

**KING COUNTY METROPOLITAN SOLID WASTE MANAGEMENT ADVISORY COMMITTEE**

**June 10, 2005**

**12:00 – 2:00 p.m.**

**King Street Center, 8<sup>th</sup> Floor Conference Center**

**Approved Minutes**

Members in Attendance

<u>Name</u>	<u>Agency</u>	<u>Title</u>
Sharon Hlavka	City of Auburn	Solid Waste Supervisor
Bill Peloza	City of Auburn	Councilmember
Alison Bennet	City of Bellevue	Utilities Policy Advisor
Brad Miyake	City of Bellevue	Utilities Director
Joan McGilton	City of Burien	Councilmember
Don Henning	City of Covington	Councilmember
Linda Kochmar	City of Federal Way	Deputy Mayor
Rob Van Orsow	City of Federal Way	Solid Waste & Recycling Coordinator
Jessica Greenway	City of Kirkland	Councilmember
Jean Garber	City of Newcastle	Councilmember
Jon Spangler	City of Redmond	Natural Resources Director
Nina Rivkin	City of Redmond	Senior Policy Analyst
Paul Haines	City of Shoreline	Public Works Director
Frank Iriarte	City of Tukwila	Deputy Public Works Director
Mick Monken	City of Woodinville	Public Works Director

Others in Attendance

Solid Waste Division

Theresa Jennings, Director  
Kevin Kiernan, Engineering Services Manager  
Theresa Koppang, Lead Planner  
Gemma Alexander, Solid Waste Division staff  
Bert Tarrant, Solid Waste Division staff

King County Council Staff

Peggy Dorothy, King County Council Staff  
Mike Huddleston, King County Council Staff  
Beth Mountsier, King County Council Staff

City Staff

Susan Fife-Ferris, City of Bellevue  
Elaine Borjeson, City of Kirkland  
Daryl Grigsby, City of Kirkland  
Sarah Ruther, City of Woodinville

1 **Call to Order**

2 MSWMAC Chair Jean Garber called the meeting to order at 12:20.

3

4 **Introductions**

5 Those in attendance introduced themselves.

6

7 **Approve May Meeting Minutes and Review Agenda**

8 **MSWMAC member Bill Pelozza moved approval of the May minutes.**

9  
10 In response to a question, Solid Waste Division staff member Gemma Alexander explained that  
11 she refers to speakers by title and full name the first time they are mentioned in the minutes and  
12 only by surname each subsequent time.

13  
14 *The motion passed unanimously.*

15  
16 Garber commented that agenda item five, Discussion and Recommendation on Draft Analysis of  
17 Public and Private Options for Ownership and Operation of Transfer and Intermodal Facilities,  
18 would take a lot of time, but that the report must be approved at this meeting because it is due to  
19 King County Council in June. She suggested delaying discussion of Criterion 17 if necessary.  
20 There were no objections.

21  
22 In response to a question, she said that Criterion 17 is an addendum to the second report. Solid  
23 Waste Division Engineering Services Manager Kevin Kiernan added that there is no due date  
24 for the addendum.

25  
26 **SWAC Update**

27 Kiernan gave the Solid Waste Advisory Committee update in place of MSWMAC member  
28 Carolyn Armanini, who was not present. Kiernan said the majority of SWAC's meeting was  
29 spent in discussion of the third report's Public/Private Characteristics Matrix. The majority of  
30 comments came from Waste Management. These comments are shown in blue on the matrix  
31 handout. Some of them conflict with comments received from other members.

32  
33 **SWD Update**

34 Kiernan reported that only two bids were received on the First NE project, and that these came  
35 in 42% above the division's estimates, so the project has been delayed to next year. According  
36 to the Association of General Contractors, the construction industry has faced an unusual  
37 increase in costs relative to other aspects of the economy. The division will reissue the bid in  
38 January, with an extended construction period of 15 months.

40 Snohomish County has experienced a container shortage resulting from rail issues. They expect  
41 to take a month to clean out the backlog of garbage. This situation points out the need for  
42 emergency storage in a waste export system.

43

44 Garber said that when Snohomish County wanted to replace the Cathcart Landfill, a hearing  
45 about groundwater issues before John Galt determined that groundwater conditions required that  
46 the landfill be built to hazardous waste specifications, including a double composite liner. The  
47 county built a cell to these specifications, but it was never used. The property has been sold for  
48 development. Snohomish County now contracts with Rabanco for waste export.

