



# CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

## AGENDA

### CITY COUNCIL – REGULAR MEETING

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Court  
Troutdale, OR 97060-2078

**Tuesday, October 10, 2017 – 7:00PM**

#### Mayor

Casey Ryan

#### City Council

David Ripma

Randy Lauer

Larry Morgan

Glenn White

Rich Allen

Zach Hudson

#### City Manager

Ray Young

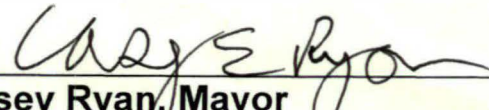
1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **CONSENT AGENDA:**
  - 2.1 **MINUTES:** September 12, 2017 City Council Regular Meeting.
3. **PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items. *Remarks shall be limited to 5 minutes for each speaker unless a different time is allowed by the Mayor. The Mayor and Council should avoid immediate and protracted response to citizen comments.*
4. **PRESENTATION:** A presentation on the Regional Business Food Waste Requirement. *Pam Peck & Matt Korot, Metro*
5. **ORDINANCE (Introduced 9/26/17):** An ordinance approving the Third Amendment to the Troutdale Riverfront Renewal Plan to specify property to be acquired. *Erich Mueller, Finance Director*
6. **ORDINANCE (Introduced 9/26/17):** An ordinance amending Troutdale Municipal Code sections 2.08.090, 2.08.100, and 2.08.140 relating to the order of Council business and public comments. *Ed Trompke, City Attorney*

7. **RESOLUTION:** A resolution authorizing the negotiation, execution, and delivery of a full faith and credit financing agreement in an amount not to exceed \$5,000,000 to finance Troutdale Urban Renewal projects, and related matters. Erich Mueller, Finance Director

8. **STAFF COMMUNICATIONS**

9. **COUNCIL COMMUNICATIONS**

10. **ADJOURNMENT**

  
\_\_\_\_\_  
Casey Ryan, Mayor  
Dated: 10/03/2017

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page [www.troutdaleoregon.gov](http://www.troutdaleoregon.gov) or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale Police Community Center – Kellogg Room**  
**234 SW Kendall Court**  
**Troutdale, OR 97060**

**Tuesday, October 10, 2017**

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**

Mayor Ryan called the meeting to order at 7:00pm.

**PRESENT:** Mayor Ryan, Councilor Ripma, Councilor Lauer, Councilor Morgan, Councilor White, Councilor Allen, and Councilor Hudson.

**ABSENT:** None.

**STAFF:** Ray Young, City Manager; Ed Trompke, City Attorney; Sarah Skroch, City Recorder; and Erich Mueller, Finance Director.

**GUESTS:** See Attached List.

Mayor Ryan asked, are there any agenda updates?

Ray Young replied no Mayor there are none.

**2. CONSENT AGENDA:**

**2.1 MINUTES:** September 12, 2017 City Council Regular Meeting.

Mayor Ryan stated Councilor Allen pointed out a typo.

Councilor Allen stated it's on page 5 of 11, on the 3<sup>rd</sup> paragraph from the bottom. It should read that we have about a 16,000 person town and not a 60,000 person town.

**MOTION:** Councilor Ripma moved to adopt the Consent Agenda with the correction (as noted by Councilor Allen). Seconded by Councilor Lauer.

**VOTE:** Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; and Councilor White – Yes.

**Motion passed 7-0.**

**3. PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items.

Chris Whited, Troutdale Resident, stated I want to take a moment of your time to talk about the noise control code. Apparently we have a code that covers noise between 10pm and 7am and no other time. Apparently a Troutdale neighbor can make as much noise for as long as he wants between 7am and 10pm. I've noticed this since I've called the local constabulary and had them come over and they said there was nothing that they could do by virtue of these codes. I would like to ask the Council to perhaps approve a code amendment similar to Gresham's which covers noises measured at or within the boundary of the property on which a noise sensitive unit which is not the source of the sound. It has a few decibel numbers for night and daytime. It has right-of-way of at least 50 feet from the source of the sound. Perhaps these aren't suitable for Troutdale however it's good enough for Gresham and I don't see why Troutdale couldn't adopt it. Livability, quality of life, our ordinances are the rules by which we live that concern those things. With density and infill these problems are going to get worse, I think. We need to stay ahead of the game. If someone could look into it. I would be glad to help with my input. To maintain the quality of life and livability that we have here in Troutdale. It's a nice place, it's up and coming I think, and I'd like to see it continue. These things are things that I feel strongly about. I was simply shocked that Troutdale didn't have some kind of help for those of us that are suffering from noisy neighbors. Gresham has a very reasonable code.

Mayor Ryan asked is there a timeframe on that?

Chris Whited replied yes, there is a timeframe from 10pm to 7am like ours and there's also a timeframe from 7am to 10pm.

Chris Whited provided a copy of the Gresham code to staff (a copy can be found in the meeting packet).

Councilor Allen asked, should we direct staff to implement these suggestions?

Mayor Ryan stated yes. Could you bring something back to us?

Ray Young replied yes, I'll agree to do it. I've worked on Gresham's ordinances before so I'm familiar with it. I'll look at it, talk with Ed, and see if there is some suggestion that we might make to Council about how to address this issue and whether we should or shouldn't from 7am to 10pm.

Jon Lowell, Troutdale Resident, stated I missed the deadline for turning in my application to work on the Historic Landmarks Commission. My wife was in the hospital and my attention was diverted to other things. I want to ask that you would please accept this (application) so that I can continue to serve.

The Council agreed.



Rob Canfield, Troutdale resident, stated I watched the September 26<sup>th</sup> Council meeting on T.V. and was a little concerned with what I watched. Toward the end of the meeting after a long agenda item, Troutdale resident, John Wilson was there to talk about term limits to you all. My first concern is to the lateness of the hour. I was concerned that due to the extended time of the other agenda items, why didn't the City Council postpone Mr. Wilson's agenda item and just ask him to return to the next City Council meeting? Mr. Wilson is a long time and respected member of the community and he did deserve better treatment than to be stuck at the end of a long list of agenda items. It appeared to me that the City Council intended rushing through the agenda item on term limits so they could all go home. However, after Mr. Wilson talked about his opinion on term limits it actually became clear to me why the City Council insisted on having the term limits take place at the late hour. I heard a couple of you and Councilor White speak out against term limits claiming that the City doesn't need inexperienced people, all of you were at one time. They said that the City Council only needed experienced people on the City Council. If you really believe that that you only needed experienced people to work with the City you would have appointed the applicants of the last go around for the commissions and committees. You would have appointed the applicants with advanced degrees and years of experience and not your close friends who have no college degrees and no experience. Then I saw the stacked deck with every member of Councilor White's family there to talk against term limits. This is blatant stacking of the deck which is apparently condoned by the City Council. It's the very definition of cronyism. I think the City Council has forgotten you represent all of us and not just yourself. You represent the best interest of the City and not only yourselves. Every citizen here deserves better treatment than this. We need advanced people with advanced degrees and experience. All of you at one time or another were brand new also. I hope in the future you would treat people who come up here and speak or request to have an agenda item put on the City Council agenda to not stick it as an afterthought at the end of the meeting.

Paul Wilcox, Troutdale resident, read from a prepared statement which is attached to the minutes as Exhibit A to these minutes.

