



## BOARD OF COMMISSIONERS

# AGENDA REQUEST & STAFF REPORT

**MEETING DATE:** December 4, 2024

**SUBJECT:** Public Hearing and consideration to authorize subscription commingled recycling collection service and rate adjustments for Wilderness Garbage and Recycling, Bend Garbage and Recycling, High Country Disposal

**RECOMMENDED MOTION:**

First, hold a public hearing; then consider authorizing Republic Services to offer subscription-based residential commingle recycling services in select distant rural collection zones serviced by Wilderness Garbage and Recycling, Bend Garbage and Recycling, and High Country Disposal, for a service rate not to exceed \$20 per month for Republic Services curbside collection. The service areas to be offered this service are as follows:

- (1) South of Sunriver, north of La Pine State Rec Rd., west of Highway 97
- (2) Area between Bend, Redmond and Sisters referred to as the Golden Triangle. The Golden Triangle is defined as the area generally bounded by Highway 97, Highway 20, and Highway 126, but will include residential properties within a reasonable distance of the bounded by area on either side of the highways

This service will be conditional in each of the above referenced service area upon 600 households subscribing to the service. When subscription minimums have been met, an order to approve new rates will be brought to the Board for consideration.

**BACKGROUND AND POLICY IMPLICATIONS:**

**Franchise Waste and Recyclables Collection Services & Deschutes Transfer**

The Solid Waste Management Plan (SWMP) adopted by Deschutes County in 2019 calls for the expansion of residential collection of recyclables where practical. The Department of Solid Waste has been working with the franchised collectors, exploring the possibilities and timing of such an expansion of services. Two events have occurred since the adoption of the SWMP that have shaped the actions proposed in this report. First, the Sunriver Owners Association (SROA) has expanded their universal collection services to include commingle recycling collection to all residents in Sunriver as of January, 2023. Subsequently, as of October 31, 2024, SROA has closed the Recycling Depot that had been serving Sunriver and

the surrounding communities for the past two decades. The following is a summary of the types of services that are currently offered to Deschutes County residents.

- Residential Collection: Collection of waste and/or recyclables at customer residences by their franchised collection company. This can be accomplished by:
- Curbside collection: Waste and recycling carts furnished by the franchise collector are placed at the curb for collection. The service is automated where a mechanical arm empties the cart into the collection truck, which eliminates the need for the driver to exit the vehicle or manually empty the cart. This is the most desirable collection approach as it is the most efficient collection method and helps reduce worker injuries, which are a substantial issue in the waste/recycling collection industry.
- Side yard collection: Waste and recyclables are placed in containers located at the residence, typically beside the house/garage or in an enclosure that hides the trash and recycling containers from view. This is much less efficient, requiring the collection driver to walk up to the containers to retrieve the waste and recyclables. Additionally, it exposes collection workers to a higher risk of workplace injuries. Often, in order to gain efficiencies, drivers take a larger, wheeled cart with them and manually empties material from 2-3 residences into their cart before returning to the truck to unload. This is common in developments like Sunriver where curbside collection is not allowed.
- Mandatory Service: All residences in a local government's jurisdiction are required to take trash and recycling collection services. Fees are usually paid to the collection company. The cities of Redmond and Sisters operate in this fashion.
- Universal Service: All customers participating in franchised collection services have access to trash and recycling collection services as a single service package (waste collection and all available recycling collection). Services and rates are established by the local government and all required services are available to the resident for a single fee. Participation is optional and customers who sign up must pay the full fee, whether they elect to use all the services provided or not. The City of Bend and the "Rural" designed districts of Deschutes County receive this service.
- Subscription Service: All customers participating in the franchised collection service have access to a "menu" of available collection services where the customer can select and pay for only those services they desire. As an example, a resident may sign up for waste collection only, while their neighbor subscribes to both waste and recycling collection. Fees for subscription service tends to be higher than the universal service approach as the cost of trucks and labor is spread over a smaller number of customers and participation can be more dispersed than what is seen under the universal model. Yard-waste services in the cities of Bend and Redmond are offered in this manner.
- Recycling Depots Service: All residents of the County have access to drop-off service at no charge for an expanded list of recyclable materials, including commingled recycling, glass, scrap metals, cardboard, batteries, motor oil, and electronics at all the County operated transfer stations. Republic Services offices in Redmond, Bend, and La Pine. The City of Sisters also provides a recycling drop-off option for commingled recycling and glass.

