



Legislation Text

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Clerk 10/02/2017

AN ORDINANCE relating to the solid waste division's 2017-2018 Biennial Budget; amending the 2017-2018 Biennial Budget Ordinance, Ordinance 18409, Sections 107 and 107, as amended.

STATEMENT OF FACTS:

1. The solid waste division of the department of natural resources and parks operates the Cedar Hills regional landfill, eight transfer stations and two drop boxes. It also provides innovative programs to help customers recycle and prevent waste.
2. The 2006 Transfer and Waste Management Plan ("the 2006 transfer plan"), approved in 2007 by Ordinance 15979, recommended a new Northeast recycling and transfer station ("Northeast station") to meet growing demand for solid waste services in northeast King County.
3. The 2006 transfer plan also recommended that the aging Houghton transfer station be closed when replacement capacity is available.
4. To confirm the need for new stations including a Northeast station, two reviews of the 2006 transfer plan were directed through the 2013/2014 Biennial Budget Ordinance, Ordinance 17696, Section 25, Proviso P1, and Motion 14145 passed in 2014.
5. While the need for a new station was under review, Ordinance 17696 adopted in 2013 removed the Northeast station project from the division's capital improvement program.
6. The second transfer plan review, completed in 2015, suggested that if the cities of Bellevue, Clyde Hill, Hunts Point, Medina and Yarrow Point leave the regional system in 2028 per existing

interlocal agreements, demand management actions such as extending station hours and charging peak-hour prices could meet customer needs for many years without a Northeast station.

7. In 2015 the county auditor confirmed the conclusions from the second transfer plan review and recommended real-world testing to confirm that modeled demand management actions perform as predicted.

8. To confirm the potential effectiveness of demand management, Ordinance 18409 approved 2017-2018 appropriations to conduct a northeast-area demand management pilot program. Ordinance 18409 also included the sale of the division's Eastgate property.

9. Motion 14856 acknowledged receipt of a demand management pilot program implementation plan that recommended the temporary suspension of commercial and self-haul garbage services at the Houghton transfer station, as well as extended hours and peak-hour pricing at the Factoria transfer and recycling station. Additional approval by ordinance to authorize a temporary suspension of service at the Houghton recycling and transfer station and to establish peak pricing at the Factoria recycling and transfer station would have been required in order to implement the pilot program.

10. A July 2017 letter co-signed by the county executive and Bellevue city manager outlined a process by which the city of Bellevue would extend its solid waste interlocal agreement through 2040 subject to the county's cancelation of the 2018-2019 demand management pilot program, commitment to a Northeast station and agreement that the county-owned Eastgate property would not be used to expand the Factoria transfer and recycling station instead of siting a Northeast station.

11. If Bellevue extends its interlocal agreement and the Houghton recycling and transfer station is closed in accordance with the 2006 transfer plan, the executive's assessment is that the

county's transfer system would exceed level-of-service standards without a Northeast station and also that demand management at the Factoria recycling and transfer station is no longer a substitute for a Northeast station.

12. Construction of a Northeast recycling and transfer station in the future would be subject to the county's debt management policies, which currently are set forth in Motion 12660, including the policies in section 6.2 of Attachment A to Motion 12660 relating to the term of financing.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 18409, Section 107, as amended, is hereby amended to read as follows:

SOLID WASTE - From the solid waste fund there is hereby disappropriated from:

Solid waste (5,036,000)

SECTION 2. The council directs that section 1 of this ordinance takes effect before section 3 of this ordinance.

SECTION 3. Ordinance 18409, Section 107, as amended and as amended by section 1 of this ordinance, is hereby amended to read as follows:

SOLID WASTE - From the solid waste fund there is hereby appropriated to:

Solid waste \$4,000,000

The maximum number of additional FTEs for solid waste shall be: 1.0

ER1 EXPENDITURE RESTRICTION:

Of this appropriation, \$10,000 shall be expended or encumbered solely to increase the amount of the contract with Friends of the Trail. The additional contract amount should be used to support expanded trail cleanup activities, including but not limited to cleanup of infectious waste.