John Wilson, Troutdale resident, stated I would like to commend our Sheriff's Department for coming out and picking up the abandoned trailer. They had to get Hazmat out. They got it off the street in one day. I want to talk about the meeting on the utility SDCs. One of the things that Glenn White had mentioned is that they surgically took apart the Parks Department and came up with a \$2500.00 fee for SDCs for parks. That's not the case. I was the one that made the motion and none of the parks projects were taken off. The fee was just lowered from \$7500.00 to \$2500.00. That number had nothing to do with cutting back any of the projects that were on the parks plan. I want to talk about the utility SDC fees in that the citizens/rate payers shouldn't have to make up for the SDCs that the new people moving into the city aren't paying. I feel that 2 members of the Council want to put all the weight back on the utility payers. They didn't want to lower the subsidizing of the stormwater runoff to the big businesses which would cause even higher rates to the rate payers. If we don't raise the rates of the SDCs to take care of our current infrastructure we're going to end up paying for it and we're going to be like Gladstone. Gladstone is \$50 million in the hole that the rate payers have to make up for because the City Council refused to raise the rate of water, stormwater runoff or sewer. If we don't do it, we're going

to be in that same situation at some point. Also, Glenn has been wanting to get Metro to give us 800 acres in our Urban Growth area. I don't believe Metro or the State will even consider giving us property for future growth if we don't have some kind of infrastructure plan in place. We can't put that in place if we're not charging the right amount in SDCs for utilities. I plead with Glenn and Rich to please look into this before just saying that we need to look at the plan for utilities. Travis came by and showed you where all that money was going to be spent. If we raise the rates now then 3 projects that are being put into the Reynolds property will probably pay for one of those. Think what Amazon would be paying if those rates were in place now. We would be far better off for future utility replacement.

Sharon Ezzell, Troutdale resident, stated I noticed and it's been brought to my attention by a few other people that the Public Works office building has had quite a bit of work done on it, remodeling and such inside. Where are the funds coming from? I don't remember that being in the budget.

Ray Young replied there has not been any money put into remodeling that building in at least 5 years.

**4. PRESENTATION:** A presentation on the Regional Business Food Waste Requirement.

Shirley Craddick, Metro Councilor, stated I am joined tonight by Pam Peck and Matt Korot. I want to say thank you for your time this evening to discuss the commercial food scraps program. This was a program and discussion that's been going on since 2004. Metro Council has given direction to Metro staff to work on instituting a program that's a regional wide food scrap program. This effort supports an ongoing mission that we have to ensure the protection of human and environmental health and to receive the best value for our public's money. We are literally burying a product right now that really has a better and higher use. As elected leaders I know that when a new program is explored there's often apprehension. I know that you have been hearing comments from your business groups/leaders and I hope tonight after this presentation you'll feel a little more relaxed about what this program is. I also hope that when we leave here this evening that we'll have some feedback from you. I would like to hear some of the comments that you've been hearing. Metro staff and myself, have been working with local businesses, associations and chambers throughout this planning process. We're also attending Council meetings like this one this evening to make sure that we have opportunity to hear questions and concerns and words of wisdom from you regarding this proposal. I hope the information provided tonight can help you feel at ease and you'll be able to get some valuable feedback on how to ensure a robust and thoughtful program to reduce our waste in the region and also to add value to the local business practices. This program already has a positive effect for many businesses as well as the ways that it can bring benefit to the larger community and region. Edgefield is very excited about this program as it helps them to maintain continuity and consistency throughout their entire operations while allowing them to actively participate in green business practices which is good for both their bottom line and efforts to ensure protection of our natural resources and environment. Our staff is working diligently to make this a flexible program and tailored to



each city's needs with a phased rollout to mitigate the concerns that you may be hearing. Your feedback is critical this evening. Tonight I'm joined by Matt Korot and Pam Peck. Matt is the Resource Conservation and Recycling Program Director at Metro and is responsible for the overall management of the Regional Food Scrap Program. Pam is Metro's Resource Conservation and Recycling Planning Manager and is responsible for the developing and implementation of this policy.

Matt Korot stated Pam and I are very appreciative of you carving out time on your schedule to be here. We're here to talk about a policy that the Council will consider later this fall. Pam will do the bulk of the presentation tonight. I'll start with some context and Pam will then talk through what the policy elements are themselves. This is a policy that would put requirements on businesses and put some requirements on local government. We know that requirements are never popular but as Councilor Craddick mentioned we think this proposal is rather measured in its scale and scope. We think it's an appropriate next step after what has actually been 20 years of the Region working on food programs. Matt Korot showed the City Council a PowerPoint Presentation which outlined the Regional Business Food Waste Requirement (attached as Exhibit B to these minutes). This State, this Region and this City have been committed to the idea of getting value out of the stuff we throw away for 4 decades. What happens to food when it's in a landfill? Landfills are significant emitters of greenhouse gas emissions and food scraps are a primary contributor to the production of methane in landfills. There's a great environmental opportunity here. There's also another opportunity. Collecting food scraps and processing them locally provides an economic opportunity. It allows us to produce clean energy including electricity, pipeline natural gas or natural gas for vehicles right here in the region. It also produces liquid and solid nutrients that then becomes inputs to our \$50 billion per year agricultural economy in the U.S. Putting food in the garbage is simply a missed opportunity to get environmental and economic value. It's for those reasons broadly that when the region actually developed and put in place its Regional Solid Waste Management Plan almost 10 years ago we identified food as one of the priority materials to address.

Pam Peck stated I'm going to talk a little more about the details of the policy that's proposed as well as the extensive stakeholder engagement we've been doing over the last year and what we've been hearing about the process. The focus of this program is on commercial food scraps meaning the food that comes from the business sector. Why are we concentrating on the commercial sector? That's because over half of the food waste we generate in the region comes from the commercial sector from food service type businesses and it comes from kind of a small group of those businesses who generate most of it. This is where food scraps are concentrated and they're clean and where we can get the best source for our processors. They're not spread out across a broad population and they typically aren't going to have a lot of other materials mixed into them. Waste prevention and donation will always be our highest priority so this program is really focused on those things that are not edible food that could be donated to a food bank or community. It's not food that a farmer could use to feed their hogs which is what many food service businesses have arrangements like that set up. We're really talking about the peels, grinds, bones, trimmings and all those things that are leftover afterwards. I'll be talking about, how can we capture that material that these businesses have control

