

**Local Food Purchasing
Homegrown Minneapolis Working Group**
12/14/10

Chairs: Kelly Wilder, Minneapolis Sustainability
612-963-2889
kellyjwilder@gmail.com

Cam Gordon,
Minneapolis City Council

Agenda – First meeting of the working group

Tuesday, December 14, 2010

3:30 p.m. – 5 p.m.

City Hall, Room 331, Conference Room C

Please see attached – *A Guide to Developing a Sustainable Food Purchasing Policy*. It focuses on sustainable food and purchases by all institutions, but it will be useful nonetheless in guiding our work.

3:30 – Introductions

3:45 p.m.

3:45 – “Set the Stage for Success” – A discussion on stakeholders, institutions, and allies

4:15 p.m.

“Identify the Parties and Nature of the Effort” – A discussion on our role and authority

(See attached brainstorm – We'll do our own)

4:15 – “Establish a vision” – A big picture statement of our values and long-term goals and
4:30 p.m. desired outcomes

4:30 – Where do we go from here?

5 p.m.

“Identify and Prioritize Opportunities” – Begin a discussion of constraints and priorities

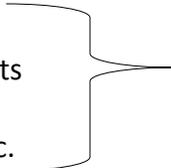
(See attached review of current efforts and challenges)

Work between now and February

February meeting agenda – Conference call? Continue discussion of priorities and begin to establish strategies

Proposed meeting schedule – Feb. 15, Mar. 22, Apr. 19, Jun. 7

Brainstorm on stakeholder, our role, etc.

- The City of Minneapolis and Hennepin County spend significant public funds on food and beverages.
- In Minneapolis
 - City Council meetings
 - Department purchases for meetings/events
 - Fire stations
 - Park Board – Summer youth programs, etc.
 - Convention Center

~ \$400,000/annually
- They may also be able to influence the purchasing behavior of their institutions – including colleges and universities, schools, parks, correctional facilities, etc. – by serving as a model at the very least if not through any official means.
- Local food purchases
 - Keep dollars local¹
 - Encourage consumption of healthy food
 - Assist small- and medium-sized producers and other food-related businesses
 - Can be cost effective²
 - Are environmentally friendly
- The City of Minneapolis has somewhat analogous, values-based purchasing policies in place
 - Equal Benefits Ordinance
http://www.ci.minneapolis.mn.us/procurement/docs/equal_benefits_ordinance.pdf
 - Living Wage Ordinance
<http://www.ci.minneapolis.mn.us/procurement/Ch38LivingWage.pdf>
 - Environmental Purchasing Policy
<http://www.ci.minneapolis.mn.us/sustainability/docs/EnvironmentalPurchasingPolicyActual.pdf>

Agree? Disagree? Why are we doing this? Can we craft a vision for this working group?

¹ http://www.rodaleinstitute.org/20101101_farm-to-school-boosts-local-economy

² The Portland Multnomah Food Policy Council is a citizen-based advisory council to the City of Portland and Multnomah County. One area of focus is School Food and Institutional Purchasing. Working closely with the Multnomah County Sustainability Initiative, the Food Policy Council inspired a pilot project in 2004 with county correctional facilities to purchase and track local produce purchases. This resulted in approximately \$57,000 (35% - 55% of total purchases) spent on produce from local farms in Oregon and SW Washington at no additional cost. <http://www.portlandonline.com/bps/index.cfm?c=42294>

A review of current efforts

City of Cleveland's Local Purchasing Ordinance

One of the key accomplishments of the Local Purchasing Working Group was the passage of Ordinance No. 1660-A-09, known informally as "the local purchasing ordinance." Local Purchasing facilitated Cleveland City Council and the Mayor's Office partnering to develop the legislation, which was approved in April 2010. It provides 2% bid discounts on all applicable City contracts to businesses that are sustainable, locally-based, and/or purchase 20% of their food locally - these can be combined for a max discount of 4%.

<http://cccfoodpolicy.org/sites/default/files/resources/Cleveland%20Ordinance%20No.%201660-A-09.pdf>. More history: <http://cccfoodpolicy.org/working-group/local-purchasing>

New Mexico – proposed

Local Food Purchase Requirement (the stick): would create increasing local purchasing requirements for state agencies over time. Starting with 2% of all state purchases required to be local in 2012, staggered to 10% by 2016, this bill would phase in local purchasing for foods. This bill would ensure that our state supports our local agricultural economy. By keeping the specifications broad, each agency could determine the best method for implementation, however, this bill does not allow for any exemptions from the percentages for any agency

In State Business Preference (the carrot): will bolster local business in New Mexico with an effective state government purchasing preference for New Mexican companies. By implementing a straightforward, enforceable preference for all types of New Mexico businesses for all forms of state purchasing, New Mexico can meaningfully encourage and support local businesses from agriculture to IT to professional services to construction. This bill retains the 5% preference, but makes it apply to all types of contracts and all types of businesses, it eliminates 20 pages of exemptions. Drastically simplify and strengthen our current local procurement preferences with a meaningful, but modest, 5% discount on points or bid value (depending on the type of contract) for companies that are actually New Mexico local companies. This program would also utilize best practices from other laws around the country to ensure accountability and enforcement.

