



CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations Manager

Date: December 20, 2010

Subject: CITY OF KIRKLAND 2011 LEGISLATIVE AGENDA

RECOMMENDATION:

It is recommended that the City Council review clarification on Waste to Energy item from December 7 draft and reconsider including this item on City's 2011 Legislative Agenda, and consider a resolution approving the 2011 Legislative Agenda.

BACKGROUND DISCUSSION:

The 2011 Legislative Agenda seeks to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens. The 2011 Legislative Agenda is categorized by guiding principles, Kirkland's top 10 legislative priorities, the city's support of selected priority items of our ally organizations and additional legislation to support.

At its December 7, 2010 City Council meeting, Council moved to strike the Waste to Energy item from the draft legislative agenda and approved the amended draft 2011 Legislative Agenda (Exhibit A to the Resolution). Council requested additional information and clarification on the Waste to Energy item.

Public Works staff provided clarifying information on State and National efforts to convert "brown grease" waste (fats, oils and grease) to energy (Attachment 1). Staff outlined the importance and benefits of supporting legislation and programs that regulate, maintain, and direct the FOG waste stream away from our wastewater conveyance, lift station, and treatment plants and away from landfills and into productive energy use. Staff recommends the City Council include Waste to Energy Conversion: Re-use of Brown Grease on the City of Kirkland's 2011 Legislative Agenda. If council concurs, the following bullet would be added to the legislative agenda, on page 4 under the "additional legislation to support" category to read as follows: Waste to Energy Conversion: Re-use of Brown Grease.

The 2011 legislative session is a long session beginning on January 10, 2011 and extending to April 25, 2011. The legislature finalizes the cutoff schedule on the first day of session. The City Council and Legislative Sub-committee will receive regular updates on legislative issues throughout the session.

Attachments: Waste to Energy Conversion: Re-use of Brown Grease
Resolution
2011 Legislative Agenda (Exhibit A)



CITY OF KIRKLAND

Department of Public Works

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MEMORANDUM

To: Ray Steiger, P.E., Interim Public Works Director
From: Bobbi Wallace, Surface Water and Wastewater Manager
Date: December 20, 2010
Subject: Waste to Energy Conversion: Re-use of Brown Grease

There is an ongoing movement in the State of Washington and the Nation to convert waste to energy. The Interagency Resource for Achieving Cooperation (IRAC) in King County, has a working sub-group entitled: Brown Grease To Energy (BGTE), and they are working on the potential conversion of waste fats, oils and grease (FOG) to energy; below are some of the goals and the workgroup's overall mission and vision.

One of the goals is to implement a Washington State "preferred pumper program" (PPP). This Program would provide municipalities with better controls, technical support, and consistent directions for the pumping vendors hired by FOG generators. One of the direct benefits of the Program would be the tracking and identification of post removal usages of brown grease removed from wastewater collection systems (grease traps, separators, lines, lift stations, treatment plants, etc.). The Program would require that manifests identify receiving points for the FOG (i.e. is it disposed of properly). Kirkland wastewater staff participates in IRAC which supports the Statewide goal for new legislation to implement the PPP. This Program will provide the mechanisms and oversight via collaboration with multiple municipalities and county agencies as well as non-profit associations, including the preferred pumper industry associations.

Oregon State has implemented a PPP and will be presenting it at the upcoming American Public Works Association Grease Summit – April 5th, 2011, held in the City of Bellevue's City Hall. Our elected and city leaders are invited to attend this event to learn more about FOG impacts, costs to waste water systems, and its energy potential.

IRAC BGTE Mission & Vision:

Mission

The mission of the IRAC BGTE workgroup is to develop a regional approach for the collection, tracking, and beneficial reuse of brown grease generated throughout the Puget Sound Region.

Vision

The vision of the IRAC BGTE workgroup is the development of working partnerships between vendors, the regulated community, and regional municipalities. These partnerships will contribute to the protection of public health and the environment and to the development of alternative uses for FOG related waste streams.

