



600 NE Grand Ave.
Portland, OR 97232-2736

Council meeting agenda

Thursday, July 19, 2018

2:00 PM

Metro Regional Center, Council chamber

1. Call to Order and Roll Call

2. Public Communication

3. Consent Agenda

- 3.1 Consideration of the Council Meeting Minutes for June 28, 2018

[18-5056](#)

4. Ordinances (First Reading and Public Hearing)

- 4.1 Ordinance No. 18-1418, 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

[ORD 18-1418](#)

Presenter(s): J. Erickson, Metro

Attachments: [Ordinance 18-1418](#)
[Staff Report](#)

- 4.1.1 Public Hearing for Ordinance No. 18-1418

- 4.2 Ordinance No. 18-1424, For the Purpose of Coordinating Comprehensive Plans Regarding the Urban Service Boundary Between the Cities of Portland and Beaverton

[ORD 18-1424](#)

Attachments: [Ordinance No. 18-1424](#)
[Exhibit A to Ordinance No. 18-1424](#)
[Staff Report](#)

- 4.2.1 Public Hearing for Ordinance No. 18-1424

5. Resolutions

- 5.1 Resolution No. 18-4864, For the Purpose of Requiring Metro Staff to Develop Policy, Ordinance, and Rule that Prohibits the Landfill Disposal of Commercially-Derived Food Waste Generated within the Region

[RES 18-4864](#)

Presenter(s): J. Erickson, Metro

Attachments: [Resolution No. 18-4864](#)
[Staff Report](#)

6. **Chief Operating Officer Communication**
7. **Councilor Communication**
8. **Adjourn**

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Agenda Item No. 3.1

**Consideration of the Council Meeting Minutes for June
28, 2018**

Consent Agenda

Metro Council Meeting
Thursday, July 19, 2018
Metro Regional Center, Council Chamber

Agenda Item No. 4.1

**Ordinance No. 18-1418, 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**

Ordinances (First Reading and Public Hearing)

Metro Council Meeting
Thursday, July 19, 2018
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING METRO) ORDINANCE NO. 18-1418
CODE CHAPTER 5.10 TO ESTABLISH A)
BUSINESSES FOOD WASTE REQUIREMENT.) Introduced by 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 is amended to establish a Business Food Waste Requirement as set forth in Exhibit A to this Ordinance.

ADOPTED by the Metro Council this 26th day of July 2018.

Tom Hughes, Council President

Attest:

Approved as to Form:

Miranda Mishan, Recording Secretary

Alison R. Kean, Metro Attorney

Metro Ordinance No. 18-1418 – 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 or animal 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.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 18-1418, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.10 TO ESTABLISH A BUSINESS FOOD WASTE REQUIREMENT IN ORDER TO INCREASE THE RECYCLING OF FOOD WASTE AND TO ASSIST THE METRO REGION WITH ACHIEVING WASTE REDUCTION GOALS.

Date: July 19, 2018

Prepared by: Jennifer Erickson
503-797-1647

Food is the single largest portion of greater Portland's waste stream and a major contributor to the creation of methane when disposed in a landfill. More than half of the food disposed from the greater Portland area comes from businesses. For more than 20 years, Metro has been working to reduce the impacts of food waste on the environment, and Ordinance No. 18-1418 is a critical part of these efforts. By requiring the collection of food scraps at food service businesses and delivering those food scraps to facilities that can turn them into compost and energy, and by supporting business food waste prevention and edible food donation programs, Metro can take one of the most significant actions possible to address climate change through its stewardship of the region's garbage and recycling system.

If adopted, Ordinance No. 18-1418 will amend Metro Code Chapter 5.10 to add the Business Food Waste Requirement. Under this ordinance, each local government must require: (1) covered businesses in its jurisdiction to separate and recover food waste; (2) delivery of collected business food waste to a facility authorized by Metro; and (3) property owners and managers who provide space to a covered business to allow the source separation and collection of food waste. If Ordinance No. 18-1418 is approved by the Metro Council, the Chief Operating Officer will adopt administrative rules to set performance standards for the collection and processing of food scraps from businesses.

BACKGROUND

Metro's Solid Waste Roadmap is a work program consisting of six interrelated projects that will help define the region's garbage and recycling system in the future. The Food Scraps Capacity Development work, one of the six projects, is tasked with developing alternatives for answering the question of what actions Metro should 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 businesses.

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

In 2014, the Metro Council reviewed the region's current commercial food scraps recovery efforts 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. The 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 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 prohibit the disposal of food from businesses.
2. Determine how to efficiently collect and deliver food scraps for processing.
3. Secure local and stable processing capacity.

Based on Council direction, staff developed policies and initiatives to fulfill these objectives.

ANALYSIS/INFORMATION

Ordinance No. 18-1418 and the first draft of the administrative rules were crafted over a twelve-month period by Metro staff from Property and Environmental Services, the Council Office and the Office of Metro Attorney, with significant input from representatives from Beaverton, Clackamas County, Gresham, Portland, Washington County, and Oregon DEQ. The policy requires local governments within the region to adopt a mechanism for requiring separation of food scraps by certain types of businesses. The objective is 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 administrative rules guiding the policy implementation and performance standards are undergoing public comment in accordance with Metro Code 5.01.280 and are expected to be presented to the Metro Chief Operating Officer for adoption this fall.

The key elements of the ordinance are:

- A requirement that local governments adopt an enforceable mechanism (such as a code amendment, business license requirement or other legally binding instrument) that requires that certain food service businesses separate food scraps from other waste and recyclables.
- Flexibility for local governments in program implementation (e.g., geographically, by hauler franchise, areas of business concentration, etc.), in a manner that makes sense locally as long as commercial food waste collection programs meet regional performance standards. Governments may also, on a limited basis, grant waivers to businesses that are unable to comply.
- A three-phase roll-out, beginning with businesses that generate the most food scraps that, when fully implemented in 2023, would affect approximately 3,300 businesses in the region. This represents about 4 percent of the overall business community. The phases would be as follows:
 - Group 1 (March 2020): those businesses that generate 1,000 pounds or more of food scraps per week.
 - Group 2 (March 2021): those businesses that generate 500 pounds or more of food scraps per week.
 - Group 3 (Sept. 2022): K-12 schools and businesses that generate 250 pounds or more of food scraps per week.
- A resolution for Council consideration, concurrent with the consideration of this ordinance, that conveys an intent to implement a regional food scraps disposal prohibition no earlier than January 2025, based on an assessment of implementation of the required separation policy.

As with the Business Recycling Requirement adopted by the Metro Council in 2008, Metro will provide funding to support program rollout to assist local governments and businesses with implementation during the first five years of the program.

1. Known Opposition

- There was one comment in opposition from a local resident received during the first round of public comment stating that businesses are already separating food waste and a mandate is not necessary.
- The City of Hillsboro, while supporting the efforts to keeping food out of the landfill, consistent with city goals, remains concerned about the costs of the program and the lack of transfer capacity on the west side of the region, and does not support the Access to Services Payment that replaces the participation waiver.
- The Oregon Restaurant and Lodging Association (ORLA) supports food waste collection, but does not support a mandatory approach.

2. **Legal Antecedents** Metro Charter Chapter II, Sections 4 and 6; Oregon Revised Statutes Chapter 268, Section 317; Oregon Revised Statutes 459A.010; Oregon Administrative Rules Chapter 340; Metro Code Title V, Chapter 5.10; Metro Ordinance No. 08-1200.

3. Anticipated Effects

Local Government Effects

The program requires a one-time demand on local government staff and elected officials to adopt the ordinance. Ongoing additional staff time by local governments and Metro will be required for education, implementation, compliance and reporting throughout the implementation period. Education and technical assistance services will continue to be provided to the business community by those jurisdictions receiving direct program funding from Metro. If the Business Food Waste Requirement and accompanying local ordinances are enacted, the Property and Environmental Services Department intends to include in its annual budget proposal to the Chief Operating Officer that Metro provide additional funding to local governments to support their technical assistance services to businesses for the first five years of the requirement to mitigate local government implementation costs. Metro funds would support technical assistance staff time and supplies for businesses. In 2016, Metro conducted a survey of food-generating businesses, the vast majority of which indicated the importance of this technical assistance to their ability to successfully introduce and maintain food scraps recycling programs. A more complete summary of funding assistance covering the program implementation is included in *Section 4. Budget Impacts*.

Effects on Participating Businesses

There are two main impacts on businesses that will have to participate in this program: changes to their operations and accompanying costs, and changes to the rates they pay for solid waste collection services.

For the first, businesses will have to alter their practices slightly to accommodate separation of food scraps from garbage within their businesses. Based on the experiences of the approximately 1,500 businesses in the region that are already doing this on a voluntary basis, this change, once adjusted to, generally has minimal impact on operations and labor costs.

For the second impact, there are three primary contributors to changes to the service rates that businesses will pay: the cost of collection, the distance and cost to transfer or processing facilities, and the cost of processing the food scraps into energy or compost. Almost every local government in the region is providing food scraps collection service to businesses currently and setting a rate for it

(Portland does not set rates for commercial services). Staff expects that this ordinance, by adding more businesses to routes, will help improve the efficiency of the current collection system.

To mitigate the costs of taking the food scraps from the collection route to a transfer point or processor, implementation of this ordinance would be accompanied by temporary Access to Transfer Services payments to offset additional costs from transporting separated food scraps a longer distance than they currently are when collected as garbage. These payments would go to local governments (or possibly haulers) in order to mitigate the additional costs of collection service.

The third cost contributor is the amount of the food scraps tip fee. The current tip fee at Metro Central Transfer Station is \$66.23 per ton, which is approximately \$9.00 per ton less than the actual cost. The Metro Council chose to subsidize the commercial food scraps rate in order to stabilize the rate and aid in the development of the region’s food scraps system. The future cost and tip fee is uncertain, as Metro is in negotiations for a new anchor facility to process the region’s food scraps into energy.

Finally, as rate setters, local governments have influence over waste collection rates. Some jurisdictions have structured food scraps collection rates to spread the costs across all businesses, mitigating the costs to participating business and acknowledging the broad public good that comes from recycling food scraps. Businesses will also have some control over the rates they would pay. If a business can substantially reduce its garbage service, that may outweigh any additional costs associated with food scraps service. This is likely only possible for the largest generators.

Local Recovery Effects

Metro and local governments estimate that commercial food scrap recovery tonnages from the covered businesses would be as follows:

Business Group 1, starting in 2020	Business Group 2, starting in 2021	Business Group 3 (including K-12 schools), starting in 2022	Total Tons	Total tons at 50% separation rate
25,000–59,000 tons per year	Additional 6,000–14,000 tons per year	Additional 4,000–9,000 tons per year	35,000–82,000 tons per year	59,000 tons per year

Sources for Business Generation Estimates: Cascadia Consulting Group. *2014 Generator-Based Characterization of Commercial Sector Disposal and Diversion in California*. Publication # DRRR 2015-1543. California Department of Resources and Recycling and Recovery, September 2015, and State of Oregon Employment Department, Workforce and Economic Research Data.

Total recovery will be affected by the separation efficiency of each business (how much of their total food waste is separated from garbage and recycling) and the type of business in each group. The largest expected food waste generators are in the first group. The ranges noted above are from a low of 30 percent to a high of 70 percent separation efficiency rate. It is anticipated that most businesses will reach an average of 50 percent separation efficiency.

Environmental, Economic and Community Effects

Landfills are significant emitters of methane, and food scraps are a primary contributor to the production of methane in landfills. Methane is a very potent greenhouse gas—28 to 36 times that of carbon dioxide (CO₂) over a 100-year period. Methane emitted today lasts about a decade on average, which is much less time than CO₂ but methane also absorbs much more energy than CO₂. The net effect

of the shorter lifetime and higher energy absorption is reflected in its much higher global warming potential. Methane also accounts for some indirect effects, such as the fact that it is a precursor to ozone, and ozone is itself a greenhouse gas.

The goal of collecting food scraps is to capture environmental and economic benefits of turning that material into useful products or creating energy while reducing the negative environmental impacts associated with disposal. Putting food scraps in the garbage is a missed opportunity to capture these benefits. These benefits and the prevalence of food in our waste stream are the reasons it is identified as a primary material for recovery within the region's Regional Solid Waste Management Plan.

In addition to the benefits from recovering food scraps, the technical assistance that local governments and Metro will provide as part of this program will also advance businesses' efforts to prevent the wasting of food and donate any remaining edible food. Preventing the wasting of food has significant greenhouse gas emissions benefits and, in addition, wasted food is a main contributor to deforestation and the depletion of global water resources. Food donation programs help to address the needs of the 1 in 7 residents of our region who struggle to put enough food on the table. While many area food service businesses currently participate in edible food donation programs, experience in other communities indicates that food scraps separation requirements and collection programs result in increased donation of edible food. Vermont saw a 60 percent increase in food donations between 2015 and 2016 after implementation of its food scraps disposal prohibition, and Massachusetts saw a 25,000 ton increase in food donations in the year after implementation of its policy.

The government-to-business technical assistance is enhanced by two partnerships Metro has established to advance prevention and donation. The first is the *Food Waste Stops With Me* partnership with the Oregon Restaurant and Lodging Association, area food service businesses and local governments, Oregon Department of Environmental Quality and the World Wildlife Fund to co-develop resources and assist food service and hospitality businesses. The second, with the Oregon Food Bank, local governments and food pantries, is aimed at supporting food donation by grocers.

4. Budget Impacts

Technical Assistance Funds:

The Metro budget for fiscal year 2018-19 for funding to local governments for staff to provide food scraps recycling assistance to businesses is \$400,000. If the Metro Council approves a region-wide required food scraps separation program, Metro staff intends to propose a revised budget for funding local government technical assistance to affected food generating businesses beginning in fiscal year 2019-20. Staff is in the process of determining the funding levels based on:

- the numbers of businesses in each jurisdiction,
- the anticipated staff hours required to bring businesses into compliance, and
- when these businesses will be brought into the program between 2020 and 2024.

Early estimates put that budget amount at between the current \$400,000 and \$720,000 annually, based on actual data from local government implementation of the voluntary program over the past 10 years.

Estimated Resources	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Total Local Government FTE	7	8	9	5	5
Budget (\$80,000 per FTE)	\$560,000	\$640,000	\$720,000	\$400,000	\$400,000
Increase over FY 2018-19 funding	+\$160,000	+240,000	+320,000	0	0

Labor hours increase as business groups are added over the implementation timeline due to the fact that as new businesses are added, follow-up visits and assistance for businesses brought into compliance during previous years will continue to be needed.

Access to Transfer Service Payments

As noted in the Anticipated Effects section above, staff proposes that implementation of the business food waste requirement include payments (to local governments or possibly haulers) to help offset additional costs related to collection and delivery of food scraps to transfer or processing facilities that are more distant than existing garbage facilities. In the worst-case scenario, in which all loads from the region must go to Metro Central Transfer Station only, these payments could range between a total of \$100,000 and \$550,000 per year between fiscal years 2019-20 and 2023-24, as listed below.

