

Solid Waste Interjurisdictional Technical Staff Work Group
Governance Discussion Summary
November 15, 2006
King Street Center

Meeting Attendees:

City Staff:

Alison Bennett – City of Bellevue
Rob Van Orsow – City of Federal Way
Elaine Borjeson – City of Kirkland
Nina Rivkin – City of Redmond
Linda Knight – City of Renton
Rika Cecil – City of Shoreline

County Staff:

Mike Huddleston – Council Staff
Beth Mountsier – Council Staff
Mike Reed – Council Staff
Gemma Alexander – SWD
Kevin Kiernan – SWD
Diane Yates – SWD
Jane Gateley- SWD

I. Updates

The Solid Waste Advisory Committee (SWAC) will discuss the issue of unincorporated area representation on the Solid Waste Interlocal Forum (SWIF) at its meeting on Friday.

The county council is still working on the third party review of the Transfer and Solid Waste Export System Plan.

The Executive's office has already determined its legislative agenda for 2007 and did not say no to the possibility of advocating in future years for a change in state law as proposed by ITSG at its October 31 ILA meeting,.

The county's budget deliberations are continuing. Solid waste considerations include the method for dealing with work on conversion technologies. Three approaches are under consideration:

1. third party review
2. third party review process that incorporates the advisory committees
3. continuing the collaborative process begun with export planning

Council staff have recommended continuing the existing process to the extent possible.

II. Governance Report

The division presented the draft governance report, noting that the intent of this draft is to capture the important ideas, and that there has not been time for editing. Everyone agreed to focus on content rather than word-smithing.

There was some discussion of whether an executive summary is needed, and if so, what information belongs in it rather than the introduction or background sections. Some members felt a longer introduction without an executive summary was more informative. It was suggested that an executive summary describing the history behind development of the report rather than a summary of its contents.

ITSG members commented that the origin of the development process was a dispute, and the report should clearly explain that. Section two should describe the primary issues in

the original dispute. Council staff Beth Mountsier will send a copy of the original Ordinance 14971 staff report to the division's technical writer, Jane Gateley, to provide some of the background on the original dispute.

ITSG felt that paragraph four of the introduction should include more information on the work done to date, including a summary of the milestone reports.

ITSG agreed that where instruction to Gateley was missing or unclear, the correct assumptions about ITSG's intent have been made.

On page six, the division will change the text to clarify that the membership of SWIF changed, not its role. Also on page six, it should be clarified that MSWMAC's continued role is not at issue. The issue is whether it should have an expanded role.

The tie to waste export should be eliminated in favor of emphasizing the benefit to "upgrading and modernizing" the entire system regardless of disposal method. This should be applied globally. Paragraph four should be moved to page 8.

ITSG asked that the report highlight the issue of Seattle's representation on the SWIF despite not being a part of the King County solid waste system, using language from page 6 of ITSG's October 31 presentation handout.

ITSG asked that the preliminary, conceptual nature of the report be emphasized. It should be clear that ITSG intends to do more work to identify implementation measures for the recommendations.

There was disagreement on whether the report over or under-emphasized the issue of unincorporated areas' representation on SWIF, however, it was agreed that this issue should be addressed for each alternative. For alternative four, the report should say that unincorporated areas are not represented on MSMWAC so a mechanism needs to be identified to represent their perspective. ITSG decided to defer the decision pending input from SWAC. It was noted that the SWAC Chair had asked that pros and cons be listed for each alternative.

Gateley said she had difficulty characterizing the "Status Quo" option because current practice has moved beyond the nominal status quo.

ITSG identified three problematic issues with using the Regional Policy Committee (RPC) as the SWIF:

- City of Seattle representation
- Too narrow suburban city representation
- Focus on policy does not allow for issue development

ITSG identified the following pros to maintaining the status quo:

- RPC meets the legal requirement per the Interlocal Agreements (ILAs)
- RPC will be involved in the discussion regardless of whether it is the SWIF

- As defined historically, SWIF has a limited role that RPC can continue to fill without any additional process

ITSG wants the responsibilities of the SWIF to be described in the report. These can be found in the ILA's and pages 18, 28 and 33 of the ITSG handout.

Throughout the document "Proposed Option" should be changed to "Recommendation."

ITSG decided the report needed a stronger statement of what decision is needed from the council. The next steps section should be about implementation. The report should not imply that further discussion of the options is necessary. The next steps should be

- Council approval of the recommendation
- Determine implementation measures
- Approval of implementation measures and effect changes

III. Dispute Resolution

Process One is not a process. It is a blanket statement. It should be stated elsewhere and not be listed as a numbered process.

Process Three (now Process Two) only applies to host cities because they have unique issues within the system, relating to operational impacts. The process for resolving these issues is more iterative and involved than the MSWMAC process.

City members clarified for the division that traffic issues would fall under the policy category, rather than process three.

Third party review is only a part of Process Four (now Process Three). The term "Process" should be replaced with "Nature of Dispute" because each process is a response to a different kind of dispute. The names of the categories should be changed to reflect this.

MSWMAC's role under dispute type two was discussed. ITSG agreed that MSWMAC should be notified in this case, and could discuss and provide input on these disputes, but would not have any binding or formal involvement.

Page 10, paragraph four should state that this process is intended to be rarely used. Administration, fund source, financial limits, and triggers are all issues that need to be addressed.

The bullets on page 12 should be linked to the related appendix. Also on page 12, the recommendation should be recast in stronger language.

Next Steps

If the report is completed on December 15 or December 30, it would not affect the timing of MSWMAC's approval. Council Staff Mike Huddleston said he would write a letter to council requesting a new due date for the report of January 19, after the January MSWMAC meeting.

The division will send a revised draft of the report as soon as possible.

The next ITSG meeting will be on November 29, beginning at 10 AM. This will be an extended meeting dealing with both pre-MSWMAC agenda items and the ILA report.