

# **Metro**

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**Metro**

## **Minutes**

**Tuesday, November 7, 2017**

**2:00 PM**

**Metro Regional Center, Council Chamber**

**Council work session**

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**2:00 Call to Order and Roll Call**

**Councilors Present:** Council President Tom Hughes and Councilors Craig Dirksen, Bob Stacey, Shirley Craddick, Sam Chase, Carlotta Collette, and Kathryn Harrington

**Councilors Excused:** none

Council President Tom Hughes called the Metro Council work session to order at 2:04 p.m.

**2:05 Chief Operating Officer Communication**

Chief Operating Officer Martha Bennett announced that Metro would be inviting staff to march in the Veteran's Day Parade. She reminded councilors to let their policy coordinators know if they were interested in participating.

Ms. Bennett explained that they were checking in with councilors about the innovation and proposed investment program. She explained that there would be three things brought to the councilors in the next few months, first the code amendment, then the budget amendment cycle in the spring. Ms. Bennett reminded councilors to discuss their concerns.

Ms. Grace Cho and Mr. Ted Leybold discussed an upcoming OTC comment letter. Mr. Leybold explained that the letter expressed the region's desires. He noted that they had been having discussions about funding levels for ODOT funding programs which were relevant because the funding programs were going to be incorporated into STIP.

Councilor Harrington raised concerns that the second outcome listed in the letter was not a clear directive but rather a stated concern. She asked if they could add an alternative. Mr. Leybold conveyed that they could make it a directive instead of stating what they were concerned

about, and thanked Councilor Harrington.

Councilor Dirksen asked about the enhanced highway program and how it connects to Region 1 ACT. He asked if they felt that what was said in the letter reflects the decisions made at ACT. Ms. Cho said that she thought it did. Mr. Leybold explained that they were making sure the investments made in enhanced transit were correct and that the Fix It program remained and was adequately taken care of.

Councilor Craddick asked the presenters to explain the shelf list. Ms. Cho shared that they thought they had a lot of needs and the shelf list conveyed that. Councilor Craddick clarified that it was a list of projects that were ready to go across all categories.

Councilor Stacey asked if they were going to be allowed to have time to think about it, and if they were expected to trust the JPACT chair and members. Mr. Leybold asked that they give it some thought until the next JPACT meeting.

Councilor Harrington asked if they could take a moment at the next work session to approve the letter. President Hughes confirmed. Mr. Leybold added that he and Ms. Cho were available for a one-on-one briefing if Councilors needed more information.

#### **Work Session Topics:**

##### **2:10 Solid Waste Roadmap: Food Scraps Policy**

Ms. Peck explained that the policy proposed would require commercial businesses to separate food scraps from garbage. She explained some statistics on food waste in the region and noted that this policy would lessen food waste.

Ms. Peck discussed the council engagement timeline and regional engagement around food scraps. She noted that

the policy was a part of the solid waste road map. Ms. Peck highlighted that thinking about how Metro transfer stations fit into this policy was a priority.

Ms. Peck explained that removing food from garbage had a lot of advantages, and could potentially be a resource for the region. She reminded the council that the focus of this policy was commercial food scraps, and explained that half of food waste was commercial food waste.

Ms. Erickson recounted previous feedback on the policy from advisory committees as well as council, and noted the ways that PES had responded to council's concerns. She explained that given feedback they would need both Metro and private facilities to provide transport services. Ms. Erickson explained the process of proposals and interviews for transport service facilities, and discussed the next steps in the process.

Ms. Erickson explained the separation requirement and the conception and development of the policy. She shared that they wanted to make sure it was workable for local jurisdictions but consistent for businesses. Ms. Erickson highlighted that Metro policy would require jurisdictions to adopt food scraps plan by July 2018, and implement the plan by July 2019. She recounted the types of businesses that would have to adopt a policy, and recalled that the policy would affect about 3,000 businesses.