over and that could come out of the landfill and go to make energy and other kinds of products? This work really isn't new. I want to note the item highlighted in red (slide #6), about 6 years ago the Metro Council's Solid Waste Advisory Committee which is made up of local government and community representatives recommend that we move to a required program if certain benchmarks weren't being met in terms of getting food out of the landfill. While we've made some progress over the years we have had some setbacks as well over the years but we still haven't gotten really to a stable system. This program is designed to accelerate our regional recovery so we can achieve the public benefits that we would get from separating this out and we believe that the model we have today is working and we need to go to a requirement. This longstanding approach that we have really wasn't working. We just weren't seeing an increase in the amount of food scrap that were being diverted from landfills. The Metro Council directed us to move forward and look at this in more detail. This direction followed the Council work sessions and discussions of potential options in 2014 and 2015 as well as discussions in 2 different meetings with the Metro Policy Advisory Committee (MPAC) in April and October of 2016. Also the Solid Waste Advisory Committee discussed this numerous times in 2014, 2015 and 2016 and then the local government intergovernmental solid waste director group also has discussed this quite a number of times. Staff has been working to develop the draft policy we're talking about tonight. We formed an intergovernmental team and that was made up of representatives from Beaverton, Clackamas County, Gresham, Portland, Washington County and the Department of Environmental Quality. We also conducted extensive stakeholder engagement to really learn from our experience with current programs and the business community that are already doing these programs as well as the view of members of the business community who are not participating in these programs. The policy would only affect back of house food scraps. Those are the things produced in the kitchen or in a production process. A business wouldn't be required to collect the food scraps that are being generated by their customers in the front of the house. The policy would require that property managers allow businesses that lease space from them to set up service. The proposal also includes a recommendation that Metro continue to provide funding support to local governments for program adoption and implementation. This is something we've been doing for our commercial recycling programs for about 25 years. The rollout would be phased in over 3 years. These phases are determined by how much food waste a business generates. There are waivers and extensions built into the policy to ensure implementation makes sense at the local level. Local governments would also have discretion to grant temporary waivers to businesses. There could be a business that has very little food waste because of their attention to what they order, how they plan their menus or because they're doing donations, or a relationship with a farmer. Those might all be reasons that they wouldn't need that 250 lbs. There could also be fiscal barriers that can be remedied to get a container into the back of the house. We started with a survey in focus groups and that really helped to create a basis for things that we built into the policy in the beginning. What we heard there was 45% of businesses were in favor of the program mostly because of the environmental benefits. About 30% had concerns but weren't opposed. The types of concerns we heard were cost, wanting assistance with employee education, a desire for flexibility and a desire for the mandatory program to focus only on the back of the house food. We've also heard that on-site technical assistance is very critical. Regional businesses told us they want to see a consistent program across the region. We've also talked to industry



associations including the food processor, the grocery association and the Oregon Restaurant and Lodging Association (ORLA). They were instrumental in helping us with our outreach. ORLA does not support a mandatory program of any kind but despite they're moving forward with a partnership with us to educate their members about donation and waste prevention and actually setting up successful composting programs. Local government solid waste managers have told us that a phase in is critical and that this type of program takes time to implement. We recognize that the required program will have its challenges and we're well aware of that. We have been working on developing food scraps recovery programs in the region for a long time and we have 12 years of experience with helping businesses do it. We are in our stakeholder outreach phase now.

Ed Trompke, City Attorney, asked how has this been coordinated with regulations of the Oregon Health Department who has pretty strict rules about keeping older foods separated from fresh food? Will there be aid for cities to write these rules?

Pam Peck replied we do a lot of coordination with health departments now and we have a meeting with all the County health departments in the State coming up. That issue really is around more the food donation. All we're doing is putting these materials into a different container so they're already back there in the garbage but we have been consulting with the health authorities.

Ed Trompke stated there are significant issues and the health departments are the only people who can answer these questions. I want to see State regulations before I would say we can start enforcing anything.

Matt Korot stated we can do exactly what you just said. We can also share with you the experiences of the local governments in which the current 1200 food generating businesses that are separating their food are operating in who had this experience. I think there's a lot that's been gained over those years in terms of that. It's important to remember the impact on the solid waste system and those type of rules. This is the same old material. It's just going in a different container. There are no different rules related to collection frequency unless you choose as a local government to change that. We can provide Troutdale and other jurisdictions with really applicable learned experiences from like businesses. We absolutely can provide that technical assistance. Some of those jurisdictions in the intergovernmental work group that Pam mentioned have said that a model ordinance would be helpful.

Pam Peck stated the program will have technical assistance funds for local governments that implement the program.

Matt Korot stated we have had a funded technical assistance program for general business recycling but also for food scraps recycling programs for the last few years. We have said that if this policy goes in place they will see a staff proposal for additional technical assistance funding to local governments to implement the program. We want to see that the City is ensuring the collection service is provided to those 23 businesses during the phase-in, that educational material is provided for those businesses, and that they have the collection containers on-site.

Councilor Morgan stated we are literally going to move from having 3 or 4 containers potentially to having all the eggs in one basket which could become a liability for health issues or rats and things like that. Is that responsibility of that enforcement and health department going to be on the jurisdictions to implement and maintain or to facilitate to make sure there's not health concerns?

Matt Korot replied the local government would still be responsible for the implementation and enforcement of your health codes and your codes related to the placement of containers. There's no new material here. It is spread out among more containers but from what we have heard from the businesses that are participating so far there's no increase in rats or any other kind of nuisance issue associated with this.

Councilor Allen stated when something similar came before this Council one of the concerns we had at the time was that Portland was implementing a program and the food processing plant was being overwhelmed and that particular area was having complaints of odor.

Pam Peck stated the material that's being collected in the voluntary programs are going to a digester in Junction City and then some of it's also going to Pacific Regional Compost which is a composting facility. The request for proposal process is looking at increasing that capacity. We're in the process of looking at proposals right now.

Councilor Allen stated basically what I'm looking for is that we can handle that extra capacity put into the system. In the places that have implemented this, has there been an increase, decrease or remained the same amount of food that gets put into the sewer system instead?

Matt Korot replied in many jurisdictions there's already a disincentive for food generating businesses to put a lot down the sewers because of extra charges. There will definitely be some reduction in what goes down.

Ray Young stated what I'm hearing is that as a City if we adopt this we will be responsible to make sure the hauler collects this stuff separately, we'll be responsible to make sure the hauler provides the appropriate container for all of the eligible businesses and we will be required to make sure the hauler picks up at least twice a week.

Matt Korot stated that part is not any part of the requirement. You will not be required on frequency of collection.

Ray Young stated what I'm hearing though is these people are going to have a compost pile in the back of house sitting there for potentially a week. It's one thing to have your food waste separated and mixed in with refuse and other things and now we're concentrating it. Twice a week sounds like the best way to do it. Once a week is a little long.

Matt Korot stated we're not going to dictate that from a Metro perspective because ultimately that's a business decision that needs to be made and a community decision as well.

Ray Young stated we would also be providing education for our businesses. Is that something we would be providing ourselves?

Pam Peck replied we would have all those materials.

Ray Young stated we will not have to enact any punitive enforcement measures at all. If a business does not do this, you're not expecting us to have an ordinance that we says we can issue a ticket?

Matt Korot replied we are expecting that you ensure that you have the services and containers provided to your businesses.

Shirley Craddick stated the other opportunity that we have here is that we have requests for proposals to build the new facility that will process this food. You'll be helping create a supply for a business that will locate in our region to process this food. This is a business process too not just the environmental benefit that this brings and it's also good for business. What else have you heard? I know there's been some nervousness and concerns from businesses.

Councilor White replied I've heard a few concerns. The biggest one is, how long before homes are required to do this?

Matt Korot stated Metro is going to work on commercial food scraps programs and we're going to leave it to the discretion of local governments on whether they want to implement residential programs. Councilor White, we're not anticipating moving forward with any kind of requirement on that. We think the best approach right now is to leave that to the discretion of the local governments.

Councilor Ripma stated you're putting out a request for proposal right now. When are you going to have a processor up and running?

Matt Korot replied we would have a new processor up and running by January 1, 2019 is our target. We have existing capacity now that we can use. We think for the phase 1 ramp up in 2019 current capacity can handle any kind of ramp up, up to that time.

Councilor Ripma asked, you are granting cities a waiver if they're a distance from the processor?

Matt Korot replied the waiver would be granted based on what's a reasonable distance to a transfer station or to the processor. We have to figure that out. There's no guarantee that that Troutdale recycling facility will be a part of this. We would have to talk with Waste Management. Our ideal is recognizing that there will be one location for a processor. We



have to have a system of transfer or reloading in place to allow it to get somewhere cost effectively. Our starting point is that we have a half dozen transfer stations in the region.