Access to Transfer Service Payments Highest Cost Scenario – Metro Central Only	
<u>Fiscal Year</u>	<u>Total Payments</u>
2019-20	\$104,000
2020-21	\$415,000
2021-22	\$503,000
2022-23	\$549,000
2023-24	\$141,000
Program Total	\$1,712,000

The addition of any other transfer location would considerably lower the amount of these payments

The amount of these payments equates to an increase of approximately \$0.29 to \$0.38 per ton on the Regional System Fee. The fee may not actually need to increase by these amounts based on other variables affecting it including the actual amount of the payments, increased availability of transfer services and ability to absorb payments in the existing budget.

The Access to Transfer Services Payment is temporary, serving as a bridge to mitigate collection cost impacts as the region works to provide additional and more geographically dispersed transfer options.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 18-1418.

Agenda Item No. 4.2

**Ordinance No. 18-1424, For the Purpose of Coordinating Comprehensive
Plans Regarding the Urban Service Boundary Between the Cities of
Portland and Beaverton**

Ordinances (First Reading and Public Hearing)

Metro Council Meeting
Thursday, July 19, 2018
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF COORDINATING)	Ordinance No. 18-1424
COMPREHENSIVE PLANS REGARDING)	
THE URBAN SERVICE BOUNDARY)	Introduced by Chief Operating Officer
BETWEEN THE CITIES OF PORTLAND)	Martha Bennett in concurrence with
AND BEAVERTON)	Council President Tom Hughes
)	

WHEREAS, under ORS 195.025(1) Metro is assigned responsibility for coordinating land use planning activities within its jurisdiction to assure integrated local comprehensive plans throughout the entire Metro region; and

WHEREAS, in 1997 the Metro Council adopted Ordinance No. 96-665C, which reflected a settlement agreement between the City of Portland, the City of Beaverton and Washington County regarding the provision of urban services to unincorporated areas of Washington County; and

WHEREAS, Metro Ordinance No. 96-665C adopted an urban service boundary map establishing the ultimate boundary of each city for future annexations, and directed the two cities and the county to amend their comprehensive plans to be consistent with that map; and

WHEREAS, in the last 20 years conditions have changed and the two cities have determined that several areas that were previously designated to be served by one city can be more efficiently served by the other; and

WHEREAS, on June 29, 2017 the two cities and Metro entered into an Intergovernmental Agreement (IGA) that revised the 1997 urban service boundary map and transferred responsibility for providing urban services to certain areas from one city to the other; and

WHEREAS, in the IGA the cities agreed to adopt amendments to their comprehensive plan maps consistent with the revised urban service boundary, and Metro agreed to formally recognize that the revised comprehensive plan maps are coordinated and to assign planning authority to each city consistent with the revised boundary; and

WHEREAS, on June 6, 2018 the City of Portland adopted Ordinance No. 189000 and on May 1, 2018 the City of Beaverton adopted Ordinance No. 4730 amending their comprehensive plans as required by the IGA; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Metro recognizes that the cities have fulfilled their obligations under the IGA, which is attached as Exhibit A to this ordinance, and that the cities' comprehensive plan maps are "coordinated" within the meaning of ORS 268.380, ORS 195.025 and Statewide Planning Goal 2.

2. Comprehensive land use planning authority for the urban service areas depicted on Exhibits D, E and F of the IGA are assigned to the City of Beaverton.
3. Comprehensive land use planning authority for the urban service areas depicted on Exhibits G and H of the IGA are assigned to the City of Portland.

ADOPTED by the Metro Council this ____ day of July 2018.

Tom Hughes, Council President

Attest:

Approved as to Form:

Miranda Mishan, Recording Secretary

Alison R. Kean, Metro Attorney

INTERGOVERNMENTAL AGREEMENT

between

City of Beaverton, Oregon

City of Portland, Oregon

and

Metro

PURPOSE

The purpose of this interagency agreement is to coordinate the orderly provision of future urban services to unincorporated areas between the Cities of Beaverton and Portland through recognition of an urban services boundary by Metro.

RECITALS

WHEREAS: The Cities and Metro are authorized under the provisions of ORS 190.003 to 190.030 to enter into intergovernmental agreements for the performance of any or all functions that a party to the agreement has authority to perform. This Agreement is made pursuant to the authority granted by ORS Chapter 190;

WHEREAS: The Cities have authority to adopt, amend, update and revise coordinated comprehensive plans pursuant to ORS 197.175;

WHEREAS: Metro has authority to coordinate city comprehensive plans pursuant to ORS 268.385 and ORS 195.025;

WHEREAS: Both Cities desire a corrected, updated, and mutually adopted urban service boundary recognized and coordinated by Metro.

NOW, THEREFORE, THE CITY OF BEAVERTON, OREGON, THE CITY OF PORTLAND, OREGON AND METRO AGREE AS FOLLOWS:

DEFINITIONS

For the purpose of this this interagency agreement the following terms have these meanings:

“Cities” means the City of Beaverton, Oregon and the City of Portland, Oregon.

“Initiate withdrawal of territory proceedings” means that city planning staff will submit for the city governing body’s consideration a resolution for withdrawal of territory consideration consistent with state law.

“Metro” means the metropolitan service district organized under ORS chapter 268 that is within the boundaries of Clackamas, Multnomah, and Washington counties.

“Parties” means the Cities and Metro.

“Urban Services” means:

1. Sanitary sewers,
2. Stormwater drainage,
3. Water,
4. Fire and police protection,
5. Parks,
6. Open space,
7. Recreation,
8. Streets and roads, and
9. Mass transit.

“Urban Services Area” means the areas depicted in Exhibits B and C of this agreement.

“Urban Services Boundary” means the line between the Cities as depicted in Exhibit A of this interagency agreement.

“Urban Services Provider” means any city, county or special district that provides an urban service.

AGREEMENTS

I. Urban Services Boundary and Areas

Within one year of the effective date of this interagency agreement:

- A. The Cities will consider adoption of ordinances amending the Urban Services Boundary to conform to the proposed Urban Services Boundary depicted in Exhibit A of this Agreement. The Cities will attempt to coordinate adoption of these ordinances to ensure close to contemporaneous effective dates. The Cities, upon amendment of the Urban Services Boundary Area, will incorporate the boundary amendments into their Comprehensive Plan Maps.
- B. After the Cities have adopted amendments described in section I.A of this Agreement, Metro will consider adoption of an ordinance:
 - 1. Recognizing the Cities' Comprehensive Plan Maps are "coordinated" within the meaning of ORS 268.380, ORS 195.025 and Statewide Planning Goal 2;
 - 2. Assigning comprehensive planning authority for the Urban Services Areas to be withdrawn from Portland's USB as depicted in Exhibits D, E and F of this agreement to the City of Beaverton; and
 - 3. Assigning comprehensive planning authority for the Urban Services Areas to be added to Portland's USB as depicted in Exhibits G and H of this agreement to the City of Portland.
- C. Metro will also publish and distribute the Urban Services Boundary and Urban Services Area as part of its Regional Land Use Information System.

II. Annexation

- A. The City of Beaverton will not annex territory within the City of Portland's Urban Services Area, which is depicted, in part, in Exhibit C of this interagency agreement.
- B. The City of Portland will not annex territory within the City of Beaverton's Urban Services Area, which is depicted only potentially in Exhibit B of this interagency agreement.
- C. Except for annexations by the City of Portland or annexations specifically provided by an intergovernmental agreement between the City of Portland and a separate service provider, the City of Portland authorizes Metro to not process, record, map or make effective any annexation within the City of Portland's Urban Services Area.

III. Withdrawal of Territory

- A. The City of Portland will, upon request of the City of Beaverton, initiate withdrawal of territory proceedings for properties depicted in Exhibit D, E and F for the purpose of allowing annexation to the City of Beaverton and, contemporaneously, annexations by affected special districts.

- B. Any action to withdraw properties depicted in Exhibit D, E and F from the City of Portland is contingent upon contemporaneous annexation proceedings for the same properties by the City of Beaverton. The effective date of annexation by the City of Beaverton must be the same as the effective date of withdrawal of territory by the City of Portland.
- C. The Cities authorize Metro to not process, record, map or make effective any withdrawal of territory that results in the creation of new unincorporated territory.

IV. City Urban Services

Unless authorized by an existing intergovernmental agreement or by an amendment to this Agreement, after the City of Portland and the City of Beaverton amend their Urban Services Boundary Areas consistent with Section I of this Agreement:

- A. The City of Portland will not provide new or upgraded urban services within the City of Beaverton or within Beaverton’s Urban Services Area.
- B. The City of Beaverton will not provide new or upgraded urban services within the City of Portland or within Portland’s Urban Services Area.

V. Other Urban Services

Unless first authorized by an amendment to this interagency agreement, or by an interagency agreement between the City of Portland and a separate service provider, Metro will not process, record, map or make effective:

- A. Formation of any new urban services provider district within Portland’s Urban Services area, or
- B. Expansion of the boundaries of any existing urban services provider within Portland’s Urban Services area.

VI. Further Obligations

Nothing in this agreement obligates the Cities to annex territory or withdraw territory from the boundaries of any district that provides urban services. This agreement does, however, establish that the Cities are “appropriate parties,” within the meaning of ORS 195.020 (3) to enter into future coordination agreements with urban services providers pursuant to ORS 195.020 (4) and 195.065.

VII. Costs and Compensation

Each Party assumes its own costs of carrying out this interagency agreement. No payments will be made by one Party to another Party.

VIII. Maintenance of Records

- A. The Cities will each maintain a copy of the Urban Services Boundary map as a public record under a permanent retention schedule, and will maintain an electronic version of the boundary as geospatial data in formats acceptable to Metro and the Oregon Department of Land Conservation and Development.
- B. Metro will maintain the Urban Services Area map and the Urban Services Area maps as public records under a permanent retention schedule, and will maintain an electronic version of these areas as geospatial data in formats acceptable to the Cities and the Oregon Department of Land Conservation and Development.

IX. Term of this Agreement

This Agreement shall remain in effect until terminated as follows.

This agreement may be terminated:

- A. By mutual written agreement of all parties; or
- B. Upon 90 days written notice by one party to the other two parties.

X. Amendment of this Agreement

This agreement may be amended at any time by agreement of all Parties. No amendment will become effective until it is reduced to writing and signed by all Parties.

XI. Indemnification

Subject to the limitations of the Oregon Tort Claims Act and the Oregon Constitution, the City of Portland agrees to indemnify, hold harmless and defend the City of Beaverton and Metro, their officers, employees and agents from and against all claims, suits, actions, of whatsoever nature, damages or losses, and all expenses and costs incidental to the investigation and defense thereof including reasonable attorney fees, resulting from or arising out of the acts of the City of Portland or its officers, employees or agents under this Agreement.

Subject to the limitations of the Oregon Tort Claims Act and the Oregon Constitution, the City of Beaverton agrees to indemnify, hold harmless and defend the City of Portland and Metro, their officers, employees and agents from and against all claims, suits, actions, of whatsoever nature, damages or losses, and all expenses and costs incidental to the investigation and defense thereof including reasonable attorney fees, resulting from or arising out of the acts of the City of Beaverton or its officers, employees or agents under this Agreement.

Subject to the limitations of the Oregon Tort Claims Act and the Oregon Constitution, Metro agrees to indemnify, hold harmless and defend the City of Beaverton and the City of Portland, their officers, employees and agents from and against all claims, suits,

actions, of whatsoever nature, damages or losses, and all expenses and costs incidental to the investigation and defense thereof including reasonable attorney fees, resulting from or arising out of the acts of Metro or its officers, employees or agents under this Agreement.

XII. Conflict Resolution

In the case of a dispute under this Agreement, the planning directors of the parties shall attempt to resolve the dispute informally. If a dispute between the Cities cannot be resolved through this process, the Cities agree to submit any dispute to Metro for assistance in resolving the dispute.

XIII. Status of Earlier Maps

The maps in this interagency agreement supersede the maps in Metro Ordinance 96-665C. Metro will amend the map attached to Ordinance 96-665C to conform to this agreement, and will repeal language concerning policies to be added to comprehensive plans.

XIV. Compliance with Laws

Each party shall comply with all applicable federal, state and local laws and regulations in connection with activities under this Agreement.

XV. Effective Date

The effective date of this interagency agreement is the date of the last of the three signatures on the attached signature page.

XVI. Entire Agreement

This Agreement and its Exhibits are the entire agreement among the parties with regard to the subject matter herein. There is no other oral or written agreement among the parties with regard to this subject matter.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

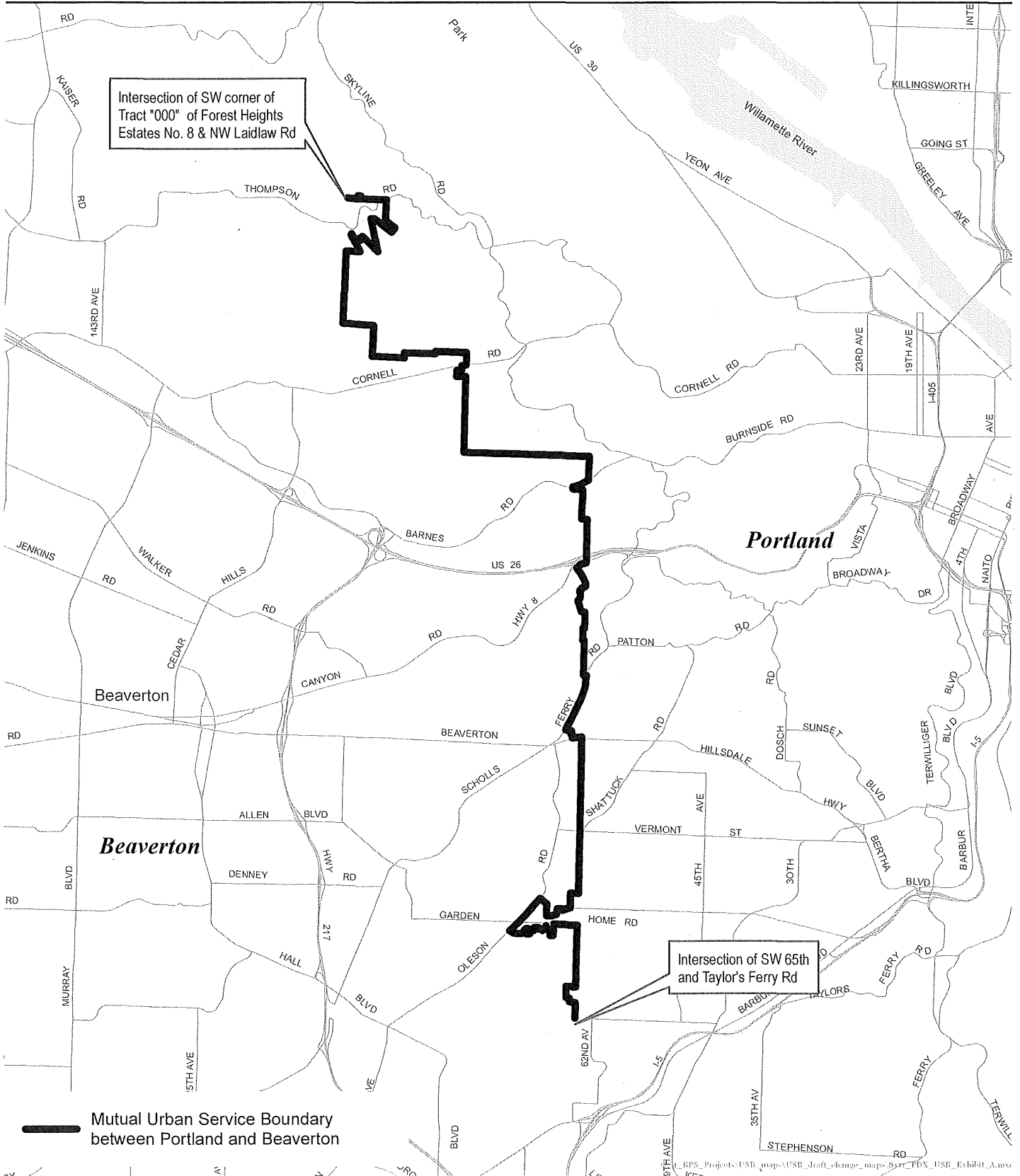
For the City of Beaverton  _____ Mayor Date: <u>5/31/17</u>	For the City of Portland  _____ Mayor Date: <u>6/15/17</u>	For Metro  _____ Chief Operating Officer Date: <u>6/29/17</u>
Approved as to form:  _____ City Attorney	Approved as to form:  _____ City Attorney	Approved as to form:  _____ Metro Attorney

Effective Date: June 29, 2017

Exhibits A through H are attached and made a part of this agreement.

