SUMMARY:

Votes concluded the following:

| | Nadia | Heidi | Micah | Gabe | Angela | Cristina | Ana | Dory | Colleen | Vote | Alt. |
|----------|-------|-------|-------|------|--------|----------|-----|------|---------|------|------|
| Gabriela | 4 | 2 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 9 | 9 |
| Karen S | 5 | 3 | 2 | 3 | 3 | 2 | 3 | 2 | 2 | 8 | 9 |
| Mia | 1 | 1 | 3 | 2 | 2 | 5* | 1 | 3 | | 7 | 8 |
| Karen W | 2 | 4 | 4 | 4 | 4 | | 4 | | 4 | 7 | 7 |
| Lisa | 3 | | 5 | 5 | | 4 | | 4 | 3 | 4 | 6 |
| Max | | | | | 5 | 3 | 5 | 5 | | 1 | 4 |
| Mike | | 5 | | | | | | | 5 | 0 | 2 |
| Ignacio | | | | | | | | | | 0 | 0 |

**Cristina's preference is Mia Sabanovic as the third if there was clear direction from the Commissioners-in-charge and the PUB.*

Alt. – Alternate sums up points which include members fifth alternate.

Recommendation based on vote:

1. Gabriela Saldañes-Lopez
2. Karen Spencer
3. Mia Sabanovic
4. Karen Williams

Recommendation based on vote and alternate:

1. Gabriela Saldañes-Lopez
2. Karen Spencer
3. Karen Williams
4. Lisa Reynolds

Process for interviewing Mike Weedall

The subcommittee identified options which include the following:

1. Evaluate candidate based on the application
2. Schedule an interview or
3. Discard the application

After deliberation and vote casting, the subcommittee decided to give Mike Weedall the opportunity to interview.

Reviewing Subcommittee Meeting Summary

111 SW Columbia St, Portland, OR 97201, Floor 5, Room 518
Wednesday, May 15, 2019

Attendees: Heidi Bullock (Call in)
Colleen Johnson (Call in)
Micah Meskel
Nadia Legorreta (Call in)
Cristina Nieves
Dory Robinson (Call in)
Absent: Angela Henderson
Dory Robinson
Staff: Cinthia Diaz Calvo (PUB Coordinator)
Amy Archer- Masters (PUB Analyst)

I. Background / Introductions

CBO staff had received a range of responses from the subcommittee, with clear support to reconvene the group to include those absent last Friday since their input varies from the group decision thus far. However, there are several members that would no longer be able to participate if we extend the interview date further. The majority supported proceeding with interviews this Friday, with a phone meeting today to finalize the list if possible. We have compiled the data received from absentee members (Colleen, Angela and Heidi) with the data from the meeting last week and have 4 that I would consider clearer candidates for interviews. Our goal was to have 6 candidates.

The next 5-7 candidates varied between being top from the meeting versus low for absentee or vice versa. Due to time constraints of panel members, 11 candidates is too many to fit into our schedule and allow meaningful interviews. I propose that the subcommittee continue to dialogue today to determine the top 6-7 candidates to interview.

Unless there is disagreement, we shouldn't need to discuss much for the top four interview candidates below and conversation could focus on the 6 listed in the subsequent lists:

Agreement from 5/10 subcommittee (and supported by either top or maybe category for absentee) - Top 4 to interview:

Gabriela Saldaña-Lopez
Lisa Reynolds
Karen Spencer
Mike Weedall

Identify 2-3 from the following three lists to move on to interview:

Top from meeting but variation from absentee (some with a very strong objection, some also in top):

Max Jones
Mia Sabanovic
Ignacio Falcon

Top from some absentee, were in "maybe" from meeting:

Kaliska Day
Karen Williams

Top in one absentee, "no interview"/bottom from meeting:

John Gibbon
Katie Gillespie

Amy introduced reviewing subcommittee members as they were joining the call.

Prior to starting discussion there was a clarification question regarding how many candidates should the committee be selecting. A suggestion was made to select 7 or 8 members.

Amy explained that if we select 6 or 8, we should be ok, because Cinthia notified candidates far in advance that interviews will take place May 17th.

Amy opened discussion by confirming the top 4 candidates.

Gabriela Saldaña-Lopez

- General consensus to move her forward for an interview.

Karen Spenser

- General consensus to move her forward as well.
- Cinthia clarified her mistakenly marked conflict of interest.

