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

EXHIBIT A

MEMORANDUM OF UNDERSTANDING BETWEEN  
DOWNTOWN CLEAN AND SAFE  
THE CITY OF PORTLAND BUREAU OF PLANNING AND SUSTAINABILITY  
REGARDING

THE IMPROVEMENT OF DOWNTOWN PUBLIC SOLID WASTE AND RECYCLING COLLECTION

This memorandum of understanding (MOU) between Downtown Clean and Safe (Clean & Safe) and the City of Portland Bureau of Planning and Sustainability (BPS) reflects the roles and responsibilities of each party regarding Clean & Safe's donation of goods and services to improve downtown public solid waste and recycling collection. This MOU is effective as of the last date signed below and will continue in effect for five (5) years. The parties may extend the MOU for one additional five (5) year term. The terms of this MOU are legally binding.

Clean & Safe is an Oregon non-profit 501 (c) (3) organization formed by downtown property owners and managers within the Downtown Portland Business District. Clean & Safe provides services including cleaning, security, community justice services, market research and retail advocacy in the downtown district. The City of Portland, through its Bureau of Planning and Sustainability, contracts with private waste haulers to collect solid waste and recycling from public trash cans located in specified districts within Portland.

Heavy use of cans in the downtown district necessitates paying for more frequent cleaning, maintenance and repairs than in other districts to keep the cans in appealing and functional condition. These costs are also significantly higher for solar-powered-compacting cans, a style of can provided to BPS by the Portland Business Alliance Charitable Institute under an agreement in place since 2009.

BPS's standard can is a round concrete enclosure with a separate metal lid and a vinyl liner. While durable, these cans are unattractive and, ergonomically, are a health and safety concern for the hauler who must lift and empty the liner. BPS has tested a new style of can that has proven to be a superior product. It comes in different sizes, allows customized artwork, has an optional recycling side basket, and utilizes a roll cart that is ergonomically safer for the hauler to service.

Clean & Safe has offered to donate material goods and professional services to improve downtown public solid waste and recycling collection. These donations will supplement BPS's efforts to manage a clean, functional and effective program. Donated material goods will include new cans to replace older styles or to increase the total number of cans. Donated professional services will help maintain, repair and clean downtown cans. BPS accepts the offer of donations under the terms and conditions outlined below. All items donated to BPS under this MOU become the sole property of the City of Portland. BPS shall have authority to modify, manage or dispose of them as deemed necessary in BPS's sole discretion.

Clean & Safe responsibilities:

- Coordinate with BPS prior to placing order for items to be donated.
- Ensure items comply with all BPS policies, e.g. allowable graphics on public cans.
- Purchase items or services only from vendors pre-approved by BPS.
- Donate the purchased items to BPS. Items shall be subject to standard warranty terms, which will be provided at the time of donation.
- Coordinate placement of donated cans, in compliance with directions from BPS.

- Coordinate removal of existing cans with BPS as necessary for replacement with new cans.
- Coordinate timing of services with BPS, such as deep cleaning of cans, prior to placing work order with contractor.
- Directly receive and pay invoices from vendors or contractors for donated goods and services.

BPS responsibilities:

- Coordinate with Clean & Safe to prioritize programmatic needs that could be addressed by donations.
- Provide timely responses to Clean & Safe's questions or offers.
- Coordinate with Clean & Safe on the timing and delivery of donated items and services.
- Take possession of agreed-upon donated items from Clean & Safe. The City of Portland will cooperate with Clean & Safe in providing such documentation as may be reasonably required to support any applicable tax deductions available for the value of the donated items.
- Arrange for maintenance and repair of downtown garbage cans, based upon available budgeted funding.
- Collect information about the application, installation and performance of the goods and services donated by Clean & Safe. BPS may include information regarding the cans in periodic public reports.

Kevin Veaudry Casaus, a Senior Conservation Program Coordinator with BPS, will be the City of Portland's contact person.

Clean & Safe is independent of the City of Portland, and will maintain any records related to any federal, state, or local taxes and fees applicable to any funds raised for donations.

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Lynnae Berg, Executive Director  
Downtown Clean and Safe

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Date

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Susan Anderson, Director  
Bureau of Planning and Sustainability

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Date

Approved as to Form

City Attorney

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