

Portland Clean Energy Community Benefits Fund (PCEF) Grants Committee
September 9, 2020 Meeting Minutes

Committee members present: Jeff Moreland Jr., Michael Edden Hill, Ranfis Villatoro, Robin Wang, Maria Sipin, Megan Horst, Faith Graham, Andrea Hamberg, Shanice Clark

PCEF staff present: Sam Baraso, Cady Lister, Jaimes Valdez, Wendy Koelfgen, Janet Hammer

MEETING DECISIONS/ACTION ITEMS

- Staff will include requirement for documentation/archiving of all types of reporting.
- Committee unanimously approved RFP material as provided at the meeting with the following changes:
 - Add language to “uses of funds” section of website around preventing PCEF-funded improvements from allowing landlords to displace tenants.
 - Clarify language around transfer of property to reflect philosophy of aiming to preserve self-determination, while also assuring delivery of program benefits. Note that City will not be prohibited without just cause (exact language not required).
 - Modify Workforce and contractor equity agreements to include the following items:
 - Grant recipients, contractors, and subcontractors shall not oppose worker efforts to organize nor shall they retaliate or otherwise create a hostile environment to workers who chose to engage in collective conversations or action regarding workplace issues.
 - Zero tolerance policy must include support and protection of impacted workers and whistleblowers.

7:00 pm Opening inspiration – remembering the centrality and importance of relationship, and the acts of kindness folks have been displaying in these difficult times; focusing on we rather than I.

Public comment - None

Request for Proposals (RFP) material staff presentation and Committee discussion

- Timeline review: RFP release in one week to announcement of awards approximately late February.
- How information will be available: online website as well as downloadable and printed material. Primary explanatory documents translated into seven languages; all other documents can be translated as requested. Applications can be submitted online via email or post.
 - Andrea: if a group requested 50 copies to distribute would we make that available?
 - Sam: Yes
 - Ranfis – will there be material available for people with visual impairments?
 - Sam: All material is formatted to work with text readers.
- Outreach Plan overview. Includes Press Release, email listserv, Partner networks/listservs, BPS webpage, Webinars (6 BPS hosted, and also cohosted with stipend available to cohosts), social media. We will also make sure Committee members know what info to share and how, via their channels.
- Technical Assistance: webinars, grant writing workshops, direct TA from staff, resources on website.
 - Ranfis: Beyond referring community members to webpage what about to staff?
 - Sam: send them to the cleanenergyfund@portlandoregon.gov account.
- Overview of RFP material that was sent for Committee review, as well as additional RFP resource material that will be available to assist applicants. Includes guidance document for answering questions (1 for each type of grant), evaluation guidance tables for reviewers (1 for each type – provided for

transparency), sample grant agreement, wage requirements, definitions, estimating greenhouse gas impact methodology, resources webpage.

- Andrea: congratulations on this incredible amount of work. In the Guidance Document, you speak a bit about reporting requirements which notes that we are open to creative solutions, would like to see requirement that these would be documented.
- Ask for questions or comments on the RFP material that was sent.
 - Robin: Handbook restrictions on funds – raises question about restriction on transfer of ownership for land, is this for agriculture/green infrastructure or for other property.
 - Cady: Transfer of property of ownership of anything purchased with City funds would apply to purchases of land. This will be detailed in the grant agreement depending on project specifics, options could include transfer of real property require grantee to check with us, or a bar beyond which you must check. Need to clarify what we want to worry about or not: fleets, tools, land, is it by dollar value? Fungible and valuable and easy to resell? Clarify recipient vs grantee. Clarify enforcement mechanism.
 - Ranfis: Is that in perpetuity?
 - Cady: Notes we have figures for useful life for things like buildings and equipment but considerations for regenerative agriculture will be different – these will all be handled in grant agreement and would become a clause.
 - Robin: want to find a middle ground, to make sure things don't get flipped in two years but also not to be constrained forever.
 - Sam: We will follow up with City Attorney on how to provide more clarifying language. Note – once we award grants, there will be a final fine tune/negotiation for each grant agreement where we have space to address.
 - Ranfis: Make sure we address purchases that will not be owned by grantee. Current language seems narrow to grantee-owned and doesn't get to ownership of in private building.
 - Michael: with regard to equipment purchase – want to avoid pass through. It must be installed, can't just resell. Assuming land bought for agriculture will be placed in trust. Might need to purchase to repurchase other lands but assumes it would be in a trust.
 - Megan: can't assume land will go into trust. We should talk about that. It might be something we want. It is a long-term project to sequester carbon and to be preserving land for food growing. Might need to flesh that out more. Maybe set the expectation that it is held in trust perpetuity. Would feel strongly about.
 - Cady: proposes some clarifying language re: uses of funds section re: transfer of ownership to make sure that it is clear that is part of the negotiation process and won't be unduly held without cause. Noting that it will be tailored to specifics of their project. Staff will work with City Attorney to create more specific guidance language, ask for specific guidance from Committee.
 - Faith: the philosophy we want to embed, the use and the benefit would remain even if there is a transfer. E.g., would be fine if transferred to another nonprofit, the intent and use and benefit being the same is what I would want to ensure.
 - Michael: not sure I want this kind of control over grants to communities of color, if you get a clean energy project on your building seems like it's not our business after that. Feels presumptuous, assume communities make the best decisions for themselves.
 - Cady: reiterate philosophy to bring forward - balancing self-determination while also upholding expectations of grant, benefits, savings, impact.
 - Sam – these elements are a check in the process. Balance safe-guarding the public trust while support self-determination. Reminder there is room to address in agreements.
 - Faith: echo Michael's sentiments and note a lot depends on the grantee. The use and intent matters and like that the agreement can be specific to grantee and support self-determination.

