



## TUALATIN CITY COUNCIL

TUESDAY, MAY 28, 2019

**JUANITA POHL CENTER**

**8513 SW Tualatin Road**

**Tualatin, OR 97062**

**WORK SESSION** begins at 5:00 p.m.  
**BUSINESS MEETING** begins at 7:00 p.m.

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**Mayor Frank Bubenik**

**Councilor Robert Kellogg**

**Councilor Paul Morrison**

**Councilor Maria Reyes**

**Councilor Nancy Grimes**

**Councilor Bridget Brooks**

**Welcome!** By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings) and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at [www.tvctv.org](http://www.tvctv.org). Council meetings can also be viewed by live *streaming video* on the day of the meeting at [www.tualatinoregon.gov/meetings](http://www.tualatinoregon.gov/meetings).

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

## PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

## PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
  - a) In support of the application
  - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

## TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

## EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



## OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 28, 2019

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**A. CALL TO ORDER**  
Pledge of Allegiance

**B. ANNOUNCEMENTS**

1. Council President Appointment
2. Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day
3. New Employee Introduction- Mark Schlagel, Engineering Associate

**C. PUBLIC COMMENT**

*This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

1. Consideration of Approval of the Minutes for the Regular Meeting of April 22, 2019
2. Consideration of **Resolution No. 5438-19** Awarding the Bid for the Construction of the 2019 Pavement Maintenance Program

**E. SPECIAL REPORTS**

1. Update from Katie Riley Regarding the Washington County Kids Initiative
2. Tualatin Moving Forward Quarterly Report & Neighborhood Safety Program

**F. GENERAL BUSINESS**

*If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.*

1. Consideration of **Ordinance No. 1420-19** Relating to the Adoption of Metro Council's Business Food Waste Disposal Requirement in the Greater Portland Area
2. Consideration of **Resolution No. 5440-19** Declaring City Council Position 6 Vacant

**G. ITEMS REMOVED FROM CONSENT AGENDA**

*Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.*

**H. COMMUNICATIONS FROM COUNCILORS**

**I. ADJOURNMENT**

**City Council Meeting**

**Meeting Date:** 05/28/2019

**ANNOUNCEMENTS:** Gun Violence Awareness Day

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**ANNOUNCEMENTS**

Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day

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Proclamation

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# Proclamation

## *Declaring the First Friday in June to be National Gun Violence Awareness Day in the City of Tualatin*

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, every day, 96 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year. Americans are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later. To help honor Hadiya – and the 96 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 7, the first Friday in June in 2019, to help raise awareness about gun violence. By wearing orange on June 7, 2019 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW THEREFORE, BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON that:

The first Friday in June, June 7, 2019, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

INTRODUCED AND ADOPTED this 28th day of May, 2019.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 05/28/2019

**SUBJECT:** Consideration of Approval of the Minutes for the Regular Meeting of April 22, 2019

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**ISSUE BEFORE THE COUNCIL:**

The issue before the Council is to approve the minutes for the Regular Meeting of April 22, 2019.

**RECOMMENDATION:**

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** [City Council Regular Meeting Minutes of April 22, 2019](#)



## OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR APRIL 22, 2019

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Present: Mayor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Robert Kellogg; Councilor Maria Reyes; Councilor Bridget Brooks

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Assistant to the City Manager Tanya Williams; Library Manager Jerianne Thompson; Human Resources Director Stacy Ruthrauff; Planning Manager Steve Koper

### A. CALL TO ORDER

Pledge of Allegiance

Mayor Bubenik called the meeting to order at 7:16 p.m.

### B. ANNOUNCEMENTS

#### 1. Proclamation Declaring the Week of May 12-18, 2019 as National Police Week

Council President Davis read the proclamation declaring the week of May 12-18, 2019 as National Police Week in the City of Tualatin.

#### 2. Proclamation Declaring the Week of May 5-11, 2019 as Public Service Recognition Week

Councilor Brooks read the proclamation declaring May 5-11, 2019 as Public Service Recognition Week in the City of Tualatin.

#### 3. Ice Age Trail Foundation

Scott Burns, Yvonne Addington, and Rich Thompson with the Ice Age Foundation presented a proposal for Ice Age Tourism. Mr. Burns stated the group is working towards developing an Information Center on the Ice Age Trail located in Tualatin. The group has put together multiple pamphlets including a Drive Guide.

Councilor Kellogg stated he supports the City allocating funds towards establishment of the facility.

#### 4. New Employee Introduction- Rocio Vargas, Court Clerk



Finance Director Don Hudson introduced Court Clerk Rocio Vargas. The Council welcomed her.

**5. New Employee Introduction- Teresa Wegscheid, Office Coordinator**

Assistant City Manager Tanya Williams introduced Office Coordinator Teresa Wegscheid. The Council welcomed her.

**6. New Employee Introduction- David Abbey, Access Services Supervisor**

Library Director Jerianne Thompson introduced Access Services Supervisor David Abbey. The Council welcomed him.

**C. PUBLIC COMMENT**

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Western Oregon Dispensary representative Sheri Ralston and Anthony Stewart requested the Council consider amendments to the Tualatin Development Code in regards to recreational marijuana dispensaries. Ms. Ralston stated they would like to locate a dispensary in Tualatin and would be providing the Council with further information about a potential relationship with the City.

**D. CONSENT AGENDA**

*The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.*

MOTION by Council President Joelle Davis, SECONDED by Councilor Robert Kellogg to adopt the consent agenda.

Aye: Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

**1. Consideration of Approval of the Minutes for the Work Session of March 25, 2019 and Regular Meeting of April 8, 2019**

**E. SPECIAL REPORTS**

**1. Community Emergency Response Team (CERT) Annual Update**

CERT Members Cathy Holland, Barbara Bracken, and Charlie Benson presented an update on the Tualatin CERT program. Member Holland recapped CERT program activities for 2018. Highlights for the year included an expanded team, monthly trainings, the launch of Tualatin Neighborhood Ready, a members-only website, HAM trainings, and started Neighborhood Communications Hub planning. CERT's multi-year objectives include increasing membership to 150 active volunteers, holding two CERT classes, an expand CIO CERT Ham Radio Network, update Tualatin Ready Workbook, implement Neighborhood Communications Hubs, and launch of the CERT public website.

Councilor Grimes asked if there is coordination with the School District during catastrophic events. Ms. Holland stated they are working with the schools to establish gathering locations.

Councilor Reyes asked if they train on manmade disasters. Ms. Holland stated it is on the list for future training.

The Council thanked the CERT team for all of their ongoing work.

## **F. PUBLIC HEARINGS – Legislative or Other**

1. Consideration of **Resolution No. 5432-19** Adopting Findings In Support of a Contract Exemption and Authorizing the City Manager to Conduct a Request for Proposal Process to Select a Construction Manager/General Contractor for the Tualatin Service Center Project

Deputy City Manager Tanya Williams and Plan B Consultancy Staff Jared Mulroney and Jordan Henderson presented a procurement exemption for the Tualatin Service Center Project. Consultant Mulroney stated they are seeking and exemption due to budget constraints and a tight schedule. Without the exemption it would be difficult to provide a high level of cost certainty and would be time consuming for design and bidding. The alternate procurement method that was selected is to hire a Construction Manager/General Contractor (CM/GC). A CMGC is integrated early into project design so they can collaborate with Architects and Engineers and allows for greater communication between all parties. Benefits of hiring a CMGC is improved cost certainty, schedule savings, transparency with construction costs, and improved constructability.

### **PUBLIC COMMENT**

None.

### **COUNCIL DISCUSSION**

Councilor Kellogg asked what the difference is between this model and the traditional lowest bid model. Consultant Mulroney stated this model looks at more than costs, noting schedule is key with this option.

