

## Intergovernmental Agreement

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Metro Contract No. 934318  
City of Portland 30005471

THIS AGREEMENT, entered into and under the provisions of ORS Chapter 190, is between Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 NE Grand Avenue, Portland, OR 97232-2736, and CITY OF PORTLAND'S BUREAU OF PLANNING AND SUSTAINABILITY (hereinafter referred to as "City"), whose address is 1900 SW 4<sup>TH</sup> Avenue, Portland, Oregon 97201.

In exchange for the promises and other valuable consideration set forth below, the parties agree as follows:

1. Purpose. The purpose of this Agreement is to establish the responsibilities of the parties in implementing the FY 2016-17 & FY 2017-18 Metro and Local Government Annual Waste Reduction Plan and the Recycle at Work Program.
2. Term. This Agreement shall be effective July 1, 2016, and shall remain in effect through June 30, 2018 unless earlier terminated in conformance with this Agreement, or extended by written amendment signed by both parties. Costs for this project may be incurred from date of last contract signature.
3. Services Provided and Deliverables. City and Metro shall perform the services described in the attached Scope of Work, which is made part of this Agreement by reference, and otherwise fully comply with the provisions in the attached Scope of Work (Attachments A, B, C and D).
4. Payment for Services. For fiscal year 2016-17, Metro shall pay City for Annual Waste Reduction services performed and materials delivered in the maximum sum of THREE HUNDRED TWELVE THOUSAND, FIVE HUNDRED THIRTY-NINE AND NO/100THS DOLLARS (\$312,539.00), and for Recycle at Work maintenance and Targeted Business Sector Grant services performed and materials delivered in the maximum sum of FOUR HUNDRED FIFTY-FOUR THOUSAND, THREE HUNDRED EIGHTY-FIVE AND NO/100THS DOLLARS (\$454,385.00) in the manner and at the time designated in the Scope of Work. Subsequent to fiscal year 2016-17, funding



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shall be determined annually in accordance with Metro's budgeted resources, and the scope of work shall be modified in accordance with identified funding.

5. Insurance. City is self-insured for liability and worker's compensation insurance coverage. A certificate of self-insurance is available for Metro upon request.

6. Indemnification. Subject to the limits of the Oregon Constitution and Oregon Tort Claims Act, City shall hold harmless Metro, its officers and employees from any claims or damages or property or injury to persons or for any penalties or fines, which may be occasioned in whole or in part by City's actions under this Agreement. Subject to the limits of the Oregon Constitution and Oregon Tort Claims Act, Metro shall hold harmless City, its officers and employees from any claims or damages or property or injury to persons or for any penalties or fines, which may be occasioned in whole or in part by Metro's actions under this Agreement.

7. Termination. This Agreement may be terminated by either party without cause upon giving 90 days written notice of intent to terminate. This Agreement may be terminated with less than 90 days notice if a party is in default of the terms of this Agreement. In the case of a default, the party alleging the default shall give the other party at least 30 days written notice of the alleged default, with opportunity to cure within the 30-day period. Termination shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

8. State Law Constraints. Both parties shall comply with the public contracting provisions of ORS chapter 279A, B & C and to the extent those provisions apply, they are incorporated into this Agreement by reference. Specifically, it is a condition of this Contract that all employers working under this Agreement are subject employers that will comply with ORS 656.017.

9. Notices. Legal notice provided under this Agreement shall be delivered personally or by certified mail to the following individuals:



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**For City:**

Bruce Walker  
City of Portland  
1900 SW 4<sup>th</sup> Avenue, Ste 7100  
Portland, OR 97201

**For Metro:**

Office of Metro Attorney  
Metro  
600 NE Grand Avenue  
Portland, OR 97232-2736

Informal coordination of this Agreement will be conducted by the following designated Project Managers:

**For City:**

Bruce Walker  
City of Portland  
1900 SW 4<sup>th</sup> Avenue, Ste. 7100  
Portland, OR 97201  
(503) 823-7772

**For Metro:**

Jennifer Erickson  
Metro  
600 NE Grand Ave.  
Portland, OR 97232  
(503) 797-1647

City may change the above- designated Project Manager by written notice to Metro. Metro may change the above-designated Project Manager by written notice to City.

10. Assignment. This Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any condition, be assigned or transferred by either party without prior written approval by the other party.

11. Integration. This writing contains the entire Agreement between the parties, and may only be amended by written instrument, signed by both parties.

12. Severability. If any portion of this Agreement is found to be illegal or unenforceable, this Agreement nevertheless shall remain in full force and effect and the offending provision shall be stricken.



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This Agreement is dated as of the last signature date below.

CITY OF PORTLAND

METRO

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Print name and title

\_\_\_\_\_  
Print name and title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved as to Form

\_\_\_\_\_





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Metro Contract No. 934318

### Attachment A

#### SCOPE OF WORK: Annual Waste Reduction Plan

- a) Term: July 1, 2016 to June 30, 2017
- b) City's responsibilities. City shall:
1. Provide to Metro a copy of City's Ordinance approving this Intergovernmental Agreement including all of its attachments.
  2. Ensure that by June 30, 2017, the activities specified in Attachment A and Attachment D have been completed.
  3. On or before August 1, 2017, submit the following:
    - A) A completed reporting worksheet.
    - B) Demonstrated compliance with OAR 340-090-0040 and the Regional Solid Waste Management Plan.
- c) Metro Responsibilities. Metro shall:
1. Provide technical assistance to City as necessary to develop, execute, monitor, and evaluate the project.
  2. Provide assistance to City on promotional and educational activities.
  3. Monitor the general project progress and review as necessary City's accounting records relating to project expenditures.
- d) Budget and Terms of Payment:
1. Upon completion of section (b)(1) of this Scope of Work, Metro shall pay City \$312,539.00 in one lump sum. City's billing invoices shall include the Metro contract number, City name, remittance address, invoice date, invoice number, and invoice amount. City's billing invoices shall be sent to Metro Accounts Payable, 600 NE Grand Avenue, Portland, OR 97232-2736 or [metroaccountspayable@oregonmetro.gov](mailto:metroaccountspayable@oregonmetro.gov). The Metro contract number shall be referenced in the email subject line. City's billing invoices for goods and services through June 30 shall be submitted to Metro by July 15. Payment shall be made by Metro on a Net 30 day basis upon approval of City invoice.
  2. City and Metro recognize that the Metro and Local Government Annual Waste Reduction Plan is a multi-year program and that future rounds of funding will depend in part on City's performance in implementing program activities during the term of this contract.



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## Intergovernmental Agreement Scope of Work – Exhibit A

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### Attachment B

#### SCOPE OF WORK: Recycle at Work Maintenance Funding

- a) Term: July 1, 2016 to June 30, 2017
- b) City's responsibilities. City shall:
  1. Hire and train individuals as staff or contractors who work in the City's offices or external contractors whose primary responsibilities and duties are to provide technical assistance and business recycling requirement compliance services to businesses.
  2. Develop a Work Plan that identifies the City's strategy for targeting and recruiting businesses for assistance and compliance with Business Recycling Requirements.
  3. On or before August 1, 2017, submit a completed Work Plan reporting worksheet.
  4. Make resources available to businesses appropriate for the City.
  5. Collect data for each business assisted that summarizes contact information and type of assistance provided. Data will be submitted in the Excel worksheet provided by Metro.
  6. Prepare an annual progress report on the accomplishments of the business assistance including completed spreadsheet provided by Metro, staffing and expenditures and successes and challenges of commercial program and assistance.
  7. Establish a compliance program for Business Recycling Requirements consistent with Section 2.6 of the administrative procedures for Metro Code Chapter 5.10 and provide written description to Metro

#### Successes and Challenges

Provide narrative on successes and challenges in achieving desired outcomes.

#### Administrative Information—Expenditures and Staffing

Provide overall expenditures to date and Metro grant funds spent for the current program year (July 1 through June 30). List staff working on business assistance, FTE, and source of funding for staff (Metro or local government).

- c) Metro Responsibilities. Metro shall:
  1. Provide resources and staff time to City to develop, execute, monitor, and evaluate the Recycle at Work maintenance program.
  2. Monitor the general program progress and review as necessary, City's accounting records relating to Recycle at Work program expenditures.
  3. Notify the City of Metro business assistance or pilots and any other business recruitment scheduled for the term of the IGA
  4. Provide the City with standardized reporting forms for annual progress reports. The report forms will be used to record quantitative data generated from the information system and qualitative information.



