



Meeting minutes

Meeting: Regional Waste Advisory Committee (RWAC) Meeting
Date: Thursday, September 17, 2020
Time: 8 a.m. to 10 a.m.
Place: Zoom meeting
Purpose: *The purpose of the Regional Waste Advisory Committee is to provide input on certain policies, programs, and projects that implement actions in the 2030 Regional Waste Plan, as well as to provide input on certain legislative and administrative actions that the Metro Council or Chief Operating Officer will consider related to implementation of the 2030 Regional Waste Plan.*

Members in Attendance:

Roy Brower, Metro
Marilou Carrera, Portland Resident
Thomas Egleston, Washington County
Alondra Flores Aviña, Student
Jill Kolek, City of Portland
Shannon Martin, City of Gresham
Christa McDermott, Community Environmental Services, PSU (PSU)
Audrey O'Brien, Oregon Department of Environmental Quality (DEQ)
Jenny Slepian, City of Lake Oswego
Beth Vargas Duncan, Oregon Refuse and Recycling Association (ORRA)

Members Absent:

Joe Buck, Small business owner
Sharetta Butcher, North by Northeast Community Health Center (NxNE)
Eben Polk, Clackamas County

1. CALL TO ORDER & MEETING OVERVIEW

Roy Brower (Metro) brought the virtual meeting to order at 8:02 am.

2. CONSIDERATION OF ITEMS

Committee meeting minutes for July 16, 2020 were approved by the committee.
Committee meeting minutes for August 20, 2020 were approved by the committee.

3. WORKING AGREEMENTS FOLLOW-UP

Mr. Brower recapped the conversations from the August meeting specific to the committee working agreements. Key changes:

1. Following a decision that Metro makes, Metro staff should plan to return to the committee to share on how committee feedback was used/not used.
2. Metro will work with the committee to develop and maintain a calendar of topics.
3. Each topic should generally appear over at least two meetings: the first meeting should be informational to allow committee to become familiarized with the topic and the second meeting would be advisory or request a decision from the committee on the topic.
4. Metro will provide an optional pre-committee meeting for community members

Thomas Egleston (Washington County) noted the importance of asking the committee's community members to have space to speak and comment first.

Jill Kolek (City of Portland) echoed Mr. Egleston's comments.

Committee approved the amended working agreements. Metro will ensure the updates to the working agreements notate when the changes were made.

4. REGIONAL SERVICE STANDARDS UPDATE

Jennifer Erickson (Metro) updated the committee that Metro has entered the public comment period for the regional service standards which will be open September 15 – October 15, 2020. Several fact sheets are available on the Metro website which are each geared toward different audiences. Metro has sent two emails to the region's Mayors and City Managers sharing that the public comment period is open. Emails have been sent to community based organizations, Property Manager and tenant organizations and haulers.

Upcoming engagements for this topic:

1. Metro's Committee on Racial Equity: September 17, 2020
2. Metro Policy Advisory Committee: September 23, 2020
3. Metro Council work session: November 10, 2020
4. Metro Council meeting: first reading of the ordinance: December 3, 2020
5. Metro Council meeting: second reading of the ordinance and code changes: December 10, 2020

Mr. Egleston asked about the timeline for the administrative rules.

Ms. Erickson shared that once the code changes are approved, there is a 90-day period before they become effective. During that time, the administrative rules will be queued up for the Metro Chief Operating Officer's review and approval so that the effective dates of the code and the rules align. A separate 30 day public comment period for the rules will be held in early 2021 in compliance with Metro Code Chapter 5.08.

Marilou Carrera (Portland resident) asked for clarification on what Metro would like shared out to committee's networks.