ER 2 EXPENDITURE RESTRICTION:

Of this appropriation, \$1,000,000 shall be expended or encumbered solely to conduct planning work to assess waste transfer capacity needs in the Northeast area of King County and options to meet those needs.

P1 PROVIDED THAT:

Of this appropriation, \$1,000,000 shall not be expended or encumbered until the executive transmits the Solid Waste Comprehensive Plan, and a motion that should acknowledge receipt of the plan and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion acknowledging receipt of the plan is passed by the council.

A. In light of the current forecasted waste generation for the region and the diminishing capacity at the Cedar Hills landfill as it is currently configured, the plan shall include, but not be limited to, a range of strategies to address the disposal of the region's waste, including alternatives to landfilling, and an analysis of the costs and benefits of the respective strategies.

B. The plan must also address current waste transfer capacity needs in the Northeast area of King County and how those needs are proposed to be met.

The executive must file the plan and the motion required by this proviso by March 31, 2018, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the transportation, economy and environment committee, or its successor. If the plan and motion are not transmitted by that date, appropriation authority for the \$1,000,000 restricted by this proviso will lapse.

P2 PROVIDED FURTHER THAT:

Of this appropriation, \$2,462,500 shall not be expended or encumbered until the executive transmits two reports: the first on solid waste system tonnage and the second on expansion of the Cedar Hills regional landfill, and motions that should acknowledge receipt of the reports and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motions and motions acknowledging receipt of the reports are passed by the council.

A. The first report shall include, but not be limited to:

1. Projected tonnage of waste received for 2017, including a description of the factors influencing the

2017 tonnage projections;

2. A discussion of any landfill capacity changes resulting from the 2017 projections;
3. Any tonnage-driven system operational impacts; and
4. Any potential revenue increases or decreases associated with the 2017 tonnage projections.

B. The second report shall include, but not be limited to:

1. The actual tonnage received for 2017;
2. A comparison of the costs to expand the capacity of the Cedar Hills regional landfill, with the cost

of waste export;

3. A projected date of closure for the Cedar Hills regional landfill, in the absence of the expansion of the landfill; and
4. Recommendations for extending the life of the Cedar Hills regional landfill.

The executive should file the first report and motion required by this proviso by December 1, 2017, and the second report and a motion required by this proviso by June 1, 2018, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the transportation, economy and environment committee, or its successor.

P3 PROVIDED FURTHER THAT:

Of this appropriation, \$1,000,000 shall not be expended or encumbered until the executive transmits a plan to implement the demand management pilot program, as identified in Attachment A to Ordinance 18377, starting on page 11, and a motion that should acknowledge receipt of the plan and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion acknowledging receipt of the plan is passed by the council.

The plan shall include, but is not limited to:

- A. A description of all the elements needed to implement the pilot program;

B. The evaluation of the use of the Houghton transfer station during the pilot program, as contemplated on page 12 in the Attachment A to Ordinance 18377. In completing this evaluation, the executive should consider whether during the pilot program to:

1. Temporarily suspend operations at the Houghton transfer station or temporarily curtail its hours of operation;
2. Temporarily increase the rates charged to customers at the Houghton transfer station to discourage customers' use of it; and
3. Temporarily change the types of waste management services offered at the Houghton transfer station;

C. A recommendation of how the Houghton transfer station should be used during the pilot program; and

D. A description of how the results of the pilot program will be addressed in the Solid Waste Comprehensive Plan without delaying the implementation of the Solid Waste Comprehensive Plan.

The executive should file the plan and the motion required by this proviso by March 30, 2017, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the transportation, economy and environment committee or its successor.

P4 PROVIDED FURTHER THAT:

Of this appropriation, \$1,000,000 shall not be expended or encumbered until the executive transmits an implementation report on the demand management pilot program, as identified in Ordinance 18377, Attachment A, starting on page 11, and a motion acknowledging receipt of the report and referencing the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion acknowledging receipt of the report is passed by the council.