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## Intergovernmental Agreement Scope of Work – Exhibit A

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5. Review and revise as needed the program goals and budget in conjunction with the Solid Waste Directors.
  6. Conduct an evaluation of business assistance program as needed, which may include on-site visits to businesses by Metro staff or independent third-party contractors.
- d) Budget and Terms of Payment:
1. Upon completion of section (b)(2) of this Scope of Work, Metro shall pay City \$374,385.00 in one lump sum. City's billing invoices shall include the Metro contract number, City name, remittance address, invoice date, invoice number, and invoice amount. City's billing invoices shall be sent to Metro Accounts Payable, 600 NE Grand Avenue, Portland, OR 97232-2736 or [metroaccountspayable@oregonmetro.gov](mailto:metroaccountspayable@oregonmetro.gov). The Metro contract number shall be referenced in the email subject line. City's billing invoices for goods and services through June 30 shall be submitted to Metro by July 15. Payment shall be made by Metro on a Net 30 day basis upon approval of City invoice.



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## Intergovernmental Agreement Scope of Work – Exhibit A

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### Attachment C

#### SCOPE OF WORK: Targeted Business Sector Grant—Food Scraps

- a) Term: July 1, 2016 to June 30, 2017
- b) City's responsibilities. City shall:
  - 1. Hire and train individuals as staff or contractors who work in the City's offices or external contractors whose primary responsibilities and duties are to provide technical assistance for composting, food waste prevention and food donation with food-generating businesses.
  - 2. Participate in the Commercial Work Group (CWG) for the purpose of collaborating on multijurisdictional food-generating business assistance.
  - 3. Provide Metro with list of businesses jurisdiction intends to recruit to the food scraps collection program.
  - 4. Provide quarterly reports on progress of food waste reduction proposal and mandatory commercial proposal (attachments E and F).
- c) Metro Responsibilities. Metro shall:
  - 1. Provide resources and staff time to City to develop, execute, monitor, and evaluate the grant.
  - 2. Monitor the general grant progress and review as necessary.
  - 3. Convene and facilitate the quarterly CWG.
  - 4. Review and revise the program goals and budget as needed in conjunction with the Solid Waste Directors.
  - 5. Conduct follow up survey of businesses engaged by the grant program, which may include on-site visits to businesses or phone calls by Metro staff or independent third-party contractors.
- d) Budget and Terms of Payment:
  - 1. Metro shall pay City \$80,000 in one lump sum. City's billing invoices shall include the Metro contract number, City name, remittance address, invoice date, invoice number, and invoice amount. City's billing invoices shall be sent to Metro Accounts Payable, 600 NE Grand Avenue, Portland, OR 97232-2736 or [metroaccountspayable@oregonmetro.gov](mailto:metroaccountspayable@oregonmetro.gov). The Metro contract number shall be referenced in the email subject line. City's billing invoices for goods and services through June 30 shall be submitted to Metro by July 15. Payment shall be made by Metro on a Net 30 day basis upon approval of City invoice.

**Attachment D**  
FY 2016-17

**LOCAL GOVERNMENT ANNUAL WASTE REDUCTION WORK PLAN**

Jurisdiction: City of Portland    Contact: Bruce Walker

**1. Program Overview Narrative**

Provide a narrative overview of programs, services and focus areas for FY 2016-17 and describe your jurisdiction's waste prevention and recycling activities separately. Include participation with regional planning efforts and demonstration of compliance with state law. In addition, the following elements are **required** as part of the Annual Plan and may be addressed in the narrative portion of your plan *or* in the tasks table:

- a) Demonstrate compliance with the Regional Service Standard by completing the **Regional Service Standard: Level and Frequency of Service** table for your jurisdiction. Cooperatives should report on behalf of member jurisdictions. (The table may be left blank if there have been no changes to any elements in your jurisdiction or to those of cooperative members. Please confirm by checking "no changes" as indicated.)
- b) Implement waste prevention activities for each area of the residential and commercial sector (single-family, multi-family, business, construction & demolition, commercial organics, toxicity reduction).
- c) Identify and undertake a specific curbside recycling outreach activity for an existing local government program.
- d) Participate in at least one regional waste reduction planning group.
- e) Maintain or increase curbside recovery levels (total tons and per capita tons recovered and disposed).

The City has 21 FTE assigned to the solid waste and recycling program in the Bureau of Planning and Sustainability (BPS). The staff work on programs for businesses and other organizations, the City's internal operations, as well as single-family and multifamily residents. For all audiences, staff develop policy and programs and set service standards designed to encourage waste prevention and increase recovery of clean materials. Staff also develop outreach materials for each audience to increase program awareness, understanding, and participation. BPS provides a hotline and email for residents and businesses to ask questions related to garbage, recycling, and composting service, requirements, and resources. Extensive information is also available online, organized by audience so that users can readily access what they are seeking.

For businesses, staff provide technical assistance about waste prevention, recycling and organics recovery, and buying less-toxic and recycled content products. BPS maintains a business recognition program that provides certification and publicizes the accomplishments of the participants. Staff also provide businesses with recycling and composting containers, stickers and posters and implement mandatory business recycling requirements. Efforts are currently underway to plan for implementation of mandatory commercial food scrap collection. Staff have recently worked with businesses as well as haulers to support the move to a food-only organics collection program and to work towards a cleaner stream of commercial food scraps.

Single-family residential service is franchised and staff set rates as well as service standards which provide residents options and incentives to reduce waste. Engagement strategies include direct mailings, hauler and partner distribution, web, social media and presence at community events. The *Curbsider* newsletter is mailed to all residents twice a year to inform them on how to properly participate in their garbage recycling, and yard debris/food scraps composting service; how to make more sustainable consumption choices, and other bureau related issues and activities. Online, residents can check their collection schedule and sign up for collection day email reminders.



The multifamily program is designed to provide an easy and consistent recycling system for all multifamily residents in the city. A variety of free tools and resources are available to property managers and owners that help them fulfill the administrative rule requirements that affect multifamily communities located in Portland.

As part of its climate action efforts, BPS is looking at the impacts of materials across their full lifecycle. The vast majority of carbon emissions associated with products are generated “upstream,” or before the user purchases them. BPS already encourages residents to make simple changes in the way they choose to meet their needs, including renting, sharing, fixing, buying smart and reusing goods as well as selecting durable products and giving gifts of experience. These sustainable consumption activities prevent waste as well as carbon emissions associated with the production of goods. BPS is working to identify ways to measure the impact of sustainable consumption activities and is beginning to explore the City’s role in promoting sustainable consumption and production.

Master Recyclers is a regional volunteer corps that supports BPS’ outreach efforts through a variety of functions such as staffing information booths at events, presentations at businesses, planning and implementing event recovery and neighborhood clean-ups, providing direct outreach and education to multifamily residents by conducting “knock and talks” (door-to-door outreach).

Other BPS efforts include contracting with Community Environmental Services at Portland State University to coordinate technical assistance and equipment for public event recycling and food scrap collection. BPS has actively participated in DEQ Materials Management Workgroups and Metro’s regional waste reduction planning activities. BPS has also submitted to Metro a Certification of Compliance with the Regional Service Standard.

## 2. Budget Information

- a) Provide overall solid waste and recycling budget.

**Total SWR budget: \$4.9 million**

**FTE: 21**

## 3. Annual Work Plan Task Tables

Complete the following **Maintenance & Expansion of Existing Programs** tables, separately listing specific waste prevention and recycling activities planned for completion during this fiscal year. Add rows as needed. Complete the **Regional Service Standard** table for your jurisdiction or cooperative members.