## **RECYCLING HISTORY & BACKGROUND**

The landmark Opportunity to Recycle Act passed by the Oregon legislature in the mid 1980's requires that all Oregon citizens have the opportunity to recycle. The law has provisions requiring curbside collection of recyclables in cities above a certain threshold population, including their Urban Growth Boundary. In unincorporated areas, the opportunity to recycle requirement is met by providing locations where citizens can drop recyclables at DEQ permitted disposal sites (landfills and transfer stations).

Soon after the law went into effect, citizens in unincorporated areas of Deschutes County began requesting more convenient options for recycling. These requests typically came from resort developments and larger subdivisions, which led to the establishment of recycling depots in those areas. The depots were a partnership between the community requesting the service and the Solid Waste Department, where the community provides a location for the depot and the Department would provide containers and service. The number of depots has varied over the years; currently three depots are available to residents in Deschutes County:

La Pine Depot, located in Wilderness Disposal's corporate yard in La Pine

Sisters Depot located in the city of Sisters

Black Butte Ranch Depot, located at the Black Butte Ranch corporate yard

The responsibility for servicing these depots is borne by the franchised collector responsible for the service area where the depot is located. With the exception of the Black Butte Ranch Depot, the cost for servicing the depots is included in the base fee for all of the collector's customers. Additionally, the Department of Solid Waste provides some funding assistance to the franchised collectors to help offset depot operating costs. As the Black Butte Ranch Depot is restricted to use by Black Butte Ranch residents only and not available to the general public, that facility does not receive any financial assistance from the Department. The cost of servicing that depot is borne by Black Butte Ranch rather than the franchised collector's entire customer base.

## **SUNRIVER RECYCLING**

Sunriver and the surrounding area had been served by a recycling depot located in the SROA Public Works yard. It was very popular but woefully inadequate to handle the volumes of materials coming in. With the addition of residential commingled recycling collection to all households along with SROA's desire to repurpose the space where the depot was located for other public works needs resulted in SROA recommending the closure of the recycling depot. The County will no longer be providing funding in support of recycling in Sunriver.

## **RURAL & DISTANT RURAL FRANCHISE SERVICE AREAS**

In addition to the depot system used to collect recyclables in unincorporated areas, limited curbside collection of recyclables has been implemented in certain higher density subdivisions/areas in unincorporated Deschutes County. Areas where residential recyclable collection services are available have been designated as the Rural Collection Zone. Areas that are more sparsely populated and have no curbside recyclables collection are designated as the Distant Rural Collection Zone. The attached map shows the extent of these service areas for the franchised collectors.

Since residential recycling services in unincorporated areas of the County are not required under the Opportunity to Recycle Act, the County has some latitude in how services are approached and implemented in both the Rural and Distant Rural Zones. For example, when recyclable collection was implemented in the Rural Zone, glass collection was not included due to the expense and market value at the time.

As services are expanded, the boundaries of these zones may change, or be eliminated. Ideally, every collection customer would have the full suite of services available through universal service which would include weekly trash collection, every other week recyclable collection (both commingle and glass), and yard debris collection in the alternate week. This is a very ambitious expansion, and we do not expect to accomplish it in a single phase. It is likely that some areas will never have the full suite of services and implementation in some areas may need to wait until population densities make collection more efficient and affordable.