Ms. Erickson highlighted the Metro website page as the key site with resources related to the topic: <https://www.oregonmetro.gov/public-projects/garbage-and-recycling-service-standard-updates>

5. TONNAGE ALLOCATIONS

Mr. Brower introduced the tonnage allocation topic. He apologized that the topic was only coming once to this committee in 2020 due to tight timing. This topic will be back in 2021 for a more robust discussion. The tonnage allocation topic will go before Metro Council for a work session on Thursday, September 24th, 2020. Mr. Brower explained that there will be breakout sessions for the committee members to have smaller group discussion. The breakout sessions will be recorded and available on the Metro website following the meeting:

<https://www.oregonmetro.gov/events/regional-waste-advisory-committee-meeting/2020-09-17>

Molly Vogt (Metro) introduced the tonnage allocation topic. She provided some background on wet waste tonnage allocations:

- 2030 Regional Waste Plan (RWP) Goal 16.0: "Maintain a system of facilities, from smaller recycling drop-off depots to larger full-service stations, to ensure equitable distribution of and access to services."

- Metro oversees this system and sets requirements for private facilities that receive waste.
- Wet waste, or putrescible waste, includes all household kitchen garbage and waste that contains organic materials that may biodegrade.
- Wet waste makes up a little more than half of the region's disposed waste.

Ms. Vogt posed the question of why does Metro allocate wet waste: Garbage is a limited public resource, managed by Metro to serve the public good, so Metro wants to be strategic with benefits. She shared some of the timeline for allocations work:

1. In 2016, a transfer system configuration industry task force was convened and decided that Metro should receive at least 40% of the region's wet waste.
2. Metro Council adopted that 40% into Code (Chapter 5.01.195(c)).
3. To ensure that Metro receives that 40%, Metro allocates up to 60% of the region's forecasted waste to private facilities.
4. In 2016, Metro Council directed staff to design a system for allocating wet waste to private transfer stations (resolution 16-4716)
5. In 2018, staff drafted a proposal based on minimizing truck travel to transfer stations.
6. In 2019, the RWP (Regional Waste Plan) was adopted by Metro Council.
7. In 2020, Metro Council directed staff to explore 7 goals as potential criteria for allocations.
8. September 24, 2020 is the Metro Council Work Session

Ms. Carrera asked Ms. Vogt who was on the transfer system configuration task force.

Mr. Brower shared that the task force was made up entirely of industry groups: all transfer stations owners/operators and some of the Material Recovery Facility (MRF) owners/operators and Metro's transfer station manager. There were no local government representatives or community members. He shared that tonnage allocations is not a new thing and that Metro has always established tonnage caps at transfer stations. What didn't exist was a methodology to allocate that tonnage in a systematic way. Metro is trying to develop this now while also incorporating some of the goals of the RWP into this work.

Ms. Vogt also shared that the allocations that were in place in the past were based on "status-quo" which were held at relatively consistent levels. As new facilities entered the region, there wasn't a system in place to help move/offer/allocate tons to the new facilities.

Ms. Kolek asked that Ms. Vogt clarify the meaning of Metro overseeing the private transfer stations aside from allocating wet waste (in the regulatory sense).

Mr. Brower responded that Metro is responsible for the planning and oversight of the entire regional solid waste system. Transfer stations, in particular, must receive a franchise authorization (similar to an operating permit) from Metro in order to operate which includes a number of environmental and operational conditions. Metro has inspectors visit and inspect the sites to ensure they are in compliance with their permit/franchise.

Beth Vargas Duncan asked how many transfer stations have entered the system in the last 25 years.

Ms. Vogt shared that she was not sure the numbers for the past 25 years, but in the past 6 years there have been two facilities added to the system: City of Roses and Gresham Sanitary.

Mr. Brower noted that Pride Disposal, Forest Grove, Troutdale, and WRI have all entered as transfer stations since late 1990s – early 2000s.

Ms. Vogt noted that the original phased plan outlined that Metro receive 40% of the forecasted waste. 30% was set to be proportionally distributed to the private transfer stations and the final 30% was divided equally among the private transfer stations. The second phase for 2021 and beyond would include a goals based criteria for 30% of the forecasted tonnage. Ms. Vogt shared the tentative schedule for the project milestones.

Beth Vargas Duncan asked how Metro Council was able to give feedback on this topic in August if they weren't in session at that time.

Mr. Brower communicated that staff met individually with Councilors or in small groups. Many councilors urged staff to move this work forward for the 2021 calendar year.

