



Meeting minutes

Meeting: Regional Waste Advisory Committee (RWAC)
Date: Thursday, December 12, 2019
Time: 8 a.m. to 10 a.m.
Place: Metro Regional Center council chamber (3rd floor)
Purpose: 1) To discuss the results from the November meeting and formalize the committee's working agreements.
2) To create shared understanding of the west and south facility projects and community engagement strategy.

Members in Attendance:

Roy Brower, Metro
Joe Buck, Small Business Owner
Sharetta Butcher, North by Northeast Community Health Center (NxNE)
Marilou Carrera, Portland Resident
Alondra Flores Aviña, Student
Jill Kolek, City of Portland
Theresa Koppang, Washington County
Shannon Martin, City of Gresham
Christa McDermott, Portland State University Community Environmental Services (PSU)
Audrey O'Brien, Oregon Department of Environmental Quality (DEQ)
Eben Polk, Clackamas County (by phone)
Jenny Slepian, City of Lake Oswego
Beth Vargas Duncan, Oregon Refuse and Recycling Association (ORRA)

1. CALL TO ORDER & MEETING OVERVIEW

Roy Brower (Metro) brought the meeting to order at 8:05 a.m. and previewed the agenda.

2. WORKING AGREEMENTS

Molly Chidsey (Metro) led the group discussion on committee working agreements, continued from the October and November meetings. Discussion focused on committee decision making.

Committee discussed decision-making around forming a consensus, consultative and delegated decision making.

Joe Buck (small business owner) commented that consensus involves the committee finding some form of agreement on a particular decision.

Audrey O'Brien (DEQ) pointed out that there will be times that Metro would like to provide information to the committee, when perhaps it is not an item that requires a decision to be made. It would be good to include this as an option. This could be indicated on the agenda letting the committee know if Metro would like to simply inform the committee on a topic or if Metro will be asking for a vote or that the committee reach a consensus.

Mr. Brower noted another option if the committee gets into a technical or detailed item: the committee could decide if they want to form a sub-committee to work through that particular issue. A few people on the main committee could liaise with other Metro staff and experts and bring

information back to the main committee. Mr. Brower noted that there will be issues which will be challenging to truly cover in a once-a-month meeting. It may be a good idea to create the option for the committee to decide to form a sub-committee and a time period to meet, deliberate, and come back to the main committee.

Ms. Chidsey spoke about the importance of transparency.

Ms. Sharetta Butcher (NxNE) commented that if there is a topic that causes committee members to feel uncomfortable, it is important that those individuals speak up and share their honest opinion.

Jill Kolek (City of Portland) suggested that Metro can indicate on the agenda what is wanted from the committee: consensus, vote, etc.

Marilou Carrera (Portland Resident) asked about the general process of the committee.

Mr. Brower explained that if there is a topic or issue going to Metro Council, the goal is that the issue first go before the Committee on Racial Equity (CORE) and then to the Regional Waste Advisory Committee. Metro Council would be informed on any recommendation or decision from the committee.

Ms. Carrera expressed that if there are instances in which there are dissenting votes, it is important to capture that information. Dissenting opinions or votes should be accessible by the public and be shared with Metro Council.

Jenny Slepian (City of Lake Oswego) asked that for any smaller group sessions at the monthly RWAC meetings, that Metro work to make sure to capture that information and dialogue.

Theresa Koppang (Washington County) noted that meeting minutes can be both an art and a science. If someone wants to be named or not named in the minutes, that should be an option.

Ms. O'Brien asked about the meeting recordings and if Metro has a mailing list to share out the meeting content.