The IRAC BGTE workgroup has identified the Preferred Pumper Program (PPP) as a step to achieve this vision. The PPP provides participating pumpers with uniform standards for grease removal

device cleaning, inspection, and reporting. The PPP will improve the region's efforts in effectively collecting and tracking brown grease, ensuring proper disposal, and furthering the re-use of brown grease. The PPP facilitates this effort by partnering with FOG generators, preferred pumpers and governing agencies.

A few local examples of re-use of brown grease in the conversion from waste to energy follow.

The City of Bellingham has contracted with Brown and Caldwell to develop a program that collects the brown grease from Bellingham's private generators to use it as fuel to reduce the amount of natural gas they currently use to power the incinerators at the City of Bellingham's wastewater treatment plant. The brown grease is injected into the incinerators and burned. This increases the BTU/heat levels thus creating energy used in the treatment plant. The end product is an ash that is then removed from the incinerators and deposited in landfills safely or directed to concrete manufacturers for use to supplement as fly ash (which helps concrete flow in pumper trucks for such things like foundations). They are also researching the potential partnership with a firm in their jurisdiction called "FARM POWER".

This relatively new process involves mixing a fuel value brown grease with cow manure and sending it through a digester process; it generates methane which is then used to power a generator and will eventually generate electricity to sell back to the grid. The stabilized bio-solid byproduct is then returned to the farmer for land application.

Seattle Steam uses the same technology in King County/Seattle, and they agree that applying the brown grease to their incinerator fuel (hog fuel/construction wood waste) increases the BTU output for the steam heat that is used throughout the City in multiple high rise structures and other commercial buildings. A grease to energy discussion panel is scheduled at the upcoming Grease Summit, and Seattle Steam's CEO, Stan Gent, has agreed to participate on the panel along with two DOE experts to speak on bio-diesel and other waste to energy related topics.

Despite having a robust FOG program and regular inspections of potential sources, The City of Kirkland continues to receive brown grease from multiple private FOG generators via private sewer lines and poorly maintained grease traps and grease separators. The grease migrates into the sewer mainlines creating chemical reactions to the pipe material, plugging, corroding, and eating the bottom of sewer conveyance pipes and then ends up in the wet wells of the six City owned and operated lift stations. This creates expensive maintenance requirements and corrosive damage to the pumps, wet wells and lines. The grease is often cleaned from the pump stations and then migrates further into the main King County trunk lines adding FOG impact costs to the regional treatment facilities as well. In the end Kirkland citizens pay for these impacts to the regional system via maintenance costs billed to the end users.

We recommend the support of future legislation and programs that regulate, maintain, and direct the FOG waste stream away from our wastewater conveyance, lift station, and treatment plants and away from landfills and into productive energy use. It all begins with the collectors, the pumping truck industry, hence the preferred pumper truck program (PPP). This program also helps to regulate the industry for consistent standard practices to protect the environment by cleaning and inspecting collection systems correctly, as well as tracking for proper legal disposal and/or deposit to energy generators. The program will also protect our grease generators with regulated cleaning performance of the collection structures. Grease generators in Kirkland have received various charges from pumper truck companies that vary from \$250 up to \$2,000 and higher. We are attempting to standardize the industry which will hopefully help reduce the disparity in charges.

RESOLUTION R-4862

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A CITY OF KIRKLAND LEGISLATIVE AGENDA TO BE ADDRESSED TO THE 2011 SESSION OF THE STATE LEGISLATURE.