Councilor Ripma stated Metro is planning to adopt this next month or December. You're adopting what is in effect a mandatory program and you don't have it up and running. You don't have the infrastructure ready to go and you're going to end up hauling it all around the state.

Matt Korot replied you raised a fundamental issue that's been part of the discussion since we started. We can't get financing without some certainty on supplies. We're trying to address that by having this requirement to get more and then having a contract with an actual processor to get the financing.

Ed Trompke stated I think it was just a year ago that we signed a new contract with Waste Management. I'm not sure whether there's any provision for this. In your discussions with them, have they talked about the ability to service these accounts with the same trucks and a different pickup other than recycling, garbage, yard debris? We'll have to re-negotiate a rate. Will that get charged to business owners only or to everybody?

Pam Peck replied currently Waste Management is providing service to Edgefield and they're also providing service to Wood Village. They've worked out a special arrangement with them to do that. It varies with the other cities and they're doing it through their rate review process. In the vicinity of Beaverton, they just put commercial food scraps into their commercial lines of business and bundled those costs across their commercial line of business. Different communities are doing it differently in terms of how they approach that.

Councilor Allen stated in your RFP for locations of processing transfer sites, is there consideration for location, wind, inversion patterns? I'm trying to avoid North Plains II from happening here.

Matt Korot replied we'll avoid North Plains II because no composting facilities submitted proposals. Everything is either a specially focused anaerobic digester for this material so it's completely enclosed with negative air for the dump off area and all the processing is completely enclosed.

Ray Young stated throughout your whole presentation you did not say one word that your businesses will pay more. You should include that in your presentation. I think Council wants to know that upfront. Second, how much does it cost businesses, medium, large, small, in their garbage bills to pay for this program? That's what our businesses want to know. I love the idea but what's it going to cost?

Matt Korot replied Pam will send those to you tomorrow. In our previous presentations we've been talking in generalities about the cost for a few reasons. We heard your comments from a number of jurisdictions. Why we hesitated in providing information is because there's a bunch of variables that go into what the cost is actually going to be. Those variables come down to the fact that at the house, service is pretty basic. You have

a few choices in term of your garbage container size. At the business there are literally dozens of combinations possible based on number of days of collection and number of containers and then there's some uncertainty about what any particular business that starts food scraps recycling will do with its garbage collection. There's no great pie here. It's all the same material. A business will have the opportunity to reduce its garbage service while having new food scraps service. There's kind of a range of potential cost options. Every jurisdiction in this region has a slightly different way of setting the actual rates it charges its customers. What we've done is to give you some examples of different service levels and also give you examples of how different jurisdictions do their rates. We'll provide that to you and we're going to talk about it at the Council's Solid Waste Advisory Committee meeting tomorrow.

Pam Peck stated we're also presenting the Metro Council with cost mitigation options that the Metro Council could support for the portion of the rates that Metro can impact which would be writing down the tip fee and some other things we could do.

Councilor Morgan asked, what percentage of this 18% of trash disposal is commercial waste?

Pam Peck replied about 55% of the food waste.

Shirley Craddick stated it is Metro's goal for this to be cost neutral.

Dean Kampfer, Waste Management, stated I want to share that Waste Management's been providing this service throughout the Metro Region for a number of years. We have over 300 customers in the City of Portland. This is not new to us. We can provide the service. The contract is not in there but we can easily accommodate an additional service. Some of the sticky points for you will be how you pass on the rates. If you take 23 of your total commercial customers it's a much less efficient collection system. The actual cost of providing the service is higher than what the cost is for providing a commercial garbage service. Then you get into the frequency of pickups and the cost of frequency as well. Another challenge we've been seeing is enclosures. I'm not sure what the City of Troutdale's policy or code is about containers and enclosures but typically the enclosures don't have enough room for another container.

Councilor White asked, are your trucks able to handle the weight of those food containers?

Dean Kampfer replied they can be very heavy. Those carts don't last as long as they do in your house. They're not designed for that heavy use. We'll work with it. Another benefit with the City of Troutdale is that Waste Management is picking up in Wood Village.

Councilor Allen stated I would be interested if you happen to come up with a better container as a proposal.

Dean Kampfer stated we use metal containers and also front load containers.



Sharon Ezzell stated this is clarification for the minutes. On slide 9 where it says that food scraps from businesses by 2023 you actually said 2013. On phase 3 when you're going to implement the schools into that, there is a tremendous amount of food waste in the cafeterias because of the new Michelle Obama food services that kids have to be given now. They have to have food items on their plate whether the child wants them or not. I would say probably 75-80% of those pieces of fruit get thrown away. Is there something that you're thinking about implementing that the schools could separate that garbage?

Pam Peck replied there are some great programs. The City of Gresham has some great programs in their schools working with the front of the house waste.

**5. ORDINANCE (Introduced 9/26/17): An ordinance approving the Third Amendment to the Troutdale Riverfront Renewal Plan to specify property to be acquired.**

Councilor Allen stated there's a potential conflict of interest because of the lawsuit I'm involved in.

Erich Mueller, Finance Director, stated I have not received any follow up questions or comments from the last readings with URA meetings. It's the same information that's been provided to you twice previously. This amends the existing Troutdale Riverfront Renewal Plan to allow the purchase of the 2 tax lots that are currently owned by Eastwinds and the City. State standards requires the Urban Renewal Plan to list real estate that they may acquire.

**Mayor Ryan opened the public hearing at 8:39pm.**

Shirley Craddick stated the City of Troutdale has a wonderful opportunity with your Urban Renewal area. I want you to know that Metro is glad to help you anyway we can to help with your planning effort and there might be funding available to help you with the plans for the future. There's even maybe some tourism dollars that might be available to help.

Councilor Allen asked Councilor Craddick, is there a chance of assistance in closing the 40-Mile Loop?

Shirley Craddick replied we as a group of jurisdictions came together in 2012 and we came up with a plan to make the connection between the Springwater Trail and the trail along Marine Drive. Because of the challenges that we faced at that time it really set us back with all the campers along the trail. We lost public support for it so we suspended the planning effort and that money and funding has been moved to other parts of the region. Right now there's no funding available but we'll be glad to have discussions with you and see what we might be able to put together.

Councilor White stated one thing we sold to the public was there would be increased access to the Sandy River. The original plan that Eastwinds put together had a pier that went out into the river for fishing opportunities and the scenic beauty of being out on the water and that was scrapped. If there's anything Metro can do because we placed special requirements on that with Title 13. We tried to exempt that area from being strictly adhered



to as far as environmental impact. We want the public to be able to actually have access to water and not just look at it or stand 150 feet from it but actually get down there and experience the river and fish and other opportunities. If there's anything you can do in that regard we would appreciate help with that.

Shirley Craddick stated I'll be glad to. The Sandy River being a long scenic river and having that designation does have some limitations and laws around that. This is where your city staff can help you. I'll be glad to do whatever I can to help you with this. There are laws that govern and I don't know what all they are.

**Mayor Ryan closed the public hearing at 8:45pm.**

**MOTION: Councilor Morgan moved to adopt the ordinance approving the Third Amendment to the Troutdale Riverfront Renewal Plan to specify property to be acquired. Seconded by Councilor Lauer.**

**VOTE: Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; and Councilor White – Yes.**

**Motion passed 7-0.**

**6. ORDINANCE (Introduced 9/26/17):** An ordinance amending Troutdale Municipal Code sections 2.08.090, 2.08.100, and 2.08.140 relating to the order of Council business and public comments.

