



Steiner reported We are up 3% for the year. Last month we received roughly the same volume of tons as in July 2021. Commercially collected tons recovered are up by 4.5% compared to July 2021.

### **Republic Services – Snohomish County MSW Transfer Extension**

Due to ongoing challenges with the rail system, Republic Services requested another extension of the waste transfer agreement with SWD. The extended agreement had already expired and a new agreement with updated dates and extension provisions has been developed.

### **NERTS site selection**

The Division has identified three sites plus a no-action alternative that will move forward into an environmental review process for the Northeast Recycling and Transfer Station Project. The study will include two sites in Kirkland and one in Woodinville:

- A 12.9 acre-site comprised of six properties in the 15000 block of Woodinville-Redmond Rd. NE in Woodinville.
- The current Houghton Transfer Station property at 11724 NE 60th St. in Kirkland.
- The Houghton Park-and-Ride property at 7024 116th Ave. NE in Kirkland.

The Division is continuing its outreach and engagement efforts to gain public input and support for the new facility. SWD will have an information table at several events to include - Celebrate Woodinville on Aug. 3, Kirkland Wednesday Market on Aug. 10, and at King County's *CHOMP!* at Marymoor Park on Aug. 20.

### **Virtual Public Meeting for South County Recycling and Transfer Station Project**

On July 27, SWD and partners held a virtual public meeting about the South County Recycling and Transfer Station. More than 80 persons participated. At the meeting, we shared updates on project design, presented the public art installation concepts, previewed our plans for construction starting in 2023, and more.

### **Proposed Haz Waste Changes**

Haz Waste is a consortium with funds and staff spread between multiple agencies and divisions. King County is proposing changes to the regional Haz Waste Management program to improve its internal administration. There are no proposed changes to the program's policy and rate setting, services, work program, comprehensive plan, mission or in the responsibilities for the MCC (Management Coordination Committee), King County Council or Board of Health.

The changes would move eight program employees from SWD and Public Health to WLRD (Water and Lands Resources Division) to form a new section. The program director would move from SPU (Seattle Public Utilities) to WLRD to manage the section. The change would also move management of the Haz Waste fund to WLRD. Haz Waste operations would remain the same.

Knight asked what kind of outreach and engagement there has been with city staff saying this is the first time she has heard of the proposed change. She said a previous change resulted in less staff level representation from cities and a decreased ability to advocate for a city's interests. She knows that a SCA (Sound Cities Association) member is part of the MCC. Steiner there has been considerable outreach to effected organizations and employees but is not sure how much additional outreach was done.

Steiner says she regrets if King County has not done adequate outreach to city partners. Gardener said Kenmore City Councilmember Corina Pfeil is a member of the MCC. The MCC has been in communication with the SCA about the proposed changes. Steiner asked if MSWAC would like a more regular status update about the Haz Waste program. Sweet noted that had happened in the past. She said it's not clear Haz Waste changes have been discussed at the PIC meeting.

### **SWAC update**

SWAC was cancelled in July.

### **Rates Restructure Contract Amendments**

Jeanette Jurgensen from Epicenter Services said current rate adjustments are composed of a service component which is related to the Consumer Price Index (CPI) and the disposal component which is based on King County disposal fees. The new rate structure includes an additional component: A fixed annual charge (FAC) applied to regular garbage services established by the County for each city.

Epicenter Services was hired to assist the City of Maple Valley and Recology, the City of Redmond and Waste Management and the City of Kent and Republic Services in preparing for the new structure and to help craft contract language to reflect that new structure. The language will be made available to other cities.

Various FAC distribution methods were explored. After considering other options including weight, type of container, and disposal fee a volume-based charge was chosen. The FAC will be reconciled each year so adjustments to future rates can be made if the actual amount collected is above or below the amount paid to the County.

Customer invoices will include an FAC line item. That is the easiest choice for tracking and reconciling. The County will assist with developing communication materials including a billing insert and perhaps a website.