Ms. Vogt share the 7 goals being proposed to explore (first 5 are from the RWP):

1. Provide living wages and good benefits (RWP)
2. Increase diversity in workforce (RWP)
3. Minimize environmental impacts (RWP)
4. Invest in communities (RWP)
5. Affordable and consistent rates (RWP)
6. System stability
7. Logistics

The focus for today's meeting and the direction from Council is focused on the first 5 goals and their draft criteria.

Ms. Vogt shared the goals again and the draft criteria for each:

1. Provide living wages and good benefits (RWP)
 - a. Wages for entry level industry positions be no less than Metro's in-house and contracted lowest wage for entry-level industry positions like spotter and traffic control (with load inspection), currently approximately \$17.50/hour.

Luis Sandoval (Metro) shared that there is not a lot of information on wages at private facilities. Metro is starting to collect information on Metro employee wages and wages of the contractors at the Metro facilities. There is some data available nationally, but not much for local transfer stations available at this point.

2. Increase diversity in workforce (RWP)
 - a. Establish a contract or partnership with an organization that specializes in increasing workforce diversity AND provide workforce data to Metro.

Beth Vargas Duncan asked if there is a definition or clarity on diversity.

Mr. Sandoval shared the definition from the RWP for diversity: the variance or difference amongst people. This variance includes race, ethnicity, gender, age, religion, nationality, language preference, socioeconomic status, disability, sexual orientation, gender identity and others. These differences are tied to a variety of other aspects of diversity such as experience, work styles, life experience, education, beliefs and ideas. Honoring these differences while upholding our value for respect is central to our diversity philosophy.

Molly Chidsey (Metro) added goal 4 from the RWP: increase diversity of workforce in all occupations where people of color, women and other historically marginalized communities are underrepresented.

3. Minimize environmental impacts (RWP)
 - a. Rolling stock (on-site equipment) uses low particulate and low GHG (Greenhouse Gas) emission fuel OR Long-haul disposal transport (to landfills) uses R99 renewable diesel.
4. Invest in communities (RWP)
 - a. Collect Enhancement fee for other materials besides wet waste.

Ms. Vogt shared that there is a surcharge on waste received at transfer stations of \$1.00/ton which funds community enhancement grants (CEGs). CEGs fund programs that improve economic opportunity, neighborhood livability, safety, etc. in the communities around the transfer stations. Currently, this is required on wet waste. This would expand that fee to other types of waste received by transfer stations.

Mr. Brower shared that CEGs can be thought of like a host fee for transfer stations being in the community. Mr. Brower highlighted the various other types of waste beyond wet waste that come into the transfer stations (dry waste, yard debris, etc.)

Ms. Carrera asked if there some criteria for how the enhancement fee goes to communities or is that up to the transfer stations.

Mr. Brower answered that it is up to the local community (city or county) to set up a community enhancement committee to distribute the funding. There is a Metro Councilor serving on each of the committees. There are sometimes local government representatives, community members, etc. Metro directly manages the North Portland Enhancement Committee, chaired by Councilor Chase. The Metro South committee is run by the city of Oregon City.

5. Affordable and consistent rates (RWP)
 - a. Total charge per ton (inclusive of fees) must not exceed Metro's Solid Waste fee for covered loads.

Beth Vargas Duncan asked if Metro is on target to receive the 40% allocated to them for 2020.

Ms. Vogt noted that based on the 6 month review, Metro is not on track to receive 40% of the forecasted waste.

Mr. Egleston asked if the facilities need to meet all of these goals to receive any of this goal based tonnage allocation.

Ms. Vogt shared that they are not required to meet all of the goals. The proposal does include some implementation concepts. The intent is to focus on the criteria themselves. As it has been proposed, each of these goals would be associated with 5% of the regional forecast and any facility that meets the criteria for one goal would get a share of that 5%.

Christa McDermott (PSU) wanted to clarify that there are 19 goals in the RWP.

Matt Korot (Metro) answered that there are 19 goal areas, each with a set of specific goals.

Ms. McDermott asked if there a lot of competition for the private transfer stations to receive the 30% allocation.

Ms. Vogt answered that there is competition to receive the wet waste. There are frequently requests from the transfer stations to increase their allocation and it is a limited resource.