Exhibit A

Portland Urban Service Boundary



March 4, 2015

City of Portland, Oregon
Bureau of Planning & Sustainability
Geographic Information System

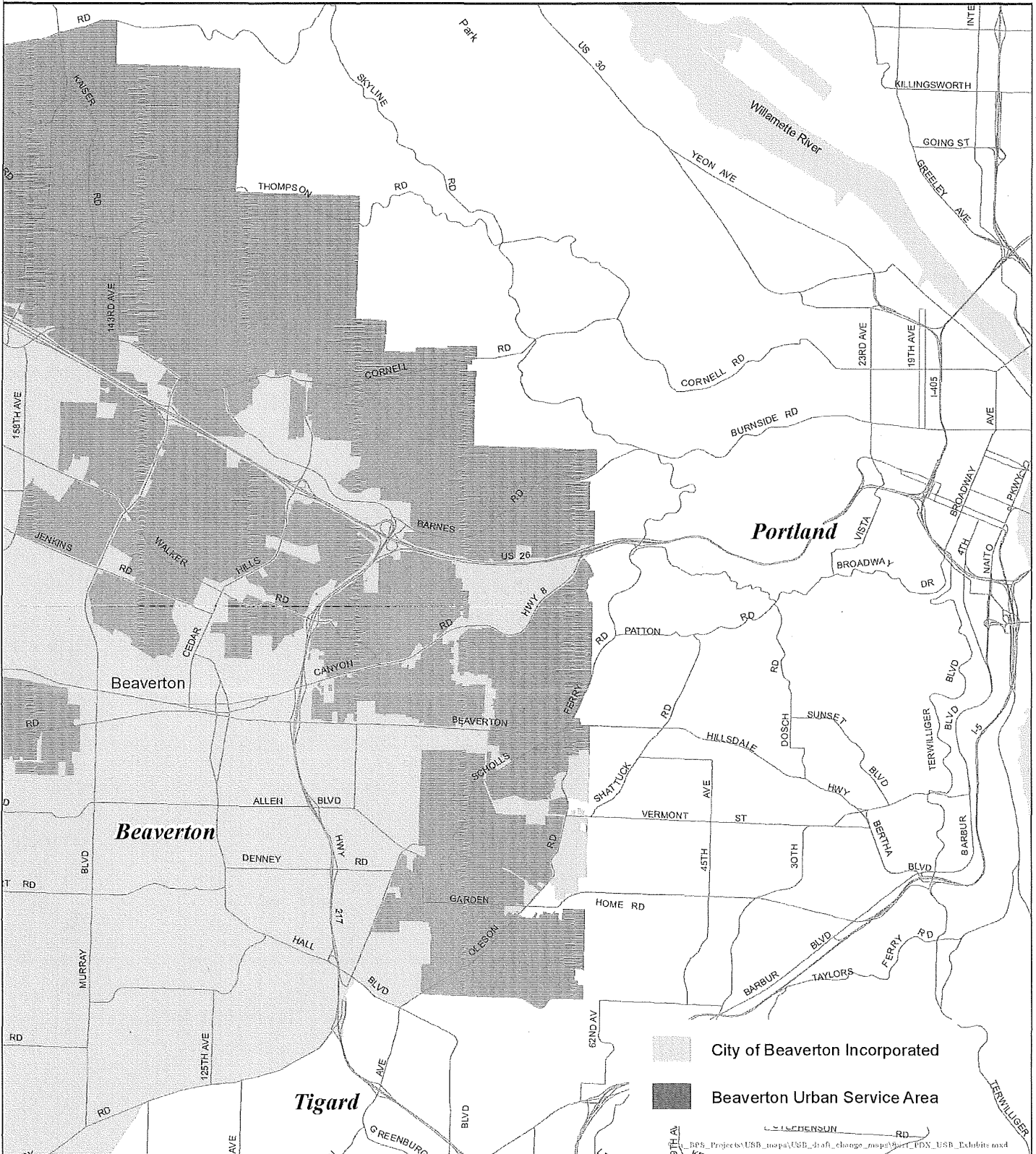


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Exhibit B

Beaverton Incorporated & Urban Service Area



March 3, 2015

City of Portland, Oregon
 Bureau of Planning & Sustainability
 Geographic Information System



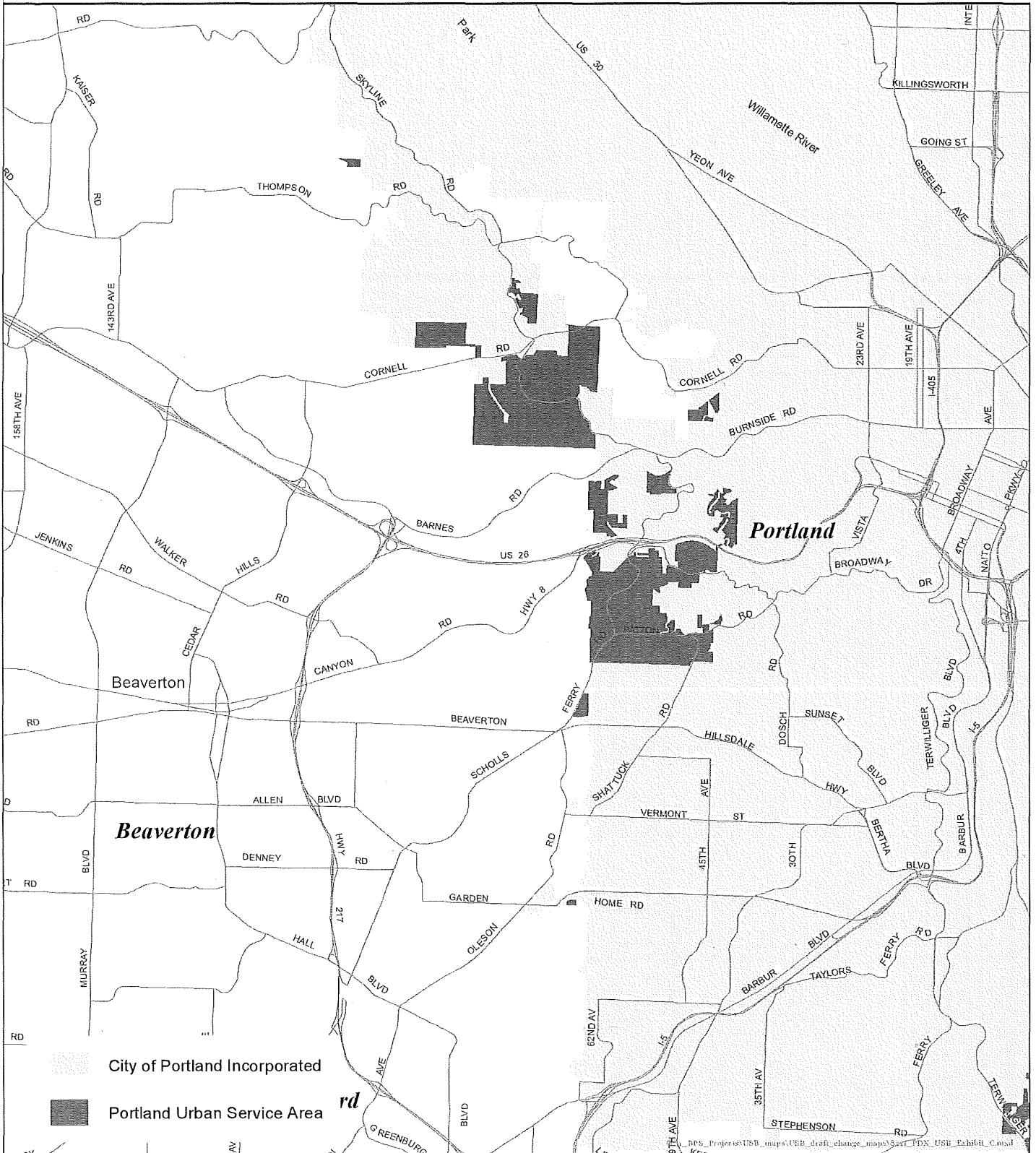
0 2,000 4,000 Feet



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Exhibit C

Portland Incorporated & Urban Service Area



March 3, 2015

City of Portland, Oregon
 Bureau of Planning & Sustainability
 Geographic Information System

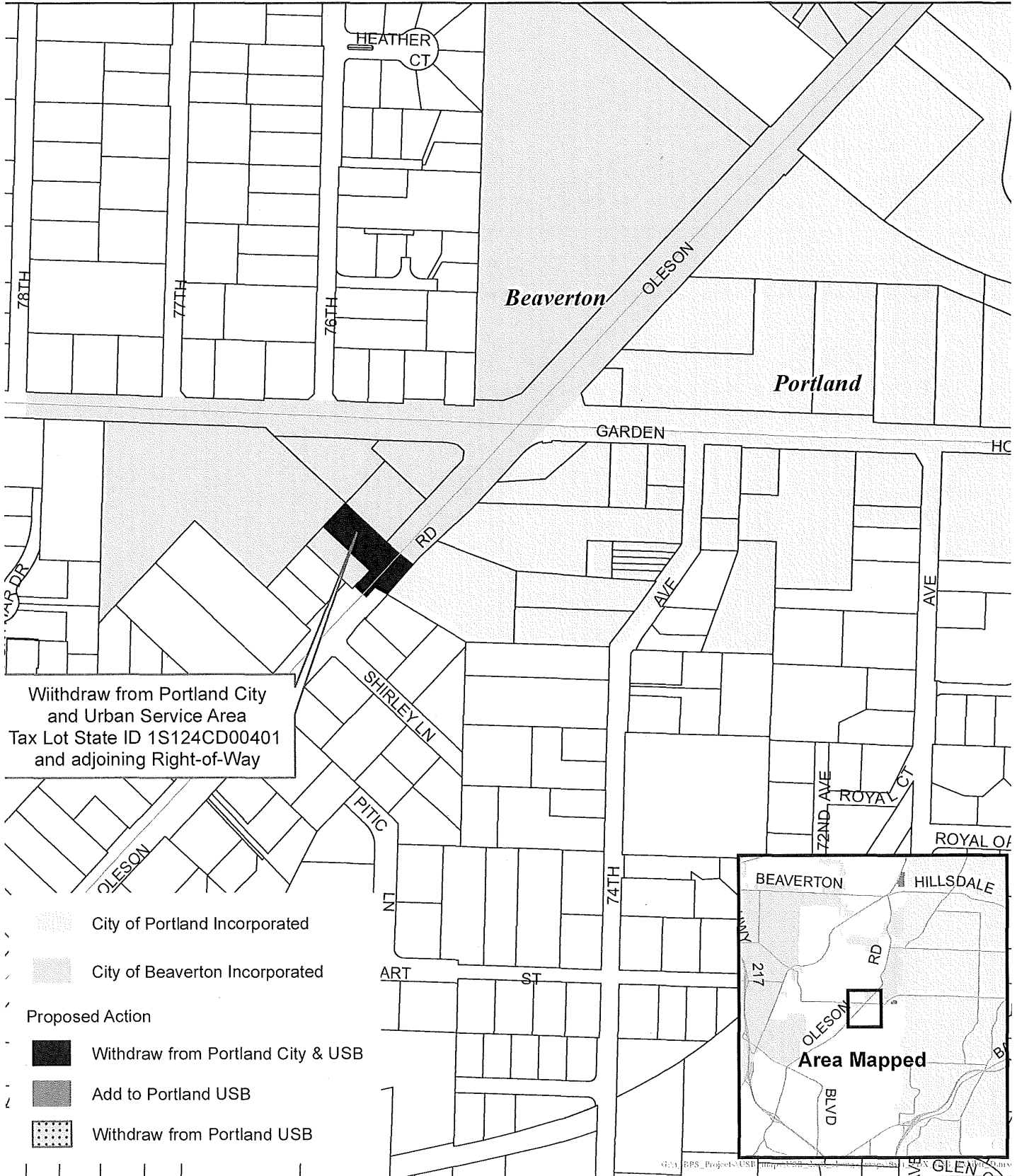


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Exhibit D

Portland Incorporated & Urban Service Area



March 4, 2015

City of Portland, Oregon
 Bureau of Planning & Sustainability
 Geographic Information System

