



600 NE Grand Ave.
Portland, OR 97232-2736

Council work session agenda

Tuesday, November 7, 2017

2:00 PM

Metro Regional Center, Council Chamber

2:00 Call to Order and Roll Call

2:05 Chief Operating Officer Communication

Work Session Topics:

2:10 Solid Waste Roadmap: Food Scraps Policy [17-4919](#)

Presenter(s): Pam Peck, Metro
Jennifer Erickson, Metro

Attachments: [Work Session Worksheet](#)
[Draft Solid Waste Administrative Rules](#)
[Draft Ordinance and Exhibit A](#)

3:20 2018 Regional Transportation Plan Policy Priorities [17-4905](#)

Presenter(s): Kim Ellis, Metro
Tyler Frisbee, Metro

Attachments: [Work Session Worksheet](#)

4:20 Councilor Liaison Updates and Council Communication

4:30 Adjourn

Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 and related statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro’s civil rights program, or to obtain a discrimination complaint form, visit www.oregonmetro.gov/civilrights or call 503-797-1536. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet’s website at www.trimet.org.

Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong www.oregonmetro.gov/civilrights. Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1700 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт www.oregonmetro.gov/civilrights. або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1700 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

Metro 的不歧視公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 www.oregonmetro.gov/civilrights。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1700（工作日上午8點至下午5點），以便我們滿足您的要求。

Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo www.oregonmetro.gov/civilrights. Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullanka dadweynaha, wac 503-797-1700 (8 galka hore illaa 5 galka dambe maalmaha shaqada) shan maalmaha shaqo ka hor kullanka si loo tixgaliyo codsashadaada.

Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 www.oregonmetro.gov/civilrights. 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1700를 호출합니다.

Metro의差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、www.oregonmetro.gov/civilrights。までお電話ください。公開会議で言語通訳を必要とされる方は、Metroがご要請に対応できるよう、公開会議の5営業日前までに503-797-1700（平日午前8時～午後5時）までお電話ください。

សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានកម្មប្រតិបត្តិការរើសអើងសម្រាប់សេចក្តីណែនាំ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يُرجى زيارة الموقع الإلكتروني www.oregonmetro.gov/civilrights. إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang www.oregonmetro.gov/civilrights. Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1700 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan.

Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a www.oregonmetro.gov/civilrights. Si necesita asistencia con el idioma, llame al 503-797-1700 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте www.oregonmetro.gov/civilrights. Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1700 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

Avizul Metro privind nediscriminarea

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați www.oregonmetro.gov/civilrights. Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1700 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib www.oregonmetro.gov/civilrights. Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1700 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lwm ua ntej ntawm lub rooj sib tham.

REGIONAL BUSINESS FOOD SCRAPS POLICY UPDATE

Metro Council Work Session
Tuesday, November 7, 2017
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: November 7, 2017

LENGTH: 70 Minutes

PRESENTATION TITLE: Solid Waste Roadmap: Food Scraps Policy

DEPARTMENT: Property & Environmental Services

PRESENTER(S): Pam Peck, Program Manager (ext. 1866) and Jennifer Erickson, Principal Solid Waste Planner (ext. 1647)

WORK SESSION PURPOSE & DESIRED OUTCOMES

- **Purpose:** To provide Council with an overview of the mandatory food scraps separation ordinance and associated administrative rules that will come before them on November 30 and December 7, 2017 and to present the public comment report and any changes made to the policy based on comments received.
- **Desired outcome:** Direction from Council on:
Additional information needed or desired changes to the policy prior to public hearing on the Ordinance scheduled for November 30, 2017. Additional information needed or desired changes.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Topic background. Metro's Solid Waste Roadmap is a work program consisting of six interrelated projects that will help define the region's solid waste system in the future. The purpose of the Food Scraps Capacity Development work, one of the six projects, is to develop alternatives for answering the question of what actions should Metro take to accelerate recovery of food scraps and ensure there is adequate and proximate capacity to transfer and process food scraps collected from the region's residents and businesses.

This effort is ultimately intended to help ensure the region has a sustainable food scraps recovery system: one that generates enough high quality material to make processing facilities economically viable, has an adequate transfer system, and has enough stable processing capacity to allow growth in the collection of food scraps from the region over time.

Food is the single largest component of the region's disposed waste. This factor and the environmental benefits of recovering food are the reasons it is identified as a primary material for recovery within the region's Regional Solid Waste Management Plan (RSWMP). **Framing the discussion.** In November, 2014, staff proposed to Council that the focus begin with businesses because more than half of the food disposed in the Metro region is from businesses. In addition, food scraps generated by businesses tend to be cleaner, are concentrated in larger quantities and come from a smaller set of sources. For example, the majority of food scraps in the region are produced by about 2,700 businesses. By comparison, residential food scraps are spread across the region's approximately 675,000 households.

Council reviewed the region's current commercial food scraps recovery, and staff introduced some potential paths forward to ensure that the region has a stable and sustainable food scraps transfer and processing system for the long term.

At that meeting, Council confirmed its desire to accelerate the region's recovery of food scraps and its wish to process those food scraps in or as close to the region as possible. The direction Council gave in November, 2014 led staff to develop a suite of options for accomplishing those goals.

In July, 2015, staff returned for part two of the discussion, which was a narrowing of the suite of options. Council went through a decision-tree process in which it answered the following questions:

To accelerate recovery, address supply barriers and attract local processing capacity, should Metro explore:

1. How to get more businesses to separate their food scraps for recovery?
2. Determining which transfer stations should manage food scraps?
3. Securing local processing capacity?

Councilors answered "yes" to all three.

In October of 2016, staff presented a series of options that Council could consider to meet the objectives listed above. The options were illustrated in a continuum that demonstrated that as the strength of the policy options increased, from voluntary to mandatory, the potential to increase recovery and secure local processing capacity also increased.

After consideration, Council determined that in order to increase food scraps recovery and attract stable, local processing capacity, the region should:

1. Require certain businesses to separate their food scraps for recovery and eventually ban the disposal of food.
2. Determine how to efficiently collect and deliver food scraps for processing.
3. Secure local and stable processing capacity.

Based on Council direction, staff has developed draft policies and initiatives to fulfill these three objectives. Below is a brief description of the work completed and the stakeholder engagement process. At this work session, staff will be presenting the Business Food Scraps Separation Requirement policy and associated legislation.

Business Food Scraps Separation Requirement

The draft policy and administrative rules were crafted over a nine-month period by: Metro staff from Property and Environmental Services and the Council Office; representatives from Clackamas County, Gresham, Portland, Washington County, Beaverton and Oregon DEQ, as well as the Office of Metro Attorney. The draft policy would require local governments within the region to adopt a mechanism for requiring separation of food scraps by certain business types. The objective is to design a policy that provides clarity and consistency for the affected businesses and, at the same time, allows for some implementation flexibility for local governments.

The key elements are:

- The policy would require, by July 2018, that local governments inside the Metro boundary adopt an enforceable mechanism (such as a code amendment, business license requirement) that requires that food service businesses separate food scraps from other waste and recyclables.
- The policy allows for local government flexibility in program implementation (e.g., geographically, by hauler franchise, areas of business concentration, etc.), in a manner that makes sense locally as long as programs meet regional performance standards. Governments may also, on a limited basis, grant waivers to businesses who are unable to comply.
- The policy would be rolled out in three phases beginning with businesses that generate the most food scraps and would affect approximately 3,000 businesses in the region overall. This represents about 4 percent of the overall business community.
- The first phase would begin in March 2019 (businesses that generate 1,000 pounds or more of food scraps per week), phase 2 in March 2020 (businesses that generate 500 pounds or more per week), and phase 3 in September 2021 (schools and businesses that generate 250 pounds or more per week).
- Staff will also present a resolution for Council consideration concurrent with the policy Ordinance, conveying an intent to implement a food scraps disposal ban in 2023 or after, based on an assessment of implementation of the required separation policy.
- Metro would provide funding to support program rollout to assist local governments and businesses with implementation (staffing, education, business assistance and needed infrastructure).

Processing Capacity Procurement

Staff has also been working to complete a procurement for local food scraps processing capacity. A two-step procurement process began in 2016 with a Request for Qualifications. This first step was intended to narrow the field of firms to those with proven technologies and financial viability. The second phase was a formal Request for Proposals issued to pre-qualified firms and opened to others as long as they could also meet the same pre-qualification standards. We received six responsive proposals, will be conducting interviews with the top two firms in early November and expect to issue a notice of award in early 2018.

Efficient Collection and Delivery of Food Scraps

Until a processor is selected and the location is known, it is difficult to determine which portions of the region will be underserved. Currently two transfer stations accept commercial food scraps: publically-owned Metro Central, and privately-owned Willamette Resources Inc. Until future planned modifications are complete, Metro South Station cannot accommodate commercial food scraps. This leaves a significant service gap in the Metro region—most notably in Western Washington County and portions of East Multnomah County.

The policy allows for local governments to receive temporary distance waivers in cases where transfer or processing services are not within a reasonable distance. Metro staff will continue to pursue options for provision of equitable transfer services for the region using both public and private facilities.

Cost Mitigation Options

Council also asked staff to explore options for mitigating the costs that a mandatory program would entail. Aside from continuing to support local governments with funds for technical assistance staff who help businesses with program setup and training, Metro staff has studied program costs and elements required to maximize collection efficiencies, worked with local government partners to discuss rate-setting best practices, and developed options for spreading program costs across the solid waste system. These options, as well as Metro and local government roles in cost mitigation will be discussed with Council at the work session.

Stakeholder Engagement

A robust stakeholder engagement process has been underway since May of 2016. Below is a list of the engagements to date:

- 360 businesses surveyed
- 8 Industry Professional Associations, Organizations or Committees
- 12 one-on one meetings with businesses
- 20 City Councils and County Commissions
- 8 Chambers of Commerce
- 12 food rescue agencies
- Regional City Managers
- Regional Mayors and Chairs
- State and county health departments and regulators
- MPAC
- SWAAC

In addition, the first of two 30-day public comment periods ended on October 20, 2017. Letters were sent to over 2,000 potentially-affected businesses to inform them of the policy and to invite comments. Metro also produced 1,000 postcards for local government partners to hand out to businesses. At the close of the first comment period, 38 comments were received:

- 21 were supportive of a mandatory policy
- 1 was opposed
- 5 had general questions or information requests
- 8 had some concerns or requested clarifying edits to the policy
- 3 comments were neutral or not applicable

A complete public comment report is being developed by staff and will be provided to Council prior to the work session. A second draft of the Ordinance Administrative procedures will also be produced illustrating any changes made based on the comments received.

QUESTION(S) PRESENTED FOR CONSIDERATION

1. Do you have comments or questions about the draft policy Ordinance and Administrative Rules?
2. Are there perspectives or issues we are missing?
3. What are your thoughts on potential cost mitigation options?