Mayor Bubenik asked if this the same process that was used for the Tualatin Library remodel. Consultant Mulroney stated it is.

MOTION by Council President Joelle Davis, SECONDED by Councilor Nancy Grimes to adopt Resolution No. 5432-19 adopting findings In support of a contract exemption and authorizing the City Manager to conduct a request for proposal process to select a Construction Manager/General Contractor for the Tualatin Service Center Project.

Aye: Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

## **G. GENERAL BUSINESS**

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### **1. Consideration of Recommendations from the Council Committee on Advisory Appointments**

MOTION by Council President Joelle Davis, SECONDED by Councilor Bridget Brooks to approve the Council Committee on Advisory Appointments recommendations.

Aye: Mayor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

MOTION CARRIED

### **2. Consideration of Ordinance No. 1418-19 Relating to the Basalt Creek Concept Plan, Amending Tualatin Development Code Chapters 4, 7, 9, 51, 63, and 75; and the Transportation System Plan (PTA 19-0001); Amending Figures 11-1, 11 -2, 11-3, 11-4, 11-5, 11-6, and 73-3; and Amending Maps 9-1, 9-2, 9-4, 9-5, 12-1, 13-1, 72- 1, 72-2, 72-3, and 74-1 (PMA19-0001)**

City Attorney Brady stated at the April 8 meeting Council considered this item where a public hearing was held. The hearing was closed and the Council deliberated. Since there was not a majority vote on the ordinance the item is back for another reading.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Paul Morrison for third reading by title only.

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Bridget Brooks, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

Nay: Council President Joelle Davis

MOTION CARRIED

## DISCUSSION ON MOTION

Councilor Kellogg stated he understands there are concerns amongst the Council with passing this ordinance. He reiterated this is just the next step in the planning process.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Paul Morrison to adopt Ordinance No. 1418-19 relating to the Basalt Creek Concept Plan, amending Tualatin Development Code Chapters 4, 7, 9, 51, 63, and 75; and the Transportation System Plan (PTA 19-0001); amending figures 11-1, 11 -2, 11-3, 11-4, 11-5, 11-6, and 73-3; and amending maps 9-1, 9-2, 9-4, 9-5, 12-1, 13-1, 72-1, 72-2, 72-3, and 74-1 (PMA19-0001).

Aye: Mayor Frank Bubenik, Councilor Nancy Grimes, Councilor Maria Reyes, Councilor Paul Morrison, Councilor Robert Kellogg

Nay: Council President Joelle Davis, Councilor Bridget Brooks

MOTION CARRIED

## H. COMMUNICATIONS FROM COUNCILORS

Council President Davis presented a proclamation request for National Gun Violence Awareness Day. Council consensus was reached to place the proclamation on a Council agenda.

Councilor Kellogg stated he attended the Stafford Hamlet Forum on land conservation and a meeting on Opportunity Zones. He reminded everyone of the upcoming SW Corridor Steering Committee meeting this Thursday, 6pm, at the Pac Trust Building.

Councilor Morrison stated the Tualatin Athletic Booster Club will be holding a Test Drive Fundraiser this Saturday from 9am-5pm at Landmark Ford. He stated he will be attending the 2020 Transportation Committee meeting on Wednesday where they will be working on which preferred routes to forward to Metro.

Councilor Brooks stated there is a call for artists for the upcoming VIVA Tualatin Festival. More information is available on the city's website. She stated she attended the Stafford Hamlet Forum and the State of the County for Washington County.

Councilor Brooks proposed the Council consider becoming a certified Bee City. Council consensus was reached to further discuss the item at an upcoming work session.

Mayor Bubenik attended the tree planting held by the Friends of Trees, the State of Washington County, the Washington County Mayors Emergency Corridor meeting to discuss which corridors to forward for funding, and met with Lynn Peterson to discuss TriMet's proposal for the at-grade crossing at 72<sup>nd</sup> Street.

Council President Davis will be participating in a pre-trip call for the Washington DC trip where they will be lobbying for transportation dollars.

Council President Davis announced her resignation from the City Council effective May 14, 2019 as she has accepted a job and will be moving outside of Tualatin.

**I. ADJOURNMENT**

Mayor Bubenik adjourned the meeting at 8:59 p.m.

Sherilyn Lombos, City Manager

\_\_\_\_\_ / Nicole Morris, Recording Secretary

\_\_\_\_\_ / Frank Bubenik, Mayor



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Nic Westendorf, Management Analyst II  
Jeff Fuchs, Public Works Director

**DATE:** 05/28/2019

**SUBJECT:** Consideration of **Resolution No. 5438-19** Awarding the Bid for the Construction of the 2019 Pavement Maintenance Program

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### **ISSUE BEFORE THE COUNCIL:**

Award the construction contract for the 2019 Pavement Maintenance Program.

### **RECOMMENDATION:**

Staff recommends that Council approve the resolution to allow the City Manager to execute a contract with Eagle Elsner to construct the 2019 Pavement Maintenance Program in the amount of \$926,520.

### **EXECUTIVE SUMMARY:**

The project will overlay portions of Tualatin Road, 90<sup>th</sup> Avenue, Mandan Court, Pinto Drive, Mandan Drive, Dakota Drive, Dakota Court, and Pima Avenue. The project map is attached.

The City consulted with OTAK Engineering for design of the project. The project was advertised in the Daily Journal of Commerce on April 15 and 22, 2019. Four bids were received prior to the close of the bid period on May 7, 2019. Eagle Elsner is the lowest responsible bidder for the project in the amount of \$926,520.

### **FINANCIAL IMPLICATIONS:**

Funds for this project are budgeted in Road Utility and Storm Drain Funds.

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**Attachments:** [Reso Award Pave Maint](#)  
[Project Map](#)  
[Bid Award Recommendation](#)

RESOLUTION NO. 5438-19

RESOLUTION AWARDING THE BID FOR THE CONSTRUCTION OF THE 2019 PAVEMENT MAINTENANCE PROGRAM.

WHEREAS, the Notice of Construction of the 2019 Pavement Maintenance Program was published in the *Daily Journal of Commerce* on April 15 and April 22, 2019;

WHEREAS, 4 proposals were received and publically opened and read on May 7, 2019;

WHEREAS, the procurement complies with the City's public contracting requirements; and

WHEREAS, it is anticipated that funds for this project will be available in the FY 2019/20 Road Utility Fund;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

**Section 1.** Eagle Elsner was the successful responsible low bidder and is hereby awarded a contract to construct the 2019 Pavement Maintenance Program.

**Section 2.** The City Manager is authorized to execute a contract with Eagle Elsner in the amount of \$926,520.

**Section 3.** The City Manager or designee is authorized to execute Change Orders totaling up to 10% of the original contract price.

**Section 4.** This resolution is effective upon adoption.

Adopted by the City Council this 28<sup>th</sup> day of May, 2019.