Each year, the billing entity, generally the hauler, will pay the county the fixed annual charge for each city based on a forecast. Because the forecast won't be exact, any amount over or under the forecast will be reconciled by the billing entity. They will roll the amounts over to a future year.

Some details remain including how to deal with include excise tax, administrative fees, bad debt, drop box mark-up and customer communication. Reconciliation periods and how to ensure haulers are not shorted at the end of contract as there won't be an opportunity to make it up in future years also requires resolution.

Jurgensen said standard amendment templates for each hauler are coming soon. They will include a sample rate sheet, calculations, and contract amendment. Templates will be specific to each hauler with some flexibility and will need to be customized to each contract. City Council approval will be needed by fall. Haulers will be sending out their new rates Oct 1. Cities are required to communicate new rates to residents by Nov 15.

Walsh noted that King County is not a party to the agreements between haulers and cities. In an attempt to be helpful to the work, the county has attempted to meet with haulers and has been successful in meeting with Republic Services. They suggested more time to get through the process and wanted compensation for staff time.

Kassover reminded attendees that this work is bumping into budget season for the cities. Agendas between now and December are packed. It will be difficult to accomplish this in time.

Knight said the presentation was aimed at cities that pass-through disposal fees through their contract. The templates will not help cities that operate differently. In Renton, the FAC charge would be embedded. Walsh said the County will create materials that could be used as a basis for cities communications and changed to meet their needs.

McGillivray requested the timing on the FAC saying it would be best to get it quickly. He also mentioned there was a discrepancy in tonnage reported by the hauler and asked how that would impact the tonnage allocation per city. Halverson said the county is aware of the discrepancy and is checking tonnage with all the haulers. He doesn't anticipate it delaying when the FAC becomes available which is expected in the next week or so.

Van Orsow said he is concerned about the administrative burden for the cities this creates. He is also concerned that all cities would not be ready. He suggested the county consider delaying implementation for a year. It seems unlikely the delay would impact the division's financial outlook given recent tonnage increases. Ockerlander said Council did pass this in March. That legislation says implementation begins Jan 1.

Nelson said that for cities like Auburn that haven't been involved with Epicenter Services efforts, many details remain to be worked out. She is not confident that Auburn will be able to put this in place by January.

Bonkowski said Issaquah has been working on this for several months and several details remain to be decided. They are hoping to get it done in time but it's incredibly tight. The contract is in the hands of the hauler for signature and the city must wait for that action.

Wendy Weiker from Republic Services said that as Chair of the King County Solid Waste Advisory Committee (SWAC) she has been following the process for the past year. The time frame for implementation is tough and it's a heavy lift. The templates will be valuable, and Republic Services will do what they can. However, it's mid-August and she is not confident this will be done in time. She suggested a 6–12-month delay which would also give haulers more time to communicate with residents.

Walsh was surprised by the comments saying the topic was discussed in February 2021. There have been 40 communications on the issue including a MSWAC support letter on the topic sent to Council in November 2021. In March, Council passed the ordinance that adopted the next rate structure, and the division does not have the capacity to change an ordinance. It would be very challenging to ask Council to delay particularly when they passed the ordinance less than 6 months ago.

Sweet agreed that the committee has been talking about this for a long time. She said she didn't know if the right people have been at the table saying the county has only spoken with Republic from among the haulers. She said committee members knew it was coming but didn't have a pinpointed process.

Waller noted the division has attempted to contact all the haulers. So far, only Republic Services has responded to those attempts.

Van Orsow said he understood the points raised by Walsh and appreciates that the division has engaged with Epicenter Services. However, all the cities except those engaged with Epicenter will probably not meet the time crunch. If the County cannot find a way to delay implementation, we need to find a short term "band-aid" solution

Waller said delaying implementation is not a strong option. If cities need more time, looking for a short-term option would be worthwhile exploring. The division is interested in identifying who might need more time.