- Ranfis: Balancing needs of our communities and needs of voters that approved this and the due diligence expected. Should be clear to grantees how the rule will apply and how to remain compliant. Don't want folks accidentally non-compliant.
- Michael: if weatherization or solar on a bunch of homes, do we also have to approve sale of all those private homes?
- Cady: No.
- Megan: suggests land purchase for agriculture have long term holding but don't need to put land trust language in RFP for now.
- Robin: would like to see a simple statement in handbook about anti-displacement (rent stability), not just in sample grant agreement. Make it more obvious.
- Ranfis: Thanks staff for including Zero Tolerance policy in workforce and contractor equity. Concern about worker voices – a few things missing a) a whistleblower protection policy and b) right to organize legal by federal law should be affirmed here. Not to say a union is required; just affirming that workers have right to organize collectively if they choose to.
- Sam: reads a draft statement to add addressing these issues. Committee gives thumbs up. Can be added. Sam notes we do have whistleblower components in zero tolerance in WCEA.
- Ranfis: suggests making whistleblower protection as a requirement. Not just a plan in policy; but this is a good start and better than what many offer today. Hope our region will lead on this.
- Sam: clarify that policy must include support and protection is what is requested?
- Ranfis: difference between support and protect. Be explicit about whistleblower protection.
- Sam: suggest it would work to state support and protect. We can firm up that language.
- Request for a temperature check on approving RFP material with following changes.
 - Add language to “uses of funds” section of website around preventing PCEF-funded improvements from allowing landlords to displace tenants.
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 - Temperature: Megan, warm; Maria, mostly warm though want plain language in transfer of ownership guidance language; Michael, warm though unsure about transfer of property and concerns about our job to police once project is complete; Robin, warm and ditto the last comments; Ranfis – pretty warm, want plain language; Shanice, overall a very solid package with the handbook and elements, resonate with contractor equity additions, similar with Michael grappling with our role to set expectations on the transfer of property, not my area of expertise but thinking about landlords as one part of how displacement can happen and can we expand to other root causes that may be there; Faith, warm; Jeffrey warm, good additions especially the WCEA, like both sides of balance expressed by Faith and Michael; Andrea, warm.
- Andrea: Proposal to accept the full package with the three amendments.
 - Proposal seconded by Robin.
 - Agree: Megan, Maria (with convo with Sam), Michael, Ranfis, Shanice, Faith, Jeffrey.
 - Cady – note appreciation for Committee work and how much stronger the product is because of their efforts.

Bylaws discussion

- Review of elements for bylaws discussion next week. And notes working agreements and co-chair decision would happen after Amanda joins Committee in October. Offer thanks to Michael and Andrea for their work on this.
- Review of Bylaws vs Working Agreements. Bylaws are more permanent and establish agreement between Committee and City. Working agreements are more flexible and establish norms of Committee leadership, behavior, communications, and engagement. Working agreements are a living document. Assumes an annual check in as well as when there is a new committee member.
- Key decisions to be made: Committee membership as a whole and Co-chairs. Draft is not to exceed eight years of total consecutive services. Takes a few grant cycles to come up to speed and there is value to that continuity weighed against value of fresh ideas and perspectives more regularly.
 - Michael: four years offers more variety, more members of the community engaged on the committee; eight years, fewer have committee opportunity, but more committee understanding. Eight year folks can opt out earlier. Likely there will be a mix. Thinks eight years is a positive.
 - Andrea: discusses the investment to learn the process and norms and suspect that some will take time to rise to that learning and would hate to lose that. And people will cycle off. There will be churn and new energy as not everyone will serve eight years.
- Key decision to be made: Co-chair model, with three-year maximum term. But can step down during that three years for any reason. Select co-chairs early October once Amanda is on board.

Closing and Committee member comments

- October 1 at 3 pm to Council for Amanda's appointment and an update.
- Will revisit how to run meetings including how to engage public more.
- Ranfis: appreciation to staff and community engagement. Excited for the work, appreciation for building this in less than a year and during a pandemic, calls for racial and social justice, and now wildfires. Looking forward to next stage – promoting this program and making it successful. Notes everyone here would make a great co-chair.
- Maria: gratitude to staff and committee members. Would like to discuss more the ideas about wealth creation.

Meeting adjourned 9:00 pm