

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF TEMPORARILY ) RESOLUTION NO. 13-4435  
SUSPENDING THE ALTERNATIVE PROGRAM )  
AND PERFORMANCE STANDARD IN METRO ) Introduced by Jennifer Erickson  
CODE CHAPTER 5.10.240 )

WHEREAS, the Regional Solid Waste Management Plan (RSWMP) provides the Metro region with solid waste policy and program direction through 2018; and

WHEREAS, ORS Chapter 459 requires Metro to prepare a Waste Reduction Program for the region and to submit the Program to the Oregon Department of Environmental Quality for approval; and

WHEREAS, Metro has included the Waste Reduction Program in the RSWMP; and

WHEREAS, Metro enforces the required components of the Waste Reduction Program through Metro Code Chapter 5.10; and

WHEREAS, Metro Code Chapter 5.10 includes a requirement for local governments to establish a Regional Service Standard ("RSS") and provides a process for local governments to seek an alternative program in lieu of the RSS; and

WHEREAS, Metro is evaluating the RSS and will implement changes that improve the effectiveness and efficiency of the current standard through changes to Metro Code Chapter 5.10; and

WHEREAS, suspending applications for new alternative programs will allow Metro to focus on improving the RSS; now therefore

BE IT RESOLVED that the Metro Council

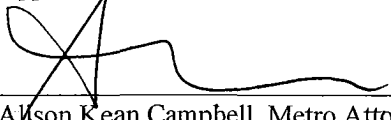
- 1. Suspends applications for alternative programs under Metro Code Section 5.10.240 through June 30, 2014, and
- 2. Directs the Chief Operating Officer to inform all local governments in the Metro region of this suspension.

ADOPTED by the Metro Council this 27 day of June 2013.

  
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Tom Hughes, Council President



Approved as to Form:

  
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Alison Kean Campbell, Metro Attorney

## **STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 13-4435, FOR THE PURPOSE OF TEMPORARILY SUSPENDING THE ALTERNATIVE PROGRAM AND PERFORMANCE STANDARD IN METRO CODE CHAPTER 5.10.240

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Date: June 27, 2013

Prepared by: Jennifer Erickson, 503-797-1647

### **PURPOSE**

The Metro Council's adoption of this Resolution would direct Metro's Chief Operating Officer to temporarily suspend the Alternative Program and Performance Standard process, as laid out in Metro Code Chapter 5.10.240, through June 30, 2014 to allow Metro time to evaluate and improve the efficiency and effectiveness of the program. This evaluation may result in the development of proposed revisions to the Metro Code.

### **BACKGROUND**

The Regional Solid Waste Management Plan (RSWMP) provides long-term policy and program direction for regional materials management and solid waste system planning efforts. Although the RSWMP is implemented primarily through cooperative working relationships among Metro, the Oregon Department of Environmental Quality, local governments and the private sector, the plan contains required elements that are outlined in Metro Code Chapter 5.10. These required elements, the Regional Service Standard and the Business Recycling Requirement, are designed to support the implementation of RSWMP programs and help the region meet state material recovery goals.

The Regional Service Standard sets recycling service and education standards for local governments to meet for residential and business sector recycling programs. The prescribed residential service is weekly collection of all standard recyclable materials. To provide flexibility to local governments, the Regional Service Standard includes an alternative program provision that allows a jurisdiction to apply to Metro for approval to adopt a program that differs from weekly collection, but achieves the same level of performance. A local government seeking alternative program approval must demonstrate how the program will achieve this level. The program has proven challenging to implement due to the complexities and costs of evaluating alternative program requests for their projected effectiveness.

In response to these challenges, Sustainability Center staff has initiated a project to review the Regional Service Standard, with emphasis on the alternative program. The primary objectives of this review will be to more fully evaluate whether the program is meeting its intended purposes and identify options for addressing the challenges of cost and complexity. The temporary suspension of new program applications requested through this resolution will allow staff time to complete the work without the risk of needing to simultaneously respond to new alternative program requests.

Metro has approved five alternative curbside programs since 2008:

- Durham: every-other-week collection of commingled recyclables and monthly glass collection.
- Hillsboro: every-other-week collection of commingled recyclables and glass.
- Sherwood: every-other-week collection of commingled recyclables and monthly glass collection.
- Tigard: monthly glass collection.
- Unincorporated Washington County: every-other-week collection of commingled recyclables and glass.

Each of these communities was interested in implementing an alternative program as a means of helping to control costs associated with the collection and disposal/recycling of residential garbage, recyclables and yard debris. Residential customers pay a combined monthly rate for this package of collection services.

#### **ANALYSIS/INFORMATION**

##### **1. Known Opposition**

None.

##### **2. Legal Antecedents**

Ordinance No. 07-1162A, (For the Purpose of Adopting the Regional Solid Waste Management Plan, 2008-2018 Update), adopted July 2008; Ordinance No. 08-1183A, (For the Purpose of Amending the Metro Code Title V, Solid Waste, to Add, Chapter 5.10, Regional Solid Waste Management Plan, to Implement the Requirements of the 2000-2018 Regional Solid Waste Management Plan), adopted July 2008; Metro Charter; Metro Code Title V Solid Waste; OAR 340-91-070(3)(f) and ORS Chapters 268, 459 and 459A.

##### **3. Anticipated Effects**

Approval of this resolution will temporarily suspend the Alternative Program and Performance Standard process as described in Metro Code Chapter 5.10.240 until June 30, 2014, which will effectively prohibit a local government from submitting a new alternative program application during this time.

##### **4. Budget/Fiscal Impacts**

None.

#### **RECOMMENDED ACTION**

The Chief Operating Officer recommends approval of Resolution No. 13-4435.