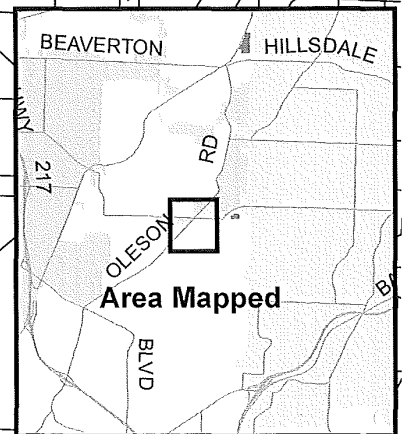
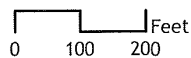
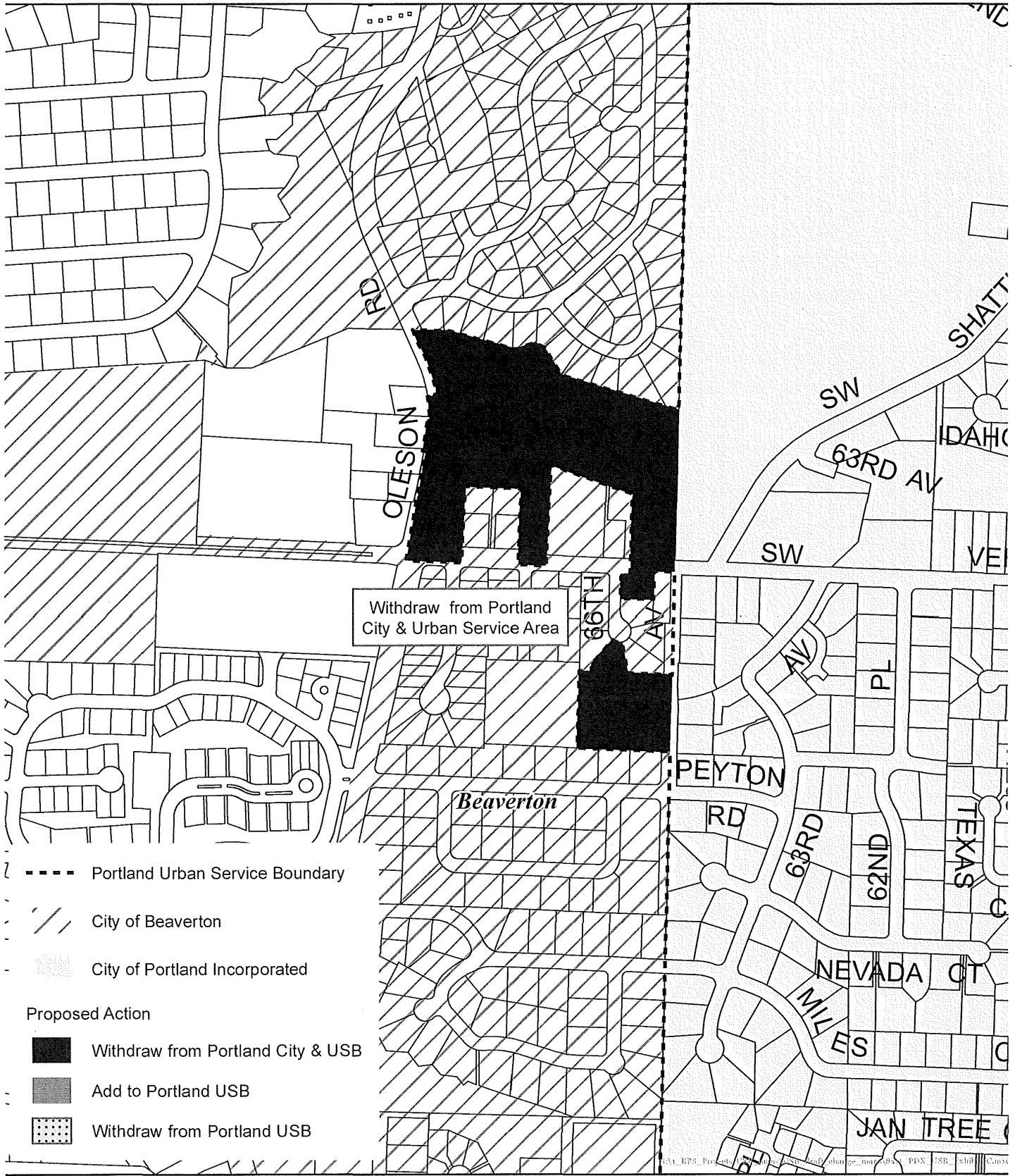


Exhibit E

Portland Incorporated & Urban Service Area



March 3, 2015

City of Portland, Oregon
 Bureau of Planning & Sustainability
 Geographic Information System

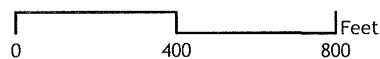
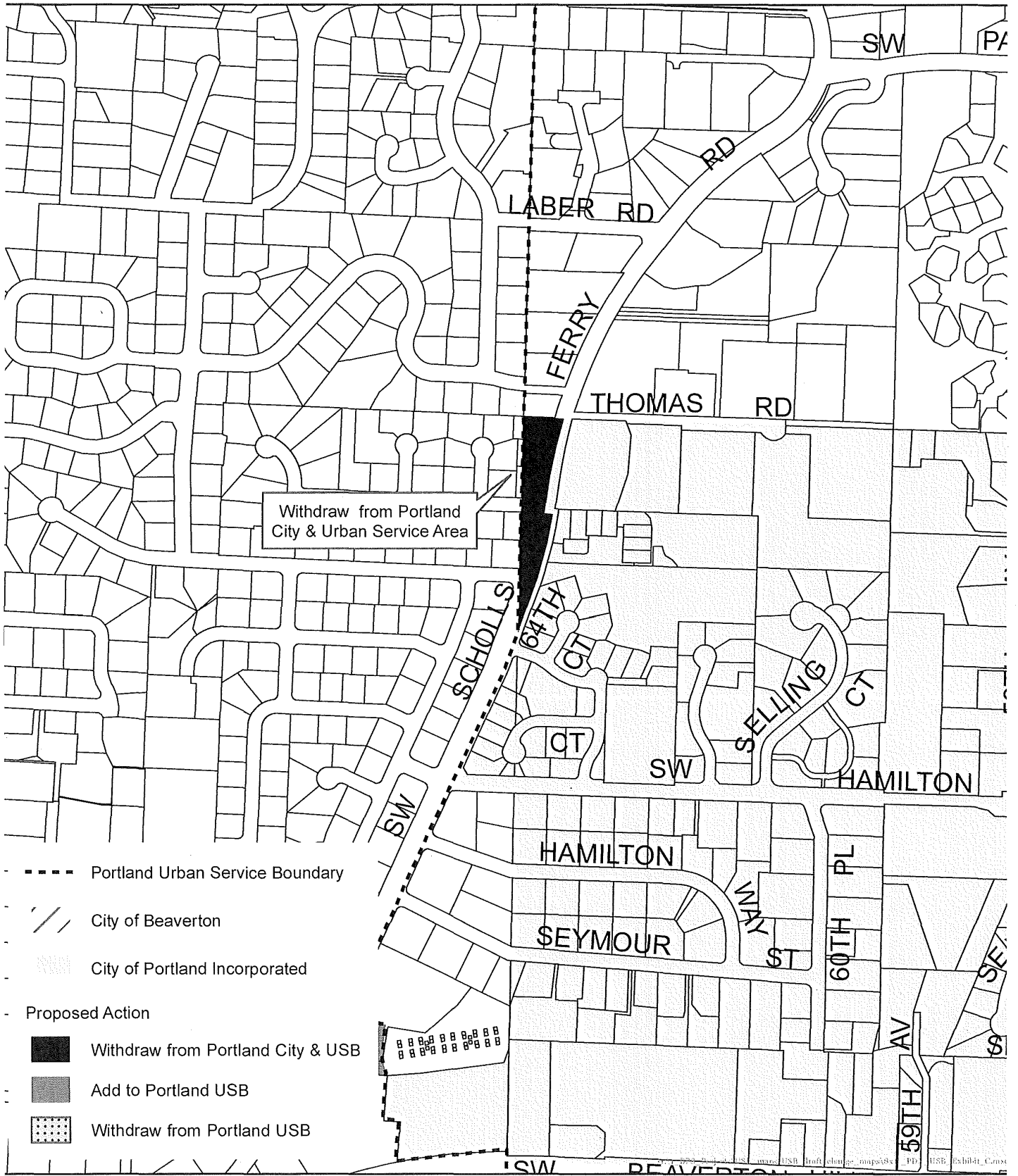


Exhibit F

Portland Incorporated & Urban Service Area



- - - - - Portland Urban Service Boundary
- /// City of Beaverton
- ▨ City of Portland Incorporated
- Proposed Action
- Withdraw from Portland City & USB
- ▨ Add to Portland USB
- ▨ Withdraw from Portland USB

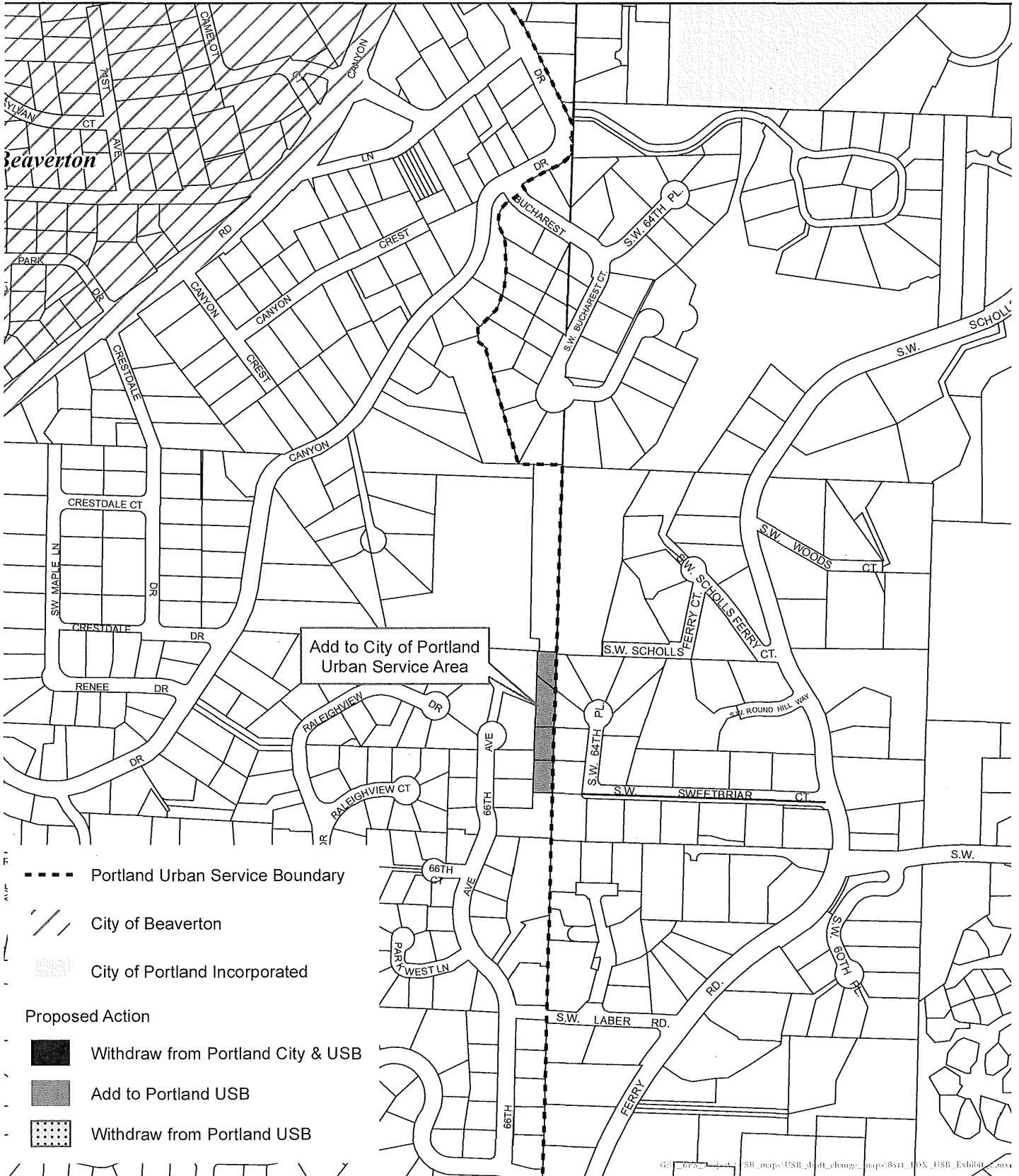
March 3, 2015

City of Portland, Oregon
 Bureau of Planning & Sustainability
 Geographic Information System



Exhibit G

Portland Incorporated & Urban Service Area



March 3, 2015

City of Portland, Oregon
 Bureau of Planning & Sustainability
 Geographic Information System

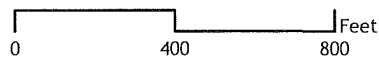
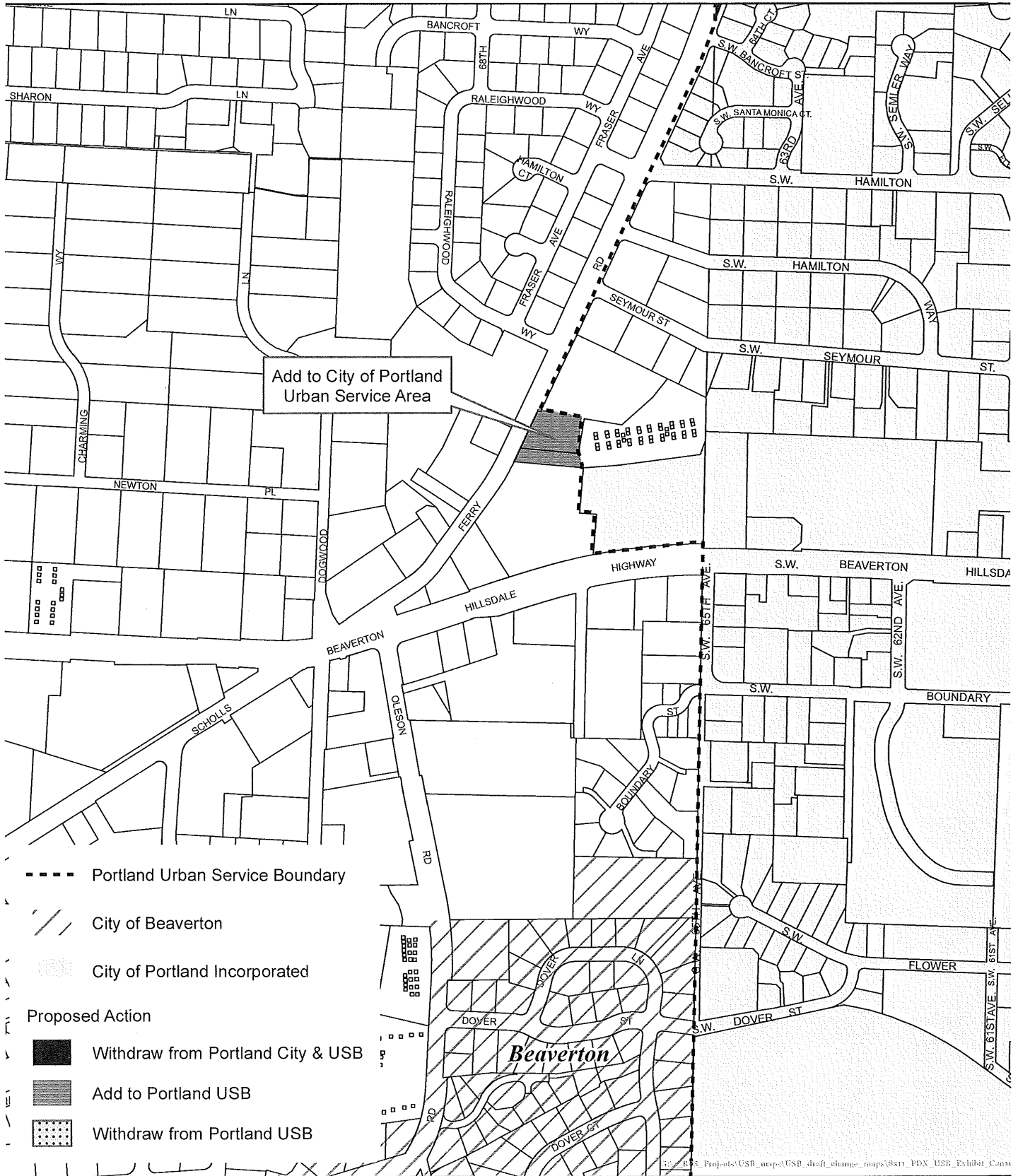


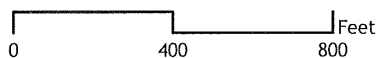
Exhibit H

Portland Incorporated & Urban Service Area



March 3, 2015

City of Portland, Oregon
 Bureau of Planning & Sustainability
 Geographic Information System



STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 18-1424 FOR THE PURPOSE OF COORDINATING COMPREHENSIVE PLANS REGARDING THE URBAN SERVICE BOUNDARY BETWEEN THE CITIES OF PORTLAND AND BEAVERTON

Date: July 12, 2018

Prepared by: Roger Alfred, Senior Assistant Attorney

PROPOSED ACTION

Adoption of Ordinance No. 18-1424 regarding the location of the urban service boundary between the City of Portland and the City of Beaverton and coordination of the cities' comprehensive plans.