CITY OF TUALATIN OREGON

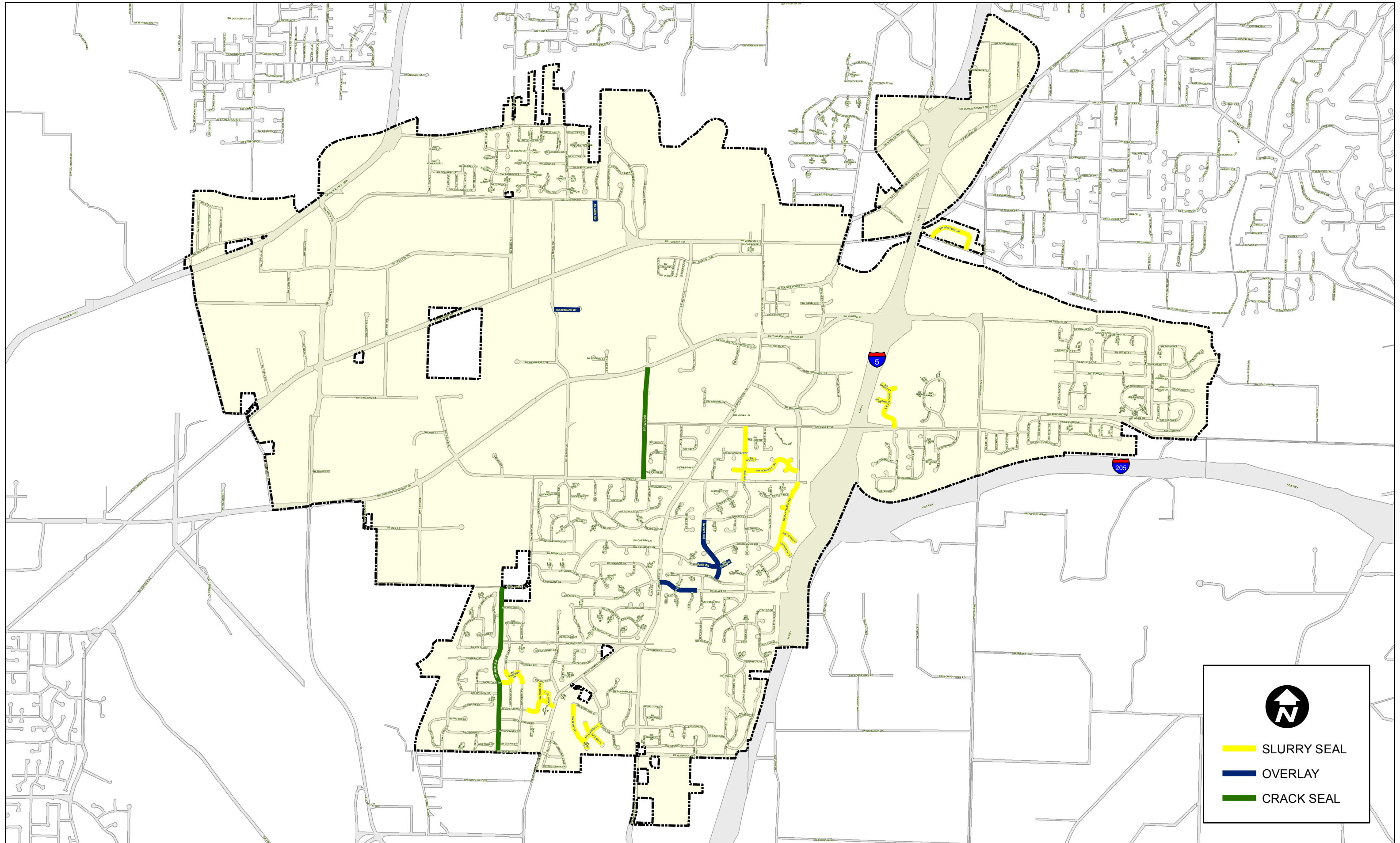
BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder



-  SLURRY SEAL
-  OVERLAY
-  CRACK SEAL





May 9, 2019

Bert Olheiser  
City of Tualatin  
10699 SW Herman Road  
Tualatin, Oregon 97062

**Re: City of Tualatin 2019 Pavement Maintenance Program Bid Award Recommendation  
– Otak Project No. 19075.000**

Bert:

Bids from 4 contractors were opened on May 7, 2019 at 2:00 PM for the 2019 Pavement Maintenance Program. The Engineer's bid was \$860,000 (Schedule A Paving - \$804,000 + Schedule B Storm Drainage - \$53,500) and the low bid was \$926,520 (Schedule A \$846,420 + Schedule B - \$80,100) by Eagle Elsner. The low bidder provided the necessary forms and signatures, bid bond, resident bidder, 1st tier subcontractor disclosure, and non-collusion. There was no addendum issued for the project.

The four bids were all higher than the Engineer's Estimate but reportedly within budget amounts. Since the bids were uniformly high I do not believe rebidding this work will result in lower bids.

I recommend award of the project to Eagle Elsner.

Sincerely  
Otak Inc

A handwritten signature in blue ink, appearing to read "Gary Alfson".

Gary Alfson

**City Council Meeting**

**Meeting Date:** 05/28/2019

**SPECIAL REPORTS:** Washington County Kids Initiative

**Submitted For:** Sherilyn Lombos, City Manager

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**SPECIAL REPORTS**

Update from Katie Riley Regarding the Washington County Kids Initiative

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PowerPoint

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WASHINGTON COUNTY  
**KIDS**

# THE IMPERATIVE TO ACT:

INVESTING IN KIDS THROUGH  
OUT-OF-SCHOOL CARE IN  
WASHINGTON COUNTY



WASHINGTON COUNTY KIDS

250 NE Hillwood Dr., Hillsboro, OR 97124  
washcokidsoregon@gmail.com  
washingtoncountykids.com

A REPORT BY



# Barriers to Access:

- Insufficient information
- High cost
- Inaccessibility and unavailability
- Mismatch between program and parent schedules
- Insufficient diversity of program content
- Inadequate programming for specific populations

To address barriers:

Washington County Board of County Commissioners  
needs to:

- Identify and impement sustained funding for OST Programs
- Collect data on program availability and cost county-wide
- Serve as a clearinghouse of program information on OST programs

# More information and additional copies

- [www.Washingtoncountykids.com/Reports](http://www.Washingtoncountykids.com/Reports)
- [washcokidsoregon@gmail.com](mailto:washcokidsoregon@gmail.com)
- 503-349-2965





WASHINGTON COUNTY  
**KIDS**

*working for  
affordable and accessible  
childcare, after school, and  
summer programs*

**GIVE A HAND UP!**







# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Tanya Williams, Deputy City Manager  
Jeff Fuchs, Public Works Director

**DATE:** 05/28/2019

**SUBJECT:** Tualatin Moving Forward Quarterly Report & Neighborhood Safety Program

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### **ISSUE BEFORE THE COUNCIL:**

The City Council will hear an update on the Tualatin Moving Forward bond program- the second quarterly report of 2019. The Council will also hear information about the Neighborhood Safety Program- a targeted component of the bond program to address neighborhood safety concerns.

### **RECOMMENDATION:**

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**Attachments:** [PowerPoint](#)



# Quarterly Report & Neighborhood Safety

City Council  
May 28, 2019

- *Review Progress*
- *Program Delivery Snapshot*
- *Neighborhood Safety Program*