### **APPROACH TO SERVICE EXPANSION**

The Solid Waste Department has been working with each of the franchise collectors to come up with service expansions that meet the needs of both residents and the collection companies. Each franchise is unique in size, customer base, commercial versus residential make up, customer density, and homeowner restrictions.

Cascade Disposal: Most of their collection area outside of the City of Bend is in the Rural Collection Zone and those customers currently receive residential collection of commingled recyclables as a universal service with their trash collection. Their service area designated as Distant Rural Collection Zone was made up of predominately Sunriver, with approximately 100 additional households outside of that community. With the approval by the BOCC of the service rate in 2023 for the expansion of weekly side yard commingle and glass recyclables collection as a universal service, Cascade Disposal decided to offer biweekly commingled recycling as a Universal service to those last remaining customers without it at their existing rate structure. As is the current arrangement for waste collection, residents are provided their own container for commingle recyclables.

Republic Services: Republic Services owns and operates three (3) different collection companies/franchises, and their service areas for the County unincorporated service areas are referred to as North County (Redmond region unincorporated areas and Sisters region unincorporated areas) and South County (unincorporated areas south of Sunriver). Currently Republic Services provides universal service in all of the Rural Collection Zones around the cities of Bend Sisters and Redmond for commingled recycling. With the closure of the Sunriver Recycling Depot, the communities that are adjacent and to the south, which include Three Rivers and Caldera Springs have inquired as to the opportunity to receive collection services from both Republic Services and the County. Republic has offered to the County the option to provide commingled recycling subscription service to those residents in their Distant Rural Collection Zone north of La Pine State Recreation Road at a rate of \$20 per month for biweekly collection service. This subscription service and rate would be contingent upon over 600 residents signing onto receiving this service in this designated area.

Additionally, Republic Services has also offered to provide a subscription service option for the North County Distant Rural Collection Zone in the “Golden Triangle” region currently outside of the Rural Collection Zone service areas. This service would also be contingent upon them signing up a minimum of 600 subscription service customer. It is also being offered at a \$20 per month service rate.

### **UNIVERSAL SERVICE VESUS SUBSCRIPTION SERVICE**

It should be noted that the universal approach to adding services is the standard industry approach and is the service structure the County has used when expanding recycling services into the Rural Collection Zone. Once an acceptable level of service has been decided, that service is required to be provided by all franchised collection companies in the appropriate collection zone. The subscription approach is not recognized by the State as a qualifying recycling program for complying with the Opportunity to Recycle Act as it is felt that this approach provides a disincentive to participation.

The cities of Bend and Redmond broke with this tradition when implementing curbside collection of yard debris/food-waste, implementing it on a subscription basis where customers only pay for the added service if they choose to use it. This worked well for in Bend and Redmond primarily because the local fire departments in the cities banned all back yard burning in conjunction with the new service.

### **RECYCLING MODERNIZATION ACT IMPACTS**

Since the County is in compliance with the law in unincorporated areas by providing for the collection of recyclables at disposal sites, we have no compliance issues if a subscription approach is desirable. In fact in this circumstance it might be preferred. In July of 2025 the Recycling Modernization Act (RMA) will begin to be implemented. The RMA will over time provide for financial support for the expansion into rural communities, as well as to the City of La Pine, including funding for the purchasing of new collection vehicles and carts in areas where universal service is not provided. By rolling out subscription service, the County and the franchise haulers will maintain eligibility for that funding. Republic Services is able to offer the subscription services in these areas with their existing fleet, with a nominal number of carts needing to be purchased. This will help allow for a more modest impact on the rate payers when rolled out to the remaining customers in the future.

### **BUDGET IMPACTS:**

There are no budget impacts for the franchise collection service rate adjustments. Funds have been budgeted in the FY25 Solid Waste Operating Budget for the Deschutes Transfer rate increase.

### **ATTENDANCE:**

Tim Brownell, Director of Solid Waste