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION Yes No

DRAFT IS ATTACHED Yes No

These are second drafts of both the Ordinance and the Administrative Rules based on public comments received before the close of the first public comment period on October 20, 2017. A complete public comment report and comment log will be completed within the next two weeks. A second public comment period and a public hearing on solely the Administrative Rules will be conducted pursuant to Metro Code Chapter 5.01.280 in December 2017/January 2018.

Solid Waste

Administrative Rules

AR – FS – 5.10

Business Food Waste Requirement

REVISED DRAFT October 27, 2017

Table of Contents

FS—5.10—001	Purpose
FS – 5.10 – 002	Policy
FS – 5.10 – 003	Legal Authority
FS—5.10—004	Definitions
FS—5.10—005	Applicability of Rules
FS—5.10—006	Effective Dates
FS—5.10—007	Exemptions – Governments Outside Metro Boundary
FS—5.10—008	Compliance Waivers
FS—5.10—009	Local Government Requirements
FS—5.10—010	Local Government Annual Implementation Plan
FS—5.10—011	Local Government Performance Standard
FS – 5.10 – 012	Business Assistance
FS—5.10—013	Local Government Enforcement of the Requirement
FS—5.10—014	Local Government Temporary Waivers to Covered Businesses
FS—5.10—015	Metro Enforcement of the Requirement
FS—5.10—016	Self-Haul of Source-Separated Food Waste
FS—5.10—017	Compliance Verification and Reporting
FS—5.10—018	Funding Guidelines

FS—5.10—001

Purpose

1. The purpose of these rules is to implement the provisions of the business food waste requirement in Metro Code Section 5.10.410-5.10.470.
2. The purpose of the business food waste requirement is to provide a region-wide standard for the separation and collection of ~~inedible~~ food waste from food-waste-generating businesses. For the purposes of these rules, Covered Businesses are defined as organizations that cook, assemble, process, serve, or sell food or do so as service providers for other enterprises.
3. Food is identified as a primary material for recovery within the Regional Solid Waste Management Plan because of its prevalence in the region's waste stream and the negative environmental impacts of disposing food in a landfill.
4. The prevention of food waste, ~~and~~ the donation of edible food for human consumption ~~and the use of food waste to feed animals~~ are the region's preferred methods for managing surplus food. Food that has been stored properly, is fit for human consumption, ~~and~~ is accepted for donation ~~and food~~

Comment [jke1]: Redundant.

Comment [jke2]: Change requested by Northwest Food Processors Association.

that has been set aside and is destined for animal consumption in compliance with applicable regulations is not subject to this administrative rule.

Comment [jke3]: Change requested by Northwest Food Processors Association.

REVISED DRAFT

FS – 5.10 – 002

Policy

Metro Code Chapter 5.10 requires local governments to establish mandatory programs to separate and collect ~~inedible~~ food waste from certain food-waste generating businesses referred to in these rules as “Covered Businesses.”

Comment [jke4]: Redundant.

FS – 5.10 – 003

Legal Authority

These administrative rules are issued under the authority of Metro Code Section 5.10.080. These rules are in addition to all other requirements and provisions in Metro Code Chapter 5.10.

FS—5.10—004

Definitions

Unless otherwise specifically defined, all terms used are as defined in Metro Code Chapter 5.00.

“**Covered Businesses**” means organizations that cook, assemble, process, serve, or sell food or do so as service providers for other enterprises.

“**Business Groups**” means groups of covered businesses subject to the business food waste requirement by certain effective dates as delineated in the Applicability section of these rules.

“**Food waste**” means waste from fruits, vegetables, meats, dairy products, fish, shellfish, nuts, seeds, grains, ~~coffee grounds~~, and other food that results from the distribution, storage, preparation, cooking, handling, selling or serving of food for human consumption. Food waste includes but is not limited to excess, spoiled or unusable food and includes inedible parts commonly associated with food preparation such as pits, shells, bones, and peels. Food waste does not include ~~liquids or~~ large amounts of oils and meats which are collected for rendering, fuel production or other non-disposal applications, or any food fit for human consumption that has been set aside, stored properly and is ~~accepted for donation by~~ a charitable organization, ~~and any food collected to feed animals in compliance with applicable regulations.~~

Comment [jke5]: Requested by Washington County.

Comment [jke6]: Added for clarity

Comment [jke7]: Revised for consistency.

Comment [jke8]: Requested by the Northwest Food Processors Association.

FS—5.10—005

Applicability of Rules

1. The business food waste requirement applies to all local governments within the Metro boundary.
2. ~~Covered Business Entities~~ Covered Businesses subject to the business food waste- requirement include, but are not limited to:

Comment [jke9]: Revised for consistency of terminology.

Cafeterias & buffets
Caterers

Grocery retail
Grocery wholesale

Colleges & universities*	Hospitals*
Correctional facilities	Hotels*
Drinking places*	Limited service restaurants
Elementary and secondary schools*	Nursing & residential care*
Food product manufacturing	Retirement & assisted living*
Food service contractors	Specialty food markets

*Only Full service restaurants Warehouse clubs those with full-service restaurants or on-site food preparation or service.

3. Covered ~~Businesses~~ Entities shall meet the food waste requirement according to a schedule determined by the quantity of food waste they generate on average, in three phases as listed below. Implementation will begin with Business Group 1 and progress to the other groups according to the Effective Dates described in Rule 006. ~~Covered Business Entities~~ Covered Businesses that demonstrate they generate ~~de minimis quantities of~~ less than 250 pounds of food scraps per week of food waste are not subject to this requirement.

Comment [jke10]: Added for clarity

Business Group 1	Business Group 2	Business Group 3
≥0.5 ton (1,000 pounds) per week food waste generated	≥0.25 ton (500 pounds) per week food waste generated	≥0.125 ton (250 pounds) per week food waste generated

4. A person that provides space to a covered business must allow, facilitate or provide a food waste collection service for the covered business.

FS—5.10—006

Effective Dates for Implementation

Local governments must meet the following deadlines:

1. Local Government Adoption of Requirement: July 31, 2018
2. Begin Implementation of Requirement for Business Group 1: March 31, 2019
3. Begin Implementation of Requirement for Business Group 2: March 31, 2020
4. Begin Implementation of Requirement for Business Group 3: September 30, 2021

FS—5.10—007

Exemptions – Governments Outside Metro Boundary

Local governments outside of the Metro Boundary are exempt from this business food waste requirement.

FS—5.10—008

Compliance Waivers

Metro may grant compliance waivers to local governments that meet the standards below.

1. **Business quantity minimum threshold:** Metro will waive application of the business food waste requirement for a local government with five or fewer covered businesses within its boundary. Metro will review the number of covered businesses in each government annually. If Metro determines that a local government exceeds the minimum number of covered businesses during the review, Metro will inform the local government in writing and will require the local government to comply within 12 months of Metro notification.

2. **Distance:** Metro may waive temporarily application to a local government based on proximity to transfer or processing ~~facilities~~services. Metro will not require a local government that qualifies for a temporary distance waiver to implement the requirement until such time as transfer or processing services are available within a reasonable distance. For purposes of this waiver, “reasonable distance” means ~~(XXX miles) one way from the government’s geographical center to the nearest approved food waste transfer or processing facility.~~ Metro will grant a waiver only under the following conditions:

- a. A local government adopts a legally-enforceable mechanism that meets the business food waste requirement and performance standard by the July 31, 2018 deadline.
- b. ~~Metro will develop the list of waived governments and the associated map when the location of the food waste processing facility, transfer or processing services and available transfer locations are determined.~~
- c. ~~A qualified local government sends a request letter to Metro stating a the intent to utilize a temporary distance waiver from Metro.~~
- d. The local government’s temporary waivers will expire once transfer or processing services become available within a reasonable distance as determined by Metro. Metro will provide waived governments with a 90-day notice of waiver expiration.
- e. A local government must implement a mandatory program within 90 days after waiver expiration date.
- f. Metro will re-evaluate waivers annually and will automatically renew them if conditions have not changed. No action is required by waived governments in order to renew a granted waiver.
- g. ~~Metro will develop the list of waived governments and the associated map when the location of the food waste processing facility and available transfer locations are determined.~~

Comment [jke11]: Change made for consistency

Comment [jke12]: Added for clarity.

Comment [jke13]: The definition of “reasonable distance” is still under development. A definition grounded in actual data that is suitable for policy-making and can be adjusted over time as more data becomes available is still being refined. After “reasonable distance” has been defined and added to the draft Rules, a second public comment period will be opened for Rule review.

Comment [jke14]: Change made for consistency.

Comment [jke15]: Revised for clarity and to address comments from Hillsboro.

FS—5.10—009

Local Government Requirements

- 1. Local Governments must implement one of the following:
 - a. Adopt a legally-enforceable mechanism that meets the performance standard in rule 011. A legally-enforceable mechanism includes but is not limited to local code, regulation, ordinance or law.
 - b. Adopt the Business Food Waste Requirement Model Ordinance and require business food waste be delivered to a solid waste facility authorized by Metro.
- 2. Local Governments must require ~~Covered Business Entities~~Covered Businesses to:
 - a. Separate food waste from all other solid waste for collection.
 - b. Recover food waste that is controlled by the business, agents, and employees. This requirement does not apply to food wastes controlled by customers or public. At its

discretion, a Covered Business Entity may collect food waste from customers or public but must ensure that food wastes are free of non-food items.

Comment [jke16]: Added for clarity.

3. Local governments must require persons or entities that lease or provide space to a Covered Business Entity to allow or provide food waste collection service to those Covered Business EntitiesCovered Businesses.
4. Local governments must submit annual implementation plans to Metro according to the procedures set forth in these Administrative Rules.
5. Local governments may:
 - a. Implement the program in the manner that is most efficient and effective for local conditions, local solid waste system considerations, geography and that which best suits the covered businesses as long as the local government complies with the performance standard and deadlines.
 - b. Grant temporary waivers to a covered business according to the procedures set forth in these Administrative Rules.

FS—5.10—010

Local Government Annual Implementation Plan

Local governments are required to submit to Metro an annual implementation plan regarding the business food waste requirement. A local government may develop and implement its plan individually or through cooperative or partnership agreements between governments. A local government may implement the business food waste requirement in a manner that best suits local conditions as long as the local government meets or exceeds the performance standard. An implementation plan must meet the performance standard set forth in these Administrative Rules.