**May 15** Election Night – Measure 34-282 approved by voters

**July 27** Tualatin's strong Aa1 rating reaffirmed

**August 8** Bond sales yield savings

***Program "ready to go" just 90 days post-election!***

**September** First project completed

**December** Second project completed

**January** Program Manager on-board

**February** Third, fourth projects completed

TUALATIN MOVING FORWARD – REPORT CARD May 2019						
	CONGESTION RELIEF	PLAN	DESIGN	CONSTRUCT	BUILT!	COST
	<b>Tualatin Rd and Teton Ave</b> New traffic signal					
	<b>Myslony St: 124<sup>th</sup> Ave to 112<sup>th</sup> Ave</b> Upgrade street and sidewalks					
	<b>Tualatin-Sherwood Rd: Martinazzi Ave to I-5</b> Add eastbound lane; upgrade Fred Meyer intersection	●				\$2,339,000
	<b>Martinazzi Ave and Sagert St</b> New traffic signal	●				\$2,407,000
	<b>118<sup>th</sup> Ave and Herman Rd</b> Upgrade intersection					
	<b>124<sup>th</sup> Ave and Future Blake St</b> New traffic signal for future road construction					
	NEIGHBORHOOD TRAFFIC SAFETY	PLAN	DESIGN	CONSTRUCT	BUILT!	COST
	<b>Tualatin Rd: Sweek Dr to Community Park</b> Upgrade sidewalk and midblock crosswalk					
	<b>Garden Corner Curves: Morotoc Dr to Willow St</b> Pedestrian, bike and roadway improvements to reduce speed and improve safety.	●	●			\$3,577,000
	<b>Boones Ferry Rd: Norwood Rd to South City limits</b> Upgrade sidewalk and fill in missing segments					
	<b>Sagert St: 72<sup>nd</sup> to Wampanoag Dr</b> Fill in sidewalk and upgrade curb ramps to improve safety	●	●			\$354,000
	SAFE ACCESS TO SCHOOLS	PLAN	DESIGN	CONSTRUCT	BUILT!	COST
	<b>115<sup>th</sup> Ave: Tualatin Rd to Hazelbrook Rd</b> Buffered bike lanes and crosswalk serving Hazelbrook School	●	●	●	●	\$15,100
	<b>Hwy 99W: Pony Ridge Neighborhood to 124<sup>th</sup> Ave</b> Add new sidewalks	●				\$558,000
	<b>95<sup>th</sup> Ave and Avery St (Tualatin Elementary School)</b> Upgrade road and sidewalk to reduce speed and improve pedestrian safety					

	CROSSWALKS WITH PEDESTRIAN-ACTIVATED SIGNALS	PLAN	DESIGN	CONSTRUCT	BUILT!	COST
	<b>1. Ibach St at Ibach Park</b> Midblock crosswalk with pedestrian activated flashing beacons	●	●	●	●	\$84,900
	<b>2. Sagert St at Atfalati Park</b> Midblock crosswalk with pedestrian activated flashing beacons	●	●	●	●	\$98,500
	<b>3. Boones Ferry Rd at Siletz Dr</b> Upgrade intersection and add pedestrian activated flashing beacons	●	●			\$426,000
	<b>4. 65<sup>th</sup> Ave near Meridian Park Hospital</b> Midblock crosswalk with pedestrian activated flashing beacons					
	<b>5. Grahams Ferry Rd at Dogwood St</b> Midblock crosswalk with pedestrian activated flashing beacons	●				\$226,000
	<b>6. Boones Ferry Rd at High School</b> Midblock crosswalk with pedestrian activated flashing beacons	●				\$310,000

## Program Outreach

- *Speaker's Series in October:*
  - Aging Task Force
  - Parent Organizations at Schools
  - Advisory Committees
  - Chamber BAC
- *Annual CIO Meetings*
  - 6 total meetings- approximately 150 people
- News Articles, Social Media & More!

## Project Specific Outreach

- Boones & Siletz Kitchen Table
- Garden Corner Curves Small Meetings



- **The Program Delivery Team has been on-board since December**
- **Setting up the Program – reporting, tracking, communications, and schedule and budget management**
- **Ready to Deliver the Universe of Projects we discussed on May 13<sup>th</sup>**
- **Establishing teams to deliver each project**
- **Coordinating Communications Strategy**
- **Creating Design Standards for all projects in the Program**

## Projects currently underway:

1. Martinazzi and Sagert Signal
2. Tualatin Sherwood Rd – Martinazzi to I-5
3. HWY 99W Pony Ridge to 124th
4. Boones Ferry at the High School
5. Grahams Ferry at Dogwood
6. Garden Corner Curves
7. Siletz Boones Ferry Intersection
8. Sagert Street Sidewalks



**8 projects + 4 that are built**



## Projects currently underway:

1. **Martinazzi and Sagert Signal** – (New signal, curb ramps, bike lanes) Survey complete; traffic data collected; preparing traffic analysis and recommendations; coordinating with TriMet and County
2. **Tualatin Sherwood Rd – Martinazzi to I-5** - (New eastbound lane, revised signal, signing) Traffic data collected; preparing traffic analysis and recommendations underway; coordinating with ODOT and County
3. **HWY 99W Pony Ridge to 124<sup>th</sup>** – (New sidewalks, curb ramps, bus stops) Scheduling public outreach; coordinating with TriMet and ODOT
4. **Boones Ferry at the High School** - (Midblock crosswalk(s) with flashing beacons, curb ramps) Surveying underway; scheduling public outreach; traffic evaluation started



## Projects currently underway:

5. **Grahams Ferry at Dogwood** - (Midblock crosswalk with flashing beacons, curb ramps) Coordinating with County, starting traffic study, planning surveying, **Construction planned for late 2019**
6. **Garden Corner Curves** – (Traffic calming, shared use path, curb ramps, revised roadway) 50% design, environmental permitting, Public Outreach, **Construction begins in late 2019**
7. **Siletz Boones Ferry Intersection** – (New crosswalks with flashing beacons, curb ramps, sidewalks) Design is complete; project is out to bid, **Construction begins July 2019**
8. **Sagert Street Sidewalks** - (New sidewalks and curb ramps) Design is 95% complete, **Construction planned for August 2019**



# Program Delivery Schedule

PROJECT	2019							2020							2021																
	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N
Boones Ferry Rd at Siletz Dr		Construction		★																											
Garden Corner Curves												Construction																			
Sagert St: 72nd to Wapanoag		Construction		★																											
Martinazzi Ave and Sagert St																															
Tualatin-Sherwood Rd: Martinazzi to I-5																															
Hwy 99W: Pony Ridge to 124th Ave																															
Boones Ferry Rd at the High School																															
Graham Ferry Rd and Dogwood St																															

## Neighborhood Traffic Safety Program

The “Universe of Projects” approved by voters included four citywide program to address neighborhood traffic safety

**Speed Reduction**

**Safe Access to Parks**

**Pedestrian Safety Improvements**

**Bike Lane Upgrades**

with a total budget of **\$2,226,000**



# Neighborhood Traffic Safety Program

Types of projects anticipated included

Speed feedback signs

Protected midblock crosswalks

Curb extensions

Buffered bikes lanes

Other safety improvements



Driver feedback sign, Avery St between Boones Ferry Rd and Martinazzi Ave



Pedestrian-activated signal at crosswalk, SW Sagert St and SW Wampanoag Dr



Protected Bike Lane, SW 115th Ave and SW Tualatin Rd



The **GOAL**

is to **build projects\*** suggested by the public



to address concerns **in their neighborhoods**

\* big impact for a low cost

## Some projects that have been submitted

**Crosswalk with flashing beacon on SW 90<sup>th</sup> Avenue**

**Improve crossing at Siletz Dr and Winema**

**Driver speed feedback sign at Jurgens and Wasco/ Kiowa**

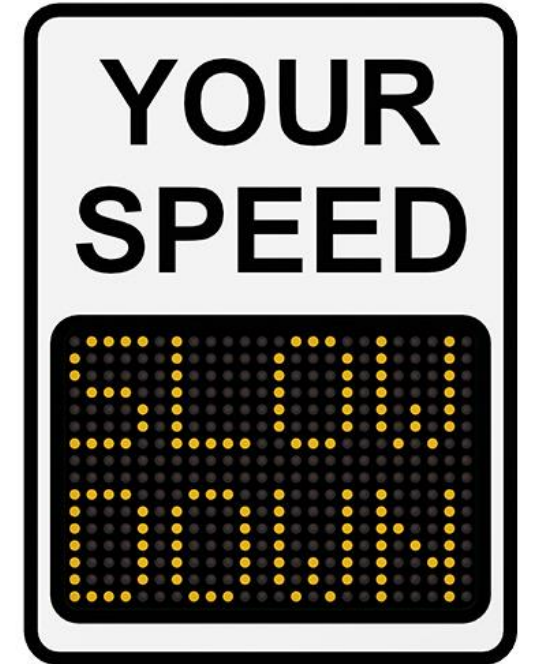
**Midblock crosswalk on Nasoma Dr at Marquis**

**Speed reduction on Marilyn Street and 112th**

**Speed reduction on 90th near Tualatin Sherwood Rd**


**Speed reduction and pedestrian improvements at Helenius and Grahams Ferry**

**Midblock Crossing on Borland Rd near Bridgeport Elementary**



# How do we hear from the public?

Input from **CIOs, Committees, and Taskforces**

Suggest a Project / Sugerir un Proyecto 

Contact with the **public** – email, phone calls, social media, City Council

Suggest a project at [www.tualatinmovingforward.com](http://www.tualatinmovingforward.com)

**AND**

The Annual **Call for Projects!!**





The City of Tualatin is seeking residents' suggestions for the Citywide Neighborhood Traffic Safety Program. If you have an idea for a project, please fill out the "Suggest a Project" form at [www.tualatinmovingforward.com](http://www.tualatinmovingforward.com).