BACKGROUND

Metro is assigned authority by ORS 195.025(1) to act as the coordinating body for land use planning activities among all cities and counties within its jurisdiction. In the early 1990s, the cities of Portland and Beaverton and Washington County were involved in a dispute regarding which jurisdiction should provide urban services in certain unincorporated urban areas in Washington County.

In its coordination role, Metro convened a settlement discussion among the county, the cities, special districts, and other stakeholders that resulted in agreement on an urban service boundary map depicting which jurisdiction would provide urban services and planning for which areas. That urban service boundary map was adopted by the Metro Council in 1997 in Ordinance No. 96-665C.

Over the last 20 years, conditions have changed and the two cities have determined that several areas that were previously designated to be served by one city would be more efficiently served by the other. Therefore, in 2017 the two cities and Metro entered into an Intergovernmental Agreement (IGA) that revised the 1997 urban service boundary map and transferred responsibility for providing urban services to certain areas from one city to the other.

In the IGA the cities agreed to adopt amendments to their comprehensive plan maps consistent with the revised urban service boundary, and Metro agreed to formally recognize that the revised comprehensive plan maps are coordinated and to assign planning authority to each city consistent with the revised urban service boundary.

The cities have now adopted ordinances amending their comprehensive plans to reflect the new urban service boundary, and this ordinance fulfills Metro's obligations under the IGA by recognizing that the comprehensive plans of the two cities are coordinated under state law, and by assigning future planning responsibilities to each city consistent with the revised urban service boundary map.

ANALYSIS/INFORMATION

Known Opposition: There is no opposition.

Legal Antecedents: ORS 195.025, ORS 268.380, Metro Ordinance No. 96-665C

Anticipated Effects: The adoption of Ordinance No. 18-1424 provides Metro's recognition that the comprehensive plans of the two cities are coordinated under state law, and assigns future planning responsibilities to each city consistent with the revised urban service boundary map.

Budget Impacts: There is no budget impact.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 18-1424.

Agenda Item No. 5.1

**Resolution No. 18-4864, For the Purpose of Requiring Metro Staff to
Develop Policy, Ordinance, and Rule that Prohibits the Landfill Disposal
of Commercially-Derived Food Waste Generated within the Region**

Resolutions

Metro Council Meeting
Thursday, July 19, 2018
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUIRING METRO)
STAFF TO DEVELOP POLICY, ORDINANCE)
AND RULE THAT PROHIBITS THE LANDFILL)
DISPOSAL OF COMMERCIALY-DERIVED)
FOOD WASTE GENERATED WITHIN THE)
REGION.

RESOLUTION NO. 18-4864
Introduced by Chief Operating Officer Martha
Bennett in concurrence with Council
President Tom Hughes

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 scraps generate methane which is 25 times more potent of a greenhouse gas than carbon dioxide; and

WHEREAS, food scraps are 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;

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.

WHEREAS, Metro intends to require local governments to adopt mandatory food waste collection programs for certain business groups; and

WHEREAS, Metro is responsible for the regulation and management of solid waste disposal in the region; and

WHEREAS, Metro, through its disposal authority, has a key role in ensuring increased recovery of the region’s food waste; now therefore,

BE IT RESOLVED that the Metro Council directs staff to take the following actions:

- 1. Develop policy, Ordinance and Rule to prohibit the landfill disposal of commercially-derived food waste generated within the Metro region.
- 2. Present the policy, Ordinance and Rule for Metro Council consideration and adoption no later than December 31, 2019.

ADOPTED by the Metro Council this 19th day of July 2018.

Tom Hughes, Council President

Approved as to Form:

Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 18-4864, FOR THE PURPOSE OF REQUIRING METRO STAFF TO DEVELOP POLICY, ORDINANCE AND RULE THAT PROHIBITS THE LANDFILL DISPOSAL OF COMMERCIAL- DERIVED FOOD WASTE GENERATED WITHIN THE REGION.

Date: July 19, 2018

Prepared by: Jennifer Erickson, 503-797-1647

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. More than half of the food disposed in the Metro region is from businesses.

In 2017, the Metro 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.

To that end, Ordinance No. 18-1418 and associated administrative rules were crafted over a twelve-month period by Metro staff from Property and Environmental Services, the Council Office and the Office of Metro Attorney, along with representatives from Beaverton, Clackamas County, Gresham, Portland, Washington County, and Oregon DEQ. The policy requires local governments within the region to adopt a mechanism for requiring separation of food scraps by certain business types.

In order to strengthen the required collection program, this Resolution for Council consideration conveys an intent to implement a food scraps disposal prohibition, beginning no earlier than January 2025, based on an assessment of implementation progress of the required food waste separation policy. This resolution is presented concurrently with the business food waste separation requirement ordinance to demonstrate Metro's commitment to maximizing commercial food waste recovery.

ANALYSIS/INFORMATION

Research from around the country has demonstrated that the effectiveness of collection programs is increased when businesses understand that a prohibition on disposal is forthcoming. Metro's commitment to maximizing recovery by signaling the intent to restrict disposal strengthens program

messaging and assists local governments with the implementation of required collection programs, waste prevention and donation.

This resolution allows Metro the flexibility to develop policy reflective of the required collection program's performance. If the program is meeting collection benchmarks, staff may recommend that a disposal prohibition implementation is delayed or not necessary until such time as the program is no longer meeting regional goals.

1. **Known Opposition** none.
2. **Legal Antecedents** Metro Charter Chapter II, Sections 4 and 6; Oregon Revised Statutes Chapter 268, Section 317; Oregon Revised Statutes 459A.010; Metro Code Title V, Chapter 5.10.
3. **Anticipated Effects** Adoption of this resolution would direct staff to develop a policy and associated legislation for Council consideration no later than December 31, 2019.
4. **Budget Impacts** None.

RECOMMENDED ACTION

Staff recommends Metro Council adoption of Resolution No. 18-4864.

Materials following this page were distributed at the meeting.

Economic Transportation Alliance

Back of the envelope cost

Port to Port Bridge locations

1. Columbia City OR and Caples Rd. Woodland WA
5. Camas Washougal WA and Troutdale OR

Environmental Impact Statement

Engineering

Bridge Construction

Approach Ramps

- A. Mid – level barge channel with bascule style bridge Or
- B. High – span bridge with marine clearance
High capacity, at least 3-lanes in each direction, pedestrian capacity

Projects 1 -5	OR	WA	Federal 75%	Totals
Columbia City OR and Caples Rd. Woodland WA	\$50-Million	\$50-Million	\$300-Million	\$400-Million
Camas Washougal WA and Troutdale OR	\$50-Million	\$50-Million	\$300-Million	\$400-Million
Subtotals	\$100-Million	\$100-Million	\$600-Million	\$800-Million

I-305 Freeway By-pass

Environmental Impact Statement

Engineering

Construction

Approach Ramps

Connecting to I-5 freeway in the northern Vancouver, southern Portland, and western HWY-30 Linnton

Connecting ports and industrial areas on one continuous corridor with connections to the I-5 freeway.

Two high-span bridges (Columbia and Willamette Rivers) * Viaduct * Tunnel * Freeway* Vehicle and Pedestrian friendly

Project 2	OR	WA	Federal 75%	Totals
I-305 Third Bridge freeway By-pass	\$725-Million		\$1,875-Billion	\$2.5 Billion
I-305 Third Bridge freeway By-pass		\$375-Million	\$1,125-Billion	\$1.5 Billion
Subtotal	\$725 Million	\$375-Million	\$3-Billion	\$4.1 Billion

Upgrades to I-5 freeway inside Right Of Way

3. Realign I-84 and I-5 entrance and interchange and realign Morrison Bridge exit inside Right Of Way
4. Upgrades to I-5 freeway northern end: Ramps refinements, full interchange Lombard, pedestrian upgrades to historic Columbia River Crossing Bridges inside Right Of Way

Projects 3-4	OR	WA	Federal 75%	Totals
3. Realignments	\$37-Million		\$113-Million	\$150-Million
4. Upgrades and additions inside ROW	\$50-Million	\$12.5-Million	\$187.5-Million	\$250-Million
Subtotals	\$87-Million	\$12.5-Million	\$200.5-Million	\$400-Million

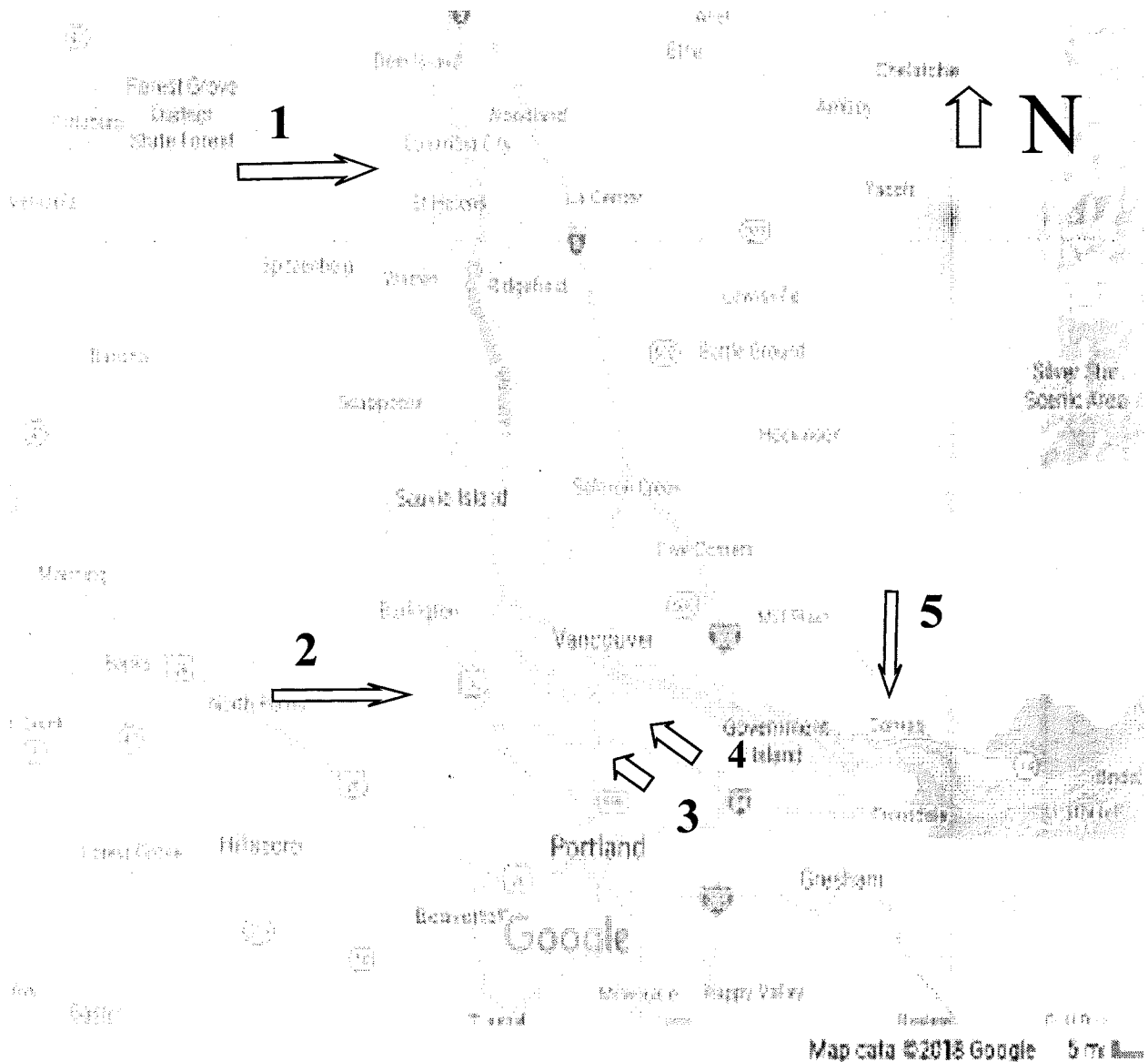
Funding amount divisions for

Three bridges across Columbia River, one over Willamette River, I-305 By-pass, Viaduct, Tunnel, Freeway, Vehicles and Pedestrian friendly, connecting our ports and industrial areas to major transportation infrastructure. While removing Hazards Material Truck Routes and overflow traffic from several neighborhood streets in Oregon and Washington

Projects	OR	WA	Federal	Totals
1. and 5.	\$100-Million	\$100 – Million	\$ 600 – Million	\$.800-Million
2.	\$725-Million	\$375 – Million	\$3 - Billion	\$4.1 -Billion
3. and 4.	\$ 87-Million	\$ 12.5-Million	\$ 158.5 Million	\$.250-Million
Total	\$912- Million	\$687.5-Million	\$3,758.5 Billion	\$5,050- Billion

Local funding Bonds, Lottery, and a limited time gas tax. Project specific grants and land value used as local matching funds

Overview Project Map

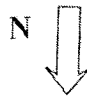


1. Columbia City OR and Caples Rd. Woodland WA
2. I-305 Freeway By-pass
3. Realign I-84 and I-5 interchange inside Right Of Way
4. Upgrades to I-5 freeway inside Right Of Way
5. Camas Washougal WA and Troutdale OR

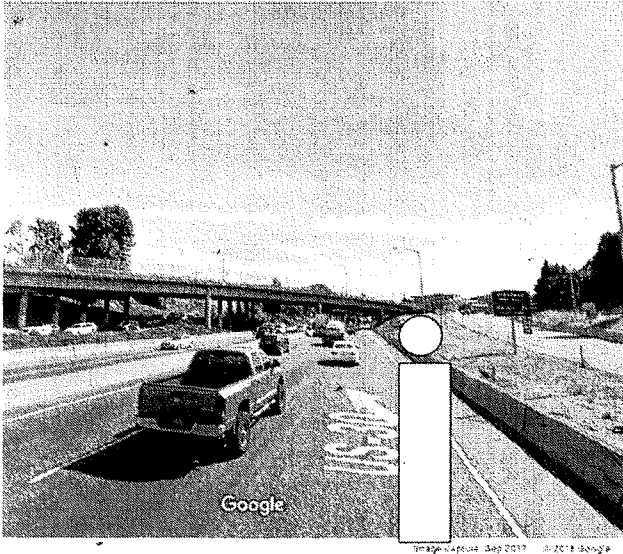
*Numbering for identification only

New Entrance to I-84

Looking south adjacent to the Lloyd Center exit. Look for I-84 freeway tunneling under Vancouver and Avenue overpasses, inside of the Right Of Way



aps 05-30



Lloyd Center exit

2-lanes of traffic



Tunnel under overpasses



New I-84 ent 1-lane



I-5 freeway 3-lanes merging into 2-lanes

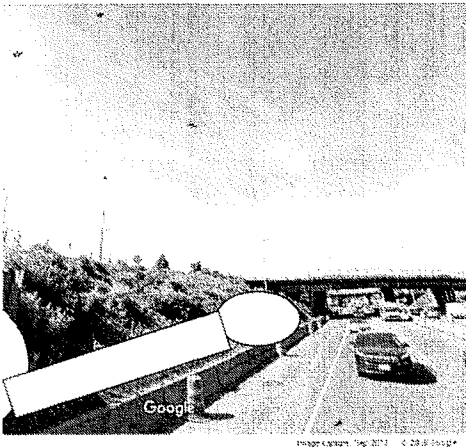


New Entrance to I-84

Place I-84 lane adjacent to I-5 southbound between overpasses. Use current Right Of Way, new lane traffic off of the I-5 freeway.



