

**RESOLUTION NO. 2021-47**

A Resolution for City of McMinnville, Oregon Ratifying the Declaration of State of Emergency concerning the collection, disposal, and general management of solid waste.

**RECITALS:**

**WHEREAS**, Recology Western Oregon (Recology) owns and operates a solid waste transfer station within the city limits of the City of McMinnville; and

**WHEREAS**, Recology is subject to certain conditions of approval as part of its conditional use permit approving the solid waste transfer station; and

**WHEREAS**, with only two days' prior notice, Riverbend Landfill (Riverbend) notified Recology Western Oregon (Recology) on June 17, 2021 that it would no longer accept municipal waste beginning June 19, 2021; and

**WHEREAS**, up to that point, Recology had transported some solid waste materials from its transfer station to Riverbend; and

**WHEREAS**, due to Riverbend's unexpected transition, Recology has experienced a significant disruption in its disposal operations, which is now impacting its transfer station operations, which similarly impact surrounding properties and the City; and

**WHEREAS**, such disruption negatively impacts Recology's ability to meet some of its conditions of approval (COAs) in its City-approved conditional use permit no. CU 5-16; and

**WHEREAS**, the State of Oregon, pursuant to ORS 401.309(1); authorizes the governing body of Oregon cities and counties to declare a local state of emergency; and

**WHEREAS**, The City of McMinnville, pursuant to the Emergency Operation Plan authorized the Mayor to declare a local state of emergency; and

**WHEREAS**, The Mayor of the City of McMinnville finds that conditions require a local state of emergency; and

**WHEREAS,** The Mayor of the City of McMinnville signed a Declaration of State of Emergency on June 29, 2021;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MCMINNVILLE OREGON, HEREBY RATIFY THE DECLARATION OF STATE OF EMERGENCY SIGNED CONCERNING THE COLLECTION, DISPOSAL, AND GENERAL MANAGEMENT OF SOLID WASTE AND AUTHORIZES THE FOLLOWING:**

1. City Manager of the City of McMinnville, as the Emergency Manager, may take any and all necessary steps authorized by law to coordinate the continued response to this emergency, including but not limited to, suspending or modifying certain COAs temporarily during the state of emergency; and
2. The state of emergency declaration provides the City Manager with the latitude to coordinate an effective response by redirecting funding for emergency use as needed and suspending standard procurement procedures; and
3. City Manager of the City of McMinnville is authorized to initiate emergency request for aid from Yamhill County, the State of Oregon, and the Federal Emergency Management Agency as necessary; and
4. This resolution is effective immediately and shall remain in effect until at least September 30, 2021, but may be extended as necessary.

Adopted by the Common Council of City of McMinnville at a meeting held the 13th day of July 2021 by the following votes:

Ayes: Drabkin, Garvin, Geary, Menke, Peralta, Chenoweth

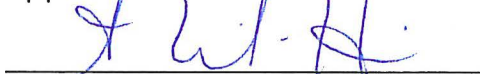
Nays: \_\_\_\_\_

Approved this 13th day of July 2021.




\_\_\_\_\_  
Mayor

Approved as to form:



\_\_\_\_\_  
City Attorney

Attest:



\_\_\_\_\_  
City Recorder