**Maintenance & Expansion of Existing Programs**

KEY

ACTIVITY	STATUS
<u>Description of Activity:</u> What is the activity you are planning to implement?	(O) Ongoing--minor administrative updates and changes only.
<u>Goals:</u> Why is the activity important and what do you expect to achieve?	(R) Revised--major program policy or implementation adjustments (provide details).
<u>Strategy and Indicator of Success:</u> How will you implement and how will you measure success?	(N) New--brand new program, or substantially revised or reconstituted (provide details)

<b>Single-family Residential</b> (Include home composting programs)	
Waste Prevention	Status
<p><u>Description of Activity:</u> The Portland CAN (Climate Action Now) campaign motivates and supports Portlanders to take sustainable, and low-carbon actions, focusing on five areas: Your home, Your food, Your stuff, Getting around, and Your community.</p>	
<p><u>Goals:</u> Provide Portland residents with resources and information about food choices, donation and waste prevention and reduction.</p>	O
<p><u>Strategy and Indicator of Success:</u> Engage the Portland community through a variety of strategies including e-communications (blog, resources pages, and social media), article in Curbsider, a presence at diverse community events and community partnerships. <u>Indicators include:</u></p> <ul style="list-style-type: none"> <li>• Attend 15 community events</li> <li>• 27,000 contacts reached at events</li> <li>• 7,000 visits to blog and resources on web</li> <li>• 4 partners providing web blog content and community participation opportunities</li> </ul>	
<p><u>Description of Activity:</u> Resourceful PDX connects residents to information and resources to get the things they need day-to-day or during times of life transitions. Key action areas include: 1) buy smart 2) reuse 3) borrow and share 4) fix and maintain.</p>	
<p><u>Goals:</u> The program encourages residents to try simple changes to get what they need by providing residents tools and ideas for reducing waste and how to take action and where to find resources. Inspire Portland residents in a positive way to think differently about their relationship with goods through how they make decisions that include environmental and local impacts, health, family and lifestyle values.</p>	O
<p><u>Strategy and Indicator of Success:</u> Engage the Portland community using a variety of communications strategies including articles in the Portland Curbsider, web blog, event calendar, map of resources, social media, a presence at diverse community events, community partnerships and placed advertising. BPS also helps promote the repairing of household items by inviting Repair PDX to participate in BPS Fix-It Fair events. <u>Indicators include:</u></p> <ul style="list-style-type: none"> <li>• Attend 15 community events</li> <li>• 27,000 contacts reached at events</li> </ul>	

<ul style="list-style-type: none"> <li>• 30 blog posts</li> <li>• 15,000 visits to blog and web</li> <li>• 10 partnering organizations and summary of collaboration</li> <li>• 80 attendees and 100 items repaired at repair cafés at Fix-It Fairs</li> <li>• Place Chinook Book advertisement with over 70,000 readers</li> <li>• Place Chinook Book mobile ad with over 100,000 views</li> </ul>	
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<p><b>Single-family Residential</b> (Include home composting programs)</p>
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Recycling	Status
<p><b>Required:</b> Curbside recycling outreach activity for an existing program.</p> <p>Description of Activity: Be Cart Smart provides residents of houses and smallplexes (2-4 units) with service options, rate information, instructions on waste reduction, recycling, composting and garbage.</p>	
<p>Goals: Provide the public with education and assistance for the curbside program to increase participation and recovery and decrease contamination. Also promote options for beyond-the-curb resources.</p>	O
<p>Strategy and Indicator of Success: Be Cart Smart utilizes a variety of communications and outreach strategies including direct mail of the Portland Curbsider, website, blog, presence at community events and customer service and hauler assistance in delivering messages and providing feedback. Focus communications and engagement strategies for those new to Portland, larger families, residents with limited English proficiency, renters and landlords to ensure equitable access to information and services.</p> <p>Indicators include:</p> <ul style="list-style-type: none"> <li>• 176,000 households receiving <i>Curbsider</i></li> <li>• Attend 15 community events</li> <li>• 30,000 contacts reached at events</li> <li>• 200,000 visits to web</li> <li>• Provide 14 haulers with an inventory of collateral for customer distribution. Haulers are required to provide collateral to all new customers and to all customers who request the information.</li> <li>• 8,000 new garbage day reminder subscribers</li> <li>• 10,000 calls and emails into the Curbside Hotline</li> </ul>	



<b>Multifamily Residential</b>	
<b>Waste Prevention</b>	<b>Status</b>
<p><b>Description of Activity:</b> Provide Resourceful PDX and Metro's junk mail educational materials to residences, property management and maintenance staff through onsite tabling and/or presentation opportunities.</p>	
<p><b>Goals:</b> Engage residents, property management and maintenance staff on sustainable consumption.</p>	O
<p><b>Strategy and Indicator of Success:</b> Take advantage of larger events and engaged property management and haulers to reach residents about sustainable consumption. Foster and support volunteer corp- Master Recyclers</p> <p>Continue to contract with CES and implement scope of work that includes on-site presentations and tabling.</p> <ul style="list-style-type: none"> <li>• 20 presentation/tabling requests fulfilled where Resourceful PDX and Metro's Junk Mail Kit are distributed.</li> </ul>	
<b>Recycling</b>	<b>Status</b>
<p><b>Description of Activity:</b> Outreach to property management and maintenance staff using a variety of mechanisms to distribute resident educational materials and signage and ensure collection systems are high-functioning and complaints/issues are resolved.</p>	
<p><b>Goals:</b> Engage property managers and owners to increase outreach from 20,000 units to 50,000 units annually by 2020.</p>	O
<p><b>Strategy and Indicator of Success:</b> Reach out to property management and maintenance staff through annual spring promotional mailing that includes an overview brochure and order form for free educational print and electronic materials. Raise awareness around requirements and free access to support and materials through funding support to the City of Portland Landlord trainings; maintain solid waste and recycling chapter of training materials and distribute materials at the trainings. Continue presence with trade organizations: membership, attend industry sponsored trade shows and meetings and advertise in publications. Create and publish every-other-month electronic newsletter to property managers, owners and maintenance staff for multifamily communities.</p> <ul style="list-style-type: none"> <li>• 300 orders received broken down by "how they heard about us".</li> <li>• Sponsor and have a presence at 8 City of Portland Landlord Trainings</li> <li>• Direct mail 3,600 property managers and owners with a "place an order" call to action</li> <li>• Place 12 monthly advertisements in the Rental Housing Journal</li> <li>• Reach 800 MF property managers, owners and maintenance staff with every-other-month e-newsletter "Multifamily Matters"</li> <li>• 160 phone and email inquiries from property managers</li> <li>• 35,000 of web visitors</li> </ul>	

<p>Description of Activity: Outreach to residents using a variety of mechanisms to provide educational materials, ensure high-functioning collection system and resolve complaints/issues.</p>	
<p>Goals: Engage residents to increase outreach from 20,000 units to 50,000 units annually by 2020.</p>	O
<p>Strategy and Indicator of Success: Maintain resident educational materials (available in seven languages) and site signage. Deliver requested educational materials and signage to properties through a contract with CES. Delivery options include door-to-door, door-to-door with resident conversations (English and Spanish) or through property management. Resolve collection system issues as identified in field visit. Focus on East Portland, previously unserved communities, affordable housing and non-profit housing communities. Distribution of educational materials by:</p> <ul style="list-style-type: none"> <li>• language</li> <li>• type of collateral</li> <li>• location (zip code)</li> <li>• affordable housing</li> </ul>	
<p>Description of Activity: Outreach to commercial garbage and recycling companies that service multifamily accounts.</p>	
<p>Goals: Actively engage haulers to reduce contamination, provide quality service, resolve compliance issues and expand the program's reach.</p>	O
<p>Strategy and Indicator of Success: Increase awareness of multifamily program offerings: free educational resources, onsite assistance and signage; and identify opportunities for partnership. Communicate expectations around services and resolve complaints/concerns to ensure a high-functioning collection system.</p> <ul style="list-style-type: none"> <li>• 10 compliance concerns reported, including complaints resolved, referrals to code enforcement specialists, and remaining open</li> </ul>	
<p>Description of Activity: Participate, as invited, with Metro's Community and Residential Education Workgroup (formerly LGRCW). Continue efforts and collaboration to identify best practices for outreach to MF communities. Collaborate informally with other Metro jurisdictions regarding City of Portland's new property manager/owner collateral.</p>	
<p>Goals: Create and support consistent strategy for regional multifamily outreach and education; share resources and best practices.</p>	O
<p>Strategy and Indicator of Success: Meet as requested to share progress, discuss approaches and material development.</p>	