Ed Trompke stated you have in front of you 3 exhibits to the staff report. The first exhibit is the current code, the second is the edits to the first draft and Exhibit C is edits that came from a meeting last week of the Citizens Advisory Committee. I received by email a clean copy of Exhibit C from Paul Wilcox should you wish to substitute that into the ordinance.

**Mayor Ryan opened the public hearing at 8:47pm.**

Paul Wilcox stated I want to go over Exhibit C that you have in your packet. I did my own version. Under 2.08.090 the only change recommended is under #2 for the hyphenated non-agenda. Under the public comment announcement language it's hyphenated and my spellcheck doesn't like it either. On 2.08.100 the third line down, this recommendation came from someone outside the Citizens Advisory Committee that was consulting on the punctuation and I thought it was a really good point. Where you say different time we thought it sounded like maybe you were thinking the speaker had to come back later in the meeting. What the CAC suggested was either changing it to amount of time or a different time limit. I changed it to amount of time because I thought that sounded better. Something that was pointed out at our CAC meeting was between 2.08.100 and 2.08.140 in 2.08.100 we were seeing references to both Mayor and Presiding Officer and in 2.08.140 there was no reference to Mayor at all. In my latest version I used Presiding

Officer throughout in both 100 and 140. I added a few commas here and there just to separate out the phrases.

Councilor Allen stated it kind of seems like the one that's under the ordinance is looking good with the exception of the amount of time that Paul's bringing up and the reference to Mayor and Presiding Officer. I'm good with those changes. It looks like based on your suggestions and what we have in front of us that the change that we need to make is change it to amount of time instead of different in various locations. I'm good with that.

Councilor Ripma stated I recommend we go with Paul's clean copy. It has all the changes, we just went through them one by one and explained them and I agree with them.

Ed Trompke stated just for clarification I've provided a copy of that to the City Recorder so if that motion is made to substitute it that can be done and that should be done by a motion.

Mayor Ryan stated I agree with Councilor Ripma that we go with Mr. Wilcox's which is the CAC's.

**Mayor Ryan closed the public hearing at 8:57pm.**

Councilor Allen stated can we remove the last 2 commas in 2.08.140?

Councilor Ripma stated I read it carefully and I don't think they changed the meaning of any of those sentences.

Councilor Hudson stated I don't think those last 2 commas are grammatically necessary.

Councilor Ripma stated I would agree they aren't grammatically necessary.

**MOTION: Councilor Morgan moved adoption of the clean ordinance provided by Paul Wilcox amending Troutdale Municipal Codes Section 2.08.090, 2.08.100 and 2.08.140 relating to the order of Council business and public comments. Seconded by Councilor Hudson.**

**FRIENDLY AMENDMENT: Councilor Allen moved to make a friendly amendment to remove the last 2 commas added by Paul Wilcox on 2.08.140. Seconded by Councilor Hudson.**

**VOTE ON FRIENDLY AMENDMENT: Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; and Councilor White – Yes.**

**Motion passed 7-0.**



**VOTE ON MOTION: Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan – Yes; and Councilor White – Yes.**

**Motion passed 7-0.**

**7. RESOLUTION:** A resolution authorizing the negotiation, execution, and delivery of a full faith and credit financing agreement in an amount not to exceed \$5,000,000 to finance Troutdale Urban Renewal projects, and related matters.

Erich Mueller stated as we've discussed in previous meetings there were a number of steps that were required to move forward with acquiring property from Eastwinds in the Urban Renewal Area (URA) and proceed to complete the cleanup and site preparation for redevelopment. The URA did not have the resources to accomplish those things and it would be necessary for the City to provide financing. We're still working with our financing team on what is going to be the best configuration and what's going to provide the best pricing for the City. It is not a general obligation bond so there is no dedicated source of repayment for it. The City would be the one doing the borrowing and it will then turn around and loan these proceeds that it receives from the external source to the URA. Those funds will be required to be paid off in a point of time that that property be resold to a private developer. In that interim timeframe the City is going to be obligated for making the external payments to the lender. In Exhibit A included in the staff report it shows the pricing benchmarked back on October 2<sup>nd</sup> and of course interest rates change every day. I was trying to illustrate that during those early years we're looking to add it as an interest only obligation. During that time the City is going to be required to be making that interest only payment without any source of repayment coming from the URA. The URA isn't going to have any resources to repay this until it completes the cleanup and the site preparations and accomplishes the sale of the property. On the flip side of that page the second example is a public offering. It represents a lower interest rate, the issuance costs are a little higher, the timeline to implement it is a little longer and there's additional requirements because it is a public offering. That pushes it in one direction and the bank placement side can be done more quickly but tends to be a little less expensive on the issuance cost side and the interest rate tends to be a little higher but it is more problematic because the bank market does not like the interest only features of it. In the initial canvassing of the banking sources it's been reduced to quite a few of them not expressing any interest in providing the interest only structure. They want to see some principal coming along the way. The bottom line is that either configuration, the City would be making the interest payments in the interim. It's going to be an obligation from the General Fund. Part of what we published is 2 different supplemental budget public notices that were required. One is for next week for the URA and one for the following Council meeting the week after to modify the budget to allow for financing to allow for the loan income within the City to the Agency and also to establish a new debt service fund in order to be able to provide the payments for this interest only scenario. If we were able to move forward quickly, close on the property, begin the demolition action plan, move forward with the RFP and begin to conduct the demolition and remaining environmental mediation it's going to be a 6 to 9 month process in of itself. It's very reasonable to say that it could be 18 months to 2 years into it after we own the property before we're in a position to



have it available to resell. The IGA provides for the URA to repay the City all interest charges paid along the way at that future point when the URA sells that property. In the interim the City is the borrower to the external lender. The City is the one that is pledging its full faith in credit. That terminology is intended to communicate that it's not a general obligation bond. The City will use any and all legally available funds. There's some funds that the City receives from the State that it can't use such as the State gas tax fund. Essentially any funds that come into the General Fund we're obligated to make use of for potential repayment. It includes through multiple steps potentially where a lender could go into court and require the City to go forward and sell some assets in order to make payment on the loan. That's an extreme scenario. The expectation is once the property is sold the URA is going to repay the City. The next step is the URA meeting next week where the agency would adopt a resolution agreeing to the IGA which is the last couple of pages of the packet on that side of the borrowing as well as a supplemental budget for the URA so that it has the ability to spend the money that would be provided to them alone. Then there's a supplemental budget resolution and creation of the debt service fund at the Council meeting the week after that.

Councilor Allen stated I think that based on the LOI that we're kind of committed here.

Erich Mueller stated the letter of intent refers to purchasing the property as we talked about back before the decision was made to actually move forward with the alternate closing was that we could simply go forward and buy the property. That's all the letter of intent requires.

Mayor Ryan asked, what would they want for collateral?

Erich Mueller stated it's based on the City's full faith in credit.

Councilor Morgan asked, it's 19 payments over 10 years?

Erich Mueller replied this is the illustration of what exactly it will end up being partly based on what we get back from the bank. I was trying to illustrate over 10 fiscal years.

Councilor Morgan asked, we know what we're going to buy the property for?

Erich Mueller stated that's being negotiated and has yet to be solidified. We have an LOI that we're working with them.