U-5-30



Entrance to I-84

duct adjacent to I-5 freeway and crossing
ance onto I-5 freeway from Rose Quarter
lit Of Way

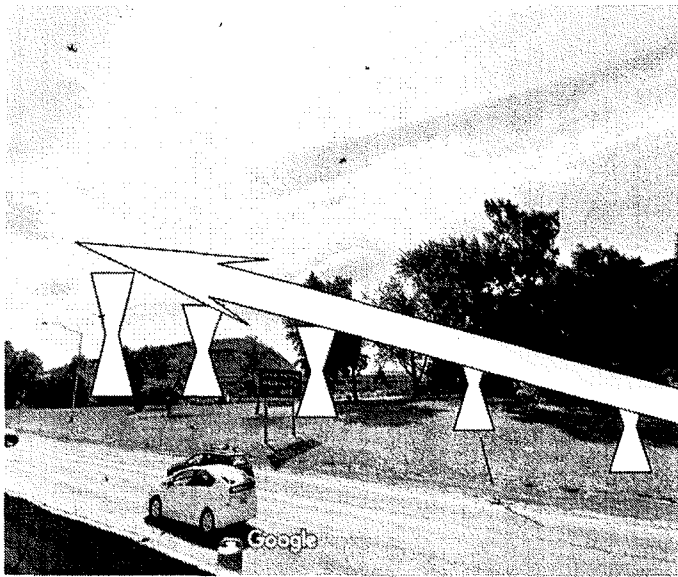
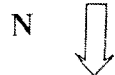


Image capture: Sep 2017 © 2018 Google

aces to I-84 East

ces 2-lane viaduct freeway crossing over the entrance to the I-5 freeway.
rance to I-84 freeway from surface level street connecting with viaduct
without having to enter I-5 freeway. The I-5 freeway south entrance
s the only way to get to I-84 surface level is to go onto the I-5 freeway
exit off the one exit going east from I-5 south.



le Maps 1400 N Williams Ave

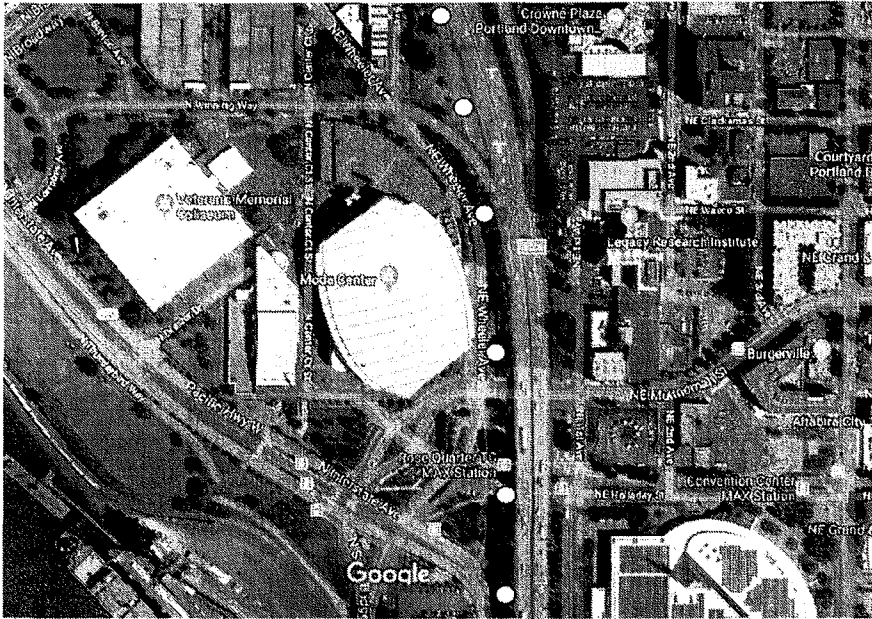


Image capture: Sep 2017 © 2018 Google

Piers for the new I-84 freeway on ramp, adjacent to the I-5 freeway.



le Maps



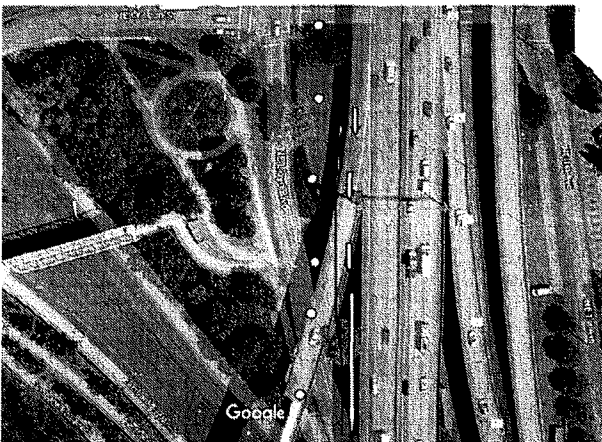
igitalGlobe, Metro, Portland Oregon, State of Oregon, U.S. Geological Survey, USDA Farm Service Agency, Map data © 2011

t ramp for City Center and Morrison St Bridge



up for City Center and Morrison St Bridge connect
mp providing a longer lane exiting

Maps



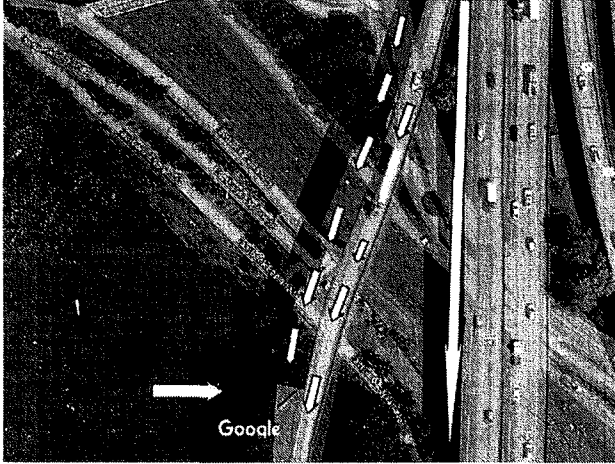
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Exit ~ New City Center Exist Alignment

st viaduct connection to existing I-84 exit. The former I-84 east
w viaduct exit to the Portland City Center and Morrison St
e of ROW

Image
APS



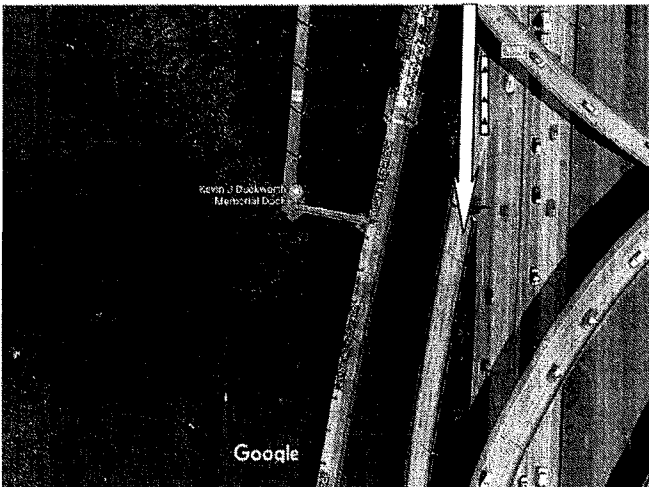
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City Center Exit Alignment



uct from former I-84 exit connecting to the existing City
d Morrison St. exit adjacent to I-5 freeway. The former exit
y Center is closed.

Image

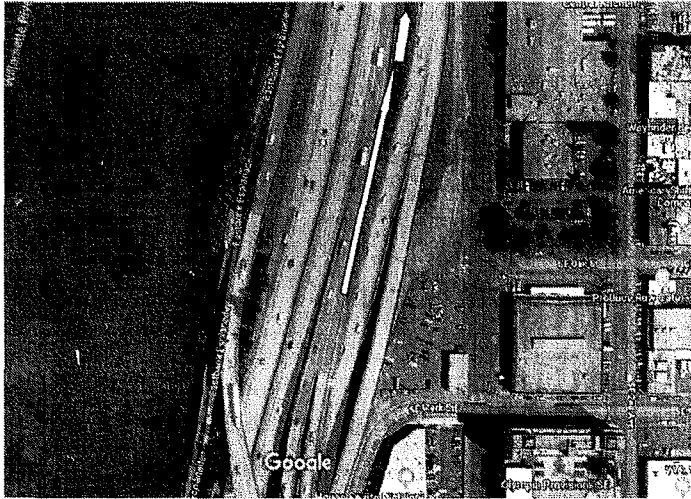


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access viaduct to Oregon Convention Center Lloyd Center District exit



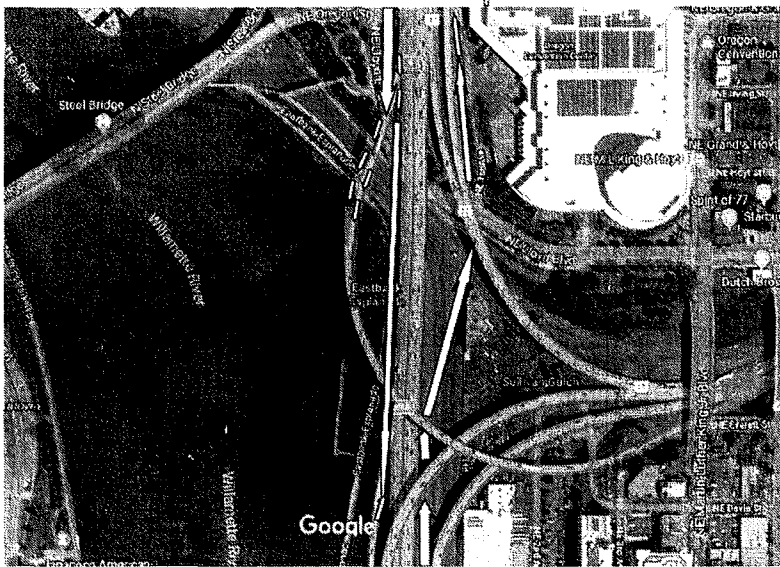
at Morrison St entrance onto I-5 freeway constructing a viaduct on the right side
I-5 and I-84 freeways as new 2-lane exit. Accessing Lloyd Center, Coliseum, Mode
regon Convention Center, and SE Industrial area using existing Oregon Convention
it viaduct from I-84 east. Traffic exiting off before the hill and I-84 east's merge
 freeway.



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ew # 3 Project Map I-5 Middle Area

I-84 ~ City Center ~ Morrison Bridge exits
 ess from I-5 to current Oregon Convention Center exit
 it connection to existing I-84 ramp east
 enter and Morrison Bridge extended exit from I-5 south to existing exits.
 Quarter ~ Oregon Convention Center area extended exit from I-5 north
 Maps

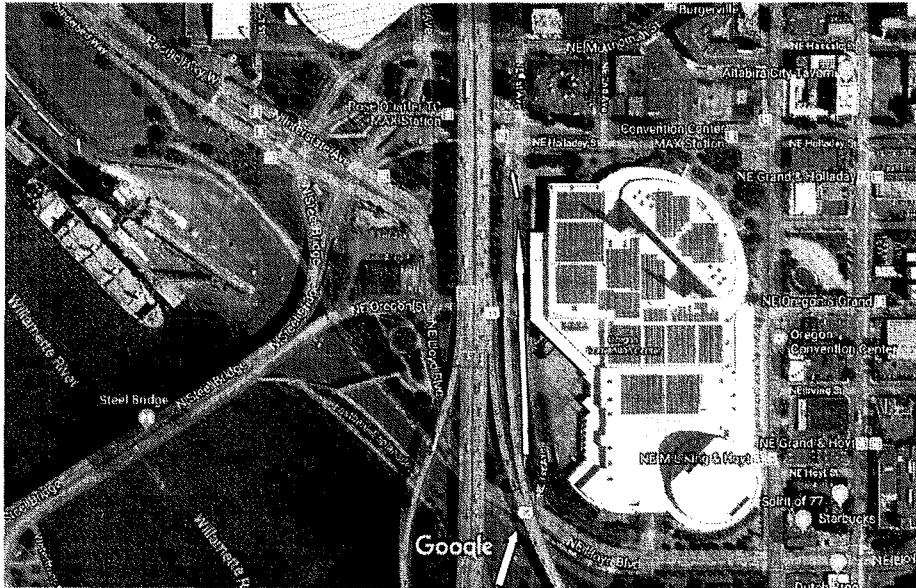


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new exit from I-5 north to Lloyd Center District

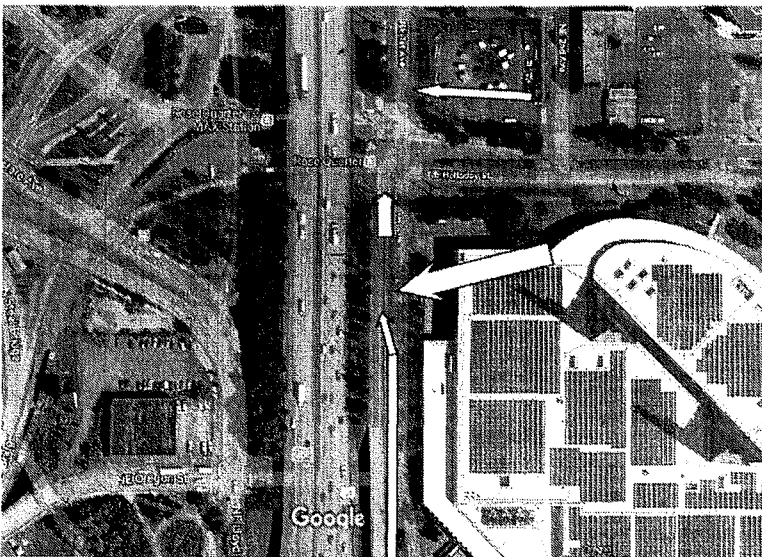


new 2-lane viaduct from I-5 north starting at the Morrison St. entrance to I-5
seaway at a low grade under the I-84 west to I-5 freeway connecting to the Oregon
Convention Center viaduct. The viaduct is inside ROW between I-5 and I-84
seaways above the SE heavy rail train yard in Sullivan's Gulch.