The report shall include, but not be limited to a comparison of the first six months of the demand

management pilot program at those transfer stations participating in the pilot, including, but not limited to, the Factoria and Shoreline transfer stations, to the same six months in 2016, for the following factors:

- A. Transaction patterns;
- B. Wait times for customers to dispose of garbage;
- C. Number of tons of waste and recycling received;
- D. Revenues collected; and
- E. Additional factors that the executive may consider relevant.

The report shall also include a discussion of the impact of the pilot program on the rest of the county's solid waste system, lessons learned from the pilot program's implementation and a recommendation on whether to proceed with the pilot program or to terminate the pilot program.

The executive should file the report and the motion required by this proviso within seven months of the first day of the implementation of the demand management pilot program, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the transportation, economy and environment committee, or its successor.

P5 PROVIDED FURTHER THAT:

Of this appropriation, \$1,000,000 shall not be expended or encumbered until the executive transmits a report that evaluates a proposed garbage service change, whereby the frequency of garbage collection in the affected unincorporated area of the county would be reduced from every week to every other week and a motion that should acknowledge receipt of the report and reference the subject matter, the proviso's ordinance, ordinance section and proviso number in both the title and body of the motion and a motion acknowledging receipt of the report is passed by the council.

If the executive decides not to pursue the proposed garbage service change described in this proviso, the report shall state this and no further reporting is required. However, if in any update or new comprehensive

solid waste management plan includes the proposed garbage service change described in this proviso, then the report shall include, but is not limited to:

A. A summary of the public outreach process, including the number of public meetings held in each council district, the dates and locations of the meetings and the approximate attendance. The public outreach process shall be complete by October 31, 2017, and at minimum consist of two public meetings in council district three, two public meetings in council district nine and one public meeting in each remaining council district that contains unincorporated areas with customers who will be affected if the proposed garbage service change is implemented. One of the public meetings in council district nine shall be held in the Maple Hills community. The executive shall consult with the county councilmembers representing the affected council districts on the selection of the day of the week, time, and location for each public meeting, as well as the text used in mailed notification of the public meetings. The executive shall provide written notice of each public meeting via postal mail at least two weeks prior to the meeting to customers who will be affected if the proposed garbage service change is implemented;

B. Copies of all written materials and electronic materials, such as PowerPoint presentations, used or disseminated at the public meetings;

C. A summary of the customer reaction to the proposed garbage service change based on the public outreach process and from other forms of communication including but not limited to emails, letters or calls to the executive reacting to the proposed garbage service change;

D. The expected change in the recycling rate in unincorporated areas that the executive is estimating will result from the proposed garbage service change, including both a narrative description of and graphic or table representations of the estimates measured against the most current relevant solid waste data;

E. The expected change in utilization of self-haul services at transfer stations that the executive is estimating will result from the proposed garbage service change, including both a narrative description of and graphic or table representations of the estimates measured against the most current relevant solid waste data;

F. The expected change in the amount of organic materials collected that the executive is estimating will result from the proposed garbage service change, including both a narrative description of and graphic or table representations of the estimates measured against the most current relevant solid waste data;

G. The expected change to the rates for customers in unincorporated areas that the executive is estimating will result from the proposed garbage service change, as well as the changes to revenues the executive estimates it will receive from the proposed garbage service change; and

H. A plan to implement the proposed garbage service change that addresses the concerns raised during the public outreach process.

The executive should file the report and the motion required by this proviso by November 16, 2017, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the committee of the whole, or its successor.

P6 PROVIDED FURTHER THAT:

Of this appropriation, \$2,000,000 shall not be expended or encumbered until the executive transmits a letter to the chair of the council from the facilities management division stating that the solid waste division has declared the property located at 13620 SE Eastgate Way in Bellevue as surplus to its needs thereby beginning the surplus property disposition process outlined in K.C.C. 4.56.070.

The executive should file the letter required by this proviso no later than three months after the Factoria transfer and recycling station capital project has reached final completion, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the committee of the whole, or its successor.

SECTION 4. This ordinance takes effect only if, by October 31, 2017, the city of Bellevue signs the Amended and Restated Interlocal Agreement as authorized by Ordinance 17677 to extend the city of Bellevue's participation in the regional solid waste system through 2040.