49

50 **Public and Private Options for Ownership and Operation of Transfer Station and**  
51 **Intermodal Facilities: Discussion and Recommendation**

52 Garber suggested MSWMAC go through the text of the report page by page first, and then  
53 address the characteristics matrix. She asked for a main motion to approve the current iteration  
54 of draft report three with MSWMAC amendments.

55

56 **MSWMAC Vice-Chair Joan McGilton moved that MSWMAC approve the current**  
57 **iteration of report three, Public and Private Options for Ownership and Operation of**  
58 **Transfer and Intermodal Facilities, with MSWMAC amendments.**

59

60 *Page One:* No Comments.

61

62 *Page Two:* MSWMAC member Jessica Greenway commented that the sentence beginning on  
63 the third line under the heading “Policy Choices Shape the Solid Waste System” is key to  
64 MSWMAC’s work.

65

66 King County Council staff Mike Huddleston pointed out RTS 18, 20 and 21 in the first  
67 attachment to the report. He said the purpose of the sentence prior to the bullets is to point out  
68 the balance between rates and policies.

69

70 Garber said it seems the comma in that sentence should be followed by a list of considerations  
71 such as environmental protection, public health and public access.

72

73 MSWMAC member Nina Rivkin said all the bullet points impact rates, so the sentence should  
74 include the phrase “which have an impact on rates.” The resulting sentences would read,  
75 “Current policies attempt to weigh lowest rates against service needs, environmental protection,  
76 public health and public access. Consider the following adopted Comprehensive Plan policies  
77 that impact rates and service levels:”

78

79 Greenway asked about the fifth and sixth bullet points, saying that she is not aware that any  
80 mitigation has been done. Kiernan pointed out the parenthetical comment acknowledging that  
81 mitigation has not been done.

82

83 Rivkin said that the county does impose greater environmental protections than required by state  
84 law, so the fifth bullet point is accurate. Kiernan agreed that all new facilities do exceed  
85 environmental regulations, but existing facilities have not been changed to meet those same high  
86 standards.

87

88 MSWMAC agreed by consensus that the two bullet points should read:

- 89     ▪ Enact environmental protection measures which exceed minimum standards to protect  
90       the environment, enhance community acceptance and assure host community  
91       compatibility. (Newer facilities clearly exceed environmental standards; older facilities  
92       have not been upgraded pending resolution of policy decisions.)
- 93     ▪ Provide mitigation to communities where solid waste facilities are located, known as  
94       “host communities,” (though mitigation policies have not yet been developed and  
95       mitigation has not yet been implemented).

96

97 Garber pointed out a grammatical error in the second to last bullet.

98

99 MSWMAC approved by consensus page two as amended.

100

101 *Page Three:* Greenway suggested adding a bullet addressing service areas and additional  
102 transfer stations. She said it was a good opportunity to introduce the topic.

103

104 Rivkin commented that this list included policy questions that should be addressed before  
105 questions about the configuration of the system. Huddleston said he appreciated that point, but

106 agreed with Greenway that the question of additional stations should be addressed. Garber said  
107 she could not see a downside to including the question.  
108  
109 **Garber moved to add the suggested bullet, “Should a full service transfer facility be**  
110 **provided for each defined service area and should additional service areas be provided?”**  
111  
112 MSWMAC member Bill Pelozza asked for a definition of “full service.” Kiernan replied that  
113 full service refers to providing commercial, self hauler and recycling service. Garber suggested  
114 that the definition be included in the bullet point.  
115  
116 *The motion passed unanimously.*  
117  
118 In response to a question by Garber, Rivkin suggested that under the “Federated System”  
119 heading, the second sentence should read “ILAs between King County and 37 cities that expire  
120 in June 2028.”  
121  
122 Greenway asked for the definition of “self haul.” Kiernan replied that the division uses the term  
123 to refer to any customer that is not Waste Management or Rabanco. Some self haulers are very  
124 big customers. For example, Boeing historically hauled their own waste.  
125  
126 Greenway commented that some communities don’t have mandatory curbside collection yet.  
127 Kiernan agreed, and pointed out those communities with mandatory collection continue to show  
128 a demand for self haul service. Seattle is one example. He said mandatory collection is not  
129 necessarily linked with reduced need for self haul service.  
130  
131 MSWMAC approved by consensus page three as amended.  
132  
133 *Page Four:* MSWMAC member Alison Bennet said she sent an email to all MSWMAC  
134 members containing Bellevue’s comments on the ILA discussion in page four. She said this  
135 paragraph tries to recognize that current ILAs are in effect but that as planning progresses, other  
136 options will be considered and MSWMAC may want to look at different system structures.  
137  
138 Garber asked for responses. MSWMAC member Mick Monken said he agreed with the  
139 comment. Greenway said she also supported the comment. Garber said that in general she

140 supported the new language, because report four will be looking at alternatives under different  
141 assumptions.

