



189231

EXHIBIT A

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

MEMORANDUM OF UNDERSTANDING BETWEEN
PEARL DISTRICT NEIGHBORHOOD ASSOCIATION AND
THE CITY OF PORTLAND BUREAU OF PLANNING AND SUSTAINABILITY
REGARDING
THE IMPROVEMENT OF PUBLIC SOLID WASTE AND RECYCLING COLLECTION

This memorandum of understanding (MOU) between Pearl District Neighborhood Association (PDNA) and the City of Portland Bureau of Planning and Sustainability (BPS) reflects the roles and responsibilities of each party regarding PDNA's donation of goods and services to improve public solid waste and recycling collection within the Pearl District. 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.

The PDNA is a 501(c)(3) organization that is one of 95 neighborhood associations recognized and supported by the City of Portland. It is composed of homeowners, renters, workers, students and business owners who volunteer to make the Pearl District a unique and attractive place to live, work and play. It advocates for the Pearl District working closely with the City of Portland and other communities to help build community for all. 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 Pearl District necessitates more frequent emptying and maintenance than in most other districts to keep the cans in appealing and functional condition.

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.

The PDNA has offered to donate material goods and professional services to improve the Pearl District's 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 and to increase the total number of cans. Donated professional services will help support City programs to manage solid waste and recycling in public spaces. 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.



PDNA 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 with BPS as necessary, in compliance with right of way and other restrictions.
- 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 PDNA to prioritize programmatic needs that could be addressed by donations.
- Provide timely responses to PDNA's questions or offers.
- Coordinate with PDNA on the timing and delivery of donated items and services.
- Take possession of agreed-upon donated items from PDNA. The City of Portland will cooperate with PDNA 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 Pearl District garbage cans, based upon available budgeted funding.
- Collect information about the application, installation and performance of the goods and services donated by PDNA. 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.

The PDNA 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.

Stan Penkin, President
Pearl District Neighborhood Association

Date

Joe Zehnder, Interim Director
Bureau of Planning and Sustainability

Date

Approved as to Form

City Attorney