Ms. Vogt shared the discussion questions for the small breakout conversations:

1. What are your thoughts on the proposed tonnage allocations criteria to support progress toward the RWP goals? And thinking of the three criteria that are directly related to equity goals:
 - a. How does this proposal advance racial equity?
 - b. How does it hinder racial equity?

The committee members then moved into small breakout sessions which have been recorded and will be made available on the Metro website. Committee members convened in small groups for 20 minutes and returned together to report out together.

Ms. McDermott shared for her group (Ms. McDermott, Ms. Carrera and Ms. Flores-Aviña):

1. It was helpful to understand the bigger picture and the incentive to meet these goals to receive more tonnage.
2. Is tonnage allocation a mechanism to address other goals in the RWP such as reducing waste?
3. Specific to the racial equity goals: how does Metro enforce meeting the criteria or support transfer stations to meet the criteria?

Ms. Carrera added questions about implementation, but noted there is time to discuss before reaching the point of implementation. Specific to the enhancement fee committees, she wondered if there is a way to require community voice on those committees. She asked how can Metro ensure that they are moving beyond their main community partners to ensure other voices are heard.

Mr. Brower shared that the Community Enhancement Program would be coming to this committee next year as a topic.

Jenny Slepian (City of Lake Oswego) reported for her group (Ms. Slepian, Shannon Martin and Audrey O'Brien):

1. How can Metro ensure future resiliency and preparation for future disasters
2. How can there be equity between the smaller and larger facilities and not give advantage to the larger transfer stations.
3. Related to workforce: is this conversation about existing workforce or future workforce? How long do transfer stations have to implement workforce goals considering some transfer stations might not be hiring anytime soon considering many folks stay in these jobs for 10, 15, 20 years.
4. Rate equity versus service levels: smaller private stations don't offer the same level of public access.
5. Relationship between transfer stations and the public: the public doesn't have access to the station. Do these goals include equity for the public? Will this be an opportunity to increase access for the public?

Mr. Egleston reported for the final group (Beth Vargas Duncan, Mr. Egleston, and Ms. Kolek): The group focused on goals 3, 4 and 13 specific to the racial equity components.

1. Goal 3: the group noted that specific to wages, there is data that shows that the lowest wage jobs tend to be more diverse, so this could have a more immediate impact. \$17.50 may not be enough to live well in Portland, but is better than minimum wage. Also, what do added benefits look like.

2. Goal 4: group discussed what jobs would be included in workforce diversity in terms of working up the chain to higher-paying positions. Also, working with a hiring firm to increase that diversity.
3. Goal 13: what criteria are groups using to allocate the funds and are there specific guidelines on how enhancement fees/funds are used to more specifically advance racial equity.

Mr. Egleston noted that there was some concern about the timeline for this work. Also, that this will increase costs. What will these added costs mean for rate payers and how does government help mitigate negative financial impacts.

Ms. Kolek asked what indicators Metro is using to measure success for the different goals and if there is baseline data for setting the indicators.

Ms. Vogt shared that Metro is developing indicators across all of the goals in the RWP. Indicators for this project: Metro is first working to identify these criteria before identifying the indicators for each goal. But this is part of the plan.

Mr. Sandoval shared that there are RWP indicators for the whole system which are high level for the whole system (6 key indicators). Then, there are 1-2 indicators for each goal. Then, there are program-level goals. There isn't baseline data at this point for all of these goals yet but Metro is working to establish baselines for all the goals. Then there is the criteria for the tonnage allocations which will be 'met' or 'not met'.

Ms. Vogt added that year over year these indicators and criteria will be developed further.

Beth Vargas Duncan asked when the public will have an opportunity to comment on this content.

Mr. Brower shared that Metro has never typically had a public comment period in the past on this content. It will be discussed at the Metro Council work session September 24.

Ms. Vogt shared that there were a few stakeholder meetings in early September and potentially expanding that stakeholder engagement. Metro is looking at this work as a temporary administrative rule. If this is to become a regular rule, there would be a required public comment period next year.

MEETING AJOURNED at 10:00 a.m.

Next meeting

October 15, 2020 8:00 am – 10:00 am (virtual meeting)