Ms. Erickson highlighted some of the key policy elements and the ways in which the policy was adaptable for local jurisdictions. She explained that performance standards were included to provide consistency, and she noted that implementation waivers and flexibility were built in to the policy. Ms. Erickson emphasized that the regional policy aimed to set the framework, but that details were left to local jurisdictions.

Ms. Erickson recounted what would be required from local governments, and highlighted that local governments were able to set up their own enforcement programs. She explained what would be required from businesses, and some of the rules for food collection.

Councilor Dirksen asked if this policy would apply to schools. Ms. Erickson explained that there was more flexibility for schools, so a school-focused policy was not a current priority.

Ms. Erickson shared the implementation phases of the policy, and spoke to the different categories of businesses and how the policy would impact each of them. She discussed temporary waivers and certain circumstances in which waivers might be available. Ms. Erickson added that local governments would have control over waivers, and that they didn't have to adopt a waiver program.

Ms. Erickson recounted feedback from food businesses, industry trade associations, local stakeholders and governments. She discussed the public comment periods and the 40 written comments that were received and some general statistics about the comments. Ms. Erickson shared that there would soon be another public comment period about administrative rules.

Councilor Harrington asked about the distinction between cost mitigation and the distance waiver. Ms. Erickson explained that Mr. Blue would cover those details soon.

President Hughes asked for clarification on the distance waiver. Ms. Erickson explained that they hadn't decided on a specific distance yet but that the idea was under development, and that these questions were being considered as a part of the process.

Ms. Erickson explained a map that showed transfer stations and concentration of businesses for which the policy would apply. She noted that even if they implemented a waiver, the number of business that would be affected by it would be minimal because many were concentrated into urban areas.

Mr. Blue shared that it was difficult to assess what the rate impact might be. He explained that the addition of a new service would necessarily translate into additional costs, which would need to be recovered at the local government level. Mr. Blue discussed other cost elements of the program and the rates of each. He noted that the wider the spread between the tip fee and collection costs the easier it would be for businesses to participate in the program.

Mr. Blue explained what local governments could do to reduce the rate impacts on their businesses, including bundling, education, assistance and rate setting practices. He reviewed potential cost mitigation actions that could be taken by Metro.

Mr. Blue discussed tip fee reduction which would mitigate the impact of food scraps separation. He highlighted the benefits and drawbacks and discussed specific examples of how this element of the policy might impact jurisdictions, Metro, and businesses.

Councilor Chase asked if they considered buying down the tip fee related to distance or something more targeted. Mr. Blue explained that they hadn't done any financial analysis in jurisdictions yet but that they could. Ms. Erickson noted that one of the challenges of the distance waiver was determining where a load of food scraps had come from, especially if collection routes crossed jurisdictional boundaries.

Councilor Craddick asked about the impact of the remaining food on the region's methane gas output. She asked for clarification on whether or not caterers and churches were included in the policy. Ms. Peck explained that caterers were included, and that nonprofits and churches could participate voluntarily. She added that they were expecting people to want to participate and to reach out once they found out about the program.

Councilor Craddick asked how long it would be before facilities were up and running, and what would happen if a city didn't adopt the policy? Ms. Peck shared that Metro could potentially withhold funds from solid waste programs if cities did not adopt the policy.

Councilor Harrington raised concerns about the distance waiver, and shared her discomfort regarding its lack of consistency. She asked how the waivers would impact the amount of food brought in, and expressed concern that the distance waiver would inhibit Metro's continuity with state guidelines. Ms. Peck suggested that they bring more details about the waiver and perform an analysis based on council feedback around the waivers.

Councilor Harrington recalled that a lot of city officials were questioning Metro's authority to implement a foods scraps policy and asked what they had heard from local jurisdictions. Ms. Peck emphasized that they had heard openness from a lot of jurisdictions.