Mike Weedall

- There were questions about his conflict of interest.
- Cinthia clarified that his conflict was also marked by mistake.
- It was reiterated from the previous recruiting subcommittee meeting that there were other candidate applications that were stronger.
- It was mentioned that Mike does deserve a chance to be interviewed because he has been a dedicated board member for the past 3 years. He also has past experience and knowledge working with both bureaus.
- It was mentioned that Mike's skill sets exist already on the board and seeing that both Allan and Mike share the similar utility background. Their prioritization would be different if there wasn't already this type of representation on the board.
- It was mentioned that the current board has duplicates of skills, and more than one member selecting communications and equity or economics. It is acknowledged that the subcommittee doesn't want the same skill sets for everybody, but she also thinks it's a mistake to not elevate a candidate because people are similar or because their skill sets already exist on the board.
- It was mentioned that Mike had already been the 7th candidate approved to be interviewed, and it was suggested to move on to a different candidate.
- It was clarified that during the previous meeting, the reviewing subcommittee decided that there were stronger candidates and they decided to move 6 forward but that even if space needed to be made and adjust the schedule to accommodate 7, that they wanted to make sure Mike got an interview. It was the final decision that was made. He was one to interview but not

necessarily as far as people were looking as skill sets to bring to the board and that there were others they hoped to move forward as well.

Lisa Reynolds

- Both the reviewing subcommittee and one of the absentee members included her in the list of candidates to be interviewed.
- General consensus to move her forward as well.
- One of the members of the reviewing subcommittee didn't select her for an interview but also didn't feel strongly about her as a candidate. If others feel stronger about her as a candidate, it would be ok if she is moved forward.

Mia Sabanovic

- It was mentioned that since the PUB is a city-oversight committee that it would threaten the integrity of the board if more city employees are added. By ordinance, already there are 4 members that sit on the board, one of them being a represented position that can vote. Currently there are 5 city employees. They provide ideas and they have been articulate providing expertise and she believes this has helped shaped the board and decision-making. It was suggested that she could serve as one of the ex-officios from one of the bureaus.
- It was clarified that from the 5 city employees that were mentioned are on the board currently, only 4 are directly associated to either BES or PWB. From those 4 only two have been active, one from BES and the PWB represented voting member. The other city employee that was mentioned was not a City employee prior to serving on the board and is now an employed by the Bureau of Development Services, BDS.
- It was mentioned that the BES and the PWB represented voting member position have been very vocal and that this is a discussion that the board itself should have. It was also mentioned that whatever happens today, she intends to write it down.
- It was mentioned that even though Mia is a city employee, she also said that she represents herself and her affiliated communities. It was agreed that Mia would be great as an ex-officio member and that the subcommittee should explore that through interviewing her.
- Mia was on top of the list of a subcommittee member, because of Mia's water engineer background and 13 years of experience. Her affiliation with many other community groups is also valued. It was also noted that 6 members of PUB are male and only 3 are female. It would be great to see more gender equality on the board. Value is seen in giving Mia a chance to interview.
- It was mentioned that she was a really strong candidate and that she deserves and interview.
- The majority supports moving Mia forward with Colleen Johnson's objection. The recommendation was made to move Mia forward based on the vote understanding the concerns that have been shared and through the interview process explore that further.

Max Jones

- Concerns were heard and understood by the rest of the reviewing subcommittee members, however it was mentioned that an opportunity can be given to those candidates as well to read how they represent themselves and the skills they are going to bring to the board, regardless of

their affiliation with the City. During the interview process the decision can be made whether to select them or not.

- It was mentioned that the conflict of interest was taken care of with Karen Spencer and Mike Weedall and adds that it is unclear why the subcommittee would want to interview someone that clearly has a conflict of interest.
- It was mentioned that when a PUB member from DEQ applied, it was clearly stated that there was a conflict of interest and that didn't stop the PUB from choosing her as a candidate. There was also a very strict agreement regarding her involvement with the PUB and the member was able to manage that successfully.
- Different perspectives were acknowledged, and it was mentioned that Max is a contracted employee.
- CBO staff concluded to ask the City Attorney's office about conflict of interest and contracted work with the City.
- The recommendation was made to move Mia forward based on the vote understanding the concerns that have been shared and through the interview process explore that further for both Max and Mia.

Ignacio Falcon

- Ignacio had an interesting resume and background, so that would be 7th candidate.
- It was mentioned that Ignacio was a maybe.
- Both Ignacio and Karen were pretty close. His Puerto Rico and dual language background would bring a unique perspective that is not currently on the board.

Karen Williams

- It was mentioned that Karen could be the 7th candidate.
- It was mentioned that Karen was a maybe.
- There was no preference or strong opinions about either Karen or Ignacio.
- It was suggested to invite both Karen and Ignacio.