Ask the public to submit projects by June 30<sup>th</sup> every year

Projects should address safety issues

Cost should be around \$100K or less

Types of projects : speed feedback signs, protected midblock crosswalks, curb extensions, buffered bikes lanes, etc.



## 1. Assemble list of possible projects

Community nominations via “Suggest a Project”

Stakeholder conversations (CIOs, PTAs, Aging Task Force, program partners, etc.)

Tualatin Moving Forward team feedback and input

Traffic safety complaints



## 2. Identify potential solutions to address problem

## 3. Determine projects for the coming year based on **Project Selection Criteria**

# Project Selection Criteria

**Geographic Diversity:** The Citywide Neighborhood Traffic Safety Program should fund projects spread throughout the entire community

**Solution-oriented:** Is there a safety problem and will the proposed project solve this problem?

**Budget-approved:** Is the potential solution within the budget allowance for this program?

Up to about **\$100K**



**We've been to the CIOs – we're listening**

**Post call for projects on Nextdoor and other social media**

**Closed Road Open House on June 2<sup>nd</sup>**

**Assemble list of possible projects in early July**

**Evaluate projects based on Selection Criteria**



CITY OF

**TUALATIN** OREGON

*DISCUSSION* 



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Lindsay Marshall, Management Analyst II

**DATE:** 05/28/2019

**SUBJECT:** Consideration of **Ordinance No. 1420-19** Relating to the Adoption of Metro Council's Business Food Waste Disposal Requirement in the Greater Portland Area

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### **ISSUE BEFORE THE COUNCIL:**

Consideration of **Ordinance No. 1420-19** Relating to the Metro Council's Business Food Waste Disposal Requirement in the Greater Portland Area.

### **RECOMMENDATION:**

Staff recommends Council adopt **Ordinance No. 1420-19**.

### **EXECUTIVE SUMMARY:**

Food is the single largest portion of greater Portland's waste stream, more than half of which comes from businesses. For more than 20 years, the region has been working to reduce the impacts of food waste on the environment and many areas of the region have voluntary collection programs in place, some since 2005. By requiring the collection of food scraps at food service businesses, and by supporting food waste prevention and edible food donation programs, Metro and local governments can take one of the most significant actions to address climate change through stewardship of the garbage and recycling system.

To address this, Metro adopted an ordinance that amended Metro Code Chapter 5.10, further clarified through Metro's adoption of Administrative Rules 5.10-4000 to 4085, Business Food Waste Requirement Administrative Rules. This ordinance directs local governments to establish, by July 31, 2019, a mandatory program for certain food waste generating businesses to separate and collect food waste. This enforceable mechanism can take a variety of forms, such as a code amendment, business license requirement, or other legally binding instruments. Covered businesses include cafeterias and buffets, caterers, colleges and universities, correctional facilities, drinking places, elementary and secondary schools, food product manufacturing, food service contractors, full service restaurants, grocery retail, grocery wholesale, hospitals, hotels, limited service restaurants, nursing and residential care, specialty food markets, and warehouse clubs.

Businesses will be phased into the required program over a four-year period. Covered

businesses, excluding elementary and secondary schools, will be required to begin collecting food scraps based on the quantity they generate per week, as outlined in Table 1. Elementary and secondary schools are included in the third business group, regardless of the quantity of food scraps generated. Covered businesses must separate food waste from all other solid waste for collection and recover food waste that is controlled by the business, agents and employees. Waste that is disposed of by the public or customers is not included in the requirement, however businesses may still choose to collect that material if it is free of contamination. Businesses that lease or provide space to food waste generating businesses must allow or facilitate the provision of food waste collection service for their tenants.

	<b>Business Group 1</b>	<b>Business Group 2</b>	<b>Business Group 3</b>
<b>Food waste generation</b>	Over 1,000 lbs/week ~Four 60 gallon roll carts	Over 500 lbs/week ~Two 60 gallon roll carts	Over 250 lbs/week ~One 60 gallon roll cart
<b>Tualatin Businesses</b>	Approx. 25 businesses	Approx. 29 businesses	Approx. 30 businesses
<b>Notification date</b>	March 31, 2020	March 31, 2021	September 30, 2022
<b>Compliance deadline</b>	March 31, 2021	September 30, 2022	September 30, 2023

*Table 1: Business groups included in business food waste requirement*

### **OUTCOMES OF DECISION:**

By November 30, 2019, each local government in the region must provide Metro with documentation that demonstrates compliance with this ordinance. The City of Tualatin may implement the requirement in a manner that makes sense locally as long as commercial food waste collection programs meet basic regional performance standards.

The requirement would affect approximately 84 food waste generating businesses in the City of Tualatin. As of July 2018, approximately 20% of qualifying local business are already voluntarily participating in the food scraps collection program. A covered business may seek a temporary 12-month waiver from the business food waste requirement by providing access to a recycling specialist for a site visit and demonstrating that the covered business cannot comply with the business food waste requirement. Businesses must agree to periodic waiver verification site visits to determine if conditions that warrant the waiver are still in place and cannot be remedied in accordance with waiver criteria.

To support implementation of the ordinance, Metro will provide funding for increased technical assistance to affected businesses as the requirement is phased in over the next four years. As the City of Tualatin is a member of the Washington County Cooperative Program, funding will be allocated to Washington County on the City's behalf. Resources and support from the county include: support for ordinance development, staff to support corporate implementation, notification, outreach, technical assistance to businesses (approximately 25 hours per business), and support regarding collection rate models and options. As the implementing agency for the cooperative program, Washington County is also planning to provide all of the required reports and implementation plans to Metro, as required by Metro's administrative rules. The County will be collecting information on businesses assisted, providing quarterly progress reports and annual narrative reports to Metro on behalf of all cities in the cooperative program. Those reports will also be provided to the City to document progress.

### **FINANCIAL IMPLICATIONS:**





ORDINANCE NO. 1420-19

AN ORDINANCE RELATING TO BUSINESS FOOD WASTE REQUIREMENTS;  
AND CREATE TUALATIN MUNICIPAL CODE CHAPTER 9-8.

WHEREAS, on or about July 26, 2018, Metro adopted Ordinance No. 18-1418 to implement business food waste requirements to recycle and reduce food waste;

WHEREAS, the Metro region has had a voluntary business food waste collection program in place for over ten years yet only fourteen percent of the total food waste is recovered;

WHEREAS, the Metro Council has determined that in order for the region to significantly increase food waste recovery, a more aggressive approach to food waste recovery is necessary; and

Whereas, the Council wishes to assist Metro in increasing recycling of food waste and achieving food waste reduction goals for the Metro region.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

**Section 1.** Tualatin Municipal Code Chapter 9-8 is created to read as follows:

**TMC 9-8-005 Purpose.**

The purpose of this Chapter is to comply with the Business Food Waste Requirements set forth in Metro Code Chapter 5.10 (Metro Ordinance No. 18-1418 and to assist the Metro region in increasing recycling of food waste and achieving food waste reduction goals. This Chapter does not apply to food that is fit for human consumption and accepted for donation by a charitable organization or the use of food waste for animal consumption in compliance with applicable regulations.