142

143 Kiernan replied that three different sentences in the original paragraph already attempt to  
144 capture the thought that current ILAs figure in current assumptions and those assumptions can  
145 be changed during the course of planning. Ordinance 14971 sets forth the approach in Section  
146 Two, where it says, “The interjurisdictional technical staff group (ITSG) report shall address at  
147 least the following issues: d. evaluation of the impact of the provisions of the solid waste  
148 interlocal agreement between King County and cities.” He said the sentence on page four  
149 reading, “Section 3 of Ordinance 14971 provides that the county and any city with a Solid  
150 Waste ILA may engage in informal, non-binding discussions regarding potential changes to any  
151 of the provisions of the interlocal agreement,” is critical to the report. The division is concerned  
152 about changing the process from the direction that has been given by council. The division  
153 cannot open up a different venue for discussion through the reports, because council has  
154 assigned that discussion to ITSG.

155

156 Bennet replied that it is not Bellevue’s intent to introduce the ILA discussion into the context of  
157 the milestone reports, but only to bring different options to the table.

158

159 Kiernan said that is what the ITSG process described in the ordinance is intended to do.

160

161 Garber asked when the MSWMAC process would be informed by the results of those  
162 discussions. Kiernan replied that ITSG determines that schedule.

163

164 Pelosa commented that he agrees with the need to refer to Section Three of the ordinance in this  
165 part of the report.

166

167 Rivkin said there are two separate issues that are connected. One is the fundamental  
168 assumptions of the Solid Waste Division in planning and the second is the options under  
169 consideration. For example, one assumption is 37 cities in the system. Another assumption is a  
170 system without some of those cities. If the second assumption is used, the division needs  
171 guidance on how to plan for the options under this assumption. Should they plan for a system  
172 with all of the cities out, or only some of the cities out?

173

174 Garber asked when the specific options for evaluation in report four would be defined. Kiernan  
175 replied that the division has begun to develop a schedule, but it is not complete yet. He said the  
176 next step is to identify the fundamental assumptions that everyone can agree with - for example,  
177 that Cedar Hills will close. In setting the report due dates, the fourth report was given extra time  
178 because it will require extensive analysis.

179

180 Greenway said Bellevue's added language and the reference to Section Three of the ordinance  
181 should be included in the report.

182

183 Huddleston commented that everyone agrees Bellevue's comment is valid, but he has some  
184 concerns with the language. He asked what Bellevue meant by "appropriate time." He said it is  
185 important to put a flag in the report to mark the issue but he is concerned about specifying  
186 which options should be listed without first having a comprehensive discussion of the options.  
187 He added that this work needs to happen. It is the homework assignment for ITSG. He said that  
188 he thinks there is a time and place for this discussion, and although now is the time, report three  
189 is not the place.

190

191 Kiernan concurred that these issues need to be addressed but the ordinance is clear that it must  
192 be done through ITSG, not the milestone reports.

193

194 Rivkin commented that the ITSG report was to focus on governance, while this question is more  
195 technical. Kiernan agreed, that governance issues are the ITSG's responsibility, and added that  
196 should remain clear during development of the fourth report.

197

198 Bennet said she wants to capture that all alternatives will be examined, including ILA changes  
199 and different types of systems.

200

201 Rivkin suggested, "The full range of options available, including (those listed in Bellevue's  
202 comments) and implications such as costs, etc." She said this type of language makes the list  
203 illustrative rather than comprehensive.

204

205 Garber suggested a five minute recess in which county staff, Bennet and Rivkin would work on  
206 developing new language that all could agree to. MSWMAC agreed by consensus.