FS—5.10—011

Local Government Performance Standard

1. Business Notice of Requirement: After a local government adopts the business food waste requirement and according to the implementation schedule, the local government must send notice to covered businesses that outlines the requirement and how to comply and receive assistance. Local governments must establish a mechanism to notify new businesses of the business food waste requirement.
2. Local governments must require that businesses comply with the business food waste requirement including, but not limited to:
 - a. Adherence with the implementation schedule.
 - b. Correctly-labeled and easily-identifiable collection receptacles.
 - c. Arrange for food waste collection service as necessary.
 - d. Ensuring building owners or managers of multi-tenant buildings containing covered businesses allow or otherwise enable the provision of food waste collection service to lessees or occupants subject to the business food waste requirement.

3. Local governments must ensure appropriate collection receptacles and service is made available.
4. Local governments must require that franchised or otherwise licensed waste haulers deliver food waste to a facility that complies with federal, state, regional and local laws and regulations.

FS – 5.10 – 012

Business Assistance

Local governments must provide educational materials and offer technical assistance to covered businesses to ~~encourage food waste prevention and donation of edible food and~~ assist with program set-up, understanding program requirements and separation standards.

Comment [jke17]: Removed for clarity. Waste prevention and donation are covered under section b. below.

- a. Educational materials must include, at a minimum:
 - i. Labels for collection containers that clearly communicate what is allowed and not allowed in the food waste collection system.
 - ii. Signs and/or posters that provide clear and simple instructions.
 - iii. All signs and program materials must be ~~understandable to non-English speakers~~ designed to be understood by people with limited English proficiency.
 - iv. Program contact phone number for businesses to call for program assistance.
- b. Technical assistance offered must include, at a minimum:
 - i. Education and assistance with food waste prevention techniques and edible food donation programs.
 - ii. Assistance with food waste collection program set up and training on-site at the business.
 - iii. Assistance with mitigating issues arising from program participation such as odors or vectors.
 - iv. Ensure correct labeling of all food waste collection receptacles.
 - v. Serve as a liaison/facilitator between the business and solid waste hauler as needed to ~~ensure~~ assist with the provision of appropriate collection receptacles and service frequency.

Comment [jke18]: Revised for clarity

Comment [jke19]: Added for clarity

Comment [jke20]: Revised for clarity

Comment [jke21]: Revised per City of Portland request

FS—5.10—013

Local Government Enforcement of the Business Food Waste Requirement

Local governments must establish a method for ensuring compliance with the business food waste requirement ~~that meets the following minimum standards:~~

- ~~1. Provide written notice to covered businesses not in compliance with the business food waste requirement. Written notice must describe the violation, provide an opportunity to remedy within a specified time, and offer assistance with compliance.~~
- ~~2. Issue a citation or other penalty to a covered business that does not remedy a violation within the specified time frame. The citation should provide an additional opportunity to remedy the violation within a specified time and notify the covered business that they may be subject to a fine or other penalty for non-compliance.~~
- ~~3. Assess fine or established penalty if the covered business does not remedy within the time specified in the citation.~~

Comment [jke22]: Amended to be consistent with the enforcement requirements for the Business Recycling Requirement as requested by Hillsboro.

FS—5.10—014

Local Government Temporary Compliance Waivers to Covered Businesses

1. A local government may establish a method for granting temporary waivers to covered businesses. A local government must seek Metro approval of the waiver method and conditions.
2. Temporary waivers must meet the following minimum standard:
 - a. May not exceed 12 months, annual renewal allowed.
 - b. In order to be renewed, a local government must annually review waivers to determine if conditions that warrant the waiver are still in place and cannot be remedied.
 - c. Criteria for granting temporary waivers includes: Covered businesses seeking a temporary waiver must agree to periodic waiver verification site visits. Local governments are responsible for determining if one or more of the following criteria warrant a temporary waiver:
 - i. Minimal amounts less than 250 pounds per week of food in the disposed waste.
 - ii. Food waste produced by the covered business is not suitable for inclusion in the program, or cannot be made suitable without considerable unreasonable expense.
 - iii. Physical barriers to compliance exist and cannot be immediately remedied.
 - iv. Compliance results in unreasonable capital expense hardship.
 - v. Compliance results in a container in the right of way or violation of other government ordinance, health or safety code.
 - vi. Covered businesses agree to a waiver verification site visit.
3. Local governments may not grant waivers in cases where collection containers are placed outside of enclosures if such placement does not constitute a safety or health risk. Short term waivers may be granted in situations where enclosures are in the process of being installed or expanded in order to accommodate food waste receptacles.

Comment [jke23]: Added for clarity

Comment [jke24]: Added for clarity

Comment [jke25]: Revised for clarity

Comment [jke26]: Revised for clarity.

Comment [jke27]: Added for clarity.

Comment [jke28]: Added for clarity.

Comment [jke29]: Revised for clarity

Comment [jke30]: This requirement is now in c. above.

Comment [jke31]: Deletion requested by City of Portland. The restriction is too detailed and is covered under section v. above.

FS—5.10—015

Metro Enforcement of the Requirement

A local government may request that Metro assist with enforcement of the business food waste requirement. Metro will provide enforcement assistance after Metro and the local government establish an Intergovernmental Agreement.

FS—5.10—016

Self-Haul of Source-Separated Food Waste

The local government may allow a covered business to self-haul source-separated food waste generated by that business. The local government must require the covered business to comply with these rules, including without limitation delivery of the food waste to a facility authorized by Metro.

FS—5.10—017

Compliance Verification and Reporting

Local governments must collect and report data to Metro to demonstrate compliance and assist with program evaluation. Metro will determine reporting requirements and frequency, review data and make a determination of compliance as set forth in Annual Implementation Plans.

FS—5.10—018

Funding Guidelines

1. Metro will provide funding to support the implementation of the business food waste requirement to local governments upon adoption of the requirements by the Metro Council. Metro intends to provide ~~additional~~ funding for ~~the first (5) the first (XX)~~ fiscal years of the business food waste requirement, subject to Metro Council approval of funding amounts during the annual budget process.

Comment [jke32]: Amended for clarity.

2. Local governments may use funds for business assistance, infrastructure, compliance, and enforcement efforts to implement the business food waste requirement. Metro will review and approve the intended uses prior to distributing funds.

3. If a local government has designated another agency or partner to implement the program, Metro shall distribute funds to the designated ~~planning~~ agency. A designated ~~planning~~ agency is a county agency, city agency or contracted agent that is responsible for designing and implementing a waste reduction program including the business food waste requirement, on behalf of a local government.

Comment [jke33]: Amended for clarity

4. In order to receive funding, a local government or its designated ~~planning~~ agency must submit documentation demonstrating compliance with the requirements of Metro Code 5.10.410-5.10.470 and these rules and enter into an Intergovernmental Agreement with Metro.

Comment [jke34]: Amended for clarity.

5. Metro will withhold funding associated with the implementation of the business food waste requirement ~~and the Recycle at Work Program~~ from governments that do not comply with the business food waste requirement. ~~If governments remain out of compliance for more than two years, funding associated with the Recycle at Work program will also be withheld.~~ Governments that are, in the sole opinion of Metro, actively making good faith efforts to adopt the business food waste requirement will remain eligible for associated funding. Metro will determine how any withheld funds will be utilized.

Comment [jke35]: Amended to address concerns expressed by Hillsboro.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO)
CODE CHAPTER 5.10 TO ESTABLISH A)
BUSINESSES FOOD WASTE REQUIREMENT)
IN ORDER TO INCREASE THE RECYCLING)
OF FOOD WASTE AND TO ASSIST THE)
METRO REGION WITH ACHIEVING WASTE)
REDUCTION GOALS.

ORDINANCE NO. 17-1413

Introduced by [insert Councilor name here
OR “Chief Operating Officer Martha Bennett
in concurrence with Council President Tom
Hughes”]

WHEREAS, Metro regulates solid waste generated within the Metro region pursuant to Metro’s constitutional, statutory, and charter authority and as set forth in the Metro Code; and

WHEREAS, food represents 18 percent of the region’s disposed waste—the largest single material sent to landfill and the largest single recoverable material sent to landfill; and

WHEREAS, when sent to landfill, food waste generates methane which is 25 times more potent of a greenhouse gas than carbon dioxide; and

WHEREAS, food waste is identified as a primary material for recovery within the region’s Regional Solid Waste Management Plan, which guides Metro and local government work; and

WHEREAS, the State of Oregon Department of Environmental Quality, via Oregon Revised Statutes 459A.010 has set a food waste recovery goal of 25% by 2020; and

WHEREAS, the State of Oregon Department of Environmental Quality has added a required food waste collection program for nonresidential generators to the list of menu items available to local governments for compliance with state law under Oregon Administrative Rule 340 Division 90; and

WHEREAS, the Metro region has had a voluntary business food waste collection program in place for over ten years yet only fourteen percent of the total food waste is recovered; and

WHEREAS, the Metro Council has determined that in order for the region to significantly increase food waste recovery, a more aggressive approach to food waste recovery is necessary; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

- 1. Metro Code 5.10 will be amended to establish a Business Food Waste Requirement as set forth in Exhibit A to this Ordinance.

ADOPTED by the Metro Council this [insert date] day of [insert month] [insert year].

Tom Hughes, Council President

Attest:

Approved as to Form:

Nellie Papsdorf, Recording Secretary

Alison R. Kean, Metro Attorney

DRAFT

Metro Ordinance No. 17-1413 – Exhibit A

BUSINESS FOOD WASTE REQUIREMENT

5.10.410	Purpose and Intent
5.10.420	Business Food Waste and Covered Businesses
5.10.430	Business Food Waste Requirement
5.10.440	Business Food Waste Requirement Performance Standards
5.10.450	Temporary Waiver
5.10.460	Metro Enforcement of Business Food Waste Requirement
5.10.470	Metro Model Ordinance

BUSINESS FOOD WASTE REQUIREMENT

5.10.410 Purpose and Intent

The business food waste requirement provides an opportunity to increase recycling of food waste and to assist the Metro region to achieve waste reduction goals. Metro does not intend for this requirement to apply to food that is fit for human consumption and accepted for donation by a charitable organization or the use of food waste for animal consumption in compliance with applicable regulations.

5.10.420 Business Food Waste and Covered Businesses

For the purpose of this section, business food waste is solid waste consisting of food waste removed from the food supply chain that is not fit for human consumption. A covered business is a business that cooks, assembles, processes, serves, or sells food.

5.10.430 Business Food Waste Requirement

Local governments must require (1) covered businesses in their jurisdiction to source separate and recover business food waste; (2) delivery of collected business food waste to a facility authorized by Metro; and (3) persons, as defined by Metro Code Section 1.01.040(h), who provide space to a covered business to allow the source separation and collection of food waste.

5.10.440 Business Food Waste Requirement Performance Standards

The Chief Operating Officer will adopt administrative rules to address the business food waste requirement performance standards. The performance standards must include, without limitation, the following elements:

- (a) Provisions requiring that local governments
 - (1) Notify covered businesses and waste haulers of the business food waste requirement;
 - (2) Require covered businesses and waste haulers to comply with the business food waste requirement;
 - (3) Provide education and technical assistance to covered businesses and waste haulers regarding the business food waste requirement; and
 - (4) Enforce the business food waste requirement.