Councilor Morgan stated that factors in what potentially the cleanup may cost. We can't go above \$5 million per this resolution but do we know if it's going to be \$3 million we're going to pay them? Or \$1.2 million? If it's still in negotiations it's not solidified.

Erich Mueller replied the estimation was based on the LOI which indicates approximately \$2.1 million. The negotiation hasn't been completed but that depends on what the 2 parties come to an agreement on in terms of what approximate means.

Councilor Morgan asked, is there language or discussion about if the parties don't come to an agreement?

Erich Mueller replied not as it relates to this resolution. That's related to the LOI. I don't have a solid number.

Councilor Morgan stated the LOI gives this standing for us to move forward. We're borrowing \$5 million with the assumption that we eventually will come to an agreement and then mitigate the land through some kind of cleanup operation.

Erich Mueller replied the \$5 million was an approximation of adding \$2.1 million plus the \$1.7/\$1.8 million that is the 2011 estimate for the deconditioning and demolition of the sewer treatment plant, another half a million dollars that I put in for demolition for the buildings on the Eastwinds property that we would then also own and then additional environmental mitigation. I ended up rounding it up to \$5 million.

Councilor Morgan stated we are not going to move forward to condemn with the current cast of characters. I think a bigger question that will come up eventually is the transportation or the access issue. We're spending \$5 million to clean it up and that's great but a developer may say eventually that there's not the desired or needed access. Do we have that included in this conversation as it relates to the cleanup and the acquisition?

Erich Mueller replied the dollars provided for this estimate are not currently intended to address access issues.

Councilor Morgan asked, are we assuming that it's going to be turnkey, cleaned up and shovel ready but it won't have the desired access that it needs to accommodate whatever will be developed back there?

Erich Mueller replied desired access is going to be relative. At the moment there are no plans for enhanced or changed access from what it currently has.

Mayor Ryan stated that's the risk.

Councilor Morgan stated it's a big risk. And it may not be developed or completed for 18 to 24 months.

Erich Mueller stated I think that's a rapid number. Things always take longer than planned. Dealing with DEQ is not something that we hold the throttle on. They have a very deliberate process. Completing the environmental mitigation and so forth....

Councilor Morgan asked, it's not done currently?

Erich Mueller replied correct.

Councilor Morgan asked, we don't have a NFA letter from them on the property that we're going to negotiate to acquire?

Erich Mueller replied correct. Ed and I have another meeting tomorrow morning with DEQ on a perspective purchaser agreement (PPA) that would address the agency having a liability protection for both the treatment plant site as well as for the Eastwinds site.

Councilor Morgan stated we could theoretically be acquiring a property that could be a hazmat zone.

Erich Mueller replied not theoretically. It has known contamination on it.

Councilor Morgan stated we don't have a NFA letter from DEQ and we could be acquiring property that could have gross limitations of what could be developed.

Ed Trompke stated it will have limitations that we are addressing in our meetings with DEQ.

Councilor Morgan stated and spending \$5 million to borrow to acquire and to mitigate.

Erich Mueller stated mitigation is a portion of it. As I mentioned, \$1.8 million of it is what is expected or the prior estimate for the demolition on the treatment plant site. That isn't necessarily environmental mitigation. It's a different category.

Councilor Morgan stated that means we don't have a price for what that mitigation would be.

Erich Mueller stated until we get the PPA negotiated with DEQ and what is necessary to obtain the risk based contamination levels. That's all moving towards the process of having one consolidated 20 acre site that can be cleaned up and made shovel ready that can have redevelop options that allow for urban residential through general commercial. We're not talking about changing it to a residential standard. We're really talking about the mixed use retail with potential housing above kind of residential. That's a different environmental mitigation standard than simply a NFA for the commercial industrial use.

Ray Young stated Ed and I have worked very close with AMEC and DEQ. We've seen the map and it looks like a pin cushion. All 20 acres have been poked and prodded and moved over the years and DEQ is very clear. I asked, should we be scared about developing the property? DEQ said no. This looks no different or worse than many properties that we've cooperated with people to develop. The issues we have on the property are not something unusual or bizarre that we should be too concerned about where we're headed with the PPA and cleanup of the property.

Councilor White stated it's too late to ask those questions. We entered into a binding letter of intent on a 4-3 vote of Council so that's where we're at.



Councilor Allen stated it seems to me that if we're going to spend this money for acquiring the property then we better do something with it.

**Mayor Ryan opened public comment at 9:37pm.**

Paul Wilcox stated in the current budget there's \$5 million set aside as a loan for the street department for the access road. I'm curious if that's been deleted from that current budget. My main thing with this is the very first page of the staff report under bullet 2 it says, "the Agency intends to acquire real estate from both the City and Eastwinds Development and subsequently make site improvements to prepare the property for redevelopment." When I read this you're going to go out to your lender and get \$5 million cash and loan it to the URA which will in turn buy the Eastwinds property and the City property and do the cleanup costs. You get a \$5 million loan and if this goes on a couple of years it will be \$5.5 million with interest and you'll turn around and sell that for \$5.5 million, then you have a wash at that point but you've got nothing for the City's 12 acres. Am I confused here? Where do you get any money for the 12 acres? I don't see it here.

Councilor Ripma stated the City owns the 12 acres already.

Paul Wilcox stated but the URA is going to buy it with part of that \$5 million.

Erich Mueller stated the City approved an ordinance back in 2014 which provided for transfer of the City's property to the URA. It's all authorized and all approved. Fortunately we never pulled the trigger because that has provided us the opportunity to get the PPA from DEQ for that property as well because the Agency is a different legal entity. That acquisition has already been approved. In answer to your question I'm going to use \$10.00 of the \$5 million to buy the property from the City because that was what was approved as part of the City's support of the Urban Renewal Plan. It agreed to transfer the treatment plant property to the URA for \$10.00. The \$5 million for the resolution for the loan for the Street Fund is going to be addressed in the second supplemental budget hearing 2 weeks from tonight. That resolution is going to be rescinded because that's no longer a course of action assuming these things are passed by the Council.

Ray Young stated first of all, our property, the 12 acres comes with at least a \$1.8 million liability on it already so that's going to be paid off in this process. The laws specifically allows for you to sell property like this for \$10.00 because it is such crappy property. Because it's in a URA you are allowed to sell property for less than market value because it encourages a developer to come in to deal with difficult property at less than market price. They will come in and build property that will pay you property taxes and you will receive economic benefit to the area. By the City giving property away for \$10.00 it does benefit in the long run over the next 50 years. Saying the City is getting nothing for their property isn't entirely accurate when you look out over the whole purpose of the URA and what's going to be developed.

**Mayor Ryan closed public comment at 9:45pm.**

**MOTION:** Councilor Ripma moved adoption of a resolution authorizing the negotiation, execution and delivery of a full faith and credit financing agreement in an amount not to exceed \$5,000,000.00 to finance Troutdale Urban Renewal projects and related matters. Seconded by Councilor Hudson.

**VOTE:** Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – No; Mayor Ryan – Yes; and Councilor White – Yes.

**Motion passed 6-1.**

Ray Young stated I want to make sure that the record is clear that the City is not giving away their property for nothing. There's a bigger picture involved in that. I wasn't directing my answer necessarily to Mr. Wilcox. There's no disrespect intended. Sometimes there's miscommunication that comes out of here and I want to make sure it's clear.