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proposed exit to access the convention center, events center, and access
Lloyd Center District lower grade truck friendly ramps using existing exit.



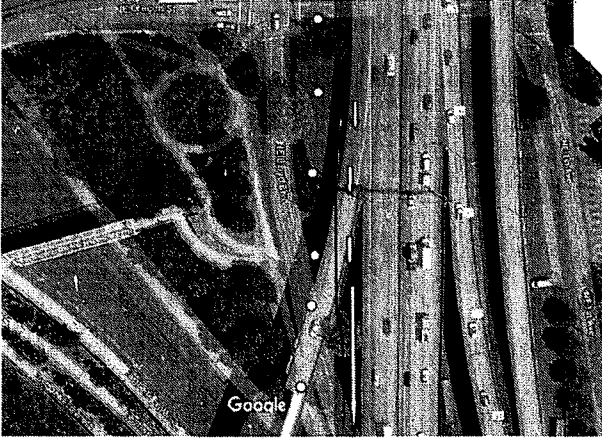
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Exit ramp for City Center and Morrison St Bridge



Exit ramp for City Center and Morrison St Bridge connects to Morrison St providing a longer lane exiting

Maps



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Metro

*600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov*



Metro

Minutes

Thursday, June 28, 2018

2:00 PM

Metro Regional Center, Council chamber

Council meeting

1. Call to Order and Roll Call

Council President Tom Hughes called the Metro Council meeting to order at 2:02 p.m.

Present: 6 - Council President Tom Hughes, Councilor Sam Chase, Councilor Betty Dominguez, Councilor Shirley Craddick, Councilor Craig Dirksen, and Councilor Bob Stacey

Excused: 1 - Councilor Kathryn Harrington

2. Public Communication

Mr. Art Lewellan, City of Portland: Mr. Lewellan discussed development in downtown Portland and encouraged the Metro Council to consider the pro's and con's of developing high rise buildings in the area.

3. Councilor Communication

Councilors provided updates on the following meetings or events:

Councilor Dirksen introduced Ms. Carla Stenberg, secretary of the Portland Rose Festival. Ms. Stenberg announced that the Metro float in the Grand Floral Parade had won the award for best overall mini float. She shared that the float had over 95% floral content, the highest of any float in the parade. Ms. Stenberg congratulated the Metro Council, and presented the award to Councilor Dirksen.

Councilor Dirksen provided an update on the Value Pricing Advisory Committee, and explained that the committee's member organizations were offered the opportunity to provide feedback on value pricing efforts. He explained that a letter had been drafted on behalf of the council to Chair Tammy Baney, of the Oregon Transportation Commission. He asked Ms. Tyler Frisbee, from Metro's transportation policy development team to discuss the letter. Ms. Frisbee

explained that the letter from the committee was based on direction that the council gave at a recent work session. She shared that the letter emphasized the council's commitment to safety, managing diversion and increasing transit access. Councilor Dirksen asked that council consider the letter and approve it for submittal to the OTC.

Councilor Chase asked that the letter include an emphasis on Metro's commitment to gathering input from underserved communities and communities that would be impacted by changes in the areas under consideration for value pricing. Ms. Frisbee noted that she would add a line that communicated these sentiments.

Councilor Craddick expressed appreciation for Ms. Frisbee's work and shared some of the highlights of the letter. Ms. Frisbee thanked the council for their input.

Council President Hughes asked for council authorization of a MERC and Metro Council Trade Promotional Mission. Councilors expressed their approval of the meeting between the MERC and Metro Council, and Council President Hughes signed the ethics document authorizing the meeting.

Councilor Chase provided an update on MPAC.

4. Consent Agenda

A motion was made by Councilor Dirksen, seconded by Councilor Craddick, that this item be adopted. The motion passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Dominguez, Councilor Craddick, Councilor Dirksen, and Councilor Stacey

- 4.1 **Resolution No. 18-4887**, For the Purpose of Adding or Amending Existing Projects to the 2018-21 Metropolitan Transportation Improvement Program Involving One Project Requiring a Programming Addition for ODOT (AP18-09-APR)

Attachments: [Resolution No. 18-4887](#)
[Exhibit A](#)
[Staff Report](#)

- 4.2 **Resolution No. 18-4897**, For the Purpose of Adding or Amending Existing Projects to the 2018-21 Metropolitan Transportation Improvement Program Involving Sixteen Projects Requiring Programming Additions, Corrections, or Cancellations Impacting ODOT, Portland, SMART, TriMet, and Washington County (JN18-11-JUN)

Attachments: [Resolution No. 18-4897](#)
[Exhibit A](#)
[Staff Report](#)
[Attachment 1 to Staff Report](#)

- 4.3

Attachments: [Consideration of June 21, 2018 Minutes](#)

5. Presentations

- 5.1 **Sponsorship Expenditures Follow-Up Audit**

Attachments: [Sponsorships Follow-Up Audit](#)

Council President Hughes introduced Metro Auditor Brian Evans to provide a presentation on the sponsorship follow-up audit. Auditor Evans reminded the council that follow-up audits allowed time to assess the status of recommendations after they had been made. He provided background on sponsorship expenditures. Auditor Evans introduced Ms. Simone Rede, Senior Management Auditor. She shared the results of the follow-up audit. Ms. Rede discussed the changes in sponsorship processes that had

increased the odds that sponsorship decisions were being made consistently. She noted that improvements were still necessary.

Ms. Rede highlighted some of the pitfalls of the current sponsorship process, including payments that did not meet the sponsorship definition, and that some payments did not follow sponsorship procedures.

Auditor Evans introduced Ms. Ina Zucker, Metro Council Office Director for the management response to the follow-up audit. Ms. Zucker thanked Auditor Evans for his office's work on the sponsorship program. She described the changes that the sponsorship team had made to their processes, and noted that there was progress to be made. Ms. Zucker identified specific areas of improvement, and highlighted the ways that the sponsorship program had become more accessible and transparent since the 2014 audit.

Council Discussion:

Councilor Stacey asked about two particular outlier sponsorship payments, and asked for clarification that these amounts had been separately reviewed. Auditor Evans shared that these payments were intended to be a part of the partnership program, but at the time the formal partnership program did not exist.

Council President Hughes clarified that one of the payments that did not meet sponsorship criteria was due to an issue of categorization rather than the misspending of funds. Auditor Evans shared that part of the problem was the

process. He explained that process for approving a membership was different than the process for approving a sponsorship, and noted that it was important for transparency and accountability that these two processes were very different.

Councilor Craddick asked about the next steps of the audit. Auditor Evans shared that they would come back to the audit if there were indications of any problems. Ms. Zucker explained how the sponsorship program was addressing and adopting the recommendations made by the auditor's office. She added that the sponsorship program provided opportunities for community groups, and that the program supported Metro's Racial Equity Strategy.

Councilor Chase thanked the auditor's office for their work and noted the importance of accuracy in these programs. He asked about the timeline and how progress had been made since the previous audit. Auditor Evans conveyed that three of the payments that did not meet the sponsorship criteria were made before the new guidance, and five were identified to have originated after the new guidance was given to the program.

Councilor Dominguez expressed appreciation for the sponsorship program and its role in advancing the racial equity strategy. She asked about the assessment criteria used to evaluate the sponsorship requests, and asked if requests were viewed with the same set of criteria each time. Auditor Evans shared that this was a part of the problem, and it was not clear from the audit if there were consistent criteria used. Ms. Zucker noted that there were

parts of the sponsorship program that were a part of the departmental budgets, and that certain departments were focusing on sponsorships to maximize the amount of funding available.

Councilor Dirksen expressed appreciation for the attention to detail from the auditor's office and their highlighting of the limitations of the program's processes.

6. Ordinances (Second Reading)

This item was adopted.

- 6.1 Ordinance No. 18-1423, For the Purpose of Determining that Affordable Housing is a Matter of Metropolitan Concern and Undertaking an Affordable Housing Function

Attachments: [Ordinance No. 18-1423](#)
[Staff Report](#)

Council President Hughes stated that the first reading and public hearing for Ordinance No. 18-1423 took place on Thursday, June 21, 2018. He informed the Metro Council that Mr. Andy Shaw and Ms. Ashley McCarron, Metro staff, were available for questions.

Council Discussion:

Councilor Chase expressed appreciation for Metro's role in affordable housing. He noted the history of Metro's involvement in affordable housing since 1979 and recounted milestones of this work.

Councilor Dirksen shared that the Metro Council was acting with direction from regional partners and the public. He emphasized that housing affordability was a regional issue.

Councilor Craddick conveyed her gratitude for staff's work on the housing measure.

Councilor Dominguez shared her support for Metro's affordable housing work, and added that the affordable housing bond was an important step in creating a livable and vibrant community.

Councilor Stacey emphasized that this was a regional movement, and expressed his support for the measure.

Council President Hughes explained that the housing measure was a direct response to stakeholder conversations and community outreach.

A motion was made by Councilor Stacey, seconded by Councilor Chase, that this item be adopted. The motion passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Dominguez, Councilor Craddick, Councilor Dirksen, and Councilor Stacey

Excused: 1 - Councilor Harrington

7. Resolutions

7.1 **Resolution No. 18-4884**, For the Purpose of Updating the Regional Trails System Plan Map

Attachments: [Resolution No. 18-4884](#)
[Exhibit A](#)
[Exhibit B](#)
[Staff Report](#)
[PowerPoint: Regional Trails System Plan Map](#)

Council President Hughes called on Mr. Jon Blasher for a brief presentation on the resolution.

Mr. Blasher discussed how the Regional Trails System Map and the Nature in Neighborhoods Grants worked to advance the parks and nature mission. He explained how community input shaped the work. Mr. Blasher shared the ways in which the Regional Trails System Plan Map and the Nature in Neighborhoods Grants addressed Metro's desired outcomes.

Mr. Robert Spurlock discussed the reasons for updating the system plan map. He explained the history of updates, and the purpose of the map. Mr. Spurlock recounted the changes that were reflected in the map, and some of the projects that were built recently. Mr. Spurlock shared some of the changes in geography that made the trail more accessible and safer. He introduced Mr. Yashar Vasef from the Community Cycling Center to discuss their Nature in Neighborhood Grant.

Mr. Vasef discussed the purpose and the history of the Community Cycling Center, and their work in providing bicycles to marginalized youth and communities. He explained the ways that the cycling center utilized Metro's regional trails, and how the grant money would be used to give opportunities to youth through their camps.

Mr. Vasef emphasized the need for these resources, and the importance of environmental education, and how it was incorporated in the center's activities. Mr. Vasef shared a personal anecdote to emphasize the importance of access to parks and nature.

Council Discussion:

Councilor Stacey expressed his appreciation for the regional

trails, and noted that the trails provided a valuable way for building community and bringing the region together. He thanked staff for their work on the trails.

A motion was made by Councilor Craddick, seconded by Councilor Dirksen, that this item be adopted. The motion passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Dominguez, Councilor Craddick, Councilor Dirksen, and Councilor Stacey

7.2 **Resolution No. 18-4896**, For the Purpose of Approving 2018 Nature in Neighborhoods Nature Education and Outdoor Experiences Community Grants

Attachments: [Resolution No. 18-4896](#)
[Exhibit A](#)
[Staff Report](#)

Council President Hughes called on Ms. Crista Gardner for a brief presentation on the resolution.

Ms. Crista Gardner explained the difference between this set of grants and grants from previous cycles. She shared that they had two grant categories, and that they had allocated \$3.8 million for the nature in neighborhoods community grants. Ms. Gardner introduced Juan Carlos Ocana-Chiu to discuss policy changes.

Mr. Ocana-Chiu shared some details of his work on the grants program and the grants review committee. He acknowledged Ms. Heather Nelson-Kent for her work on the grants program. Mr. Ocana-Chiu discussed the diversity, equity and inclusion elements that had been added to the grants programs, and the connection between the grants and Metro's Strategic Plan to Advance Racial, Equity, Diversity and Inclusion.

Mr. Ocana-Chiu discussed the evaluation process of the proposals. He explained that there were equity elements incorporated into the Draft Parks and Nature Action Plan, and shared how they were a part of the evaluation process. Mr. Ocana-Chiu introduced Tracy Price with Center for Diversity environment and the Environmental Education of Oregon.

Ms. Price highlighted the work that the Center for Diversity and the Environment had done. She discussed CDE's vision and how they worked towards their vision by harnessing the power of racial and ethnic diversity to enhance the environmental movement. Ms. Price explained how this work was being undertaken and why it was happening. She recounted how the partnerships were created through the leadership program and the relationships that were developed. Ms. Price introduced Mr. Daniel Jones.

Mr. Jones shared his personal experience with the Center for Diversity's Leader Program. He shared that the CDE interrupted the complex of dominant culture in the environmental movement.

Ms. Kerry Waters discussed how the project was brought together. She noted that the focus areas were power, people and professions, and explained how these focuses factored into their environmental work.

Mr. Ocana-Chiu highlighted the peer-review process that was essential in the Nature in Neighborhoods Community Grants program. He introduced Mr. Derron Coles, Executive Director of the Blueprint Foundation, and a member of the grant review committee.

Mr. Coles explained that the foundation worked in Portland to do career-specific mentoring for black identified youth. He added that they focused around diversifying the green movement and workforce. Mr. Coles recalled the different programs offered by the foundation, and discussed how the programs worked. He recounted the grant review process and the grant criteria.

Ms. Gardner explained each of the grants that were recommended for funding.

Council Discussion:

Councilor Chase expressed support for the grant recommendations. He explained that the region had been designed to be great for certain groups but left a lot of communities behind. Councilor Chase noted the importance of giving communities the tools to represent themselves and engage on their own terms.

Councilor Craddick shared her support for the grantees, and acknowledged the role of the voters for their support of bond measures to help fund these projects.

Council President Hughes emphasized the importance of funding these grants to perpetuate the value of inclusionary environmental stewardship.

Councilor Stacey highlighted that these grants demonstrated that there are many ways to connect with the natural world. He expressed his gratitude for the grant recipients for aiding the council in understanding the importance of community's relationships with nature.

