



STAFF REPORT

Meeting Type: City Council
Meeting Date: August 17, 2026
From: Jeff Aprati, Deputy City Manager
Rick Winterhalter, County Sustainability & Solid Waste Manager
Subject: Clackamas County IGA: Opportunity to Recycle, Plastic Pollution and Recycling Modernization Act Cooperation

DECISION TO BE MADE:

Whether to approve the draft IGA with Clackamas County regarding Opportunity to Recycle, and Plastic Pollution and Recycling Modernization Act Cooperation

APPLICABLE COUNCIL GOAL:

n/a

BACKGROUND / CONTEXT:

For many years, Clackamas County has administered recycling compliance on behalf of cities within the County, including Sandy. The City's partnership with the County on recycling programs and activities is currently outlined in a 2008 Letter of Understanding, attached to this staff report. The County is approaching cities requesting the development of IGAs to more formally outline these responsibilities, and to comply with new state law requirements related to the Plastic Pollution and Recycling Modernization Act.

Clackamas County Recycling Partnership

Sandy is part of the Clackamas County Recycling Partnership, a co-operative effort among Clackamas County and cities in the county to coordinate and share resources to effectively and efficiently meet outreach and education requirements conveyed through the Opportunity to Recycle Act (ORS Ch. 459A) and regional waste plans.

Through the Clackamas County Recycling Partnership, Clackamas County provides county-wide recycling and waste reduction programs and activities that meet many of the requirements of Oregon's Opportunity to Recycle Act that apply to cities in the county, and reports to DEQ on these programs and activities on behalf of cities in the partnership.

Plastic Pollution and Recycling Modernization Act

In 2021 (Senate Bill 582), the Oregon Legislature enacted the Plastic Pollution and Recycling Modernization Act (RMA), which will update Oregon's recycling system by expanding access to recycling services and upgrading recycling facilities across the state. The law takes an Extended Producer Responsibility approach that requires producers of packaging, food service ware, and paper products to share responsibility for the disposal of their products through paying in to the recycling system. Companies that sell products in Oregon that are covered by the law must pay fees to a statewide nonprofit Producer Responsibility Organization (PRO) that administers the statewide program. The Producer Responsibility Organization will use the fees to cover expenses for local recycling services that provide all Oregonians the same opportunities to recycle in a way that creates environmental benefits.

Local governments in Oregon are responsible for overseeing recycling collection. The RMA creates new requirements for local governments to expand recycling services as needed to collect materials on a new, uniform statewide list, implement new programs to reduce contamination in recycling streams, use recycled plastic in collection containers, and report on activities to the Oregon Department of Environmental Quality (DEQ). Local governments and local governments' service providers can request reimbursement from the PRO for eligible costs to meet the requirements of the law, under ORS 459A.890.

Earlier this year, DEQ requested that local governments complete a Funding Authorization Form indicating whether the local government would receive future PRO funding directly, or whether they would like to designating service provider(s) or other entities to receive the funding for eligible activities that are carried out to meet the local government's RMA obligations.

In keeping with the Clackamas County Recycling Partnership, Clackamas County proposed to carry out county-wide recycling programs, including but not limited to contamination reduction programming, that meet the requirements of the Plastic Pollution and Recycling Modernization Act (OAR 340-090-0030} on behalf of cities in the partnership. In addition, the County will lead a planning effort, in collaboration with regional partners and service providers, to identify how funding will need to be distributed among the different entities across the county in order to carry out the programs and activities required by the RMA. To this end, Sandy staff recommended designating Clackamas County as the authorized entity to receive eligible compensation directly from the PRO through the DEQ's Funding Authorization Process.

KEY CONSIDERATIONS / ANALYSIS:

In the process of developing an intergovernmental agreement for Recycling Modernization Act programming, City and County staff identified an opportunity to incorporate the other aspects of the Clackamas County Recycling Partnership into the IGA, to replace the older 2008 Letter of Understanding with one comprehensive agreement.

The attached draft IGA covers the scope of work for Clackamas County and the City of Sandy to collaborate on meeting state and local recycling requirements from the Opportunity to Recycle Act, Recycling Modernization Act, and Metro Regional Waste Plan.

The City Attorney has reviewed the draft IGA and approves of it in its final form.

BUDGET IMPACT:

None. By continuing to rely on Clackamas County to administer recycling compliance on behalf of the City, Sandy avoids the additional capacity and overhead demands associated with developing our own recycling regulation program.

RECOMMENDATION:

Staff recommends approval of the draft IGA

SUGGESTED MOTION LANGUAGE:

"I move to authorize the City Manager to execute the proposed IGA with Clackamas County regarding Opportunity to Recycle, and Plastic Pollution and Recycling Modernization Act Cooperation."

LIST OF ATTACHMENTS / EXHIBITS:

- Proposed IGA with Clackamas County regarding Opportunity to Recycle, and Plastic Pollution and Recycling Modernization Act Cooperation
- Previous Letter of Understanding with Clackamas County - 2008