**TMC 9-8-010 Definitions.**

For purposes of this Chapter, the terms and conditions have the following meanings:

(1) *Covered business* means a business that cooks, assembles, processes, serves, or sells food or does so as service providers for other enterprises.

(2) *Food waste* means waste from fruits, vegetables, meats, dairy products, fish, shellfish, nuts, seeds, grains, coffee grounds, and other food that results from the distribution, storage, preparation, cooking, handling, selling or serving of food for human consumption.

(a) Food waste includes but is not limited to excess, spoiled or unusable food and includes inedible parts commonly associated with food preparation such as pits, shells, bones, and peels.

(b) Food waste does not include liquids or large amounts of oils and meats which are collected for rendering, fuel production or other non-disposal applications, or any food fit for human consumption that has been set aside, stored properly and is accepted for donation by a charitable organization and any food collected to feed animals in compliance with applicable regulations.

**TMC 9-8-020 Applicability.**

(1) All covered businesses must comply with the provisions of the Food Waste Requirements in this Chapter. Covered businesses subject to the business food waste requirement include but are not limited to:

- (a) Cafeterias & buffets;
- (b) Caterers;
- (c) Correctional facilities;
- (d) Food service contractors;
- (e) Full service restaurants;
- (f) Grocery retail;
- (g) Grocery wholesale;
- (h) Limited service restaurants;
- (i) Specialty food markets; and
- (j) Warehouse clubs.

(2) The following covered business must comply with the provisions for this Food Waste Requirements in this Chapter only if the entities have full-service restaurants or on-site food preparation or service:

- (a) Colleges & universities;
- (b) Drinking places;
- (c) Elementary and secondary schools;
- (d) Hospitals;
- (e) Hotels;
- (f) Nursing & residential care; and
- (g) Retirement & assisted living.

**TMC 9-8-030 Business Food Waste Requirements; Business Owner Requirements.**

(1) A covered business must comply with the following minimum requirements for business food waste:

- (a) Separate food waste from all other solid waste for collection;
- (b) Collect food waste that is controlled by the business, agents, and employees.
  - (i) This requirement does not apply to food wastes controlled by customers or the public.
  - (ii) A covered business may, at its discretion, also collect food waste from customers or the public but must ensure that food wastes are free of non-food items.
  - (iii) Elementary and secondary schools may also include student-generated food waste from school cafeteria meals but must ensure that food wastes are free of non-food items.
- (c) Have correctly-labeled and easily-identifiable receptacles for internal maintenance or work areas where food waste may be collected, stored, or both.
- (d) Post accurate signs where food waste is collected, stored, or both that identify the materials that the covered business must source separate.

(2) In addition to the minimum requirements in subsection (1), owners or managers of single or multi-tenant buildings containing covered businesses must allow or otherwise enable the provision of food waste collection service to lessees or occupants subject to the business food waste requirement.

**TMC 9-8-030 Compliance Timeline; Temporary Compliance Waivers.**

(1) Covered Businesses must comply with the food waste requirements as determined by the quantity of food waste they generate per week, on average. Implementation will begin with Business Group 1 and progress to the other groups according to the dates noted below. Covered Businesses that demonstrate they generate less than 250 pounds per week of food waste are not subject to this requirement.

<b>Business Group 1</b> March 31, 2020-March 31, 2021	<b>Business Group 2</b> March 31, 2021-Sept. 30, 2022	<b>Business Group 3</b> Sept. 30, 2022-Sept. 30, 2023
≥0.5 ton (1,000 pounds) per week food waste generated	≥0.25 ton (500 pounds) per week food waste generated	≥0.125 ton (250 pounds) per week food waste generated

(2) A covered business may seek a temporary 12-month waiver from the business food waste requirement by providing access to a recycling specialist for a site visit and demonstrating that the covered business cannot comply with the business food waste requirement. Businesses must agree to periodic waiver verification site visits to determine if conditions that warrant the waiver are still in place and cannot be remedied in accordance with waiver criteria.

**TMC 9-8-040 Enforcement of the Business Food Waste Requirement.**

(1) A covered business that does not comply with the business food waste requirement may receive a written notice of noncompliance. The notice of noncompliance will describe the violation, provide the covered business an opportunity to cure the violation within the time specified in the notice, and offer assistance with compliance.

(2) A covered business that does not cure a violation within the time specified in the notice of noncompliance may receive a written citation. The citation will provide an additional opportunity to cure the violation within the time specified in the citation and will notify the covered business that it may be subject to a fine.

(3) Any person who violates any provision of this Chapter commits a civil infraction and is subject to a fine of up to \$1,000. Each violation, and each day that a violation continues, is a separate civil infraction.

(4) The civil infraction procedures in TMC Chapter 7-01 apply to the prosecution of any violation of this Chapter.

**Section 2. Severability.** Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance remains in full force and effect.

**Section 3. Effective Date.** As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

ADOPTED by the City Council this 28th day of May, 2019.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder



# Commercial food scraps policy

February 2019

## The values of a regional solid waste system

Through its stewardship of the greater Portland area's garbage and recycling system, Metro seeks to:

- Protect and restore the environment and promote health for all
- Conserve natural resources
- Advance environmental literacy
- Foster economic well-being for all communities
- Ensure operational resilience and adaptability
- Provide excellent service and equitable system access



*Food is the largest component of our waste stream. Almost one-fifth of what we send to landfills is food where it decays and creates methane, a potent greenhouse gas. In 2018, the Metro Council adopted a businesses food scraps collection requirement to capture the benefits of turning that material into energy and useful products.*

For more than 10 years, Metro and local communities have taken steps to keep food scraps out of landfills and put them to better use. Programs were established to enable businesses in some areas to voluntarily separate their food scraps from their other garbage and have them collected separately. Those food scraps are converted to compost and energy at facilities located 80 to 100 miles south of Portland.

Today about 1,400 businesses participate in this program voluntarily, but food scraps collection services are not available consistently throughout the greater Portland area, and a tremendous amount of food is sent to landfills. In July 2018, the Metro Council adopted a new policy requiring the largest food service businesses to separate their food scraps from other garbage starting in 2020, and smaller food service businesses will be phased into the policy over the following three years. The policy requires city and county governments, which oversee the collection of garbage and recycling, to take actions by July 31, 2019, to ensure that food scraps collection services are available to businesses in their communities starting in 2020.

# Commercial Food Scraps Policy

## **Why did the Metro Council adopt a food scraps collection requirement for businesses?**

Food is the largest component of this region's garbage: about 18 percent of overall disposed waste. Businesses are responsible for more than half of that – approximately 100,000 tons of food per year – and food scraps collection services are not offered consistently for businesses throughout the greater Portland area.

Collecting food scraps allows that material to be used to create clean energy as well as compost products that benefit farms, nurseries and gardens. Putting food scraps in the garbage is a missed opportunity to capture these benefits and make the most of this material.

Sending food scraps to the landfill is also an environmental concern. Food scraps are a primary contributor to the production of methane in landfills. Methane has a greenhouse gas impact at least 24 times that of carbon dioxide.

This isn't just a local priority. The state of Oregon recently established a goal to recover 25 percent of food scraps by 2020. In addition, the Oregon Legislature recently amended recycling laws to encourage local governments to increase the recovery of food scraps.