- (b) Provisions requiring local governments to compel persons providing space to a covered business to allow for the source separation and collection of business food waste.

The Chief Operating Officer may allow a local government to waive the business food waste requirement as to a specific business as provided in the administrative rules.

5.10.450 Temporary Waiver

The Chief Operating Officer may waive, for no longer than 365 days, the local government's implementation of the business food waste requirement only as provided in the administrative rules. The Chief Operating Officer may provide for an extension of the temporary waiver in the administrative rules

5.10.460 Metro Enforcement of Business Food Waste Requirement

Upon a request by a local government and as provided in an intergovernmental agreement, Metro will perform the local government function to ensure covered business compliance with the business food waste requirement.

5.10.470 Metro Model Ordinance

The Chief Operating Officer may adopt a business food waste requirement model ordinance for use by the local government. The model ordinance is advisory only.

2018 RTP POLICY PRIORITIES FOLLOW UP

Metro Council Work Session
Tuesday, November 7, 2017
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: November 7, 2017

LENGTH: 60 minutes

PRESENTATION TITLE: 2018 Regional Transportation Plan Policy Priorities

DEPARTMENT: Planning and Development

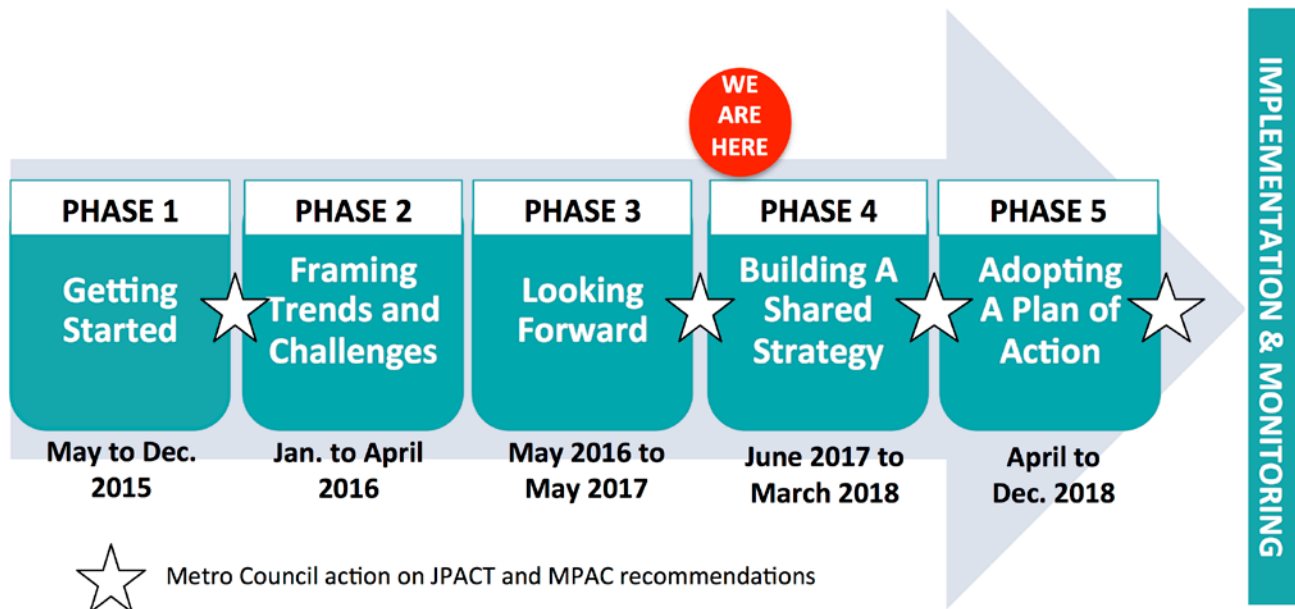
PRESENTER(S): Tyler Frisbee, tyler.frisbee@oregonmetro.gov
Kim Ellis, kim.ellis@oregonmetro.gov

WORK SESSION PURPOSE & DESIRED OUTCOMES

- **Purpose:** Present information about where there is clear Council consensus and where Council direction is needed to advance Vision Zero, racial equity and value pricing through the 2018 RTP.
- **Outcome:** Council direction as to the actions the Council will take to advance Vision Zero, racial equity and value pricing through the 2018 RTP.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

The Portland metropolitan region's economic prosperity and quality of life depend on a transportation system that provides every person and business in the region with equitable access to safe, efficient, reliable, affordable and healthy travel options. Through the 2018 RTP update, the Metro Council is working with leaders and communities throughout the region to plan the transportation system of the future by updating the region's shared transportation vision and investment strategy for the next 25 years. Shown in **Figure 1**, the plan update is in Phase 4 and on schedule.



At the September 26 work session, the Metro Council agreed to expend time and energy on these three policy priorities: Vision Zero, racial equity, and value pricing. These policy priorities are in addition to existing Council priorities for the 2018 RTP which focus on:

- developing an inclusive and transparent process;
- implementing the Climate Smart Strategy;
- using development of the 2018 RTP to clearly and realistically communicate the region's transportation funding outlook;
- right-sizing regional financial projections;
- aligning the financially constrained project list with the updated (and more realistic) financial projections;
- developing the RTP project list and RTP modal and topical strategies in a transparent way that advances adopted regional goals, supports regional coalition building efforts, and emphasizes equity, safety and climate change;
- implementing a more robust evaluation process that includes an expanded transportation equity analysis and project-level evaluation; and
- developing and adopting a Regional Transit Strategy and updated strategies for safety and freight.

Staff is now seeking guidance from Council about the additional actions Council would like to take, and staff should prepare for, in regards to advancing Vision Zero, racial equity, and value pricing in the 2018 RTP. In this work session, staff will summarize where there is clear Council consensus and where further Council direction is needed, based on conversations with each councilor between September 26th and November 2nd.

QUESTIONS FOR COUNCIL CONSIDERATION

- As a Council, how many additional actions would you like to take, and have staff prepare for, in regards to advancing Vision Zero, racial equity, and value pricing in the 2018 RTP?

PACKET MATERIALS

- Would legislation be required for Council action Yes No
- What other materials are you presenting today?

Materials following this page were distributed at the meeting.



Metro



Regional Food Scraps Policy

November 7, 2017 Metro Council Work Session

Council engagement

- November 2014
- July 2015
- October 2016
- November 2017



Using garbage as a resource



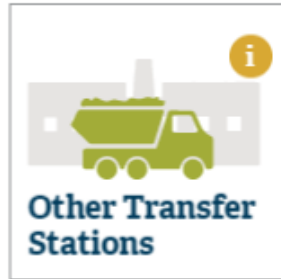
Total garbage ⁱ
1.3 MILLION TONS



Separate food ⁱ
UP TO 18%



REMAINING WASTE TO
Transfer stations



Recycle more ⁱ
UP TO 5%



Convert to energy ⁱ
UP TO 16%

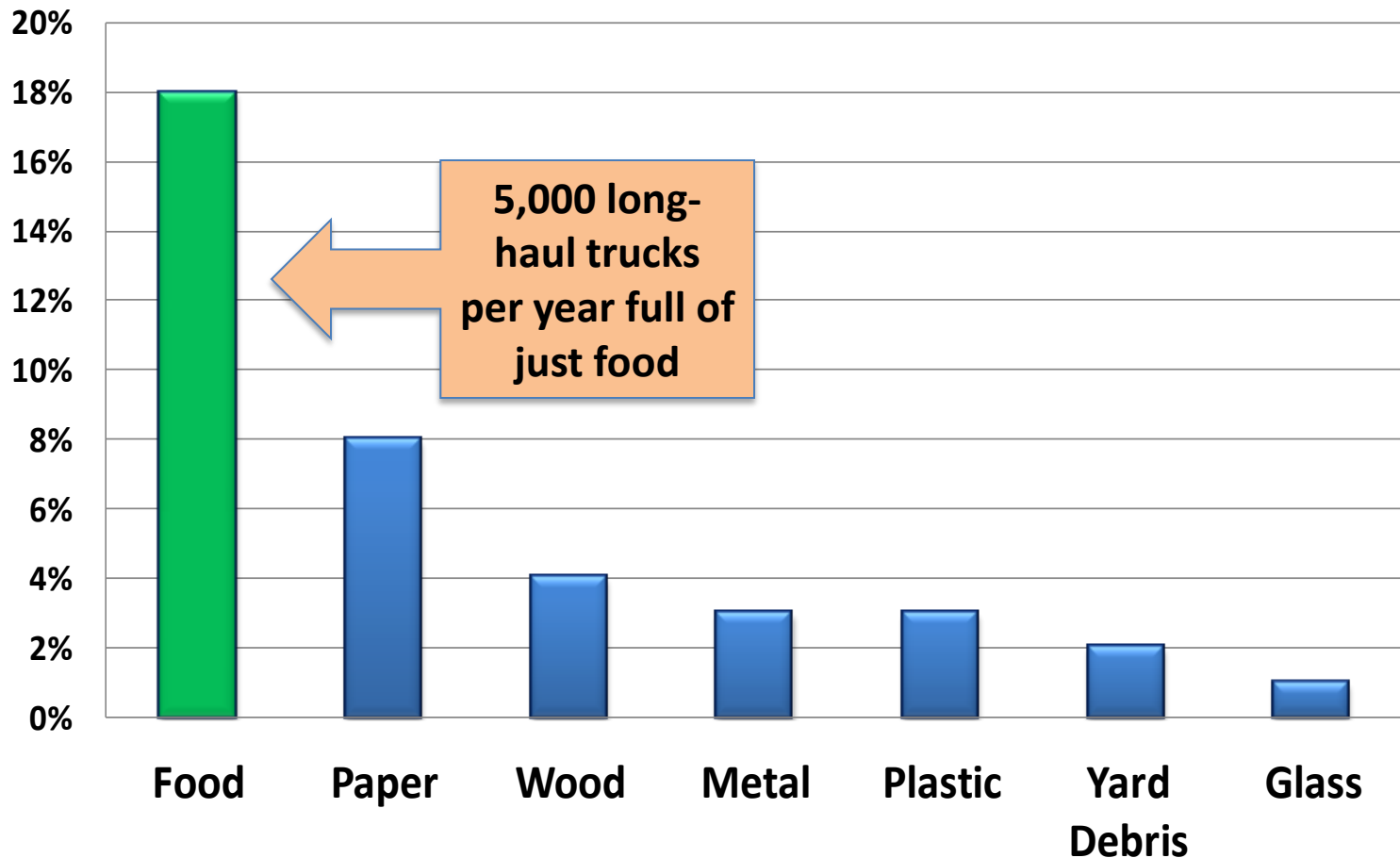


REMAINING WASTE TO ⁱ
Landfills



Why food?