Casey Mellnik (Metro) responded that the meeting is recorded for the purpose of ensuring complete and accurate meeting minutes. The records retention schedule for recordings of a public meeting is one year from the approval of meeting summary/minutes. Ms. Mellnik also shared that Metro has an email list for parties interested in topics related to the garbage and recycling system. This email list receives a reminder once a month with the date, time, and location of the committee meeting as well as a copy of the upcoming agenda. Minutes and presentation materials will be available online once committee has approved. *Note: the new recording device used at this meeting (December 12, 2019) malfunctioned. The audio could not be successfully retrieved, even by attempts of the manufacturer.*

3. METRO AUTHORITY

Shane Abma (Metro) provided a presentation on Metro's legal authority. Please see the PDF presentation from the meeting available online.

Beth Vargas Duncan (ORRA) noted that Mr. Abma's presentation did a good job covering what Metro can do and she thought it would be helpful to also know what Metro cannot do in terms of legal authority.

Mr. Abma stated that Metro has not historically been involved in the collection of waste at the curbside and that collection has traditionally been regulated by cities and counties. There is some legal question as to whether Metro could collect garbage using its own vehicles, but it cannot franchise haulers like cities and counties. Metro can, however, regulate what materials are collected at the curbside. Mr. Abma also pointed out that Metro has historically not been involved with rate setting for curbside garbage collection. He indicated that residential garbage bills paid by individuals are decided by the city or county.

Mr. Brower reiterated Mr. Abma's response noting that there is a difference between curbside rates, set by local governments, and rates at the region's transfer stations, which could be set by Metro.

Christa McDermott (PSU) asked about the fees/moneys that Metro collects and where/how those funds are used.

Mr. Abma responded that there is a regional system fee which is assessed per ton. Those moneys all funnel back to the solid waste fund. That fund is used to operate Metro solid waste facilities and transfer stations, education, and administration. Oregon statute outlines the requirements specific to how solid waste funds can be used.

Mr. Buck was interested to know more about what the system looked like before the State of Oregon gave Metro legal authority over the solid waste system.

Ms. O'Brien commented that people could create disposal sites however they desired. Oregon DEQ was formed at roughly the same time as Metro. Disposal sites were not on any permitting system. They were open pits, open burning, or wetlands. One example of this is Metro's St. John's Landfill (now closed landfill) at the Smith and Bybee Wetlands Natural Area.

Mr. Brower echoed Ms. O'Brien's comments that landfill disposal sites could pop up anywhere. He pointed out that there were 200-250 haulers around the region which have consolidated over the years.

The group had some discussion around model ordinance. Mr. Abma explained that Metro develops model ordinances and regulates to ensure standards are being met. Local jurisdictions can create their own legislation and are not required to adopt a specific ordinance. At the same time, local governments should not be in conflict with the Metro ordinances.

Mr. Buck requested more information and materials on the history of Metro and its solid waste authority from the non-regulated system to the system that exists today.

Ms. Slepian asked what happens when a city decides that they do not wish to heed Metro Authority.

Mr. Abma responded that it depends on the issue at hand and how aggressive the Metro Council would want to be. There is a statute in ORS chapter 268 that says Metro can fine a violator up to \$500 per day for non-compliance and this includes cities. Metro also provides substantial funds throughout the region, not just in solid waste areas but also in parks and nature, transportation and other areas. These funds could be withheld if a government or jurisdiction does not want to comply. The most aggressive option would be to go to court and get an injunction requiring a local government to comply. However the goal is to not need these options and instead to have Metro and the local governments work cooperatively to achieve the ultimate solid waste goals.

Beth Vargas Duncan noted that local government exercises local control. She referenced Hillsboro as a current example. She also commented specific to ordinances that a city or county may enact

stricter rules than anything Metro outlines. She confirmed with Mr. Abma that local government is not required to pass Metro's exact ordinance so long as the performance outcomes and compliance are achieved.

Ms. Koppang noted that Hillsboro and Washington County have transformed considerably. 1970-1990 Hillsboro wasn't the powerhouse they are today. Hillsboro now has many big employers and a lot of resources.

4. INFRASTRUCTURE INVESTMENTS AND FACILITY SITING

Dan Blue (Metro) presented on Metro's current facility siting projects and planned infrastructure investments. Please see the PDF presentation from the meeting available online.