A motion was made by Councilor Chase, seconded by Councilor Stacey, that this item be adopted. The motion

passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Dominguez, Councilor Craddick, Councilor Dirksen, and Councilor Stacey

8. Adjourn

There being no further business, Council President Hughes adjourned the Metro Council meeting at 4:06 p.m. The Metro Council will convene the next regular council meeting on July 19, 2018 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,



Miranda Mishan, Interim Legislative and Engagement
Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 28, 2018

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
3.0	Letter	6/28/2018	Draft Letter from Council to OTC	062818c-01
4.3	Minutes	6/21/2018	Council Meeting Minutes for June 21, 2018	062818c-02
7.0	Presentation	6/28/2018	Regional Trails System Update PowerPoint	062818c-03
7.0	Presentation	6/28/2018	Nature in Neighborhoods Grants PowerPoint	062818c-04



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

July 19, 2018

Council President Hughes and Members of Council,

I am Bruce Walker, Solid Waste and Recycling Program Manager for the City of Portland Bureau of Planning and Sustainability. I am pleased to offer testimony on the business food scraps separation requirement. Like Metro, Portland has been working hard to increase food scrap collection for many years. Adoption and implementation of this policy will help us to reach our Climate Action Plan goals. Portland's Bureau of Planning and Sustainability strongly supports this policy.

We agree that the voluntary approach is not enough

For over ten years, we have encouraged Portland businesses to sign up for food scraps collection service and provided technical assistance and resources. Over one thousand Portland businesses are already separating their food scraps. However, many food services businesses have yet to start and we need a broader range of participation to reach our goals. We support the mandatory requirement with a phased approach that starts with the largest food scraps generators.

We agree that a regional approach is needed

Portland adopted a food scraps separation policy in 2008, but we have been slow to implement the requirement. This is due, in part, to limited composting facility capacity in the region. Metro's leadership in establishing a new contract to ensure stable processing capacity is a huge step forward. We support your region-wide approach.

We agree that food scrap recovery is just a starting place

We know that end-of-life materials management is only one part of the solution. We look forward to working with Metro and other partners to encourage preventing wasting of food in the first place and supporting food donation efforts.

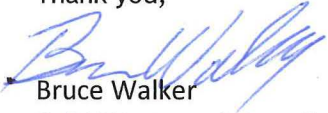
We encourage Metro to take steps that will lower costs to food generating businesses.

From our work in the community, we recognize that there are business barriers to participation in food scrap separation. The collection service is an additional cost and reducing costs for businesses that separate their food scraps will have a positive impact on the program. We encourage Metro to reduce the compostable materials tip fee by spreading those costs throughout the system.



I compliment the excellent work and perseverance of Metro staff on this effort and thank you for this opportunity to provide testimony.

Thank you,



Bruce Walker
Solid Waste and Recycling Program Manager
Bureau of Planning and Sustainability
City of Portland



May 15, 2018

Metro
600 NE Grand Avenue
Portland, OR 97232

To Whom It May Concern:

The Oregon Restaurant & Lodging Association has had the opportunity to review the updates to the proposed Metro code language and draft administrative rules relating to food scraps. At this time, we would like to share our comments as a part of the public record as we prepare for the public hearing currently scheduled for July of 2018.

ORLA is proud to be a partner in the current campaign (Food Waste Stops With Me) to bring higher levels of awareness to the importance of food waste recycling efforts. We applaud Metro and other participating governments for their work to lead the campaign, encourage change, and broaden the base of participants interested in being active recyclers of food waste.

As our opportunity to participate in public testimony this summer approaches, we would like to continue to express our support for the merits of a food waste collection program and the benefits it brings to Oregon communities.

Any mandate on all food related businesses will bring with it tremendous responsibility and unforeseen challenges that require problem solving and expediency. Our concerns with a food scrap mandate can be summarized into three categories: Implementation Dates, Logistics, and Health & Safety.

Implementation Dates

Our hope relating to implementation dates is that we can avoid instituting a new mandate on private businesses before giving the new project the opportunity to find its footing through a pilot project. For example, currently the proposed mandate would take effect on Business Group 1 as of March 31, 2020. Group 1 is defined as those food related businesses who generate 1,000 pounds of food waste or more per week. Without a pilot geographic area to test out any new mandate, Metro runs the risk of putting out logistical fires and health and safety issues across the entirety of Metro's expansive geographic boundaries. We highly recommend that a specific geographic territory limited in scope be subject to any new food scrap mandate with high levels of customer service being provided to the subject area by Metro staff to troubleshoot and solve problems quickly. We recommend a pilot project be implemented in two phases with the first phase being all government partners receiving taxpayer funds (Colleges & Universities, Correctional Facilities, Hospitals, and Elementary and Secondary Schools) involved in food scrap collection and the second phase being the remaining food related businesses within the given region.

If the goal is over time to provide a highly efficient, logistically proven food waste collection program that is safe for consumers and embraced by business partners then we would encourage the full utilization of this approach.

Through a geographically specific pilot program, Metro could streamline the important work of coordinating with both applicable haulers and local government partners and assess best practices, identify unintended consequences, and solve problems for the broader goals of the program.

Logistics

If approved as currently proposed, the Business Group 1 Food Scrap Mandate would include a patchwork of effected food related organizations across Metro's geographic boundaries. As a matter of efficiency and effectiveness, we have trouble seeing how a scattering of Group 1 participants across Metro's boundaries will be successful from a collection standpoint. Details with each applicable hauler would have to be worked out for only those entities who generate 1,000 pounds of food waste or more per week. Given current industry practices for garbage and recycling, we fail to see how a system will work to effectively and efficiently collect food waste (separate from garbage and recycling) and make sure the collection process is standardized across all applicable haulers and overseen in partnership with all applicable local governments.

If Metro were to focus on a specific territory, service delivery and program efficiency could be focused on through best practices and simpler stakeholder communication.

Public Health & Safety

Given the logistic concerns that could result from food waste collection services amongst Group 1 participants, industry members have been quick to scrutinize the problems that can be encountered with other regulatory bodies if food waste is not picked up on time and as scheduled in a safe and accessible location for applicable haulers. Any problems with pickup or collection procedures could directly impact businesses who rely on successful operations to pay their employees and provide a positive dining experience for their customers. It would not be surprising to see legitimate concerns raised by county health departments and the Oregon Health Authority relating to uncollected food waste, pest control, collection point accessibility issues, odors, homeless, litter, and other unforeseen challenges that could develop during or after normal hours of operation.

Conclusion

Given the importance Metro is placing on the food waste program, we feel the process for implementation to be the determining factor in a successful launch. And given the current constructs for how implementation is currently proposed, we feel a different approach will be necessary. We would like to recommend Metro work with the Oregon Restaurant & Lodging Association and other stakeholders to identify a geographic pilot sub region within Metro's boundary to launch a new food waste initiative. In addition, we highly recommend that Metro look more closely at food related organizations mentioned above as those who are best positioned to participate in a first phase of any pilot program (i.e. taxpayer funded organizations). Approaching the program in this way will showcase Metro's commitment to business partners who will be eager to see Metro's willingness to test out any new mandate before putting their private business operation at risk.

We greatly appreciate your consideration of our observations and your willingness to include them as part of the public record and ongoing discussions relating to food waste collections. Thank you for your time and attention and please reach out to us at any time for further communication on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Brandt", with a stylized flourish at the end.

Jason Brandt
President & CEO
Oregon Restaurant & Lodging Association
Cell Phone: 503-302-5060
Email: jbrandt@oregonrla.org

From: Marci Macfarlane
To: Sam Chase; Metro Council
Subject: Food Service Industry composting
Date: Monday, July 16, 2018 5:07:14 PM

Dear Mr. Chase,

I just read an article that states Metro Council is looking to require food service industry to compost food. Though I do not disagree with this policy, I ask that you start requiring apartment building to compost too. I would bet that the 80 unit apartment building 2 blocks from my house tosses more food into the garbage then the bagel shop in the bottom of the apartment building. It's truly a waste to require restaurants and other business establishments to compost when you do not require apartment buildings to compost.

Thank You
Marci Macfarlane
1627 N Going Court
Portland, Oregon 97217

From: [Scott Youngblood](#)
To: [Metro Council](#)
Cc: [Jennifer Erickson](#); [Ken Ray](#)
Subject: RE: Information about business food scraps policy coming to Metro Council on July 19
Date: Wednesday, July 11, 2018 7:26:41 AM

Dear Friends,

The proposed food scraps collection policy which you are presently considering offers a terrific opportunity to businesses like mine, the Embassy Suites by Hilton Portland Washington Square.

As an early adopter of food waste segregation, we have enjoyed multiple benefits. We began this process more than a year ago and have experienced the following:

- Our waste removal expense has decreased by 33% since separating food waste into its own container. As a business operator with ever-increasing costs, this is welcome relief.
 - With a compactor located just off of our loading dock, our traditional waste removal billing is based on weight. Food is the heaviest source of waste we generate and moving that wet, heavy food into a separate container to be picked up by our hauler has improved our business financially.
- Separation of food was made manageable by our partners at **Washington County Solid Waste and Recycling**. I cannot overstate the importance of their partnership and guidance through this process. From sourcing color-coded and labeled garbage cans for kitchen and banquet waste collection to biodegradable can liners to the appropriate steps to eliminate concerns over rodents, flies and other pests... Without this level of support, the likelihood of our sustained success in this effort would be radically diminished. I encourage you to invest in guiding businesses through this process so that it's more than an exercise in compliance and resistance.
- Our staff feels pride as a result of these efforts in ways which are difficult to measure. However, when we overhear our staff bragging to their customers about the success of our efforts, we know that we're doing the right thing.
- The fruit of this labor has been new-found courage to do more. When invited to participate in a METRO-sponsored workshop on food waste reduction, our Executive Chef and I joined other commercial foodservice operators in an afternoon of exploring the additional ways we can reduce food waste while creating residual benefits to our community, employees and planet.

You have my heartfelt encouragement to continue innovating with novel ways to add value to our lives as METRO-governed citizens while supporting the values which we all share as citizens: Fiscal responsibility, waste reduction, investment in future generations, and protection of limited resources.

Sincerely,

SCOTT YOUNGBLOOD
General Manager & Playground Director
Vice Chair, Oregon Tourism Commission dba Travel Oregon

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From: Ken Ray <Ken.Ray@oregonmetro.gov>

Sent: Tuesday, July 10, 2018 11:22 AM

To: Scott Youngblood <Scott.Youngblood@hilton.com>

Cc: Jennifer Erickson <Jennifer.Erickson@oregonmetro.gov>

Subject: Information about business food scraps policy coming to Metro Council on July 19

Hi Scott --

I am following up on the voicemail message I just left for you about Metro's proposed business food scraps collection policy, which will be coming before the Metro Council for a public hearing on Thursday, July 19. The Metro Council meeting that day begins at 2 p.m. in the Council Chamber at Metro Regional Center (600 NE Grand Avenue in Portland). I believe you and others from the Embassy Suites at Washington Square met with Jennifer Erickson and others from Metro last year on this topic, and I wanted to make sure you are aware of the upcoming Metro Council meeting and are able to attend and testify if you wish.

I've attached a brief one-page overview with the highlights of the policy and some guidelines on giving testimony at Metro Council meetings, in case this is helpful for you. The basic elements of the policy proposal are:

- Requiring food service businesses to separate their food scraps from other garbage and have it collected separately.
- Phasing in the requirement over three years starting in 2020, focusing first on the largest generators of food waste:
 - Phase 1: businesses that generate 1000 pounds a week or more of food scraps (about four roll-carts; mostly large restaurants and grocery stores) would be required to separate food scraps for collection starting in March 2020.
 - Phase 2: businesses that generate at least 500 pounds a week of food scraps (about two roll-carts) would fall under the collection requirement starting in March 2021.
 - Phase 3: businesses that generate at least 250 pounds a week of food scraps (about one roll-cart), plus K-12 schools, would fall under the collection requirement starting in September 2022.

I am happy to answer any questions you may have about this. It would be wonderful if you are able to join us. Thank you for your consideration of my request.

Ken Ray

Senior Public Affairs Coordinator

Metro | oregonmetro.gov

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Via email metro council@oregonmetro.gov



METRO COUNCIL PUBLIC HEARING
BUSINESS FOOD SCRAPS COLLECTION POLICY

July 19, 2018

TESTIMONY OF FOOD NORTHWEST

My name is Pamela Barrow and I am the Vice President of Food Northwest (formerly Northwest Food Processors Association). Food Northwest is an association of over 155 food manufacturing companies in Oregon, Washington and Idaho with over 250 facilities throughout the Northwest. Many of these companies are located in the Metro area and would be subject to the requirements of these new rules.

NWFPA members support Metro's goal to divert food waste from landfill. We urge Metro, however, to make every effort to assure that covered businesses do not experience large cost increases in meeting these new requirements.

One issue that we do not see addressed in the proposed policy and administrative rules is the increased costs to businesses that self-haul. Payments will be made to local governments to offset the business food waste program additional collection costs. This will mitigate costs to business that use a collection service. But, how will the additional costs of businesses that self-haul be offset? We suggest that provisions be made for the mitigation of these costs as well.

Food Northwest thanks Metro for this opportunity to comment and looks forward to continuing to work with Metro to refine the program provisions.



Home of the Tualatin River National Wildlife Refuge

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July 18, 2018

Mayor
Keith Mays

Council President
Sean Garland

Councilors
Renee Brouse
Russell Griffin
Jennifer Kuiper
Tim Rosener
Kim Young

Council President Tom Hughes
Councilor Craig Dirksen
Metro
600 NE Grand Avenue
Portland, Oregon 97232

Re: Proposed Food Scraps Policy

City Manager
Joseph Gall, ICMA-CM

Dear Tom and Craig,

In anticipation of the public hearing on July 19, 2018, I am writing to provide comments from the City of Sherwood about the proposed regional commercial food scraps policy. As we have followed the long process that Metro has led within our region to develop a commercial food scraps program, we certainly appreciate the modifications that have been made from the original proposal in late 2016. Metro has reached out a number of different times to their partners and the public and has received a large amount of testimony. This includes a number of conversations with the regional Mayors group.

While we are supportive of development of an improved regional commercial food scraps program, I continue to share similar concerns that have been primarily shared by the City of Hillsboro and Washington County Chair Andy Duyck about the latest version under consideration. Specifically, we remain concerned about the following fundamental aspects:

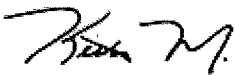
- First, we question Metro's authority to require cities and counties to pass an ordinance.
- Second, a full cost/benefit accounting to assess the impacts to individual businesses as well as ratepayers has not been

presented. Consideration of this policy and rules is premature without a cost/benefit assessment.

- Third, the lack of complete solid waste infrastructure in the region should be addressed before a policy is considered. Enacting a 'region-wide' policy without region-wide infrastructure creates inequities. We believe it also exacerbates the regional travel congestion problem and fosters an undue burden on truck drivers by forcing route trucks to haul material a much longer distance than they should have to.
- Fourth, the proposed solution to the infrastructure problem, in the form of a payments-in-lieu process, is a 'Band-Aid' solution without any indication of an earnest attempt to complete the regional solid waste infrastructure that could support the new policy.
- Finally, the threat to eliminate funds for technical support to businesses – the funds which are driving our current success – is counter to the intended objectives.

I have shared this letter with members of the Sherwood City Council and in our meeting held on July 17, 2018, a motion was passed (on a 6-0 Vote) to support submission of this letter to Metro prior to the public hearing on July 19, 2018.

Sincerely,



Keith Mays
Mayor

CC: Sherwood City Council
Joseph Gall, City Manager
Josh Soper, City Attorney