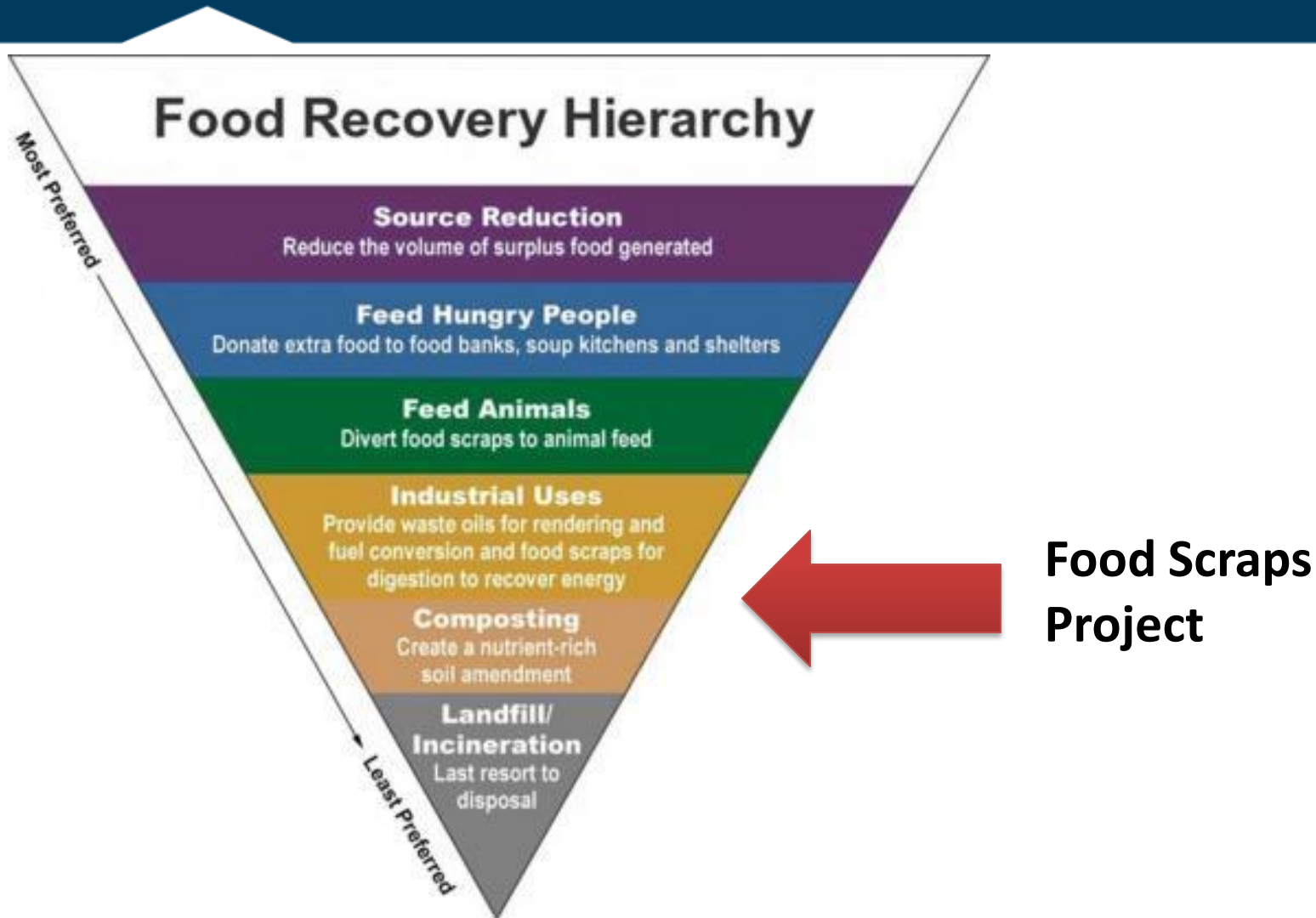
Metro Region Disposed Recoverables



Why food?



Prevention and donation first



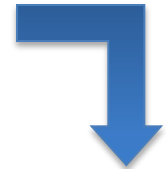
Commercial focus



These food scraps



Not these



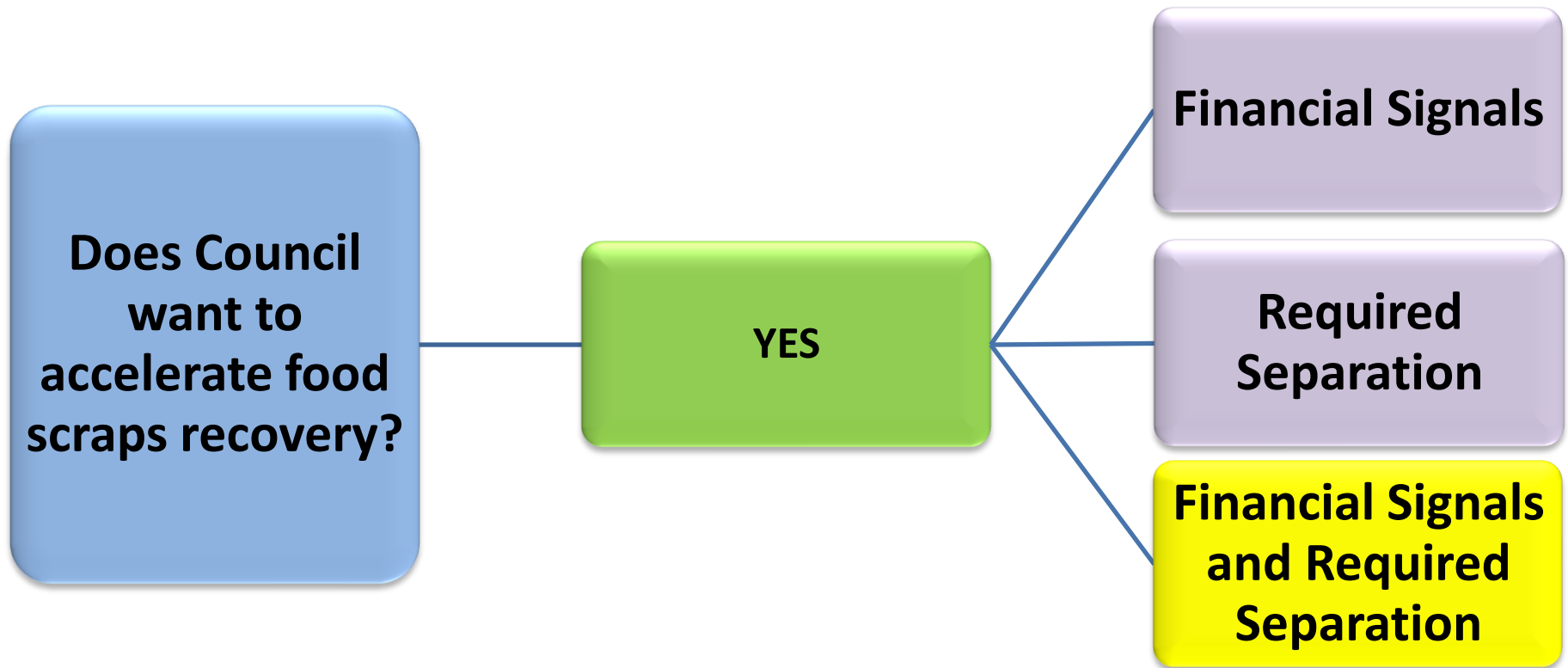
Context

Past Council Engagements:

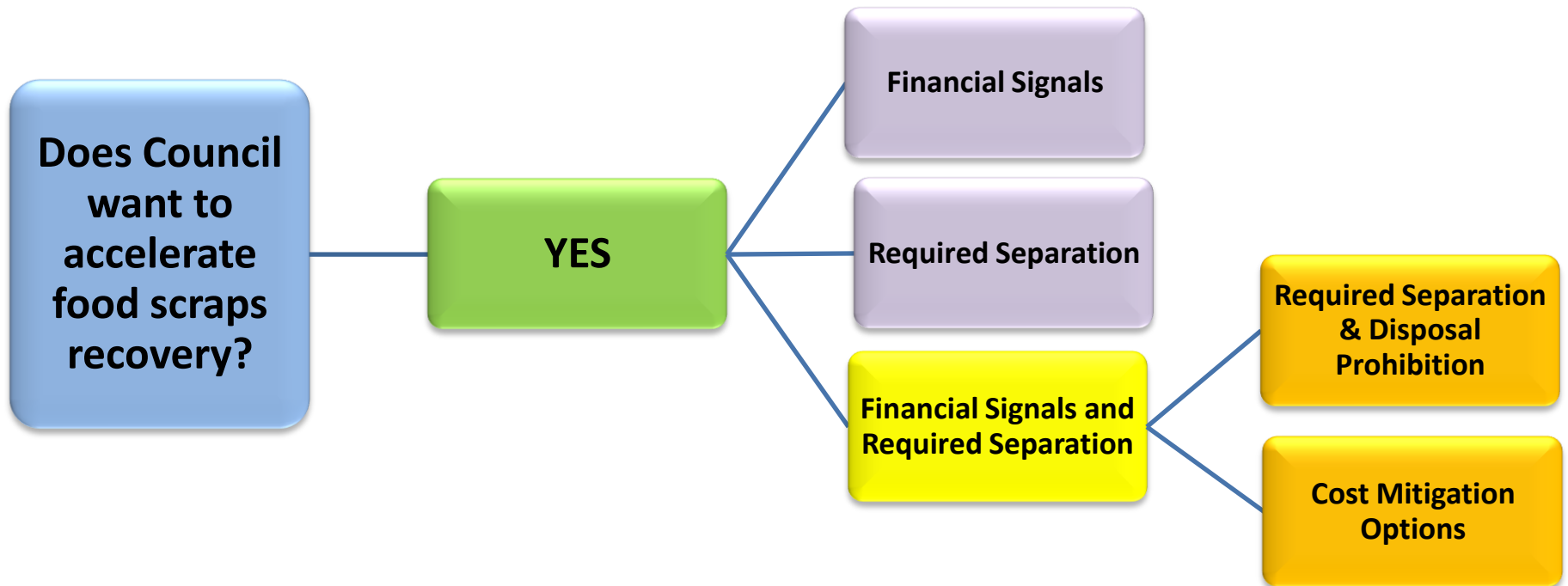
- November 2014
- July 2015
- **October 2016**