Dane County, WI

Institutional Food Market Coalition, Dane County Planning and Development Dept. IFM conducts systematic outreach to large volume buyers, producers, and distributors. Institutional buyers include hospitals, hotels, conference centers, correctional facilities, retirement communities, private corporations, universities, and others. Here is a list of many Wisconsin institutions we have already reached out to.

<http://www.ifmwi.org/about.aspx>

New York City

As a first step, the City Council is introducing legislation requiring city agencies to report the sources of the food served in their meal programs. The City Council will introduce legislation to require that guidelines be developed for agencies to encourage procurement of food that is grown, harvested or produced in New York State. The City Council will introduce a resolution calling on the State to enact legislation that would allow the City to preference the purchase of food that is produced in other states within the region.

http://council.nyc.gov/html/food/files/foodworks_fullreport_11_22_10.pdf

Woodbury County, Iowa

The “Local Food Purchase Policy” policy mandates that the county “shall purchase, by or through its food service contractor, locally produced organic food” for service in the Woodbury County jail, work release center, and juvenile detention facilities.

Iowa Local Farmer and Food Security Act (the “LFFSA”)

This proposed law offers a 20 percent tax credit to grocers against the cost of purchasing “Local Farm Products,” defined as “raw fruits, vegetables, grain, and meats that may be minimally processed for sale within the Local Territory.” “Local Territory,” in turn, is defined as “the area within 150 miles of the reselling grocer that may include areas outside the State of Iowa.”

Should we schedule some calls? Who should I talk to? Who should the group talk to?

Legal Challenges

Locally grown food laws that require, or provide incentives for, purchasing food grown within a defined geographic boundary are vulnerable to challenge under the U.S. Constitution’s restrictions on local and state laws that discriminate against goods and commerce from other states, known as the dormant Commerce Clause doctrine (DCCD). Policymakers and advocates for local food should understand the impact of these restrictions and should take advantage of an important exception to these restrictions when drafting policies to encourage purchase of locally grown food. In particular, they should (1) consider using the “market-participant exception” to the DCCD and tailor policies to apply to government’s direct food purchasing or agreements with food service contractors; (2) avoid using tax credits and instead use direct cash subsidies when providing incentives for local food purchasing by private (nongovernmental) entities, and (3) make “locally grown” geographic definitions as broad as possible (especially to include out-of-state territory).

Local Food Purchasing Homegrown Minneapolis Working Group

Notes from first meeting – December 14, 2010

Present: Kelly Wilder, Sustainability; Cam Gordon, City Council; Erica Prosser, Mayor's Office; Aliyah Ali, Health and Family Support; Neisha Reynolds, Hennepin County; Rhys Williams, Co-op Partners Warehouse

Introduction

- State and local governments around the nation are considering or have implemented policies that promote purchasing of local food for government contracts and institutions
- This is of interest to the City of Minneapolis and the Homegrown Minneapolis initiative
- Working group will meet a number of times and make recommendations by summer 2011

Stakeholders and Institutions

- County Administrator handles purchasing for HCMC, jails, cafes, etc. through separate contracts
- County has a preferred vendor list but can operate outside; City does too?
- Target Center already sources locally
- Minneapolis Convention Center may also already source some local food
- Do U of M and Augsburg have policies in place?
- Twin Cities Medical Society model healthy food ordinances

Establishing a vision

- How local is local?
- Locally grown or locally processed too?
- Don't want to undermine healthy food
- "Sustainable" important in addition to "local"
- Model after existing City sustainability policies such as Environmental Purchasing Policy
- Make a goal like 25% local food

Opportunities and constraints

- A model policy may be best since so many contracts already exist
- May be worthwhile to piggyback on MDHFS healthy food policy
- More local food than demand
- Could a policy like this disadvantage culturally specific caterers?
- Is liability insurance a barrier for small growers (Hennepin County requires \$1 million and some require \$5 to \$10 million). A distributor like Co-op Partners already has umbrella liability insurance.
- Small vendor capacity
- How to monitor and enforce?