Kaliska Day

- There was no comment about Kaliska Day.

Summary:

It was concluded to interview the following candidates:

1. Gabriela Saldañes-Lopez
2. Karen Spencer
3. Mia Sabanovic
4. Lisa Reynolds
5. Max Jones
6. Mike Weedall
7. Ignacio Falcon
8. Karen Williams
9. Kaliska Day (possibly, based on candidate availability)

Reviewing Subcommittee Meeting Summary

111 SW Columbia St, Portland, OR 97201, Floor 5, Room 518

Friday, May 10, 2019

Attendees: Dory Robinson
Ana Brophy
Micah Meskel
Gabe Solmer (Call in)
Nadia Legorreta (Call in)
Cristina Nieves (Call in)

Absent: Angela Henderson
Colleen Johnson
Heidi Bullock
Jamie Dunphy (opted out of initial application review)

Staff: Cinthia Diaz Calvo (PUB Coordinator)
Amy Archer- Masters (PUB Analyst)

I. Introductions

Cinthia introduced everyone as they were joining the conference call. She addressed the concerns that were raised regarding the following:

- The Reviewing Subcommittee should meet in person or by phone to openly discuss applications.
 - Staff response: Accommodate a meeting for reviewing subcommittee to meet Friday May 10 between 3:30-4:30pm. Members can attend in person or join the meeting by phone. For those that could not make it, we encourage their comments and suggestions via email, to be sent to all Reviewing Subcommittee members.
- Reviewing Subcommittee Composition.
 - Staff response: Composition of the reviewing subcommittee was presented for discussion and approved by the Portland Utility Board February 21, 2019.
- Not enough PUB representation on the Reviewing Subcommittee.
 - Staff response: Jamie Dunphy decided to opt out of the initial review of the application. Staff also invited Ana Brophy, current ex-officio PUB member to have fair and equal representation between PUB members and external parties.
- Inconsistency between City Code 3.123.040 and application eligibility requirements.
 - Staff response: The Reviewing Subcommittee will use what is on City code to evaluate eligibility while reviewing applications. The City Code 3.123.040 goes as follows:

A. General Criteria. All members must reside in or work predominantly in the city of Portland and have an interest in water, sewer, stormwater, and watershed health issues, such as system development and maintenance, service delivery, service costs and impacts on low-income households, economic development, public health, conservation, green infrastructure or the environment. In making Board appointments, the Mayor and Council shall strive to have a Board which reflects the diversity of the Portland community, including, but not limited to, the following factors: areas of expertise, advocacy, experience, community involvement, profession, education and/or, economic status. Preferred appointees should have a

range of qualified professional and academic expertise, and community volunteer experience. Appointees will include a current employee in a represented bargaining unit with the Portland Water Bureau or the Bureau of Environmental Services. Skills that will serve the Board well include: technical knowledge of water, stormwater, and sewer utility operation and issues, accounting, civil engineering, conservation, environmental sciences, equity, health sciences, public administration, urban planning, or utility economics, financial and capital improvement analysis, ecosystem science, environmental protection, political process, group process, and communications.

B. Restrictions. No individual with any direct financial interest in either city utility other than as a rate-paying customer or as an employee of the utility bureaus.

C. The Mayor shall, in consultation with the Commissioner(s)-in-Charge, appoint three non-voting, ex officio members annually, to engage utility bureau employees in the budget process. The ex officio members shall be one represented and two non-represented utility bureau employees, appointed to participate in the process of developing recommendations on the bureaus' annual budgets. The voting and ex officio members shall be evenly distributed between the utility bureaus. The term of ex officio members shall be for 1 year. Ex officio members may be re-appointed up to three times.

Cinthia shared an email from Angela Henderson that shares thoughts regarding standards the subcommittee can apply to their individual reviews of the applications. Angela's suggestions go as follows:

1. Does the applicant meet the standards specified in section 3.123.040 (A) of Portland City Code?

This code provision establishes the general criteria each potential member must possess. I tend to agree with Colleen that there appears to be some amount of incongruence between PCC section 3.123.040 and the companion document derived from or in support of that code provision – i.e., the application. Chiefly, PCC section 3.123.040 specifies, in relevant part, that *[All members must reside in or work predominantly in the city of Portland...]*; whereas the City's Advisory Body Application is a *generic* advisory body application (i.e., not limited to nor specific to the PUB) and, as such, broadens the criteria to include play, worshipping, or going to school. However, the standard that must be met, is that specified in code. I recognize that it's not always clear from the applications, which criteria the applicant meets, and I think we must rely on best professional judgement at this phase in the process.