## **Which businesses will be affected and how many?**

This policy is focused on businesses and organizations that process, cook or sell food and generate large quantities of food scraps: restaurants, grocery stores, food manufacturers and processors, hospitals, hotels, nursing homes, colleges and universities, K-12 schools, catering, corporate cafeterias and others.

The quantity of food waste a business generates determines whether that business is subject to the policy and when it must begin separating its food scraps from its other garbage.

This policy will be phased in over a period of four years and affect about 3,000 businesses in the food industry in the greater Portland area.

## **How will this policy be implemented?**

This policy will be implemented in three phases:

- Beginning on March 31, 2020, businesses that generate 1,000 pounds or more of food scraps (the equivalent of four 60-gallon roll carts) per week will be required to separate their food scraps for collection.
- Beginning on March 31, 2021, businesses that generate 500 pounds or more of food scraps (the equivalent of two 60-gallon roll carts) per week will be required to separate their food scraps for collection.
- Beginning on Sept. 30, 2022, businesses that generate 250 pounds or more of food scraps (the equivalent of one 60-gallon roll cart) per week, along with K-12 schools, will be required to separate their food scraps for collection.

Businesses that generate less than 250 pounds of food scraps per week will not be required to separate their food scraps from their garbage, but they may do so voluntarily.

# Commercial Food Scraps Policy

## **How will businesses implement a food scraps collection requirement?**

This program will change how materials are separated and collected indoors by staff and outside by garbage haulers. Businesses are already required to have systems to recycle paper and plastic, metal and glass containers. This requirement would add food scraps to the list for food service businesses.

Implementing a new collection practice presents an opportunity to make sure the collection service fits a business' needs. Some businesses may identify opportunities to reduce or prevent food waste, donate surplus food or reduce the size of garbage containers.

On-site assistance is provided by city and county recycling staff to help businesses find the most efficient and effective approach to reduce food waste. Food Waste Stops With Me ([FoodWasteStopsWithMe.org](http://FoodWasteStopsWithMe.org)) is a program that connects food service professionals with resources and technical assistance to prevent food waste, donate edible food and set up successful food scraps collection programs. The program is a collaboration between Metro, the Oregon Restaurant & Lodging Association, Oregon Food Bank, the Oregon Department of Environmental Quality, and city and county governments.

## **What will it cost?**

Costs will vary by business and by community. Some businesses may see cost increases with the added service of food scraps collection. Some businesses may see no increase or find efficiencies by using smaller garbage containers or employing other waste prevention strategies.

In some communities food scraps collection services, like recycling, may be included in one combined solid waste rate. City and county governments may employ a variety of approaches for structuring their solid waste rates to include the added service of food scraps collection from businesses.

Metro is will also provide some garbage haulers with funds to mitigate increased costs of transporting food scraps so as to minimize the impacts on customers' rates.

## **What do businesses think?**

In the three years leading up to the adoption of this regional policy, Metro staff met with food industry businesses, trade association leaders and local government partners to inform our planning process and design a system to best meet the needs of businesses and local governments.

In September 2016, a series of interviews and surveys were conducted with businesses in the region outside of Portland. Interviews included businesses currently participating in food scraps collection, businesses that previously participated but stopped, and those that were offered the service but declined it.

- Nearly 45 percent of businesses were in favor of a mandatory collection program that had all businesses participating; 15 percent had no strong concerns and would comply if required; 30 percent had some concerns about how it would work but were not opposed; and 10 percent were opposed.
- On-site assistance, containers and training materials provided by county and city government staff were highly valued by participants.
- Cost neutrality, space constraints, labor and concerns about cleanliness were biggest concerns for non-participants.

## Commercial Food Scraps Policy

- Most commonly businesses said they wanted to reduce the garbage sent to the landfill and do something good for the environment. Saving money was not a sole consideration, but keeping costs close to neutral was important.

### **Do other communities have mandatory programs like the one the Metro Council adopted?**

Yes. There are six states and 13 municipalities that have some sort of mandatory food scraps collection program or a ban on the disposal of food in a landfill. Metro learned a lot from studying these other programs. Aside from the environmental benefits, many programs have also seen other positive trends such as increased donations of good food to food banks.

### **Shouldn't businesses donate food instead?**

Yes. Surplus food that has been stored properly and is fit for human consumption can be donated. However most food service businesses have other food scraps such as trimmings, bones, shells, coffee grounds, food preparation waste and plate scrapings that are not edible and cannot be donated. Those food scraps are the focus of Metro's policy.

The prevention of food waste and the donation of edible food are and will continue to be Metro's highest priority. FoodWasteStopsWithMe.org connects businesses with resources and technical assistance available through city and county recycling staff to help businesses prevent food waste, donate edible food and set up successful food scraps collection programs.

### **Are there adequate facilities to process the additional food scraps that will be collected from businesses?**

Yes. Food scraps already collected from area businesses are transported to two compost facilities in the Willamette Valley. These facilities currently have sufficient capacity to manage the increased volumes of food scraps that are anticipated from the implementation of this policy. Metro will continue to pursue additional facilities closer to the greater Portland area that can convert food scraps into useful products.

### **What about residential food scraps collection?**

The focus right now is on recovering those concentrated amounts of food scraps coming from businesses where the quantities of food scraps are the greatest. This does not detract from the importance of keeping more food scraps out of the landfill. Metro supports, but does not require, efforts of local communities to collect food scraps with yard debris from homes for composting.

### **Who can answer further questions about Metro's food scraps policy?**

Please contact Pam Peck at [pam.peck@oregonmetro.gov](mailto:pam.peck@oregonmetro.gov) or Jennifer Erickson at [jennifer.erickson@oregonmetro.gov](mailto:jennifer.erickson@oregonmetro.gov) if you have questions that are not addressed here. More information is also available on Metro's website at [oregonmetro.gov/foodscraps](https://oregonmetro.gov/foodscraps).





**WASHINGTON COUNTY**

**OREGON**

Solid Waste & Recycling



# Business Food Waste Requirement

An overview of the new requirement and the  
Cooperative Recycling Program's assistance

May 28, 2019, Tualatin City Council

Presenter: Thomas Egleston

# Washington County Cooperative Recycling Program

Through Intergovernmental Agreements we provide education and outreach services on behalf of the County and city government partners represented on the Washington County Technical Wasteshed Committee.

**485,000**  
community members

**12,500**  
businesses with paid employees

***Vision:** A healthy, equitable and supportive community*

***Mission:** Together we promote health and well-being by influencing policies, systems and environments; providing education, programs and services; and responding to the needs of vulnerable populations.*



# Why business food waste?

- Food is largest portion of recoverable material left in waste stream, when landfilled food emits methane a potent greenhouse gas
- Businesses in Washington County throw away over 20,000 tons of food each year, enough to fill 1,000 long-haul trucks
- Businesses represent an opportunity to collect large amounts of food from fewer collection points (compared to residential)
- Voluntary programs have been in place for some time and recovery not increasing quickly enough
- Region lacks stable processing capacity and wants to attract a processor but needs to guarantee more food to make it worth substantial investment



**WASHINGTON COUNTY**

**OREGON**

Solid Waste & Recycling

# Metro's action

- Metro Council adopted an ordinance establishing the business food waste collection requirement on July 26, 2018.
- Amends Metro Code Chapter 5.10 establishing that local governments must:
  - Through ordinance or other rule, require covered businesses to source separate and recover business food waste **(due July 31, 2019)**
  - Notify covered businesses and waste haulers of the requirement
  - Provide education and technical assistance to covered businesses
  - Enforce the requirement
  - Ensure property managers provide opportunity for tenants to comply
- Metro Council also adopted a resolution on July 19, 2018, requiring Metro staff to develop a policy, ordinance or rule that prohibits the landfill disposal of commercially-derived food waste generated within the region.