Councilor Dirksen thanked the presenters and suggested that they could determine over a period of time if the distance waiver was appropriate and potentially reconsider. He advised that offering the opportunity could give people around the region some comfort that they were acknowledging the potential impacts of the policy. Councilor



Dirksen shared that he thought the reduced tip fee was enough, because the goal of the policy was to reduce environmental impacts, not save individuals extra money.

Councilor Craddick asked if the expectation was for the new facility to process food scraps like a transfer station, and Ms. Erickson confirmed. Councilor Craddick noted that it seemed like there would be enough food available to make a food processing plant useful. Ms. Erickson explained that the resolution they were going to bring was to put in place a disposal prohibition on a large amount of food scraps. She noted that it would include a five year roll out period then local jurisdictions would be required to participate.

Councilor Stacey expressed confusion regarding the distance waiver, and shared that he thought there was not enough information. He proposed exploring strategies to avoid the need to avoid the policy. Ms. Erickson expressed appreciation for the suggestions. Ms. Peck highlighted that they would also be able to look at the amount of food waste that businesses generated, which could potentially address some questions and concerns.

Councilor Chase expressed that the distance waiver was helpful in having this conversation to the extent that they were able to include everybody in the program and get it up and running. He suggested that educating people about the waste reduction in regards to the policy could be useful. Councilor Chase asked what the process looked like for choosing a facility. Mr. Paul Slyman shared that the selection process had just finished and there would be a recommendation soon.

Ms. Peck shared that they were working on technical assistance and support and that they were going to continue to convene food waste agencies and work on ways to deliver information about food waste reduction processes.

President Hughes proposed that the council keep in mind why they were creating this policy. He explained that part of the problem was that food scraps remained in the garbage stream in spite of other incentive programs. President Hughes shared that he was not supportive of giving a waiver strictly based on distance travelled.

Councilor Dirksen noted that there was no need for a waiver if the food scraps were going to the same place they would originally be dumped.

Ms. Erickson explained that they named the waiver a distance waiver because they are adding a new facility and asking businesses to have their food scraps taken to another, more distant facility. President Hughes recalled that most of the facilities are close to businesses in the region. Ms. Erickson conveyed that there are some businesses in urban areas for whom this policy would be a burden, and that they were trying to mitigate costs and create an equitable system to serve the region.

#### 3:20 2018 Regional Transportation Plan Policy Priorities

Ms. Tyler Frisbee discussed the history of the RTP process and council action so far on the RTP. She reminded the council of the top three priorities in the process including racial equity, value pricing and vision zero. Ms. Frisbee shared that what they hoped to do was create a discussion amongst council in terms of financial direction to staff.

Ms. Frisbee recounted feedback from the councilors on vision zero. She explained staff recommendations. Ms. Frisbee emphasized that law enforcement played a significant role in vision zero and that one of their goals was to champion equitable law enforcement in order to reduce fatalities. She highlighted that empowering law enforcement was of concern to many communities of color

because of a distinct lack of equity in law enforcement. Ms. Frisbee suggested collecting data in local jurisdictions around what law enforcement is doing, and categorize the statistics by race and share that information.

Councilor Harrington asked if she should remind herself that some of the goals would require politicking. Ms. Frisbee confirmed.

Councilor Chase shared that he thought Vision Zero needed all components including law enforcement. He suggested an education effort and alternatives for people to be able to handle fees and fines. Councilor Chase expressed that he saw addressing financial barriers as a key component to Vision Zero.

Councilor Dirksen conveyed that some fatalities were out of their control and some of them were affected by law enforcement, but that it was important for Metro to just be supportive of law enforcement rather than taking on an enforcement role. He expressed that there was a need for consequences and enforcement but it needed to be equitable.

Councilor Craddick explained that a lot of this was outside of Metro's purview, and that there were financial implications for the police department, and traffic might be a low priority for them.

Councilor Harrington shared some jurisdictions wouldn't want to install peed cameras, and taking on some of these goals wasn't going to happen.