## **8. STAFF COMMUNICATIONS**

Ray Young stated I want to cover with you the schedule for the next month and a half. Next Tuesday we have a URA meeting which will be relatively short with a couple of resolutions to pass. The following week we have a regular meeting October 24<sup>th</sup> then the following week is Halloween and nothing is scheduled. On November 7<sup>th</sup> we have interviews for committees. November 14<sup>th</sup> we have a regular meeting, November 21<sup>st</sup> there's no meeting and November 28<sup>th</sup> there is a regular meeting scheduled but because the agenda is short the Mayor and I talked and we want to turn it into a work session to talk about charter amendments. We need to have an executive session to talk about where we're at with negotiations. Councilor Ripma is gone next Tuesday night. Do you want to have it on Halloween or the Tuesday before Thanksgiving or at 6:00 before one of our regular meetings?

Mayor Ryan stated I prefer before a 6:00 o'clock before a regular meeting.

Ray Young stated I'm hearing generally that the preference appears to be 10/24 at 6:00 o'clock. Finally, in case you heard, there was a plane crash at Troutdale Airport this evening and everybody is fine.


## **9. COUNCIL COMMUNICATIONS**

Councilor White stated several of us were at the TIP (Trauma Intervention Program) annual fundraiser benefit and our own June Vining who is the Founder and Chair of that organization had their 25<sup>th</sup> anniversary. I want to give them a shout out. We also had the Fall Festival of Arts at the beginning of the month and I just wanted to thank everyone that helped out on that event. They had over 3,000 people in attendance this year. It was really a big boost for our community and town.

**10. ADJOURNMENT**

**MOTION:** Councilor Ripma moved to adjourn. Seconded by Councilor Lauer.  
Motion passed unanimously.

Meeting adjourned at 9:50pm.

  
\_\_\_\_\_  
Casey Ryan, Mayor  
Dated: 11/17/2017

**ATTEST:**

  
\_\_\_\_\_  
Kenda Schlaht, Deputy City Recorder



# CITY OF TROUTDALE

City Council - Regular Meeting  
7:00PM

Tuesday, October 10, 2017

## PLEASE SIGN IN

Name – Please Print	Address	Phone #
Robert Canfield	Troutdale	—
Chris Whitehead	362 SW 30th Ct. Troutdale	503-484-4740
Dean Kampfer	7227 NE 55th Port.	503-493-7830
Jon Louell	2304 SW Indian Mary Ct	503-570-6484
PAUL WILCOX	TROUTDALE	
Paul [Signature]		
Joe [Signature]	231 NE Scott Dr. Gresham	-

## Exhibit A

October 10, 2017 Council Meeting Minutes

On my way home from the last Council meeting, I noticed that permanent STOP signs had been installed on SW 17<sup>th</sup> Way at Miranda. The neighborhood had been requesting speed bumps on SW 17<sup>th</sup> Way for several years. I believe the STOP signs are not only more economical for the City, but also more effective in slowing traffic, and also in discouraging unnecessary through traffic. I wish to express my appreciation to City staff and Council for getting this accomplished.

During public comment at the last Council meeting Corey Brooks encouraged the Council and city staff to move forward with "improving" the City's website, although he didn't provide any specific suggestions or examples of deficiencies. He did acknowledge that funds had been allocated for the project. My major complaint is that the current website is not being kept up to date, especially in regard to City meetings. For example, the Planning Commission published a legally required notification of their Sept. 20th meeting in The Outlook, but there was absolutely no mention of it in the relevant area of the City's website, so the agenda and packet were not available for public review in advance. Also, as a member of the CAC I had hoped to be able to review the audio recording of the Sept. 6th meeting which I missed. That recording was not posted until 10/5 or 6, as well as the one for the June 7th meeting. Those recordings should be made available in a timely manner for members of the public who want to know what was said in a committee meeting without having to necessarily attend in person. Also, a committee might have approval of minutes at their next meeting, but if the source material is not available they're relying solely on memory. As far as navigating the website, I've figured out where to find everything I'm looking for, and if I have a problem Sarah, the City Recorder, is extremely helpful in providing guidance. Also, I appreciate that Councilor Lauer posts a link to Council meetings and other events and topics of public interest on his Facebook page.

Another issue from the last meeting I'd like to address was the scheduling of the System Development Charges discussion as a regular Council meeting agenda item. That topic warranted an in depth discussion between the Council, staff, and the staff-provided consultant. These consultant reports cost the City thousands of dollars, so should be allocated the time that can only be provided in a work session setting.

My final comment, again regarding the last Council meeting, was the way John Wilson was treated. First of all, the SDC discussion should not have been on the agenda, but rather scheduled as a separate work session, as I just suggested. This caused the meeting to run excessively long. John had requested his place on the agenda at least a month prior, but had missed the previous meeting due to illness. Since both his item and SDC fees were both discussion items, I question why his wasn't scheduled before the SDC discussion. I'm sure staff knew that the SDC discussion would be lengthy. As it turned out, John was only allowed 5 minutes, when the Council was already in overtime. The result was that John's presentation was severely marginalized since there was no time made available for actual discussion beyond his basic presentation. I wouldn't have expected his topic of term limits to be well-received when it had the potential of negatively impacting three sitting Councilors, depending upon how it was implemented. Councilor Allen made a point of the fact that four members of the current Council are in their first terms, but I'm not sure whether that's an argument for or against since they wouldn't be affected. Also, term limits can be instituted in many different permutations, so if the option were to be presented as a ballot measure, either a single format would be presented, or multiple choices would have to be offered. This is the sort of thing that would best be addressed by a charter review committee, independent of the Council, which hasn't happened since 1994. By the way, Gresham's City Charter requires that a charter review committee be appointed by Council every eight years.