Description of Activity: Participate with Metro's Regional Multifamily Project Team.		
Goals: Ensure access to recycling at multifamily properties. Increase the amount of recyclable materials recovered. Ensure the recyclable materials collected are high quality.		N
Strategy and Indicator of Success: Develop, scope and implement (when feasible): <ol style="list-style-type: none"> <li>1. Research and evaluate current multifamily performance (recovery rate, contamination) and existing recycling and garbage capacity</li> <li>2. Explore potential policy changes for garbage and recycling container capacity, color coding, location and signage.</li> </ol>		
Description of Activity: Actively support multifamily properties with food-scrap collection.		
Goals: Assist with implementation of food-scrap collection at multifamily communities that have chosen to participate. Troubleshoot food-scrap collection at participating sites to identify obstacles and provide solutions.		O
Strategy and Indicator of Success: Work with haulers, property management and residents to identify opportunities for successful food-scrap collection programs at their communities. As requested, distribute new property manager guide, signage and resident education materials. Provide onsite technical assistance, phone consultations, presentations for residents and property managers and coordination with garbage and recycling companies. <ul style="list-style-type: none"> <li>• 100 inquiries</li> <li>• 30 orders places for resources and assistance; 10 requests for on-site assistance and presentations</li> <li>• 110 composting accounts reported by haulers</li> </ul>		
Description of Activity: Develop new property management focused resources and tools of engagement.		
Goals: Greater, and more consistent, engagement by property managers with waste reduction program that touches 50,000 units annually by 2020.		N
Strategy and Indicator of Success: Develop, scope and implement (when feasible): Build list of energy and water conservation, remodeling, reuse and landscaping resources Sample lease language to prompt clear waste reduction, reuse and recycling behavior by residents BPS recognition program for MF property managers <ul style="list-style-type: none"> <li>• Produce resource: sample lease language, community reuse and green remodeling and landscaping</li> <li>• Create a BPS recognition program for multifamily property managers</li> <li>• Gauge performance by tracking the number of additional individuals reached</li> </ul>		

<b>Construction &amp; Demolition</b>	
Waste Prevention	Status
Description of Activity: Monitor website traffic to determine if content specific to waste prevention strategies is continuing to increase. Adjust content and design as necessary.	
Goals: Support waste prevention outreach with online content.	O
Strategy and Indicator of Success: Pull website traffic data on a monthly basis to determine if website hits are increasing.	
Description of Activity: Continue to partner with DEQ on promoting space-efficient housing options: <ul style="list-style-type: none"> <li>a. Identify regulatory hurdles to development of Accessory Dwelling Units (ADUs) and develop strategies to facilitate and promote their development.</li> <li>b. Provide technical and logistical support to DEQ on space-efficient housing.</li> </ul>	
Goals: Increase the awareness of the benefits of building smaller residential units.	O
Strategy and Indicator of Success: Participate in regular meetings of the Space-Efficient Housing Work Group. Success is measured through surveys of ADU owners that indicate that outreach and technical support were influential in their decision to build small. Attendance at the Build Small, Live Large conference will also be an indicator of success.	
Description of Activity: Develop and conduct a deconstruction training for contractors participating in the Prime Contractor Development Program (PCDP).	
Goals: Promote deconstruction and salvage of City-owned buildings as a way to set an example for other projects.	O
Strategy and Indicator of Success: Work with industry experts and City staff to develop a comprehensive program that at least 50 percent of contracted firms participate in.	
Description of Activity: Require deconstruction for houses and duplexes seeking a demolition permit if the house/duplex was built before 1917 or is a designated historic resource	
Goals: Promote deconstruction and salvage of the city's oldest and most historic houses and duplexes in order to preserve valuable materials for reuse.	N
Strategy and Indicator of Success: Develop code language with an effective date of October 31, 2016. Success will be defined by having adequate training and labor in place to handle tripling of deconstruction activity during the first year of requirements.	



Description of Activity: Develop an on-call deconstruction assessment program for the purposes of identifying the feasibility and value of deconstruction of City-owned projects.		
Goals: Facilitate deconstruction of City-owned buildings identified for removal.		O
Strategy and Indicator of Success: Provide technical assistance to Procurements staff in order to establish the assessment program. Success will be determined by hiring the contractor and increasing deconstruction of City-owned projects.		
Description of Activity: Partner with Metro to adapt the existing deconstruction calculator to play a role in pre- and post-deconstruction permitting.		
Goals: Provide technical information to permit applicants/owners and facilitate compliance with new requirements.		R
Strategy and Indicator of Success: Work with City of Portland Information Technology staff to modify calculator to provide applicants with a way to identify what materials are proposed for salvage (pre-deconstruction) and which ones were actually salvaged (post-deconstruction). Expand on calculator functionality to include commercial projects and allow for self-assessments by the general public. Success will be determined if calculator is easy to use and does not add significant time to the permitting process.		

<b>Construction &amp; Demolition</b>	
Recycling	Status
Description of Activity: Continue to promote completion and return of the revised Construction and Demolition Debris Management Form. Work with BDS to link form to online permit submittal associated with the new permitting database.	
Goals: Promote awareness of recycling requirements and the waste management hierarchy.	
Strategy and Indicator of Success: Identify methods for increasing the response rate of the form.	
Description of Activity: Master Recyclers will promote salvage and reuse of C&D materials through partnerships with the Rebuilding Center and Restore. Master Recycler curriculum and manual also include training on C&D and green building and BPS provides a training presentation when the class is in Portland.	
Goals: Promote the methods and benefits of C&D recycling.	
Strategy and Indicator of Success: Continue outreach and education related to building material recycling.	

<b>Toxicity Reduction</b>	
<b>Waste Prevention</b>	<b>Status</b>
Description of Activity: Provide information and resources for residents on toxics reduction.	
Goals: Effectively support Metro's and DEQ's efforts to reduce toxics pollution and proper handling of household hazardous waste.	O
Strategy and Indicator of Success: Include information about Metro's household hazardous waste collection, greener cleaners and pesticides reductions at events, in the Portland Curbsider and print collateral. Indicators include: <ul style="list-style-type: none"> <li>• Attend 10 events</li> <li>• 5,000 contacts reached at events</li> <li>• Article placement in Curbsider</li> <li>• Distribution of 5,000 Be Cart Smart guides</li> </ul>	
<b>Recycling</b>	<b>Status</b>
Description of Activity: Provide information and resources for residents on proper disposal of toxics materials.	
Goals: Inform the public of Oregon E-cycles approved recyclers and the e-waste disposal ban.	O
Strategy and Indicator of Success: Include Oregon E-Cycles information at events, in the Curbsider and print collateral. Indicators include: <ul style="list-style-type: none"> <li>• Attend 10 events</li> <li>• 5,000 contacts reached at events</li> <li>• Article placement in Curbsider</li> <li>• Distribution of 5,000 Be Cart Smart guides</li> </ul>	

<b>Other</b>	
Required Elements <i>(may be addressed here or in narrative portion of the plan)</i>	Status
1. Demonstrate compliance with the Regional Service Standard (including individual jurisdictions within cooperatives) by completing RSS: Frequency of Service Table.	O
2. Maintain or increase curbside recovery levels (total tons and per capita tons recovered and disposed). City of Portland will continue to offer the same curbside collection service to residents and provide information to residents about the service to encourage increased participation and recovery. See narrative portion of the plan for more details about residential outreach and engagement.	O
3. Participate in at least one regional waste reduction planning group. <i>(please provide details)</i> BPS staff participates in the Business Recovery Work Group and the Local Government Waste Reduction Coordinators Work Group.	O
Waste Prevention	Status
Description of Activity: The Master Recycler Program is a regional volunteer corps that inspires neighbors and coworkers into action in areas of waste prevention, recycling, composting and toxics reduction.	
Goals: Bridging the gap between awareness and action by motivating people to reduce their waste in their homes, community and at workplace.	O
Strategy and Indicator of Success: Coordinate recruiting, training, and providing Master Recycler opportunities for a volunteer corps that promotes regional messages and goals. Three eight-week courses are provided in each county that include local jurisdiction, nonprofit and private sector perspectives on materials management. Training also includes a website, training manual, ongoing education opportunities and a monthly newsletter. Indicators include: <ul style="list-style-type: none"> <li>• 60 participants of the three courses</li> <li>• 60 speakers for the course and open houses</li> <li>• 20 tours for the course and course graduates.</li> <li>• 3,000 volunteer hours for the year.</li> <li>• 47,000 cumulative volunteer hours for the program</li> <li>• 1100 newsletter recipients each month</li> <li>• Average 35% per month of click-through in the newsletter</li> <li>• 120,000 web visitors for the year</li> <li>• Reach 30,000 through Facebook.</li> </ul>	