We must also consider whether each applicant possesses interest as specified in PCC section 3.123.040 as well.

- 2. Given the current composition of the Board, does the potential applicant bring skills, expertise, or interests that diversify the composition of the Board and reflect the composition of the Portland community?**
- 3. Does the applicant possess a range of skills, competencies, and experience?**
- 4. Is the application complete?**
- 5. Does the applicant have any apparent financial interest in serving on the Board?**

Cinthia asked if there were any comments and suggestions on the suggested method for evaluation. There were no comments or suggestions.

Karen Spenser

- There was mention that Karen's application was strong, but it was also incomplete since she didn't explain what her conflict of interest was.
- The subcommittee concluded to clarify her conflict of interest by phone or in writing.

Gabriela Saldañes-Lopez

- There was general agreement to invite her for an interview because of her unique attributes that were currently missing on the board. She would bring the community aspect that the board needs.
- It was mentioned that the board needs a community connection somehow and she would be a great candidate.

Max Jones

- It was mentioned that his equity questions were answered very reflectively, and he was also not from Portland and that was refreshing. The subcommittee saw value in the perspectives he would bring.
- There was mention he is also civil engineer and a local shelter volunteer.
- There was mention that he may or may not have enough time living/working in Portland or Oregon, but it was also mentioned that he had been working in Portland for two years and a half year.
- It was mentioned that he would bring good qualities.
- It was noted that he only wants to serve for one year.
- There was general consensus that Max Jones be placed on list of top candidates.

John Gibbons

- There was general agreement that there are stronger candidates on the applicant pool.
- There was general agreement that his application should not be placed on the list of 6 candidates to be invited for an interview.

Ignacio Falcon

- It was mentioned that his perspective on premium pay would be valuable.
- It was also mentioned that he has experience in GIS and that is a very important system in the utility world to identify transformers and meters. This would be useful to analyze the systems.
- There was general consensus to include him on among the 6 candidates to be interview.

Mia Sabanovic

- There was comment that she worked for Water Bureau and BES and she has experience in project management techniques and engineering.
- It was mentioned she is a good translator of technical material and that is valuable as PUB starts to do outreach, because she understands the technical piece.
- It was suggested to invite her for an interview because as a Stewart she understands the labor perspective and can speak the language of the workers and community and can explain things. She has also trained.
- There was also concern about her being a BES employee; if she would be an ex-officio but she applied for a voting-member position.
- There was a question about bureau employees in member positions on the board.

- It was clarified that there is no clear rule around bureau-employees in board positions.
- There was interest in presenting this topic to the board for discussion.
- Nadia said Mia was one of the applications on the top of her list because of her experience as a water engineer; she worked as an engineer for 13 years and then she moved. She would bring a lot of experience in water and sewer and systems.

Lisa Reynolds

- There was general agreement to invite her for an interview because she would bring the health-related perspective as a doctor and pediatrician.

Karen Williams

- It was mentioned that she would bring perspective from DEQ which was now missing because Dory no longer brings their perspective.
- Dory said that she will refrain from commenting because she believes she is biased.
- There was general consensus to not add her to the 6-candidate list.

Mike Weedall

- It was mentioned that he collaborates well and is very interested in low income and helping disadvantage communities. He focuses on the bottom line and saving money.
- It was mentioned that his perspective is valuable but suggests considering that Mike and represents similar interests as one of the co-chairs and that there is no need for duplication.
- It was mentioned that the 1-year term can be considered for Mike.
- It was suggested to interview Mike given there may be sentiment around it.
- It was mentioned that Mike's experience would be very helpful, but there were strong feelings around gender equality. It was noted that currently there are 6 male members and 3 female members, and the subcommittee saw the value in reviewing more applications and consider more female representation on the board.
- There was general consensus that Mike has served the PUB for years. He is committed to a 3-year term and that he should be interviewed either as one of the 6 (if Karen has a conflict) or as a 7th.

Kaliska Day

- There was mention that she has construction experience and her perspective on installations and project management would be valuable.
- There was mention that her background in construction and project management was already represented on the board.
- There was general agreement that her application should not be placed on the list of 6 candidates to be invited for an interview.

Erik Croswell

- There was general agreement that his application should not be placed on the list of 6 candidates to be invited for an interview.

Anne Boutwell

- There was general agreement that her application should not be placed on the list of 6 candidates to be invited for an interview.