Paul Wilcox

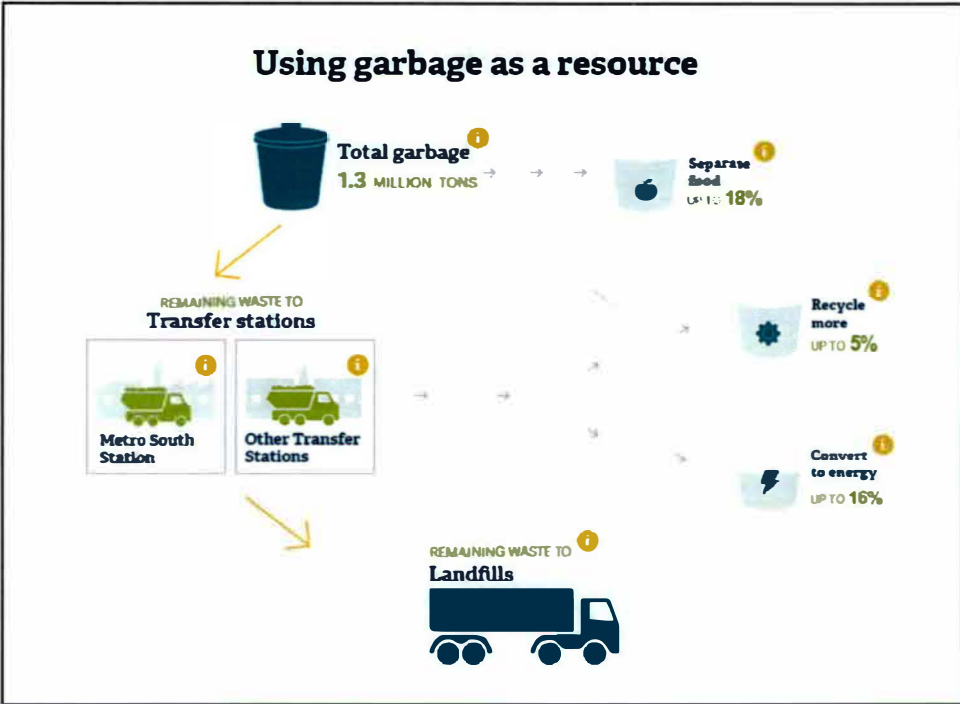
Troutdale

10/10/17



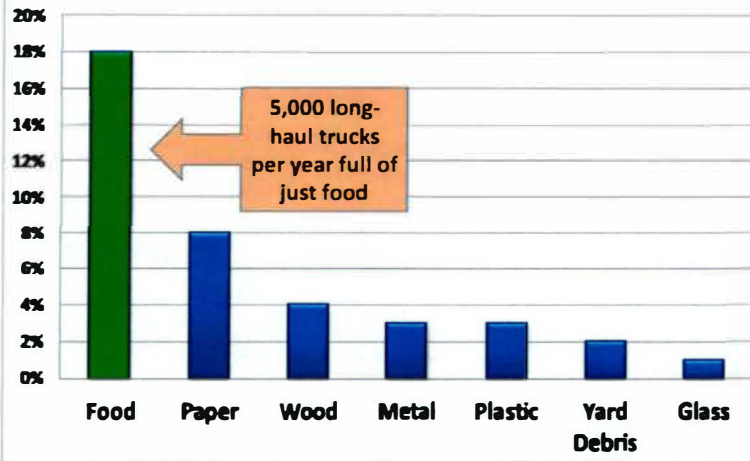
# Exhibit B

October 10, 2017 Council Meeting Minutes



# Why food?

## Metro Region Disposed Recoverables



# Why food?



## Commercial not residential



These food  
scraps



Not these



5

## This work isn't new

- 1993: Metro workshop to develop strategies for Organic Waste
- 1994: Metro conference follow up to 1993 workshop
- 1995: RFP for Phase I Food Waste Collection & Processing
- 1996: RFP for Phase 2 Food Waste Collection & Processing
- 1999: AOR Organics Forum: Portland discusses mandatory
- 2000: Metro & Portland convene processing roundtable, Metro RFP
- 2001: City of Portland issues RFP
- 2002: Metro matching grant program & site search
- 2003: Metro Organic Waste Infrastructure Development Grant
- 2004: RFP for combined transportation & processing services
- 2004-present: Metro provides funding to support local program development
- 2005: Food scraps collection program begins in Portland
- 2010: SWAC engagements specific to Food System
- 2009: PRC begins accepting food scraps
- 2010: Recology takes over contract for processing
- 2010: Nature's Needs begins accepting food scraps
- 2011: SWAC recommends move to required separation if benchmarks not met
- 2012: Roadmap Food Scraps Project begins
- 2013: Nature's Needs closes to commercial food scraps
- 2013: JC Biomethane begins processing the region's food scraps



## Metro Council direction

To achieve the objectives of increasing recovery and attracting stable, local processing capacity:

1. Require certain businesses to separate their food scraps for recovery, eventually ban disposal of food.
2. Determine how to efficiently collect and deliver food scraps for processing.
3. Secure local and stable processing capacity.

## Policy context

- There are approximately 67,000 businesses in the Metro region.
- About 7,000 of those are food-oriented.
- About 3,000 would be affected by the policy (4% of the region's businesses).
- Over 1,300 are participating already.

## What would this policy do?

- Require local governments inside the Metro boundary to implement collection programs.
- Phased in over 5 years.
- May prohibit disposal of food scraps from businesses by 2023.



## Draft policy elements

- Local Governments implement requirements and meet performance standards:
  - Send notice to affected businesses
  - Require businesses to separate food from other waste
  - Provide educational materials and program setup assistance
  - Ensure collection service is provided
  - Enforcement, grant waivers, reporting
- Metro will continue to provide funding support.

## Policy implementation phases

- Local Government policy adoption (July 2018)
- Phase 1 begins (March 2019)
- Phase 2 begins (March 2020)
- Phase 3 begins (Sept. 2021)



11

## Exemptions and waivers

### For Governments:

- Outside the Metro boundary exemption
- Business quantity minimum threshold waiver
- Distance (to transfer or processing) waiver

### For Businesses:

- Temporary compliance waivers



## What would this look like in Troutdale?

~23 Troutdale businesses would be affected.

- Phase 1 (2019):
  - ~3 grocery stores
  - ~7 restaurants
- Phase 2 (2020):
  - ~5 restaurants
- Phase 3 (2021):
  - ~4 schools
  - ~4 cafes



## Stakeholder outreach

### Business survey and interviews

- conducted by third party, reached 360 businesses

### Individual businesses and industry associations – meetings and presentations

- \* Albertsons/Safeway
- \* Aramark/Pacific Wild
- \* Bon Appetit/Oregon Episcopal School
- \* Building Owners and Managers Association (BOMA)
- \* Clackamas County Business Alliance
- \* Costco
- \* Gresham Chamber of Commerce
- \* Hillsboro Chamber of Commerce
- \* McMenamin's
- \* Northwest Food Processors Association
- \* Northwest Grocers Association
- \* Oregon Convention Center, Oregon Zoo, EXPO Center, P'S
- \* Oregon Restaurant & Lodging Association
- \* Providence Hospital
- \* Shari's Restaurants
- \* Tualatin Chamber of Commerce Business Advisory Council
- \* Walmart
- \* Washington County Green Business Alliance
- \* Washington County Haulers
- \* Westside Economic Alliance
- \* Willamette View Retirement

### Food Rescue Agency Roundtable

- \* conducted by third party, 12 food rescue non-profits participated

### Local government meetings and presentations

- \* Beaverton City Council
- \* Clackamas County Commission
- \* Cornelius City Council
- \* Fairview City Council
- \* Forest Grove City Council
- \* Forest Grove Sustainability Commission
- \* Gresham City Council & staff
- \* Hillsboro City Council
- \* King City City Council
- \* Lake Oswego City Council
- \* Milwaukie City Council
- \* Oregon City Commission
- \* Regional City Managers
- \* Regional Mayors and Chairs
- \* Sherwood City Council
- \* Tigard City Council
- \* Tualatin City Council
- \* Washington County Commission
- \* Washington County SWAC
- \* West Linn City Council
- \* Wilsonville City Council
- \* Wood Village City Council

### Upcoming

- \* Troutdale City Council
- \* North Clackamas Chamber Public Policy Committee
- \* Hillsboro Chamber of Commerce Public Policy Committee
- \* Portland Business Alliance

## What have businesses told us?

- On-site assistance is key, as is reliable collection service.
- Very few are opposed to a required program.
- Almost half are in favor.
- One-third had concerns.
- Phase-in & flexibility is critical.



## Policy process timeline

- Fall 2017: continued stakeholder outreach & 1<sup>st</sup> 30-day public comment period.
- November: Metro Council Work Session & 2<sup>nd</sup> 30-day public comment period.
- November/December: Metro Council decision.
- July 2018: Local government adoption date.
- March 2019: Phase 1 implementation begins.
- March 2020: Phase 2 implementation begins.
- September 2021: Phase 3 implementation begins.

Thank you

**Pam Peck**

**Metro**

**503.797.1866**

[Pam.peck@oregonmetro.gov](mailto:Pam.peck@oregonmetro.gov)