Beth Vargas Duncan asked if Metro had been in contact with other non-Metro facilities and transfer stations through the process thus far. There is the possibility of Metro getting support from other facilities to ease the strain on existing sites as construction begins.

Mr. Blue noted that the project teams have not yet specifically reached out to the private facilities.

Mr. Brower responded to a question as to whether other facilities accept household hazardous waste. He indicated that Metro does allow other facilities to collect household hazardous waste but that no facilities have expressed interest specific to this type of collection.

Eben Polk (Clackamas County) shared that through discussions about facility siting in the South (Oregon City), Clackamas County has asked that Metro keep the self-haul option at the current location. There have been questions around keeping self-haul at the location or repurposing the space. Mr. Polk noted that it is a high traffic area and convenient for customers.

Mr. Brower echoed Mr. Polk's statement and added that it is easier to keep customers going to a place they are most familiar. This is one factor when considering the future of the current site.

Ms. Slepian asked about the possibility of repurposing the old Far West site.

Mr. Blue responded that no the team had not looked at that particular site. (Update: if he was referring to the old Beaverton FWF site, that site would not be sufficient to meet the design needs).

Ms. Koppang asked if Metro was planning a Health Impact Assessment as a part of the process.

Mr. Blue indicated that a Health Impact Assessment would be a part of the process. However, a subsequent correction was provided to the RWAC membership: A full Health Impact Assessment will not be part of the siting process, but staff are working closely with local government and community based organizations to evaluate and understand any potential health impacts that could occur through siting such a facility, and would take necessary steps to limit or mitigate any potential health impacts to the surrounding community.

Ms. Kolek asked about the trips to the Seattle facilities that Metro has now toured a few times. She wanted to know if there have been helpful lessons learned through visiting those new and modernized facilities.

Mr. Blue shared that the project teams have learned a tremendous amount by touring multiple modern facilities in the Seattle/King County area over several trips related to the design, engineering, and certainly they learned a lot about engaging with the public, particularly as it relates to public facing amenities such as 1% for the arts, facility viewing rooms and education

centers, and community facing attributes like walkways, sports amenities, and expanded recycling opportunities.

Ms. Carrera wanted to hear more about the conversation coming out of the presentations to Metro's Committee on Racial Equity.

Mr. Blue indicated that there will be a summary specific to the CORE meeting and that he would come back and share with the Regional Waste Advisory Committee.

Mr. Buck wanted to know what Metro will be looking for from the committee specific to the facility siting projects. He was curious about what the costs would be as well as specific services and outcomes.

Ms. Slepian wanted more details on the local government outreach.

Shannon Martin (City of Gresham) commented on the importance of continuing to draw from the Regional Waste Plan particularly when looking at services. One example he provided was household hazardous waste facilities and considering the entire region and potential benefits.

Mr. Brower asked if there were any members of the public who wished to comment.

Leah Ashley (member of the public) read a prepared statement:

"I would like to see a more tangible emphasis on waste-reduction efforts that will prevent materials from entering the waste and recycling streams other than just educating the community about the benefits of reuse. This might include financial incentives for local manufacturers that use returnable and sterilizable packaging or companies like Go-Box which directly offset non-recyclable, single-use disposables that often contaminate our recycling and food-waste streams. Benefits would include reduction in the vast resources used to manufacture single-use products, increased purity of sorted recyclables, as well as jobs created for the collection and sterilization of the reused products. Thank you."

5. OCTOBER MEETING MINUTES

Mr. Brower asked the committee if they had any notes or edits for the October 2019 meeting minutes before accepting them as complete.

Beth Vargas Duncan noted one change to the October minutes: under item 5, she corrected the word *closed* which should be changed to *close*.

With that change, the committee approved the October 2019 meeting minutes.

6. CLOSING REMARKS

7. MEETING ADJOURNED at 10 a.m.

Next meeting

January 9, 2020 8:00 am – 10:00 am

Metro Regional Center council chamber (3rd floor)