Friedman agreed MSWAC has been discussing the rate change and new strategy for many months saying there is no problem with the concept of what's going on. However, the process to get this approved and implemented by cities feels daunting. He's not sure the details of implementation were clear. That's where the dispute is.

Bonkowski said Issaquah began working with Epicenter Services and Waste Management in March and started haven't made enough progress to "get it across the finish line."

Weiker of Republic Services said despite earlier conversations, the deadline and details seem to have caught many cities by surprise. Sweet concurred, saying we've talked about this forever but "never talked about landing the plane." Sweet said there must be options. Many cities are concerned about starting so fast.

Walsh said the division has heard from other cities asking for a delay in implementation. If that happened, the billing entity – whoever it is – would need to make up the amount in other ways. April 1 is a possible day. Asking the County to delay for a year is a heavy lift.

Weiker said the haulers can't absorb these costs. She asked the group to avoid that and maintain a partnership outlook.

She asked the county to broker something saying it's in the haulers' best interest to get this done in a way that doesn't adversely impact anyone.

Van Orsow shared an Epicenter idea to simplify implementation which might make cities more willing to move forward. It's essentially a one-time increase to the disposal portion. It puts the risk on the haulers. He said it seems better than trying to go through the protracted contract negotiation. Jurgenson said that idea would be asking haulers to take on all the risk so there would be an associated increase in their rates. It would also be based on a figure that is calculated by the County but is not in an official document so would be hard to reference in a contract.

Bonkowski asked if the division is saying that since the Council has passed the ordinance in March, they are unwilling to ask Council to change the ordinance. Walsh responded that there is the complicating factor that the rate increase is at the Council now and any request would be there are the same time. He didn't feel comfortable saying that the division will or won't attempt a change in the ordinance. Kassover said it is equally difficult for cities to deal with changes in contracts and all that implies. She said that may have been the missing piece in how cities viewed implementation.

### **Re+ Pledge**

Liu provided an update on the Re+ plan. The community panel has made their comments which are being incorporated into the plan. The panel consists of 10 amazing members. The group has been connecting community needs with fast start options. The key takeaway so far is that trust building takes time. The group is still skeptical that the county truly wants to hear from them.

The Re+ plan will be submitted to SWD leadership early next week. A copy will be sent to MSWAC for review.

Ockerlander said that it wasn't appropriate to ask MSWAC to sign the pledge which was intended for elected leaders. Instead, MSWAC members will be asked to send a Re+ support letter. The group reviewed a version of [The MSWAC Draft Re+ Support Letter](#) that included edits provided by some of the members. The group agreed with those edits. Other edits included:

- to remove references to "associated funding" since the budget hasn't been approved
- to reverse the order of "recyclable and compostable" each time they appear in the document
- clarifying the second sentence of the third paragraph
- bulleting the key early actions of the program
- Make it clear that the Re+ grants are in addition to WRR grants

Ockerlander will incorporate those suggestions and send the revised version to MSWAC.

The division will be asking cities to sign the Re+ Pledge in the next couple of months. It's possible that the RE+ Grant may be dependent on signing the pledge. The pledge is a high-level document that compiles actions already agreed to in other documents into a single, visible pledge.

Knight said historically cities support these efforts in the planning stages. But we can start pulling back when implementation begins. The Re+ Plan and Pledge helps city leaders to commit. She is supportive of having grant money tied to a signed pledge, saying money is always a good incentive.

Kassover agreed there are a diversity of cities and a lot of new Councilmembers. Getting too specific in the pledge may cause unnecessary angst. Specifics can be added later.

The County will provide presentations to city leadership upon request. Next week Ockerlander will begin emailing cities asking to present the pledge on their schedule. Early adopters for the launch in November would be valuable but it is understood that this is budget season.

### **Member Comment**

Sweet mentioned that MSWAC Member Earnest Thompson died recently after a prolonged illness.

Meeting adjourned at 1:01 p.m.