

RESOLUTION R - 3337

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE MAYOR TO SIGN FOR THE CITY OF KIRKLAND A LETTER OF INTENT RELATING TO SOLID WASTE PLANNING AND DISPOSAL WITHIN KING COUNTY.

Whereas, legislation adopted by the 1986 Legislature mandates the preparation of County-wide solid waste disposal programs requiring joint planning and participation between King County and the cities within King County; and

Whereas, in response thereto, the Suburban Cities Association of King County has proposed an ad hoc committee on solid waste and requested from its member cities letters of intent to participate; and

Whereas, it is in the best interest of the City of Kirkland, its residents and Kirkland's present solid waste or garbage collection program to be an active participant in the preliminary review and planning by the Suburban Cities Association, as well as subsequent negotiations with King County; now, therefore,

BE IT RESOLVED by the City Council of the City of Kirkland as follows:

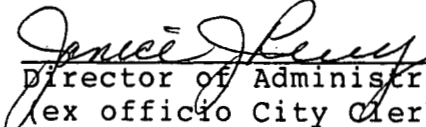
Section 1. The Mayor of the City of Kirkland is hereby authorized and directed to sign on behalf of the City of Kirkland a letter setting forth its intention to participate in the Suburban Cities Association solid waste disposal committee and the specific concerns of the City of Kirkland with regard to solid waste disposal planning, all as set forth in the copy of the draft letter of intent attached to the original of this Resolution and by this reference incorporated herein.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 15th day of December, 1986.

Signed in authentication thereof this 15th day of December, 1986.


MAYOR

ATTEST:


DEPUTY
CLERK
Director of Administration & Finance
(ex officio City Clerk)





123 FIFTH AVENUE · KIRKLAND, WASHINGTON 98033-6189 · (206) 828-1100

December 11, 1986

The Honorable Tim Hill
 King County Executive
 400 King County Courthouse
 Seattle, Washington 98104

Dear Mr. Hill:

It is the intent of the City of Kirkland to enter into negotiation with King County for the purpose of development and executing interlocal agreements which would:

- A. Specify whether the City will plan on its own behalf for the disposal of solid waste, plan jointly with the County, or assign the County the responsibility of planning for the City (it is not now our intent to plan independently); and
- B. Address the assignment of waste stream control for waste generated within the City to the County.

The City states its intent to negotiate these two interlocal agreements with the declaration that the following subject areas are of major concern to the City and should be addressed within the interlocal agreements.

- A. Comprehensive solid waste planning and operational plans, including the planning process, proposed outcomes of such a plan and an assignment of roles and responsibilities.
- B. Facility site selection and how affected local governments will be involved.
- C. Environmental safeguards.
- D. Rate setting processes, rate base components and rate equity.
- E. Waste stream reduction, recycling and consumer education.
- F. The appropriateness of a neutral convener to moderate development of model interlocal agreements.

G. A thorough discussion of limits of liability.

The City identifies these issues for the purpose of facilitating discussion toward the rapid conclusion of the negotiating process. Cities within King County may share with the County legal, financial and political responsibilities in matters involving the final disposal of solid waste. Given that shared responsibility, we are vitally interested in this subject and seek ways we can be assured that our interests are protected. The interests which are of particular concern to the City of Kirkland are those which have potential for impact upon Kirkland's existing and highly successful solid waste (garbage) collection program.

Under Kirkland's existing program Kirkland hires a garbage collector under contract (as distinguished from granting a franchise). Solid waste customers are customers of Kirkland, not the collector.

Under Kirkland's contract with the solid waste collector, the collector's responsibility, in terms of the solid waste disposal stream, begins at the point of collection from the customer and continues until the solid waste is disposed of at an approved solid waste disposal site. Our contract does not require the contractor to deliver the solid waste to the King County dumps, if he can find another approved disposal site. As a practical matter, Bayside does deliver the solid waste to the King County dumps. The significance here is that the dump fees are paid by, and are an obligation of, the contract collector. The City of Kirkland does not presently contract with or have any other direct arrangement with King County solid waste transfer and dump site system.

Additionally, under Kirkland's contract, the contract collector is required to make provision for recycling. He may do this either by his own efforts, or by allowing other recycling activities; which, as a matter of fact, is what he does.

Kirkland itself does not engage in directly, nor sponsor, recycling. This is a duty imposed upon the garbage contract collector.

The contract does give the contract collector a monopoly within Kirkland; in as much as, under the Kirkland solid waste ordinances only the City contractor (with certain exceptions) is permitted to transport solid waste over the streets of Kirkland.

King County Executive Tim Hill
December 11, 1986
Page 3 of 4

Unlike contractual arrangements in other cities, the Kirkland contract collector is required under the contract to pick up or collect from single-family residences, at a flat or single rate, everything placed for collection by the residential occupant.

It is mandatory in Kirkland for Kirkland residents and non-residential solid waste producers to utilize the solid waste or garbage collection system of Kirkland and Kirkland's contract collector.

Both the fees paid by Kirkland to its contract collector and the collection rates charged by Kirkland to its customers, are, for single-family residences, a single flat rate for everything placed for collection; for multi-family, commercial and industrial customers, rates are based upon the volume of solid waste collected by the carrier. The system is nevertheless mandatory, in that customers must utilize Kirkland's contract collector, who in turn must pick up everything placed for collection.

This is an important concept in terms of public health and has been effective in eliminating the proliferation of "vacant lot informal dumps" which persist in many areas throughout King County.

Kirkland's concern is that these somewhat unique features of the Kirkland solid waste system, which are counter to the prevailing philosophy pertaining in many other cities, are not severely limited as a result of the solid waste disposal planning interlocal agreements. For example, the City of Seattle is highly committed to waste stream reduction prior to initial collection; whereas under the Kirkland arrangement, waste stream reduction is a contract obligation of the contract collector following initial collection. In this context, it is important to point out that Kirkland does not now require, but has reserved, the right to at some time in the future require the customer to separate or segregate solid waste into its garbage refuse and recyclable elements.

Kirkland is somewhat concerned about the proposal to include rate-setting processes, rate-based components and rate equity, if this is intended to include customer rate setting with the idea of some kind of area-wide uniformity. If all that is proposed is the King County solid waste disposal site rates, then Kirkland's concern is somewhat less significant.

King County Executive Tim Hill
December 11, 1986
Page 4 of 4

We look forward to the forthcoming negotiations as a way of helping to address the solid waste problem in meeting the needs of all our constituents.

Sincerely,

Doris Cooper,
Mayor

DC:jj

cc: Don LaBelle, Director of Public Works, King County
Kirkland City Council