207

208 After the recess, Bennet read the new proposed language:

209 The planning process to date for the future solid waste system has been based on the assumption of a  
210 continued federated system. To recover the significant capital investment that will be required for the future  
211 transfer station and waste export system, long-term agreements that continue beyond the 2028 expiration date of the  
212 current ILAs may be required. Any changes to the ILAs and the cities participating in the system will impact the  
213 development and configuration of the system, future capital investments, services and rates. Decisions about the  
214 future system may impact participation by cities in that system. Section 3 of Ordinance 14971 provides that the  
215 county and any city with a Solid Waste ILA may engage in informal, non-binding discussions regarding potential  
216 changes to any of the provisions of the interlocal agreement. Report four will include a comprehensive assessment  
217 and analysis so that the future size and configuration of the solid waste system can be developed. This  
218 comprehensive review will identify critical assumptions, risks and ILA options.

219

220 MSWMAC approved by consensus page four as amended.

221

222 *Page Five:* Greenway suggested that “MMSW” and “CDL” should be spelled out the first time  
223 that they are used.

224

225 MSWMAC approved by consensus page five as amended.

226

227 *Page Six:* No comments.

228

229 *Page Seven:* No comments.

230

231 *Page Eight:* No comments.

232

233 *Page Nine:* Greenway suggested adding a bullet for equitable distribution of facilities.

234

235 MSWMAC approved by consensus page nine as amended.

236

237 *Page Ten:* No comments.

238

239 *Page Eleven:* No comments.

240

241 *Page Twelve:* No comments.

242

243 Rivkin commented that this report sets January 30 as the due date for the critical fourth report.

244 Three months after that the Export System Plan will be due.

245

246 *Public/Private Characteristics Matrix:* Kiernan said this matrix tries to identify the major  
247 characteristics of a transfer system, distinguish differences between public and private  
248 approaches for each characteristic and, where the source of the difference is a policy choice, to  
249 identify that policy choice.

250

251 McGilton asked how this matrix fits into the third report.

252

253 Kiernan replied that the matrix is to be incorporated into the final report. The division hoped  
254 MSWMAC would reach consensus on the contents of the matrix today.

255

256 Garber asked for the definition of “pay-as-you-go” in the Private column of the first  
257 characteristic. Kiernan responded that “pay-as-you-go” meant no debt financing, or the  
258 possibility of payment through cash reserves.

259

260 Solid Waste Division Lead Planner Theresa Koppang mentioned that some of the comments on  
261 the matrix conflict with one another. For example, under the first characteristic, the division  
262 had written a bullet point for 20-25 year terms. Waste Management struck this point in its  
263 comments, but Redmond restored the point in its comments.

264

265 Garber commented the first two points under Characteristic One, Private, seemed redundant.

266

267 Pelosa stated it would take too much time to go through the matrix at this meeting, and asked if  
268 it was possible to take the matrix home for review. Garber replied that the report due date made  
269 it necessary to approve the report today.

270

271 Rivkin stated the chart was developed to begin identifying the policy decisions that will have to  
272 be made, and does not have to be a final product. It can be incorporated into the report as a draft  
273 with a footnote to the effect that it is a work-in-progress.

274

275 Garber asked for clarification of whether Rivkin suggested addressing the matrix in report four.

276 Rivkin replied the draft matrix could remain in the third report and be finalized for report four.

277

278 McGilton asked if the division could point out where conflicts remain in the comments on the  
279 matrix before the meeting adjourned.

280

281 Noting that people had begun to leave and there was danger of losing a quorum, Garber called  
282 for a vote on the motion to approve the report with MSWMAC's changes.

283

284 Kiernan asked for clarification on whether the color-coded comments should remain in the  
285 matrix when it is incorporated into the third report.

286

287 MSWMAC agreed by consensus that the color-coded comments should not be included.

288

289 In response to a question about characteristic three, Kiernan replied that Bellevue's comments  
290 capture the contractual nature of the private option.

291

292 Garber noted there was no time left for discussion and asked that Kiernan identify by email the  
293 conflicts between comments.

294

295 MSWMAC approved the current iteration of report three, Public and Private Options for  
296 Ownership and Operation of Transfer and Intermodal Facilities, with MSWMAC amendments  
297 and preliminary characteristics matrix by consensus.

298

299 **Adjournment**

300 Garber said the next meeting will be July 8.

301

302 The meeting was adjourned at 2:10 p.m.

303

304 Submitted by:

305 Gemma Alexander, SWD Staff