Recycling	Status
<p>Description of Activity:                      Community Collection Events are a partnership between Neighborhood Coalitions, the City of Portland, and Metro in order to invest in and build community capacity in an equitable manner, while supporting proper disposal, waste reduction and reuse of bulky items.</p>	
<p>Goals:                      Support efforts that build community capacity, advances equity, and helps residents properly dispose or reuse of bulky items.</p>	O
<p>Strategy and Indicator of Success:                      Continue supporting Neighborhood Coalition offices to work with community and nonprofit organizations to receive funds for collection events. BPS staff provides Neighborhood Coalitions with technical assistance that help neighborhoods and community groups maximize the variety of materials collected for recycling and reuse at each event. BPS consistently shares information and processes with Coalitions, and in turn, they share information with those who coordinate collection events. This includes messages that Metro creates around asbestos containing materials (ACM). BPS will reinforce DEQ and Metro requirements around not accepting ACM at collection events. Collection events are staffed by neighborhood and community volunteers and utilize community partnerships to expand their efforts.</p> <ul style="list-style-type: none"> <li>• BPS has one more year of a two-year pilot that is redistributing allotted funds to Neighborhood Coalition Offices to reflect the number of people each serves</li> <li>• Provide flexibility for Coalition Offices to reimburse community organizations directly</li> <li>• Increase reuse and recycling through grant funded activities</li> </ul> <p>Indicators include:</p> <ul style="list-style-type: none"> <li>• 54 cleanup events                             <ul style="list-style-type: none"> <li>○ 40 events with reuse options</li> <li>○ 50 seniors and people with disabilities served</li> <li>○ 12 East Portland events</li> </ul> </li> </ul>	
<p>Portland will work with haulers and solid waste facility operators to prevent asbestos-containing materials (ACM) from being accepted at neighborhood and community clean-up events where waste is collected. If a waste load from a clean-up event arrives at a Metro transfer station with suspected ACM, the load may be turned away from the transfer station and or the clean-up event organizers may be held liable for costs associated with testing or abatement if ACM is found after the load is dumped.</p>	



<p>Description of Activity: Portland Event Recycling (PER) program will continue to provide recycling and composting equipment and technical assistance prioritizing large Waterfront events. Small and medium sized events are supported as staffing, inventory and budget allow.</p>	
<p>Goals: Increase recovery, access and decrease contamination of recycling and food waste collected at public events.</p>	O
<p>Strategy and Indicator of Success: Through a contract with CES, provide equipment, assistance, resources and signage to event coordinators to ensure a high-functioning collection system for garbage, recycling and food scraps.</p> <ul style="list-style-type: none"> <li>• 150 events assisted</li> <li>• Gauge performance by monitoring the waste diversion rates for waterfront events</li> <li>• 6,000 website visits (BPS only)</li> <li>• Continued implementation of the CES contract, supply of loaner equipment, resources and signage.</li> </ul>	
<p>Description of Activity: Provide financial support to SCRAP: \$16,000/year</p>	
<p>Goals: Provide an opportunity for reuse for materials not accepted in curbside recycling.</p>	O
<p>Strategy and Indicator of Success: The Bureau of Planning &amp; Sustainability provides payments to recycling depots (SCRAP) in Portland for unique recycling services provided to Portland businesses and residents. To meet the City Council established recovery goal of 75%, our office has engaged recycling depots to provide greater recycling services to the community. SCRAP provides necessary recycling options for materials that otherwise may be sent to a landfill and collects a wide range of materials (more than are collected in Portland's curbside recycling program). The program is successful if we continue to provide an option for recycling a broad range of materials that are not allowed in the curbside program.</p>	

**Recycle at Work**

Complete the following table listing specific efforts planned for completion during this fiscal year. For additional goals, strategies and indicators copy and repeat the table format. For final report, include a narrative of successes, challenges and enforcement actions taken on Business Recycling Requirements.

Status Key:

- (O) Ongoing
- (R) Revised
- (N) New
- (C) Complete

<b>Annual Outreach Plan</b>	
<b>Target audience, goals, and outreach strategy</b>	<b>Status</b>
Government Facilities (required)	
<p>Goals:</p> <p>In 2015, Portland City Council adopted a set of environmental performance objectives for City operations aimed at the year 2030. Two objectives pertain to waste generation:</p> <ul style="list-style-type: none"> <li>• Recover 90 percent of waste generated from city operations</li> <li>• Reduce total waste from city operations by 25 percent below fiscal year 2009-2010 levels</li> </ul> <p>Our Government Facilities strategies below are designed to deliver on these objectives.</p>	O
<p>Strategy</p> <ul style="list-style-type: none"> <li>• Provide customized technical assistance to City of Portland bureaus to increase recovery and reduce waste. Priority will be placed on bureaus with the largest volume of waste: Portland Bureau of Transportation, Water Bureau, Office of Management and Finance, Facilities, Fire, Parks, and Bureau of Environmental Services.</li> <li>• Foster and maintain ongoing relationships with bureau recycling coordinators and City Green Team members.</li> <li>• Promote Sustainability at Work certification.</li> <li>• Collect, analyze and share Citywide and bureau specific recovery data and waste-related efforts with recycling coordinators and City Council.</li> </ul> <p>Indicators of success:</p> <ul style="list-style-type: none"> <li>• 10 bureaus/worksites assisted and/or certified</li> <li>• At least one bureau will have a waste prevention related project scoped and in progress.</li> </ul>	

<p>New Businesses (required)</p>	
<p>Goals: In FY 15-16, SAW served nearly 800 businesses; 84% of these were existing (had been previously assisted by SAW). This speaks to the value of our services and quality of our relationship-building. While this offers us the opportunity to advance new initiatives in these workplaces and keep existing initiatives thriving, we have set a goal to increase the number of new businesses that SAW assists and educates. Because our staff capacity remains the same, our success will depend on our ability to streamline our interactions with existing customers.</p>	O
<p>Strategy:</p> <ul style="list-style-type: none"> <li>• Maintain SAW blog and e-newsletter; promote content (as well as new resources and tools) more broadly to reach new audiences, for example through community partners and publications.</li> <li>• Promote SAW certification and certified businesses to increase awareness of our recognition program among new audiences.</li> <li>• Include SAW on the New Business Welcome Kit website to make new businesses aware of our services.</li> </ul> <p>Indicators of success</p> <ul style="list-style-type: none"> <li>• Grow our number of Emma subscribers by 20% and unique web visitors by 10%.</li> <li>• Increase the percentage of new businesses (not served by the program in previous fiscal years) to 25%.</li> </ul>	
<p>Target Businesses that are Underserved or Underrepresented (optional)</p>	
<p>BPS is directed by the Portland Plan, the Climate Action Plan and the BPS Equity Roadmap to evaluate service provision in terms of equity and to develop implementation plans and new policies with equity in mind. Data, both quantitative and qualitative, are needed to determine whether certain groups of people are disproportionately burdened or benefited by City policies based on race, ethnicity, income level, education level or other demographic factors.</p> <p>Goals:</p> <ul style="list-style-type: none"> <li>• Improve our understanding of the characteristics and needs of businesses owned by individuals of color.</li> <li>• Develop and implement strategies to serve businesses owned by individuals of color.</li> </ul>	R
<p>Strategy:</p> <ul style="list-style-type: none"> <li>• Collect baseline demographic data. Examples include conducting a follow-up to the State and Regional Minority Business Owners analysis (included in SAW's January 2015 equity summary) and exploring additional evaluation tools (such as program participant surveys).</li> <li>• Conduct community engagement focused on entrepreneurs of color with a long-term goal of arriving at a shared vision of business assistance. Prioritize building capacity with existing partnerships at Micro Enterprise Services of Oregon, Our 42<sup>nd</sup> Ave. Neighborhood Prosperity Initiative, and St. Johns Main Street. Develop relationships with the Hispanic Metropolitan Chamber of Commerce and Rosewood Business District.</li> </ul>	