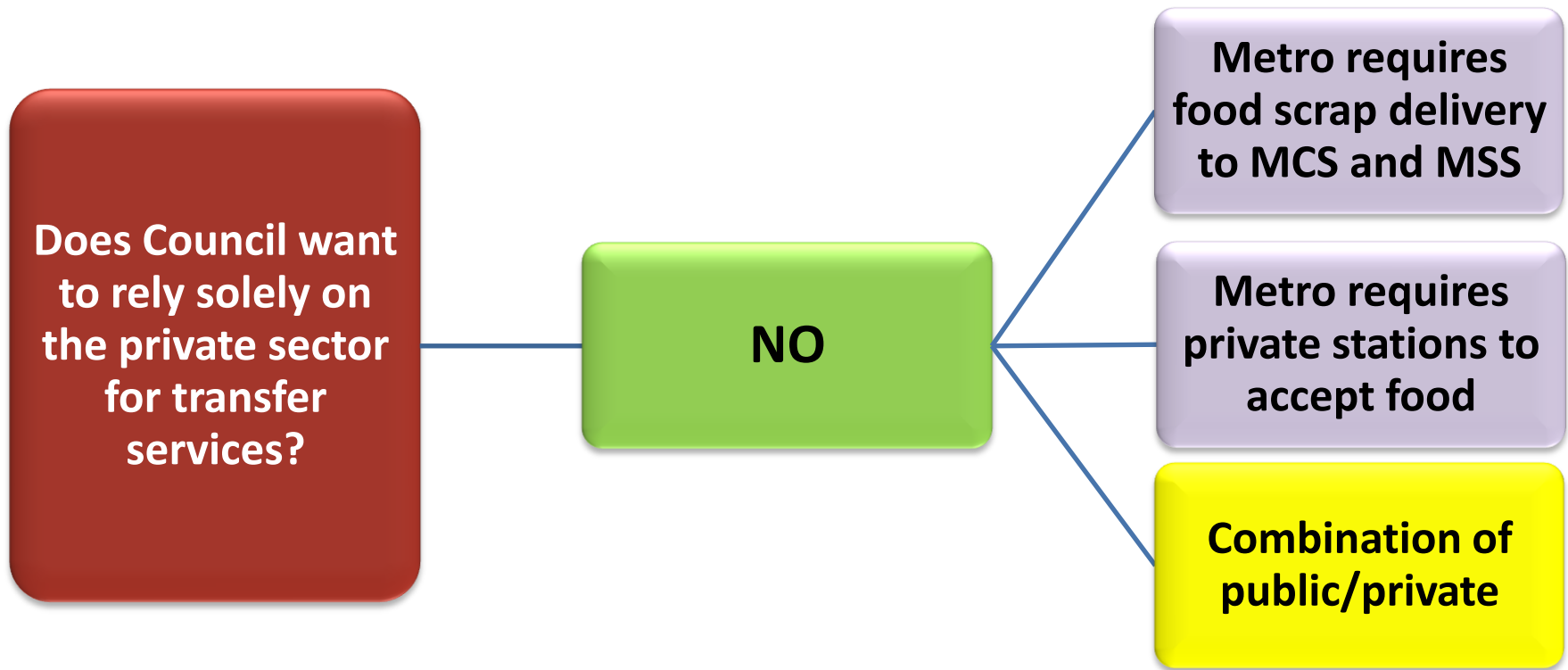
2016 Council direction: recovery



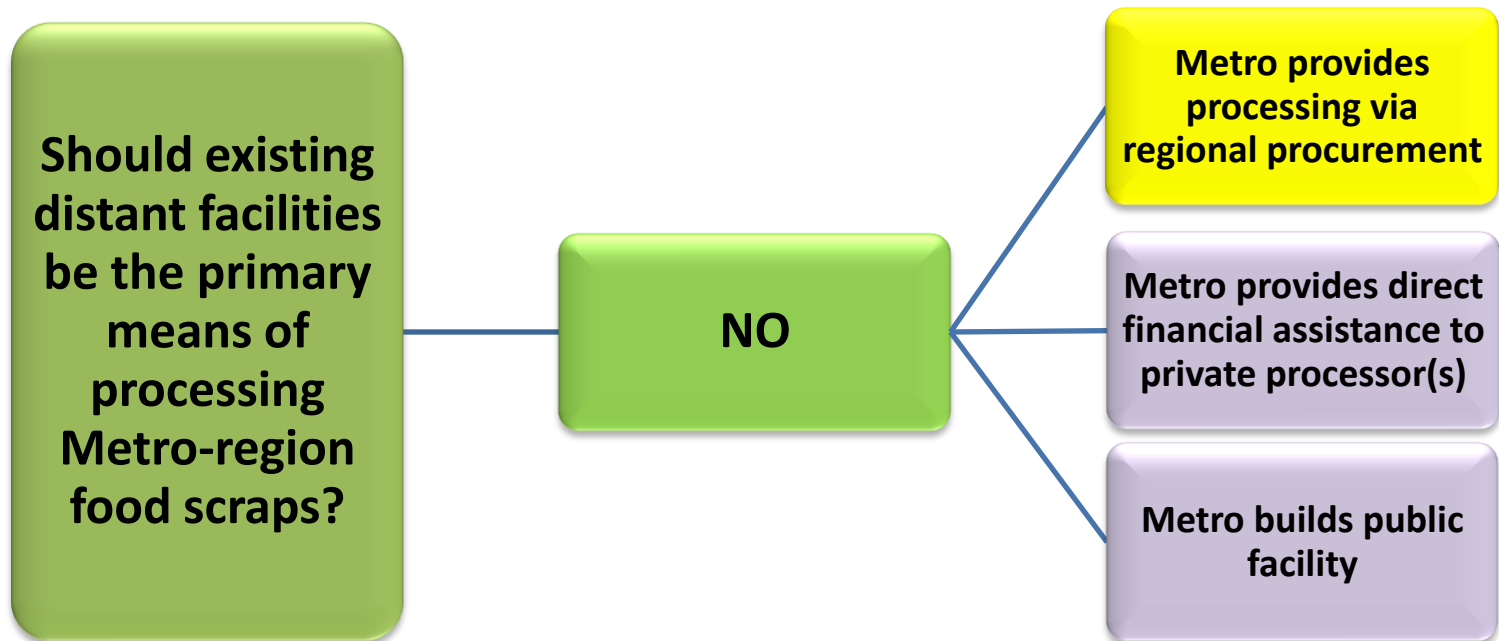
Staff actions: recovery



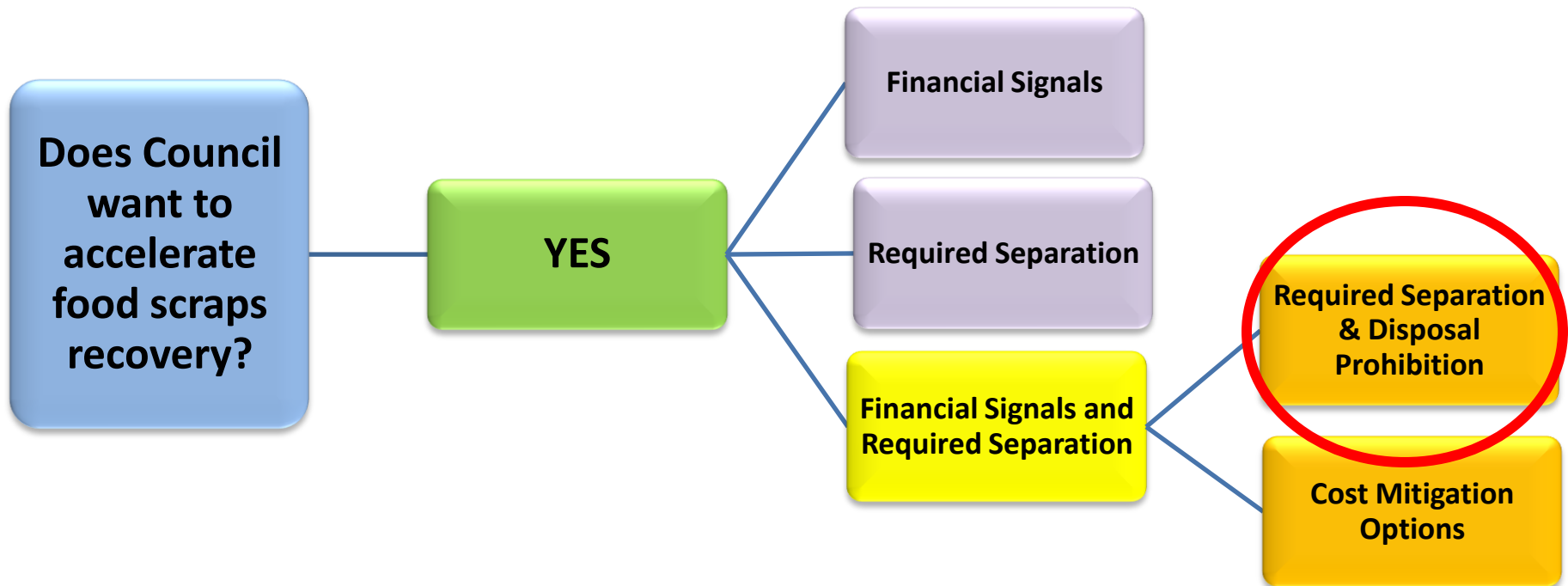
Council direction: material flow



Council direction: processing



Staff actions: recovery



Separation requirement overview

- Requires local governments inside the Metro boundary to adopt policy and implement collection programs.
- Affects ~3,000 large to medium-sized food-oriented businesses.
- 1,400 currently participating.
- Phased in over 5 years.
- Eventually prohibit the disposal of large amounts of food.



Key policy elements

- Local governments adopt policy by July 2018.
- Consistent regional performance standards.
- Implementation flexibility and waivers.
- Local governments may grant temporary waivers to businesses.
- Metro will continue to provide funding support.

Local government requirements




- Send notice to affected businesses.
- Require businesses to separate food from other waste.
- Provide educational materials and program setup assistance.
- Ensure collection service is provided.
- Enforcement, grant waivers, reporting.

Business requirements

- Separate food waste from other waste for collection.
- Property managers must allow collection service.
- Applies only to “back of house” waste.



Implementation phases

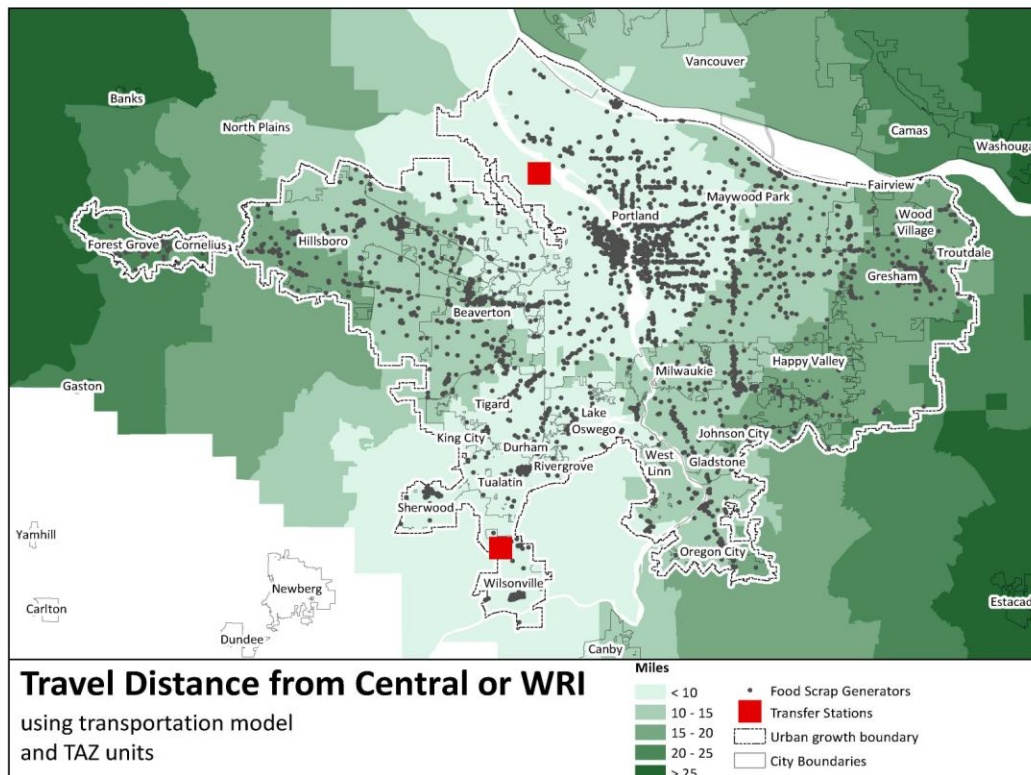
- March 2019-2020: Business Group 1
 - Businesses that generate 1,000 pounds per week or more of food scraps. 
- March 2020-2021: Business Group 2
 - Businesses that generate 500 pounds per week or more of food scraps. 
- September 2021-2022: Business Group 3
 - Businesses that generate 250 pounds per week or more of food scraps and K-12 schools. 

Temporary waivers for businesses

- Less than 250 pounds per week of food generated.
- Food waste is not suitable or cannot be made suitable.
- Physical barriers.
- Unreasonable capital expense.
- Violation of other government ordinance, health or safety code.

Temporary implementation waivers for local governments

- 5 or fewer business or no commercial zones.
- Distance to transfer or processor.



Stakeholder engagement

Business survey and interviews

- conducted by third party, reached 360 businesses

Individual businesses and industry associations – meetings and presentations

- Albertsons/Safeway
- Aramark/Pacific Wild
- Bon Appetit/Oregon Episcopal School
- Building Owners and Managers Association (BOMA)
- Clackamas County Business Alliance
- Costco
- Gresham Chamber of Commerce
- Elmer's
- Hillsboro Chamber of Commerce
- McMenemy's
- North Clackamas Chamber Public Policy Committee
- Northwest Food Processors Association
- Northwest Grocers Association
- Oregon Convention Center, Oregon Zoo, EXPO Center, P'5
- Oregon Restaurant & Lodging Association
- Portland Business Alliance
- Providence Hospital
- Red Robin
- Shari's Restaurants
- Tualatin Chamber of Commerce Business Advisory Council
- Walmart
- Washington County Green Business Alliance
- Washington County Haulers
- Westside Economic Alliance
- Willamette View Retirement

Local government meetings and presentations

- Beaverton City Council
- Clackamas County Commission
- Cornelius City Council
- Fairview City Council
- Forest Grove City Council
- Forest Grove Sustainability Commission
- Gresham City Council & staff
- Hillsboro City Council
- King City City Council
- Lake Oswego City Council
- Milwaukie City Council
- Oregon City Commission
- Regional City Managers
- Regional Mayors and Chairs
- Sherwood City Council
- State and County Health Departments
- Tigard City Council
- Troutdale City Council
- Tualatin City Council
- Washington County Commission
- Washington County SWAC
- West Linn City Council
- Wilsonville City Council
- Wood Village City Council

Food Rescue Agency Roundtable

- Conducted by third party, 12 food rescue non-profits participated.

Stakeholder feedback

- Food businesses
- Industry trade associations
- Local government solid waste directors
- Local elected officials
- Food rescue agencies
- Health officials



Formal public comment

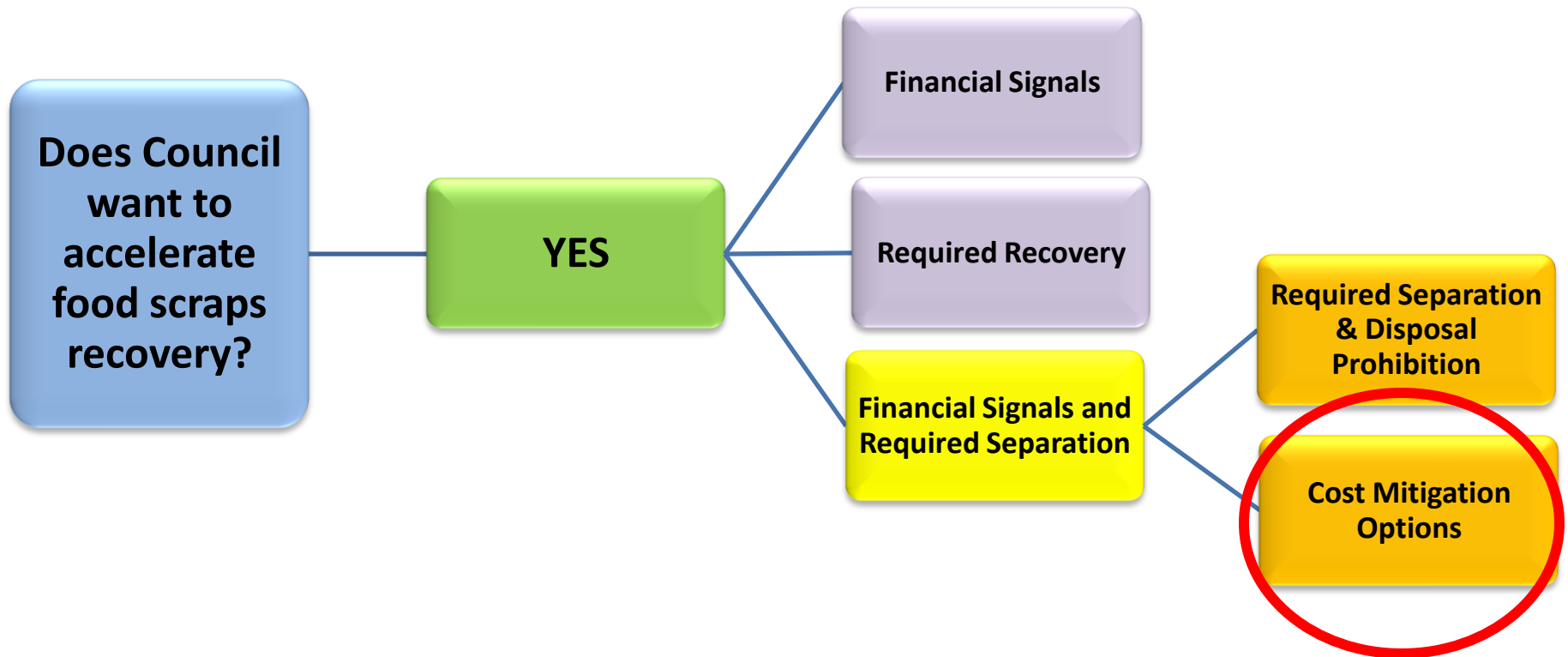
40 written comments received:

- 20 in support of the policy.
- 1 was opposed.
- 11 requested specific edits or clarifications to the policy.
- 6 were general questions or requests for additional information.
- 2 were neutral or not applicable.
- A 5th grade class from Sauvie Island Academy also submitted letters (18 in support, 4 opposed).

Local government comments

- **City of Portland**
 - Voluntary is not enough, a regional policy is needed.
 - Mitigating costs to businesses is top priority.
 - City is supportive and committed to implementation.
- **Washington County**
 - General support of policy, already in County Code as part of BRR.
 - Appreciate the inclusion of distance waiver.
 - Regional demonstrable policy commitment needed to secure processing.
 - Full cost details still unknown.
- **City of Hillsboro**
 - Wholly support overall objective; is consistent with city goals.
 - Need a cost/benefit study to assess impacts to businesses first.
 - Distance waiver and cost mitigation concepts need more work.

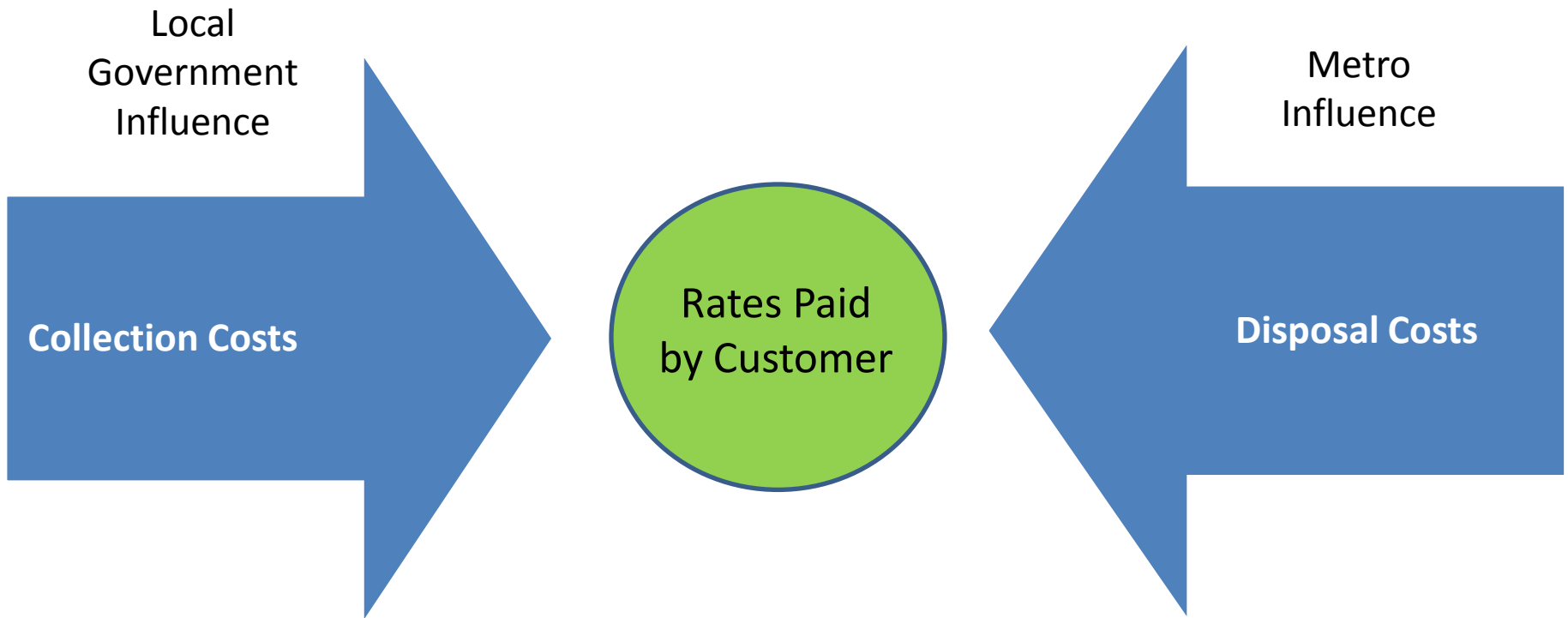
Staff actions: recovery



Food scraps service cost elements

- New service = additional collection costs
- Cost to run a truck in region = \$95 an hour
- Current tip fee for food scraps = \$66 a ton
- Cost of collection + tip fee = what businesses pay
- Collection is efficient when businesses separate 50% or more of their food scraps and haulers can make 7 stops per hour
- Tip fee reduction can lead to reduced costs to customer