Metro



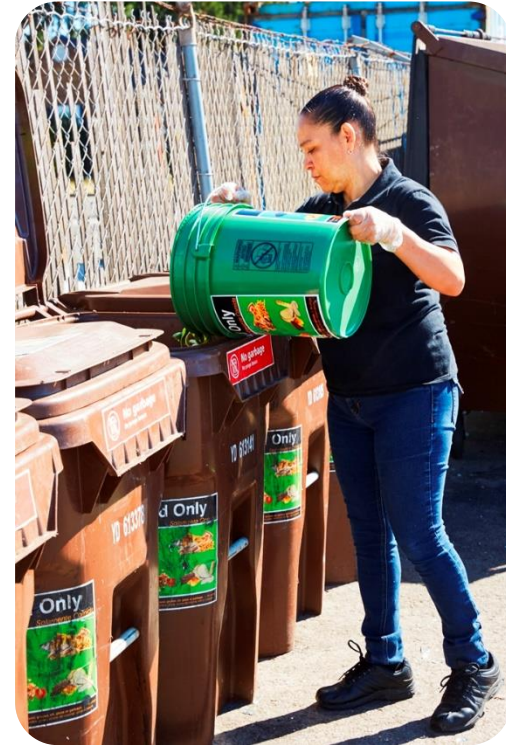
**WASHINGTON COUNTY**

**OREGON**

Solid Waste & Recycling

# Overview of the requirement

- Mandatory food scraps collection for food-generating businesses
  - Approx. 3,000 total businesses in region
  - Approx. 900 in Washington County
  - Approx. 84 in Tualatin
- Property managers must allow collection service
- Applies only to “back of house” waste
- Phased in over five years, followed by potential disposal prohibition for food in landfill



# Overview of the requirement, cont.

- March 2020 – March 2021: Business Group 1
  - Businesses that generate over 1,000 pounds of food scraps per week – **25 in Tualatin**
- March 2021 – September 2022: Business Group 2
  - Businesses that generate over 500 pounds of food scraps per week – **29 in Tualatin**
- September 2022 – September 2023: Business Group 3
  - Businesses that generate over 250 pounds of food scraps per week and K-12 schools – **30 in Tualatin**



WASHINGTON COUNTY

OREGON

Solid Waste & Recycling

# Local government action

- In response to Metro's Business Food Waste Requirement, local governments need to:
  - **Pass an ordinance** or amend rules to require certain businesses collect food scraps separate from garbage
  - **Set a rate** for collection services and ensure that haulers are providing service to businesses
  - **Notify and monitor compliance** with requirement and report to Metro. This **can be conducted by the County on behalf of Cooperative Recycling program members** similar to how business recycling requirement compliance and education and outreach compliance is currently reported



# Cooperative implementation support

## Notification

- Notification letter development, mailing and responding to inquiries.

## Technical Assistance (25 hours per business)

- Three site visits from Green Business Advisor for each business, coordination with hauler on collection service, employee training and engagement, and troubleshooting

## Resources

- Food scraps collection bins, sample of compostable can liners, posters, stickers, signs, and window Clings

## Compliance

- Compliance reports to WCTWC members, compliance waiver implementation, enforcement referral following several attempts at compliance





# Review of timeline

Date	Action
July 31, 2019	Local Gov. adoption deadline
December 2019	Disposal prohibition policy presented to Metro Council
March 2020	Group 1 business implementation begins
March 2021	Group 2 business implementation begins
September 2022	Group 3 business implementation begins
2023 - 2024	Potential disposal prohibition

# Questions?



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# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 05/28/2019

**SUBJECT:** Consideration of Resolution No. 5440-19 Declaring City Council Position 6 Vacant

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### **ISSUE BEFORE THE COUNCIL:**

The City Council will consider Resolution No. 5440-19 declaring City Council Position 6 vacant, and discuss the options for filling the vacancy.

### **RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution No. 5440-19, discuss the options for filling the vacancy, and provide appropriate direction to staff.

### **EXECUTIVE SUMMARY:**

The Tualatin Charter Section 32 provides that a position on the City Council becomes vacant upon a Councilor's resignation from office and the declaration of vacancy by the City Council. City Councilor Joelle Davis resigned from City Council position #6, effective May 13. The position will be officially vacant once the City Council adopts the resolution.

*The City Charter provides the following in Chapter VII, Section 33: Vacancies in elective offices in the city shall be filled by appointment by a majority of the incumbent members of the Council. The appointee's term shall begin immediately upon appointment and shall continue until the beginning of the year following the next general biennial election and the successor for the unexpired term shall be chosen at the next general biennial election after said appointment.*

The Charter leaves open the process by which the incumbent members of the Council choose who to appoint. Council could choose to nominate someone and appoint them with little to no process; however, in the past, the Council has accepted Statements of Interest, gone through an interview process, and then selected from those interviewed.

Attached is the Statement of Interest that has been used in the past. The questions could be modified according to what the Council would like to know from candidates interested in serving.

The interview process may vary according to how many statements of interest are received; if there are more than 6 or 8 statements of interest received, the Council will need to discuss how

best to narrow those down. Staff proposes the following timeline:

- June 3 – June 19: Application period open
- June 24: Council determines how to proceed based on the number of applications
  - Option: convene a special meeting to interview all the candidates
  - Option: assign a sub-committee to narrow the candidates to a reasonable number for the Council to interview

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**Attachments:**    Reso 5440-19 - Declare Council Vacancy  
                          Statement of Interest

RESOLUTION NO. 5440-19

A RESOLUTION DECLARING A COUNCIL VACANCY

WHEREAS, Tualatin Charter Section 32 provides a position on the City Council becomes vacant upon a Councilor's resignation from office and the declaration of vacancy by the City Council; and

WHEREAS, Council President Joelle Davis notified the Council of her resignation from City Council Position #6.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

**Section 1.** The City Council accepts the resignation of Joelle Davis from City Council and declares City Council Position #6 vacant.

**Section 2.** This resolution is effective upon adoption.

ADOPTED this 28<sup>h</sup> day of May, 2019.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder



## CITIZEN STATEMENT OF INTEREST FOR CITY COUNCIL APPOINTMENT

NAME \_\_\_\_\_ HOME ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_ (Business) \_\_\_\_\_ (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_

E-MAIL: \_\_\_\_\_ CITY COUNCIL POSITION APPLIED FOR: \_\_\_\_\_

OCCUPATION \_\_\_\_\_ EMPLOYED BY \_\_\_\_\_

RESIDENT OF TUALATIN (*for 12 months or more?*) \_\_\_\_\_ IF YES, HOW LONG \_\_\_\_\_  
Yes No

HAVE YOU EVER APPLIED FOR A COUNCIL POSITION BEFORE? \_\_\_\_\_ IF YES, WHEN? \_\_\_\_\_  
Yes No

HAVE YOU EVER SERVED ON A CITY OR LOCAL GOVERNMENT COMMITTEE OR VOLUNTEERED FOR THE CITY?  
\_\_\_\_\_ IF YES, WHEN AND WHERE? \_\_\_\_\_  
Yes No

WHY DO YOU WANT TO BE A MEMBER OF THE TUALATIN CITY COUNCIL. (*Attach Additional Materials if Necessary*). WHAT SPECIAL SKILLS OR QUALIFICATIONS WOULD YOU BRING TO THE COUNCIL? \_\_\_\_\_

PLEASE DESCRIBE YOUR PARTICULAR INTEREST IN ANY SPECIFIC ASPECT OF CITY SERVICE. PLEASE INCLUDE IN YOUR ANSWER WHY IT IS OF INTEREST TO YOU. \_\_\_\_\_

PLEASE LIST THE NAMES OF FIVE (5) TUALATIN RESIDENTS WHO SUPPORT YOU FOR THIS POSITION.

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_