<ul style="list-style-type: none"> <li>• Pilot new services. Examples include growing our pilot with Micro Enterprise Services of Oregon (MESO), which helps clients conserve resources, access cash incentives and addresses waste-related requirements including the bag ban, Styrofoam ban, containers in the right of way and mandatory recycling. Examples also include exploring DIY resources for home-based businesses and supporting haulers/property managers in providing equitable service.</li> <li>• Reconcile any gaps we find to establishing and maintaining successful food scraps collection (ex: through the BPS hotline, through hauler services and via web resources).</li> <li>• As time permits, conduct property manager and hauler outreach to advance equitable service delivery and reduce barriers to small, minority-owned business participation in recycling and food scrap collection. This strategy and its implementation will carry over to FY 17-18 if it can't be addressed this FY.</li> </ul> <p>Indicator of success:</p> <ul style="list-style-type: none"> <li>• Completed State and Regional Minority Business Owners analysis.</li> <li>• Consistent engagement with priority community partners.</li> <li>• New services tested, implemented and accessed by target audience.</li> </ul>	
<p>Target Business Sectors, Institutions or Materials (optional)</p>	
<p>Goal:</p> <p>Portland has an ambitious 75% recovery goal for business waste. Because food is the largest portion of the waste stream, increasing food scraps recovery is a goal of the SAW program. The Climate Action Plan also sets a 2030 goal to reduce the amount of solid waste generated, per capita, by one-third. As such, increasing food waste prevention is an additional goal for the SAW program.</p>	<p>N</p>
<p>Strategy:</p> <ul style="list-style-type: none"> <li>• Using ReFed analysis, identify activities that promote and support food waste prevention. Conduct food waste prevention outreach to identify replicable and effective food waste prevention practices that SAW can pilot and, as successful, and bring to market.</li> <li>• Provide technical assistance to new and existing compost participants to overcome implementation barriers and maintain participation.</li> <li>• Rollout mandatory commercial food scraps collection for large generators. (See attached report for the full strategy and indicators of success.)</li> </ul> <p>Indicator of success:</p> <ul style="list-style-type: none"> <li>• Two new food waste prevention strategies developed and tested. Lessons learned and recommended next steps documented.</li> <li>• 75 food generating businesses contacted and assisted regarding food waste prevention and collection opportunities.</li> </ul>	

**Attachment E****Recycle at Work Food Waste Reduction Proposal | July 1, 2016 – June 30, 2018****Background**

In early 2016, BPS developed a Mandatory Commercial Food Scraps Management proposal for implementation. To prepare Portland for the implementation of a mandatory program, a complex, diverse and wide array of work will be involved. This includes everything from the development of administrative rules and a compliance/enforcement strategy to targeted voluntary compliance outreach and a customer support strategy. For reference, we have attached Portland's Mandatory Commercial Food Scraps proposal, which includes a high-level summary of all of the program elements need to be successful in this effort.

Portland's Recycle at Work Food Waste Reduction Proposal (for FY 16-17 and 17-18) covers the work related to:

- 1) The development of a program offer, including research, outreach strategy and supporting collateral.
- 2) Implementation of the offer, including a targeted voluntary compliance outreach effort to phase one and phase two businesses.
- 3) Targeted mandatory notification that shifts implementation from voluntary to mandatory, including a customer support strategy.

**Project Goals**

- Reduce landfill-bound food scraps.
- Increase recovered food scraps and the citywide recovery rate.

**Objectives**

- Increase non-participating food scrap generators' awareness of the opportunity to participate prior to notification.
- Address barriers to participation.
- Increase the number of food scrap collection participants.

**Milestones**

As Portland develops a Mandatory Commercial Food Scraps program, we are committed to closely coordinating with Metro to align our general approach and direction. Portland's implementation may be significantly affected by the timing and outcomes of Metro's Solid Waste Roadmap planning process. Because of this we have included Metro's work under milestones.

2016- Metro staff engage stakeholders and commission research around food scrap collection; staff take research findings to Council.

Summer 2016- BPS commissions primary research to inform development of Portland's commercial mandatory food scrap program.

Fall 2016- BPS staff share research findings and a progress update on Metro's planning process with leadership. BPS leadership provides direction on program implementation timing and approach. All subsequent BPS milestones are dependent on direction received.



2016- Metro Council considers preferred approaches for managing the region's garbage in 2020 and beyond.

2016- BPS starts targeted outreach to phase one businesses.

2017- BPS sends official notification to phase one businesses of the mandate.

2017- BPS starts targeted outreach to phase two businesses.

2018- BPS starts monitoring and verification for phase one businesses.

2018- BPS sends official notification to phase two businesses of the mandate.

2018- BPS initiates research for phase three and four businesses

**Deliverables**

1. Definition and list of targeted businesses; share phase 1 and 2 businesses with Metro for review.
2. Research report- findings and recommendations.
3. Program offer scope of work. Includes target audience, timeline, deliverables, allocated resources, strategy and indicators of success.
4. Program updates and results.
5. Hauler participation numbers and partner activities.

**Tracking and Reporting**

Provide status updates to Metro on a quarterly basis on milestones and deliverables.

## Attachment F

### Mandatory Commercial Food Scraps Management: Proposal for Implementation

#### I. BACKGROUND

This document is a proposal for implementing the City of Portland's adopted mandatory commercial food scrap collection policy. The policy was approved by Portland City Council in 2008 as one of the recommendations in the Portland Recycles! Plan for increasing recovery of waste from businesses.

The proposal was developed through conversations with internal and external stakeholders and is a starting point for further discussion and refinement. BPS will place a high priority on engaging and learning from commercial food-generating organizations in order to continually improve the program.

The next steps are for this proposal to be vetted internally and with key stakeholders in order to receive support from BPS and City leadership to move forward with implementation. Portland's implementation will be significantly affected by the timing and outcomes of Metro's Solid Waste Roadmap planning process which will identify preferred approaches for managing landfill bound garbage.

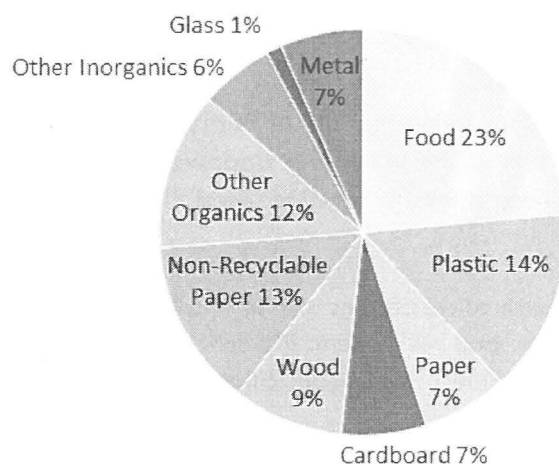
#### **The Case for Mandatory Commercial Food Scraps Recovery**

The US Environmental Protection Agency, Oregon DEQ, Metro, City of Portland have placed a priority on developing programs that will reduce the high impact of wasted food and food scraps. The Oregon Department of Environmental Quality has identified food scraps as a high-impact material that contributes to climate change throughout the lifecycle--during production, transportation, distribution and end of life disposal.

When food scraps are disposed in the landfill, they emit methane, a potent greenhouse gas. Many landfill operators have invested in infrastructure to capture and flare methane to reduce its effect in the atmosphere, but they are unable to capture all of it. Landfills remain the third-largest source of human-related methane in the country. The best available estimates are that landfills serving the Portland area capture 68 percent of the methane generated, although it is difficult to calculate with great certainty the exact amount of methane generated in a landfill.

Due to the efforts of Portland businesses to recycle their paper, cardboard, and containers, food scraps are now the single largest recoverable material left in Portland's commercial landfill-bound waste (see chart below).

Portland Commercial Landfill-Bound Garbage Composition  
Source: Oregon DEQ, 2009



Jurisdictions that have already implemented a mandatory commercial food scraps recovery program include California, Massachusetts, Vancouver BC, Seattle, and Austin. BPS interviewed staff who work on these programs and have adjusted our initial strategies through lessons learned in these jurisdictions.

#### **BPS Policies and Emphasis**

The City of Portland Bureau of Planning and Sustainability (BPS) is tasked with implementing the Climate Action Plan and Portland Recycles! Plan, which include actions to increase voluntary participation in commercial food scraps collection and implement a mandatory commercial food scraps program.

Mandatory commercial food scraps recovery helps Portland achieve the following adopted goals:

1. Recover 75 percent of discards by 2015 and 90 percent by 2030;
2. Reduce per capita solid waste by 33 percent by 2030;
3. Reduce food scraps sent to landfills by 90 percent by 2030.

*Equity:* BPS places a high value on ensuring equity in the workplace and our community. The proposal development process has included exercises to understand and plan engagement with audiences that are impacted by this program but historically have had little influence in similar processes.



*Encouraging upstream approaches to managing food scraps:*

Upstream approaches to managing food scraps, such as preventing food waste in the first place and donating leftover food are environmentally preferable compared to processing food scraps via anaerobic digestion or composting, which are preferred over landfilling (see EPA's Food Recovery Hierarchy, right).

Although this program is mainly focused on end of life management of food scraps, waste prevention and donation are both included as alternative compliance options and will be highlighted through technical assistance and outreach.

BPS plans to encourage best practices in waste prevention such as proper food storage, meal planning, right-sizing portions, using cosmetically imperfect food, and incorporating these and similar food waste prevention techniques into outreach and training efforts.

