

BEFORE THE METRO COUNCIL

RESOLUTION AMENDING RESOLUTION NO.)	RESOLUTION NO. 22-5243
20-5096 TO DELEGATE CERTAIN)	
PUTRESCIBLE WASTE AUTHORITY TO)	Introduced by Marissa Madrigal, Chief
METRO'S CHIEF OPERATING OFFICER)	Operating Officer in concurrence with
)	Council President Lynn Peterson
)	

WHEREAS, on April 2, 2020, the Metro Chief Operating Officer (COO) issued a Declaration of Emergency in the Metro region as a result of the COVID-19 pandemic; and

WHEREAS, on April 23, 2020, the Metro Council adopted Resolution No. 20-5096, which (1) ratified the COO's emergency declaration; (2) declared a state of emergency in the Metro region because of the COVID-19 pandemic, and (3) delegated certain authority to the COO; and

WHEREAS, Resolution No. 20-5096 specifically granted the COO certain authority with respect to Metro's Solid Waste Code (Title V), including the authority to amend putrescible waste franchises and licenses; and

WHEREAS, the specific delegated authority regarding putrescible waste was necessary because the Metro Code does not generally grant the COO authority regarding putrescible waste; and

WHEREAS, the Omicron variant of COVID-19 has substantially increased infection rates and has led to staffing shortages at Metro transfer stations and with Metro's contracted solid waste transporter; and

WHEREAS, these staffing shortages have required Metro to temporarily limit the amount and type of waste accepted at its transfer stations, and it has made it difficult for Metro transfer stations to remove solid waste from those facilities for disposal; and

WHEREAS, the resulting backlog of solid waste at Metro transfer stations necessitates that non-system facilities, including privately owned transfer stations, be made available as options for garbage haulers that would normally use a Metro transfer station, but the COO lacks authority to implement these measures under the COO's current emergency authority with respect to putrescible waste; and

WHEREAS, the Metro Council now wishes to amend Resolution No. 20-5096 to delegate certain additional putrescible waste authority to the COO in emergency situations based on COVID-19 disruptions; now therefore,

BE IT RESOLVED that the Metro Council:

1. Delegates to the COO authority to temporarily authorize the transport and acceptance of putrescible solid waste to a non-system transfer station outside the Metro jurisdictional boundary without the need for a Non-System License or Designated Facility Agreement if this action is needed to address a significant disruption event at Metro transfer stations due to COVID-19 circumstances.

2. Delegates to the COO authority to enter into a short-term agreement, if necessary, with a solid waste facility outside the Metro jurisdictional boundary regarding the collection and remittance of Metro's solid waste fees and taxes.
3. The COO's authority described in Sections 1 and 2 is revoked if the Metro Council determines that the emergency no longer exists, or if the Metro Council terminates the COVID-19 Emergency Declaration established in Resolution No. 20-5096.

ADOPTED by the Metro Council this 20th day of January 2022.

Lynn Peterson, Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney