

IN CONSIDERATION OF ORDINANCE NO. 19-1437, FOR THE PURPOSE OF AMENDING  
METRO CODE CHAPTER 2.19, METRO ADVISORY COMMITTEES, TO ESTABLISH THE  
REGIONAL WASTE ADVISORY COMMITTEE AND TO REPEAL THE SOLID WASTE  
ALTERNATIVES ADVISORY COMMITTEE

---

Date: May 22, 2019

Prepared by: Marta McGuire, x1806,  
[marta.mcguire@oregonmetro.gov](mailto:marta.mcguire@oregonmetro.gov)

Department: Property and Environmental  
Services

Presenters: Roy Brower, x1657  
[roy.brower@oregonmetro.gov](mailto:roy.brower@oregonmetro.gov) and  
Matt Korot, x1760,  
[matt.korot@oregonmetro.gov](mailto:matt.korot@oregonmetro.gov)

Meeting date: June 6, 2019

Length: 10 minutes

---

### **ISSUE STATEMENT**

In March 2019, Metro Council adopted the 2030 Regional Waste Plan. The oversight framework for the plan calls for a newly formed committee to provide input to staff and advise Metro Council on the development of policies, programs and projects that implement actions in the plan. To establish the new committee, the Metro Council must enact code language that identifies the committee's functions, membership categories and other elements. The specific members will be appointed by the Council President and then confirmed by resolution at a future Council meeting.

### **ACTION REQUESTED**

Staff requests approval of Ordinance 19-1437 to establish the Regional Waste Advisory Committee and repeal code language associated with the former Solid Waste Alternatives Advisory Committee.

### **IDENTIFIED POLICY OUTCOMES**

Metro Council previously approved the 2030 Regional Waste Plan. The Regional Waste Advisory Committee helps advance two primary policy outcomes:

- Advancing racial equity by increasing access and representation in decision-making for historically marginalized communities
- Implementing the accountability framework set forth in the plan

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

1. Approve the ordinance and committee composition as written or with amendments.
2. Do not approve the ordinance.

## **STAFF RECOMMENDATIONS**

Staff recommends adoption of Ordinance No. 19-1437.

## **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The 2030 Regional Waste Plan guides the greater Portland area's efforts to reduce the environmental impacts of the products we make, use and discard, provide a more equitable distribution of services and benefits to communities of color and other historically marginalized communities, and ensure a high quality, resilient garbage and recycling system. To help achieve this, the plan identifies an oversight structure to include:

- Metro Council
- Metro Committee on Racial Equity
- Metro Policy Advisory Committee
- A new Regional Waste Advisory Committee

The new Regional Waste Advisory Committee is intended to:

- Provide input on legislative and administrative actions that the Metro Council or Chief Operating Officer (COO) will consider related to implementing actions of the Plan.
- Provide input to staff on development of policies, programs and projects to implement actions in the 2030 Regional Waste Plan.
- Review and provide input on the status of implementing the 2030 Regional Waste Plan.

The membership is structured to ensure the highest likelihood that the committee will focus on outcomes that best achieve the public interest in terms of the plan's focus on equitable system benefits and services, and environmental and human health benefits. The membership is proposed as:

- Five city or county government representatives
- Three individuals representing the interests of communities of color and other historically marginalized groups
- One individual representing the interests of environmental or health advocates
- One user of the solid waste system
- One representative from the Oregon Dept. of Environmental Quality
- The Oregon Refuse and Recycling Association's (ORRA) Metro-area regional director
- A Metro staff person designated by the COO to serve as Chair of the committee

Differing from the prior Solid Waste Alternatives Advisory Committee, this committee includes greater representation of communities of color and other historically marginalized communities that helps advance progress towards both Metro's racial equity objectives and actions within the Regional Waste Plan. Local government representation reflects the responsibility they share with Metro for implementing the plan. The perspectives of garbage and recycling companies that have private interests in Metro's and local governments' implementation of the plan will be shared through the ORRA member's

participation, through public comment at each meeting, through the subcommittees described below, and through the public comment periods associated with any proposed code and administrative rule changes. In addition, the system-related needs of haulers will be represented by the local governments that either contract for their services or regulate their operations.

