

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO	)	ORDINANCE NO. 17-1415
CODE CHAPTER 5.04 TO CREATE THE SOLID	)	
WASTE INNOVATION AND INVESTMENT	)	Introduced by Chief Operating Officer Martha
PROGRAM	)	Bennett in concurrence with Council
	)	President Tom Hughes

WHEREAS, Metro has authority to plan, manage, and oversee the regional solid waste system pursuant to Metro's constitutional, statutory, and charter authority and as set forth in Metro Code Title V; and

WHEREAS, Metro Code Chapter 5.04, Recycling Business Assistance Program, was established in 1988 to support the creation, expansion, preservation, and diversification of markets for recyclable materials consistent with the Regional Solid Waste Management Plan; and

WHEREAS, Metro has not utilized the Recycling Business Assistance Program for over twenty years; and

WHEREAS, Metro has a strong interest in the success of the private sector at meeting solid waste system needs; and

WHEREAS, the Metro Council finds that there remains a public interest in the success of the private sector at meeting system needs to create, expand, preserve and broaden efforts that advance waste prevention, reuse, recycling and energy recovery; and

WHEREAS, the Metro Council finds that a new Solid Waste Innovation and Investment Program will support these efforts in the private sector by granting funds to businesses and nonprofit organizations and will strengthen the solid waste system; now therefore


THE METRO COUNCIL ORDAINS AS FOLLOWS:

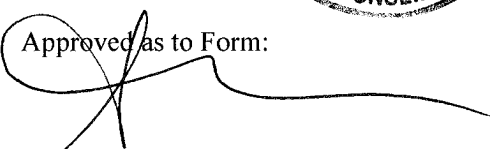
Metro Code Chapter 5.04 is revised as set forth in Exhibit A.

ADOPTED by the Metro Council this 14 day of December, 2017.

  
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 Tom Hughes, Council President



Attest:  
  
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 Nellie Papsdorf, Recording Secretary

Approved as to Form:  
  
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 Alison R. Kean, Metro Attorney

CHAPTER 5.04

INVESTMENT AND INNOVATION PROGRAM

SECTION	TITLE
5.04.010	Purpose
5.04.020	Budget
5.04.030	Program Guidelines
5.04.040	Report to Council

5.04.010 Purpose

The Investment and Innovation Program is established to invest public resources to create, expand, preserve, and diversify efforts that advance waste prevention, reuse, recycling, and energy recovery consistent with Metro's Regional Waste Plan and Metro's diversity, equity, and inclusion goals.

5.04.020 Budget

As part of Metro's annual budget process, the Chief Operating Officer may propose a budget for the Investment and Innovation Program to the Council for approval.

5.04.030 Program Guidelines

The Chief Operating Officer will adopt program guidelines that address at least the following:

- (1) A public process for proposal applications;
- (2) A description of the criteria used to evaluate proposals;
- (3) A process for the review and approval or denial of proposals; and
- (4) A process to inform the Council of program funding decisions.

Before adoption or amending, the Chief Operating Officer must bring the program guidelines to the Council for review and comment.

5.04.040 Report to Council

If the Council approves a budget under Metro Code Section 5.04.020, the Chief Operating Officer will provide a report to the Council that includes (1) information regarding the projects and persons that received funding; (2) the amount of funds dispersed; and (3) the history and current status of all projects.

## STAFF REPORT

### IN CONSIDERATION OF ORDINANCE NO. 17-1415, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.04 TO CREATE THE SOLID WASTE INVESTMENT AND INNOVATION PROGRAM

Date: December 7, 2017

Prepared by: Kevin Six, 503-797-1672

Adoption of Ordinance No. 17-1415 will amend Metro Code Chapter 5.04 (Recycling Business Assistance Program) to revise and replace language to allow the administration of the Solid Waste Innovation and Investment Program.

## BACKGROUND

Metro has authority and responsibility to plan, manage and oversee the regional solid waste system. The functions of this system are implemented by Metro, cities and counties, and many private for-profit businesses and non-profit organizations. This sharing of responsibilities means that Metro has a strong interest in the success of the private sector at meeting system needs to create, expand, preserve and broaden efforts that advance waste prevention, reuse, recycling and energy recovery.

The Solid Waste Innovation and Investment Program that would be implemented through this ordinance would support this interest through the granting of funds to businesses and non-profit organizations. The timing of the program reflects continued requests for assistance from private entities over the last couple of years and a recognition that the system is in flux because many of the local options for reuse, recycling, and energy recovery from waste are concentrated in a few markets and disruptions to these markets may have significant impacts to waste reduction efforts in the greater Portland area. Last spring, the Metro Council asked Property and Environmental Services staff to propose a program through which Metro could invest in the solid waste industry to help strengthen the system and support new ideas and technologies to help achieve greater reuse and recycling of waste.

Metro staff presented a concept of the Innovation and Investment Program at the Metro Council work session held on October 31, 2017. This ordinance will establish the structure of the program.

If this ordinance is adopted by Council, staff will return to a Council work session in early 2018 to solicit Council input before on program guidelines that would include:

- A public process for proposal applications
- A description of the criteria used to evaluate proposals
- A process for the review and approval or denial of proposals
- A process to inform the Council of program funding decisions.

The intent of the program guideline will be to enable Metro to select projects for award that best meet the objective to create, expand, preserve, and broaden efforts that advance waste prevention, reuse, recycling and energy recovery, consistent with Metro's Regional Waste Plan and Metro's diversity, equity, and inclusion goals. The Regional Waste Plan means both the current 2008-2018 Regional Solid Waste Management Plan (RSWMP) and successor plans.

It is the Chief Operating Officer's (COO) intent to administer this program as a pilot project for three years, after which the COO would evaluate the program and ask Council whether to continue it.

## **ANALYSIS/INFORMATION**

### **1. Known Opposition**

A relatively small number of representatives of solid waste companies have expressed strong concerns about the program to Metro staff and/or Councilors. These concerns have primarily focused on how the Metro will administer the program in terms of the award criteria that would be used and how diversity, equity and inclusion considerations would be factored into Metro's decision-making. Some believe that Metro has already selected to whom it will award grants based on which industry representatives spoke to staff and Councilors as staff developed the program.

### **2. Legal Antecedents**

Metro Charter and Metro Code, including without limitation Metro Code Chapter 5.04.

### **3. Anticipated Effects**

Approval of this ordinance would amend Metro Code Chapter 5.04 as provided in Exhibit A.

### **4. Budget Impacts**

If implemented, this project will award up to \$3 million per year from the Solid Waste Reserve fund. The COO will request this funding, as well as funds for a 1.0 full-time equivalent employee to administer the program, through the budget and budget amendment processes.

## **RECOMMENDED ACTION**

Staff recommends that Council adopt Ordinance No. 17-1415.