Food donation organizations have expressed that while plenty of edible food is available for rescue, capacity for capturing additional food is limited. BPS intends to work closely with our food rescue partners to continue to understand barriers and opportunities to increasing food donation.

### **Why Now?**

Until recently, the Portland region has not had sufficient capacity for processing food scraps collected from businesses. Prior to 2010 no facilities were permitted to process non-vegetative food scraps in Oregon and food scraps collected from Portland businesses were trucked to a composting facility in Washington for processing. Between 2010 and early 2015, the system for collecting and processing food scraps collected from businesses in Portland was in a state of flux. Facilities were permitted to process food scraps, but soon the facility receiving the majority of food scraps from Portland businesses lost its approval to accept commercial food scraps. Once again Portland's commercial food scraps were trucked to Washington for composting. Then local compost facilities and the new anaerobic digester sited south of Portland expressed strong operational concerns related to the waxed cardboard produce boxes and compostable plastic serveware Portland businesses included with their food scraps. In early 2014, Metro announced its decision to remove all non-food items from the list of materials accepted as commercial food scraps at Metro Central Transfer Station. The move to a food-only system was phased in over the course of a year and was completed in March 2015.



The move to a food-only program was a big lift for all the players involved in collecting food scraps from Portland businesses. The project was successful and has the added benefit of ensuring that food scraps from Portland businesses are much cleaner and can be used by a more diverse set of processors.

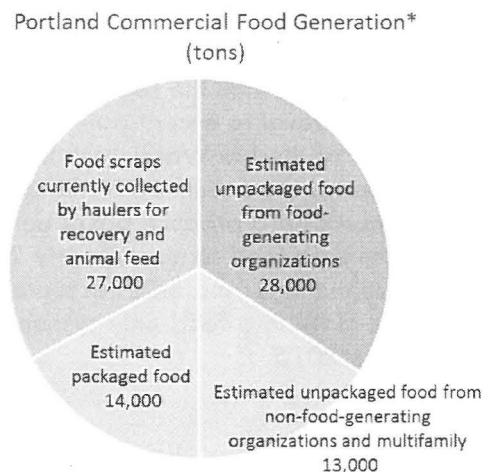
Currently, garbage and recycling companies in Portland take the majority of food scraps they collect from businesses to Metro Central Transfer Station. From there, most food scraps are trucked to the JC-Biomethane anaerobic digester in Junction City, Oregon, where the food scraps are turned into electricity and fertilizer. Some of Portland's commercial food scraps are taken to a privately owned transfer station in Wilsonville and from there are sent to be composted at Pacific Region Compost in Benton County near Corvallis.

#### Current Estimates for Commercial Food Scraps

BPS estimates that approximately 55,000 tons of food from Portland's commercial organizations are sent to the landfill every year. This estimate is based on a waste composition analysis conducted by Oregon DEQ in 2008. This study also found that approximately 75 percent of the food scraps in the garbage were unpackaged and thus likely more easily recovered. Cross referencing this data with the results of a recent comprehensive California commercial waste composition study suggests that of the 41,000 tons of unpackaged food from the commercial sector in Portland, close to 70 percent, or 28,000 tons, come from food-related organizations, such as restaurants and grocery stores.

Portland haulers currently report collecting 13,500 tons of commercial food scraps for energy recovery or composting. In addition, haulers report sending another 13,500 tons of collected food scraps to farms that is directly applied to land as a soil amendment or as animal feed, for a total of 27,000 tons of food scraps collected by haulers for a higher use than landfilling.

In addition to these known and quantified sources of food, we know many food manufacturers that generate high volumes of food scraps have long delivered their food scraps to farms for use as animal feed. The material sent between manufacturer and farm is not reported to BPS unless a permitted garbage and recycling company does the hauling. Additionally, many grocery stores, restaurants, and other organizations donate leftover food to food rescue organizations. At this time BPS has no information about the quantity of food that is rescued in Portland.



\*Does not include rescued food or food to farms that is not delivered by garbage and recycling company.

## II. PROGRAM ELEMENTS

### Compliance

#### *Who*

Organizations that cook, assemble, process, or sell targeted food scraps are referred to as food-generating organizations and are required to comply with the food scrap management requirement for all of their targeted food scraps.

#### *What*

Food scraps are defined as all waste from meats, fish, and vegetables, which attends or results from the storage, preparation, cooking, handling, selling, or serving of food for human consumption. Food scraps include, but are not limited to, excess, spoiled or unusable food or dairy products, meats, vegetable and meat trimmings, grains, breads and dough, incidental amounts of edible oils, and organic waste from food processing. Food scraps do not include large amounts of oils and meats which are collected for rendering, fuel production or other reuse applications.

Targeted food scraps meet both of the following criteria:

1. They are not packaged or they are easily separated from all packaging material.
2. The decision determining their final disposition is controlled by the employees of the food-generating organization.

#### *How*

Compliance is achieved when food-generating organizations either establish and fully implement food scrap collection service through a permitted hauler or implement a BPS-approved alternative food scrap management plan:

#### *Compliance Options and Guidelines*

1. Hauler collection service: Establish food scrap collection service with a permitted garbage and recycling company and fully implement a food scrap collection program to recover all targeted food scraps from the garbage. The following best management practices are required to achieve compliance through a hauler-provided service:
  - a. Correctly label all containers (food scraps, recycling and garbage) and provide accurate signs and instructions.
  - b. Make internal and external food scrap collection containers at least as conveniently located as garbage.
  - c. Conduct training of all employees/tenants at least annually.
  - d. Communicate and set expectations with all service providers to ensure a coordinated food scrap program. This includes the garbage and recycling company, property management, and janitorial services.
2. Alternative plan: Submit a plan designed to recover all targeted food scraps for BPS approval and fully implement the approved plan. The plan may include: participating in a hauler collection service to whatever level space provides in addition to food waste prevention planning and food donation/rescue, sending food to farms for animal feed, implementing on-site recovery, or other innovative solution.

An explanation of how compliance will be verified can be found in *Section III. Program Implementation for Phase 1*.

### Packaged food

Compliance in this program is limited to targeted food scraps that are either not packaged or are easily separated from all packaging material. Though packaged food can be depackaged and recovered for higher use, BPS does not recommend mandating it through this program. More research is needed to understand the barriers to recovering packaged food in order to consider incorporating this material in the future.

### Front of house food

BPS recognizes how difficult it is to keep food scraps collected from customers in dining areas free of contamination. In addition, dining areas typically generate small amounts of food compared to the amount of paper and plastic contamination. Therefore food-generating organizations are only required to recover food scraps where disposal is controlled by employees. Organizations are encouraged to maintain control of food scrap disposal by having customers put all materials into bus bins to be sorted by employees.

### Implementation Phases

This project proposes to start with the assumed highest generators of food waste. The phases are determined by the number of full-time-equivalent employees in an organization. Phase 4 is currently tentative and could also potentially include a requirement for all food-generating organizations to recover packaged food.

	Phase 1	Phase 2	Phase 3	Phase 4
Includes groceries and restaurants with...	>20 employees	>10 employees	all	all
Includes other food-generating organizations with...	>50 employees	>20 employees	>10 employees	all
Compliance timeline	Spring 2018	Spring 2019	Spring 2020	Spring 2021
# affected organizations	800	1,000	1,700	2,100
Percent currently collecting food scraps	Over 30%	Over 15%	Under 10%	Under 5%
Estimated tons of potential additional food scrap recovery	12,000	8,000	6,000	3,000

### Identifying target organizations for each phase

BPS will generate a list of target organizations to use for outreach in each phase of compliance by using state employment data to identify organizations of the appropriate size and using North American Industry Classification System (NAICS) codes to identify organizations in the following sectors:

## Food-related sectors

- Grocery
- Restaurants
- Cafeterias
- Wholesale
- Manufacturing
- Daycares and nursing homes
- Food-rescue organizations

## Other sectors (that have food service)

- Education institutions
- Medical facilities
- Hotels
- Correctional facilities

In some instances, an organization that has been targeted will not meet the above definition of a food-generating organization and therefore will not be required to comply. Conversely, organizations that do not show up on our targeted list but are food-generators will still be required to comply. BPS will develop a methodology for identifying and following up with organizations that may be subject to compliance, for example: cross-referencing the NAICS code list with food handler permits and reaching out to all locations of a chain if one of the locations is identified as a target.

**Timeline**

This proposal incorporates time to research program barriers and ways to support organizations in overcoming them as well as providing targeted outreach to non-participants to encourage voluntary compliance. Lessons learned from each phase will be applied to future phases.

	Metro Timeline	Phase 1	Phase 2	Phase 3	Phase 4
Jan-16	Jan-April: food scrap research + stakeholder engagement March: Transfer Station Configuration to Council May-June: Food scrap findings to Council				
Apr-16		Research			
Jul-16					
Oct-16		Targeted outreach to organizations			
Jan-17					
Apr-17		Distribute official notification of rule	Research		
Jul-17					
Oct-17			Targeted outreach to organizations		
Jan-18					
Apr-18		Active compliance begins	Distribute official notification of rule	Research	
Jul-18					



Oct-18				Targeted outreach to organizations	
Jan-19					
Apr-19		Monitoring stage	Active compliance begins	Distribute official notification of rule	Research
Jul-19					
Oct-19					Targeted outreach to organizations
Jan-20	Metro awards bids for new contracts: transfer station operation and landfill disposal.				
Apr-20			Monitoring stage	Active compliance begins	Distribute official notification of rule
Jul-20					
Oct-20					
Jan-21					
Apr-21				Monitoring stage	Active compliance begins

### III. PROGRAM IMPLEMENTATION FOR PHASE 1

#### Research

While BPS has extensive experience working with many of the 1,000+ organizations that are already collecting their food scraps, staff has a less sophisticated understanding of those fields with lower participation. For example, BPS has limited understanding of the barriers facing organizations that provide nursing care and childcare. Therefore, research is recommended to fill gaps in BPS' knowledge, focused particularly on organizations in fields with low participation. The research will explore barriers, potential tools to assist with participation, as well as cost and service level information. Due to limited staff bandwidth BPS will likely hire a contractor for this work.

BPS will also coordinate with Metro's effort to convene a stakeholder process that will include Portland organizations and other important stakeholders that will be affected by either a service mandate or a disposal ban.

#### Coordination with Metro

1. Metro's **Solid Waste Roadmap** is an effort to consider the best ways to get more out of our landfill bound garbage, while continuing efforts to reduce, reuse and recycle. Wet garbage from the region is primarily disposed in landfills operated by one contractor and that contract will expire in 2019. Metro sees this as an opportunity to comprehensively review the region's solid waste system and place greater emphasis on waste reduction and recovery efforts. Options considered include getting food scraps out of the garbage, using technology to convert waste to electricity and heat and recovering more recyclable and reusable materials with advanced sorting methods.

In 2016, the Metro Council will begin to identify its preferred approaches, including landfills, for managing the region's garbage in 2020 and beyond.

Metro Council has prioritized **accelerating recovery of food scraps** from the commercial sector. Metro staff have been directed to develop a plan that utilizes a combination of financial signals and required recovery. Metro's ultimate goal for the region is to have local processing capacity, but it supports using existing distant capacity in the interim until more local capacity is developed. Metro Council also directed staff to explore whether to use its ability to direct food scraps to its publicly-owned transfer stations as a tool to develop additional capacity.

Based on Metro Council direction, Metro staff is developing detailed implementation plans, conducting stakeholder engagement, and performing cost analysis of the narrowed options. During winter and early spring of 2016, Metro will be engaging commercial food scraps stakeholders and researching options to increase tons collected.

Metro's research and outreach findings will be important to Portland's roll out of the commercial food scraps mandate. Portland staff will be working closely with Metro staff to support and inform their work.

### **Customer Support**

BPS needs to be ready to respond to the commercial community's questions about the program by assigning staff dedicated to providing information and trouble-shooting, over the phone, via mail, and in person. Customer support to food-generating organizations will include:

- 1) A staffed hotline to provide information and answer questions about the mandate.
- 2) Trainings for haulers, property managers and food-generating organizations to support collection, waste prevention and food donation.
- 3) A streamlined assistance protocol for target organizations.
- 4) Case study development and peer mentorships to use CBSM techniques.
- 5) Collection containers that are sized to support a food only system.

### **Notification of Admin Rule**

The Portland commercial community, including Metro, haulers, targeted organizations and other stakeholders need clear information about the administrative rule, the definition of compliance, who is required to comply, options for achieving compliance, resources and assistance, and the consequences for non-compliance. BPS will send out notification letters a year in advance of required compliance and follow up with Phase 1 businesses to ensure the right person received the notification.

### **Participation Tracking**

Overall compliance is a key indicator of program performance and will be measured primarily by tracking participation in the commercial food scraps hauling program. BPS regularly receives lists from garbage and recycling companies of their food scraps customers and can compare this list to the list of targeted organizations identified via NAICS codes and state employment data to have monitor participation over time. The hauler list is not comprehensive and further verification of compliance will be necessary as outlined in Verification of Compliance, below.

### Program Evaluation

Program evaluation will include participation tracking, mentioned above, but it will also focus on:

1. Reducing landfill-bound food scraps
2. Increasing recovered food scraps and the citywide recovery rate
3. Tracking the number of organizations assisted.

Current estimates indicate that 28,000 tons of unpackaged food are currently going to the landfill from the targeted organizations identified in this proposal. The following table illustrates how implementation of this program can help achieve adopted policy goals.

Estimated tons of potential food available for all phases	% Recovery	Estimated recovered tons	Potential increase in citywide recovery rate	Reduction of food to landfills <i>*Calculation does not include current cmcl or residential recovery. CAP goal is 90% reduction from 2008 baseline year by 2030.</i>	Reduction in greenhouse gas emissions (metric tons of CO2E)
28,000	80%	22,500	2%	27%	9,800*

*\*Equivalent to 23 million passenger vehicle miles driven*

In addition to these metrics, BPS will also consider material quality. It's not enough to collect food scraps if they are contaminated and unusable by end markets. A clean material stream is essential for program success. Metro has committed to and set up a system for communicating to BPS about contaminated loads of commercial food scraps delivered to Metro transfer stations.

### Verification of Compliance

In Phase 1, BPS staff will automatically conduct an inspection site visit to verify compliance for those organizations choosing an alternate compliance option as well as those organizations that have not yet begun participating once the compliance date has passed. Organizations that are already participating (on hauler customer lists) when the requirement takes effect will receive the benefit of the doubt and their compliance will not be verified unless there is reason to do so or if they are selected for a random on-site compliance inspection during the monitoring stage. Organizations that are participating ahead of schedule but whose names are not represented on the hauler list may be verified by phone or email, or may require an on-site inspection, depending on circumstance.

As indicated on the timeline above, each phase ends by moving into the monitoring stage. During the monitoring stage, a number of organizations will be randomly selected for an on-site compliance inspection, with the highest percentage selected in Phase 1 and a successively lower percentage selected in each subsequent phase. This active verification is proposed as an alternative to a complaint-based approach to compliance. A complaint-based approach is unlikely to be an effective strategy for this program since the required actions are "behind the scenes" and in most cases visible only to the employees and contractors. In addition, active verification provides accountability and equity for this high-profile requirement by creating an expectation of compliance for all food-generating organizations.



**Enforcement**

Enforcement is intended to be a method of last resort. Outreach and assistance is designed to be comprehensive and by the time an organization enters the enforcement process they will have had many opportunities to comply. The enforcement process will be similar to other BPS enforcement processes.

Enforcement protocols are triggered when an organization indicates an unwillingness to comply with requirements. It starts with a warning letter, ultimately followed up by a site visit regardless of business response. If the business is determined to not be in compliance, a notice of alleged infraction will be issued, again ultimately followed by a site visit. At that time, if the business is found to not be in compliance, a notice of infraction and assessment will be issued.

**Limited Term Exemption**

Pre-phases research work will help determine how significant an issue space constraints are to food scrap participation and inform program design. Organizations with substantial space constraints or a need to invest in building infrastructure to support food scraps collection will have the option for a temporary exemption that extends their timeline to comply. To receive a temporary exemption, the organization would have to fill out an application that would demonstrate that they have considered all reasonable options for correcting the violation and explain why none is viable and provide a plan for complying by the end of exemption period.

Time period: 6 months with an option for a 6 month extension.

**Workload Planning for Phase 1**

Program Element	# of Orgs	BPS Staff Needed
Research	100-200	0.2-0.3 FTE for six months
Customer Support (CS)	350-450	3 FTE, shared with NAR and VC&E
Participation Tracking	800	0.1 FTE (big push on quarterly basis)
Notification of Admin Rule (NAR)	800	3 FTE, shared with CS and VC&E
Program Evaluation	N/A	Depends on how often evaluation occurs
Verification of Compliance and Enforcement (VC&E)	~800	3 FTE, shared with CS and NAR