Consistent with best practices associated with the former Solid Waste Alternatives Advisory Committee, the new committee may charter ad hoc subcommittees to provide more detailed review of particular topics. The subcommittees may draw their membership from a broad representation of stakeholders and experts.

If this ordinance is approved, Metro staff would then solicit committee member nominations. The Council President will subsequently appoint members and Council will vote by resolution to confirm members at its August 1, 2019 meeting. The first committee meeting is expected to be held in September 2019.

### **Public Comment**

The committee charter and membership was released for public comment in April 2019. By the close of the public comment period, 12 individuals submitted comments.

- Two were supportive of the code as written
- Eight requested changes to membership
- Two were neutral

The changes requested to membership included:

- Appointing a Metro Councilor to chair the committee
- Increasing the number of individuals representing industry, including private waste companies, recycling processors, composting facilities and collection services.
- Ensuring there is representation from community health advocacy groups such as Oregon Air
- Ensuring that there is representation from individuals with disabilities

In response, Metro staff revised the draft code language to change the committee position representing the interests of “environmental advocates” to “environmental or health advocates.” No other changes were made to the draft code language based on the comments. As written, the proposed membership includes positions for historically marginalized groups that include individuals with disabilities. Staff believes industry representation and expertise is best served on ad hoc subcommittees that will provide more detailed review of particular topics. In addition, Metro will continue to solicit the views of industry and other private interests through public comment periods associated with any proposed code and administrative rule changes. The full list of comments is provided in the attached public comment report.

### **Legal Antecedents**

Ordinance No. 87-740 (For the Purpose of designating solid waste as an area and activity appropriate for development of a functional plan and has a significant impact upon the orderly and responsible development of a metropolitan area) March 12, 1987; Metro Charter; Metro Code Title V Solid Waste; ORS Chapters 268 and 459; Ordinance No. 09-1222 (For The Purpose Of Amending Metro Code Section 2.19.130 to Revise The Purpose and Membership of the Solid Waste Advisory Committee Ordinance) November 12, 2009; and No. 19-1431 (For The Purpose of Adopting the 2030 Regional Waste Plan) March 7, 2019.

### **Anticipated Effects**

Revisions to the purpose, name and membership of the solid waste advisory committee outlined in Metro Code.

### **Financial implications (current year and ongoing)**

Staff time to manage and provide administrative support to the committee and stipends for non-government and non-industry members.

### **BACKGROUND**

Metro Council's advisory committee on solid waste policy, plans and project has taken multiple forms in the last two decades. One of the earliest iterations, known as the Solid Waste Advisory Committee (SWAC), had 27 members and was comprised of representatives from public and private sectors. In 2008, Council President Bragdon directed staff to reconsider the function and membership of the committee to help improve the quality and consistency of policy options that come before Councilors. Council President Bragdon expressed concern that the committee's composition diluted its value to the Council because the assortment of private companies' casting votes made it difficult for the Council to discern the public interest in the committee's recommendations. Following this evaluation, Metro Council replaced SWAC with the Solid Waste Alternatives Advisory Committee (SWAAC), a more policy-oriented group that would develop policy options for Metro Council consideration. The membership was reduced to 12 members, eight of which were government, three were solid waste industry, one was a representative of an environmental organization and a chair from Metro. The chairing of the committee was also transferred from a Metro Councilor to a staff person.

The development of the 2030 Regional Waste Plan included an evaluation of the formal bodies that would oversee plan implementation and advise Metro Council on solid waste policy and programs. A new iteration of SWAAC was identified as a formal advisory committee that would include greater representation of communities of color and other historically marginalized communities to align with the plan's direction and Metro's racial equity objectives. Metro Council conducted a work session in February 2019 to discuss the oversight framework for the 2030 Regional Waste Plan implementation. Following Council's direction, staff incorporated the new Regional Waste Advisory Committee as part of the oversight framework in the final plan adopted by Metro Council in March 2019.

### **ATTACHMENTS**

Ordinance No. 19-1437

Exhibit A - Metro Code Title II, Chapter 2.19.130

Attachment 1 - Public Comment Report