Katherine Gillespie

- There was general agreement that her application should not be placed on the list of 6 candidates to be invited for an interview.

Summary of the 6 candidates considered to be invited for an interview:

- Gabriela Saldañes-Lopez
- Lisa Reynolds
- Max Jones
- Mia Sabanovic
- Karen Spencer (?)
- Ignacio Falcon-Dvorsky
- Mike Weedall***

Summary of the "possibly" list

- Karen Williams
- Kaliska Day

Summary of the applicants that were not considered for an interview:

- John Gibbons
- Katie Gallespie
- Annie Boutwell
- Erik Croswell

Dee White

From: Dee White [deewhite1@mindspring.com]
Sent: Monday, June 24, 2019 12:14 PM
To: 'Moore-Love, Karla'
Cc: 'McClymont, Keelan'
Subject: RE: Agenda item 629

Thank you, Karla.

From: Moore-Love, Karla [<mailto:Karla.Moore-Love@portlandoregon.gov>]
Sent: Monday, June 24, 2019 12:11 PM
To: Dee White
Cc: McClymont, Keelan
Subject: RE: Agenda item 629

Hi Dee,

I heard from Commissioner Eudaly's Office and they have informed me the Commissioner will not be opening up public testimony for this item during Council session.

Karla



Karla Moore-Love
Council Clerk | City of Portland
1221 SW 4th Avenue, Room 130, Portland, OR 97204
(503) 823-4086
www.portlandoregon.gov/auditor/councilclerk



NOTICE: The Council Clerk's Office (Room 130) is temporarily closed due to construction. Please visit Room 310 on the 3rd floor to drop off Council documents or to sign up for a Communication spot.

From: Dee White <deewhite1@mindspring.com>
Sent: Friday, June 21, 2019 3:57 PM
To: Council Clerk – Testimony <CCTestimony@portlandoregon.gov>
Subject: RE: Agenda item 629

That's good to know Karla – about the written testimony! Thank you. And thank you for inquiring about Comm Eudaly's intentions on testimony on reports.

Have a great weekend – looks like the sun is finally coming out on day of the solstice!

dee

From: Council Clerk – Testimony [<mailto:CCTestimony@portlandoregon.gov>]
Sent: Friday, June 21, 2019 3:50 PM
To: Dee White
Subject: RE: Agenda item 629

Hi Dee,

That decision is the presiding officer's call. When the Mayor is presiding, he has chosen not to take public testimony on reports. Commissioner Eudaly will be presiding in the Mayor's absence next week and she may choose to do otherwise.

I will try to find out from her staff if she intends to take public testimony at the meeting.

We always accept written testimony on reports.

Regards,
Karla



Karla Moore-Love
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From: Dee White <deewhite1@mindspring.com>
Sent: Friday, June 21, 2019 1:28 PM
To: Council Clerk – Testimony <CCTestimony@portlandoregon.gov>
Subject: Agenda item 629

Hi Karla,

This agenda item is for appointments to the Public Utility Board. Can you tell me if testimony will be taken on this agenda item? Written or oral?

Thank you,
Dee White

Dee White

From: Dee White [deewhite1@mindspring.com]
Sent: Sunday, June 23, 2019 3:46 PM
To: 'MayorWheeler@portlandoregon.gov'
Cc: 'Colleen Johnson'; 'Moore-Love, Karla'
Subject: Request for oral testimony: PUB appointments report for council meeting June 26

Dear Mayor Wheeler,

Could I please ask that you suggest to Comm Eudaly that she allow public testimony at the Council meeting this Wednesday AM with regard to the *report* on PUB appointments? It is agenda item 629. I understand that Comm Eudaly will be the presiding officer.

With the recent resignations of 5 PUB members, including the two co-chairs, it is in the best interest of the public, and for transparency's sake, that their resignation letter to you and Council be read into the public record. PUB, as you have acknowledged, is a tremendously important oversight committee. Water customers pay dearly for their water and financial and operational oversight with an independent oversight board is crucial for the health and well-being of the people of Portland.

Thank you in advance for your consideration and I hope you have a nice vacation.

Sincerely,
Dee White

Moore-Love, Karla

From: Dee White <deewhite1@mindspring.com>
Sent: Sunday, June 23, 2019 3:46 PM
To: Wheeler, Mayor
Cc: 'Colleen Johnson'; Moore-Love, Karla
Subject: Request for oral testimony: PUB appointments report for council meeting June 26

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Thank you in advance for your consideration and I hope you have a nice vacation.

Sincerely,
Dee White