President Hughes suggested that they could provide funding for traffic cameras in more unsafe corridors. He explained that in some jurisdictions, law enforcement monitored the race of people who are being pulled over and what the

consequences are. President Hughes suggested using funding as leverage to encourage jurisdictions to do similar things.

Councilor Stacey recounted two different dimensions to Vision Zero: engineering and monitoring behavior.

Ms. Bennett announced that she was hearing support for the staff recommendation. She said that they would continue to think about how the punishment of traffic violations created hardship.

Ms. Frisbee provided a background on the RTP equity initiative, and shared the directions from council on racial equity. She recounted feedback from councilors on equity and identified specific feedback on the racial equity goals listed.

Councilor Stacey explained that he was uncomfortable that there was not a majority around some of the racial equity goals, and added that he thought they should invest a lot in communities that aren't provided for.

Councilor Dirksen raised concerns about unintended outcome of some racial equity goals. He explained that he was worried about creating equity performance targets because they would only benefit communities of color. Councilor Dirksen added that his concern was that equity could not be created by being inequitable to other people.

Ms. Frisbee conveyed that goal number 10 was a prioritization factor, and number 12 was a top prioritization factor. She added that they could adopt 10 without 8 and 9.

Councilor Harrington shared that she was comfortable with prioritizing the racial disparities goal in 10 as suggested by Councilor Stacey. Councilor Dirksen added that he was

comfortable with goal number 10.

Councilor Collette noted that it was going to be difficult for district 2 to support these priorities because there was a lack of communities of color in the district.

Councilor Chase acknowledged that the goals listed met their original strategy of focusing on race. He suggested making goal numbers 8 and 9 lead up to number 10. Ms. Bennett responded, suggesting the council make the same performance targets for everyone.

Ms. Frisbee explained how the performance targets had been calculated. She noted that if they did an analysis for communities of color, it would be relative and show the change.

President Hughes explained that capacity needed to be built within Metro to better understand racial equity objectives. He added that this needed to be set as a priority for Metro's own resource allocation.

Ms. Frisbee recounted the feedback from Councilors in the discussion so far.

Councilor Craddick remarked that she was supportive of the direction but she thought that they might need to take on this goal incrementally.

Ms. Frisbee began the discussion on value pricing by explaining the background of value pricing discussion at Metro, and recounted previously gathered feedback from the Metro Council.

Councilor Craddick asked how the work being done at Metro related to the work that the state was doing. Ms. Frisbee explained that the planning department was

working on a presentation to bring to the council that explained those connections.

Councilor Harrington requested that that presentation include the work group.

Councilor Dirksen shared that he did not support goal numbers 6 and 7 but was okay with the other goals listed around value pricing.

Councilor Harrington explained that she was not sure what the plan for the RTP in the new year was and share that she would like more information. Ms. Ellis conveyed that the schedule was to adopt the RTP in December, and on the 12th of December she would report back on evaluation results at a council work session. She added that once the plan is adopted they had to submit it to the LCDC, which would take about six months.

#### **4:20 Councilor Liaison Updates and Council Communication**

councilor Craddick reminded the council about the Central City Concern healthcare clinic groundbreaking and the work that the facility was doing for homeless communities in the region especially in east Multnomah County. She explained that Central City Concern was moving east, and that the new facility was remarkable.

Councilor Stacey added that Metro had invested in the Jade furniture store and provided an update on the recent groundbreaking. He shared that APANO was still raising resources to take ownership of the ground floor space, and that there would be 49 affordable units built at the old furniture store. Councilor Craddick asked how much money APANO had raised and Councilor Stacey recalled that they had reached about \$1.5 million.

#### **4:30 Adjourn**

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**Seeing no further business, Council President Tom Hughes  
adjourned the Metro Council work session at 5:03 p.m.**

**Respectfully submitted,**

**Miranda Mishan, Council Policy Assistant**