Rate inputs



Different jurisdictions, different rates

	20% Discount	0% Discount	Bundled	Bundled
Service Levels	Gresham	Washington Co.	Clackamas Co. (urban)	Beaverton
6 Yards Garbage 3 x Week 	\$1165 (6 yds)	\$1009 (6 yds)	\$1109 (6 yds)	\$1012 (6 yds)
5 Yards Garbage 3x Week and 1 Yard FS 3x Week  	\$1001 (5 yds) + \$198**(1 yd) = \$1199	\$855 (5 yds) + \$240 (1 yd) = \$1095	(5 yds + 1 yd) = \$962	(5 yds + 1 yd) = \$862

*Assumes business reduces garbage service to 5 yards 3x weekly, and adds Food Scraps at 1 yards, 3x weekly.

** 20% discount on garbage rate, Gresham does not have thrice weekly food scrap service

Potential cost mitigation actions: local governments

- Consider bundling rates.
- Provide customer education & assistance.
- Continue rate setting best practices (avoided food scrap disposal costs benefit commercial sector in rate setting) with annual rate reviews.
- Consider collection and route efficiency actions.



Potential cost mitigation actions: Metro

- Support local governments with program rollout: increased funding for technical assistance, program materials, containers.
- Provide grants to businesses for capital expenses.
- **Offer reduced food scraps tip fee....**



Metro action: reduce food scraps tip fee

- Reduce food scraps tip fee to below actual cost.
- Cover the cost difference via the Regional System Fee.
- Impact examples:
 - At today's tip fee (\$66/ton) buying it down to \$50 per ton, at 35,000 tons annually, would cost about \$560,000. Spread over all solid waste tons, the potential RSF increase would be around \$0.47 per ton
 - If the tip fee went up to \$132 a ton, buying it down to \$50 per ton, at 35,000 tons annually, would cost about \$2.9 M. Spread over all solid waste tons, the RSF would increase by about \$2.39 per ton.
 - Other factors could increase or mitigate that impact.

Policy timeline

- November 30: Ordinance first reading and public hearing.
- December 7: Ordinance second reading and vote.
- Winter/Spring : Continued refinement of Administrative Rules--second public comment period, public hearing.
- July 2018: Local government adoption date.
- July 2018: Disposal prohibition policy presented to Council.
- March 2019: Business Group 1 implementation begins.
- March 2020: Business Group 2 implementation begins.
- September 2021: Business Group 3 implementation begins.

Questions for Council

1. Do you have comments or questions about the draft policy Ordinance and draft Administrative Rules?
2. Are there perspectives or issues we are missing?
3. What are your thoughts on potential cost mitigation options?

Policy timeline

- November 30: Ordinance first reading and public hearing.
- December 7: Ordinance second reading and vote.
- Winter/Spring : Continued refinement of Administrative Rules--second public comment period, public hearing.
- July 2018: Local government adoption date.
- July 2018: Disposal prohibition policy presented to Council.
- March 2019: Business Group 1 implementation begins.
- March 2020: Business Group 2 implementation begins.
- September 2021: Business Group 3 implementation begins.

FOR METRO COUNCIL REVIEW AND DISCUSSION AT NOV. 7 WORK SESSION

**Summary of Councilor briefings on
advancing Vision Zero, Racial Equity and Value Pricing through the 2018 RTP**

Vision Zero

Potential Council Policy Priorities	Council support for advancing in 2018 RTP	Staff Note(s)
1. Commit to RTP safety goal, objectives and performance targets, and identify reporting timelines	Unanimous	This is the direction the safety work has been headed since MAP-21 rulemaking specified measures and reporting timelines for safety performance data.
2. Revise regional active transportation system completion target to be more ambitious		This is a recommendation of the RTP equity work group.
3. Build understanding of the importance of ambitious safety target and strategies among elected and community leaders		
4. Adopt a Regional Safety Strategy that includes Vision Zero strategies, mid-course targets, and actions		This is the direction the safety work has been headed since support expressed by JPACT, MPAC and Council for Vision Zero goal. Setting mid-course targets is also consistent with approach taken in ODOT Safety Plan.
5. Commit to eliminating fatalities and serious injuries as a top prioritization factor for the RTP investment strategy	Majority	
6. Explicitly prioritize high injury corridors and vulnerable users as a top priority for the RTP investment strategy		
7. Champion equitable law enforcement, data collection and reporting protocols		
8. Measure how RTP policies, projects, programs and investment strategies address safety, public health and equity under Vision Zero	Other	

FOR METRO COUNCIL REVIEW AND DISCUSSION AT NOV. 7 WORK SESSION

**Summary of Councilor briefings on
advancing Vision Zero, Racial Equity and Value Pricing through the 2018 RTP**

Racial equity

Potential Council Policy Priorities	Council support for advancing in 2018 RTP	Staff Note(s)
1. Identify racial disparities in the RTP existing conditions	Unanimous	
2. Commit to monitoring market-based involuntary displacement with a focus on impacts by race		This monitoring would build on P&D SWEDS and equitable housing initiative work and include TOD program investments.
3. Further build relationships and trust with community leaders of color through engagement and Council support		
4. Include Metro racial equity definition in RTP		This would include revising RTP equity definition and RTP equity goal.
5. Focus RTP equity analysis reporting to show racial equity outcomes and recommend refinements to the RTP investment strategy		
6. Commit to a monitoring program focused on racial equity that is linked to RTP goals, objectives and performance targets	Majority	The 2018 RTP would define what the program would monitor. Actual development of monitoring measures would occur post-RTP adoption.
7. Add objective(s) to increase racial equity		
8. Add performance target(s) to increase racial equity	Other	
9. Develop monitoring measures and performance targets for racial equity in access, safety, affordability and health		
10. Explicitly commit to reducing racial disparities in access, safety, affordability and health as a prioritization factor		The 2018 RTP could provide direction to the next RFFA cycle and other future regional funding decisions.
11. Focus RTP vision and goals on increasing racial equity as the strategy to increase equity for all		
12. Explicitly commit to reducing racial disparities in access, safety, affordability and health as a top prioritization factor for the RTP investment strategy		

**Summary of Councilor briefings on
advancing Vision Zero, Racial Equity and Value Pricing through the 2018 RTP**

Value pricing

Potential Council Policy Priorities	Council support for advancing in 2018 RTP	Staff Note(s)
1. Clearly communicate to stakeholders how RTP investment strategy addresses congestion	Unanimous	
2. Identify preparation needed for value pricing in the RTP		This would identify additional work needed beyond ODOT's value pricing efforts.
3. Identify additional analysis needed to make policy decisions around value pricing to support future implementation		This process would build on ODOT's value pricing efforts.
4. Identify a process to further explore policy choices for value pricing to support future implementation		Other
5. Define purpose and role of auxiliary lanes in the RTP		
6. Strengthen existing policy language requiring value pricing be evaluated before future highway capacity projects move forward, including auxiliary lanes		
7. Update corridor refinement planning section in RTP to require value pricing evaluation		

For Council review and discussion at Nov. 7 work session

Vision Zero: Potential Council Policy Priorities

8. Measure how RTP policies, projects, programs and investment strategies address safety, public health and equity under Vision Zero
7. Champion equitable and transparent law enforcement, data collection and reporting protocols
6. Explicitly prioritize high injury corridors and vulnerable users as a top priority for the RTP investment strategy
5. Adopt Regional Safety Strategy that includes Vision Zero strategies, mid-course targets, and actions
4. Commit to eliminating fatalities and serious injuries as a top prioritization factor for the RTP investment strategy
3. Build understanding of the importance of ambitious safety target and strategies among elected and community leaders
2. Revise regional active transportation system completion target to be more ambitious
1. Commit to RTP safety goal, objectives and performance targets, and identify reporting timelines

Racial Equity: Potential Council Policy Priorities

10. Explicitly commit to reducing racial disparities in access, safety, affordability and health as a prioritization factor for the RTP investment strategy
9. Develop monitoring measures and performance targets for racial equity in access, safety, affordability and health
4. Include Metro racial equity definition in the RTP
3. Further build relationships and trust with community leaders of color through engagement and Council support
2. Commit to monitoring market-based involuntary displacement with a focus on impacts by race
1. Identify racial disparities in the RTP existing conditions
12. Explicitly commit to reducing racial disparities in access, safety, affordability and health as a top prioritization factor for the RTP investment strategy
11. Focus RTP vision and goals on increasing racial equity as the strategy to increase equity for all
8. Add performance target(s) to increase racial equity
7. Add objective(s) to increase racial equity
6. Commit to a monitoring program focused on racial equity that is linked to RTP goals, objectives and performance targets
5. Focus RTP equity analysis reporting to show racial equity outcomes and recommend refinements to the RTP investment strategy

For Council review and discussion at Nov. 7 work session

Value Pricing: Potential Council Policy Priorities

7. Update corridor refinement planning section in RTP to require value pricing evaluation
6. Strengthen existing policy language requiring value pricing be evaluated before future highway capacity projects move forward, including auxiliary lanes
5. Define purpose and role of auxiliary lanes in the RTP
4. Identify a process to further explore policy choices for value pricing to support future implementation
3. Identify additional analysis needed to make policy decisions around value pricing to support future implementation
2. Identify preparation needed for value pricing in the RTP
1. Clearly communicate to stakeholders how RTP investment strategy addresses congestion