WHEREAS, Actions of the State Legislature in respect to local government issues, services and funding have a profound impact upon the ability of local governments to provide adequate local services; and

WHEREAS, the Kirkland City Council supports legislation that promotes the City Council's goals and protects the City's ability to provide basic municipal services to its citizens; and

WHEREAS, the City of Kirkland seeks to protect current revenue sources available to the City, provide new revenue options and provide flexibility in the use of existing revenues; and

WHEREAS, the City of Kirkland seeks to support the City's ability to complete the annexation of Finn Hill, Juanita and Kingsgate through continued appropriation of state funds and legislation that facilitates the cost effective transition of services; and

WHEREAS, the Kirkland City Council opposes the imposition of new mandates that draw on City resources and oppose any further shifting of costs or services from the State or County to cities; and

WHEREAS, the Kirkland City Council supports long-term sustainability efforts related to City financial, environmental and transportation goals; and

WHEREAS, the Kirkland City Council believes it is appropriate to set forth its position as to issues affecting local government operations coming before the State Legislature during its 2011 session, including issues which the City Council requests the State Legislature to consider;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The positions and recommendations, including supporting statements set forth in the "City of Kirkland 2011 Legislative Agenda" attached hereto as Exhibit A and by this reference incorporated herein, is hereby adopted as its recommendation to the 2011 Session of the State Legislature.

Section 2. The City administration shall transmit the 2011 Legislative Agenda, including any subsequent changes or updates to members of the State Legislature representing the legislative districts in which Kirkland is located, together with other members of the State Legislature and to the Association of Washington Cities, the Suburban Cities Association and other ally organizations.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2011.

Signed in authentication thereof this ____ day of _____, 2011.

MAYOR

Attest:

City Clerk



CITY OF KIRKLAND 2011 LEGISLATIVE AGENDA

R-4862
Exhibit A

General Principles

Kirkland supports legislation that promotes the City Council's goals and protects the City's ability to provide basic municipal services to its citizens.

- Protect current revenue sources available to the City, provide new revenue options and provide flexibility in the use of existing revenues
- Support the City's ability to complete the annexation of Finn Hill, Juanita and Kingsgate through continued appropriation of state funds and legislation that facilitates the cost effective transition of services.
- Oppose the imposition of new mandates that draw on City resources and oppose any further shifting of costs or services from the State or County to cities.
- Support long-term sustainability efforts related to City financial, environmental and transportation goals

City of Kirkland 2011 Legislative Priorities

1. Kirkland supports legislation that secures financial assistance for the construction of the Public Safety Building required to consolidate public safety services and adequately serve the City after annexation.
2. Kirkland supports legislation that allows flexibility in the use of Real Estate Excise Tax revenue for infrastructure and parks maintenance.
3. Kirkland supports legislation that provides financial relief for annexation census requirements through the ability to use alternate enumeration methods such as the federal census.
4. Kirkland supports legislation for roadway pricing tools that provides funding for high priority transportation routes, promotes multi-modal transportation modes and mitigates collateral impacts on Kirkland's arterials.
5. Kirkland supports preservation of all options for future use of the BNSF corridor and state financial assistance to implement multiple uses including recreation and transportation.
6. Kirkland supports legislation that provides cities with new and improved financing tools to support public/private partnerships including flexibility in the use of existing tax sources to support new development and to facilitate small business growth through the use of microloans.
7. Kirkland supports legislation that streamlines the SEPA process and eliminates duplicate and overlapping requirements of growth management and SEPA.

8. Kirkland supports legislation that supports the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers.
9. Kirkland supports legislation amending RCW 82.02.060 to eliminate cities' obligation to pay impact fees from qualifying public funds when exempting low-income housing from impact fee requirements.
10. Kirkland supports legislation to allow cities the same fire benefit charge authority that fire districts receive under RCW 52.18.010.

2011 Legislative Support

Kirkland supports selected items of the 2011 legislative agendas for the following organizations:

Association of Washington Cities

- Provide flexibility within current revenue and regulatory frameworks to respond to these challenging times
 - City fiscal flexibility package, such as greater flexibility in the expenditure of locally collected real estate excise tax (REET).
 - Fund, Flex, Repeal, Amend, Pause (FFRAP), such as delaying adoption of new storm water regulations until the existing ones are successfully implemented and funded.
- Enact new tools to help cities recover, thrive and be efficient
 - Pro-active public record proposals that address some of the problems that come with the burgeoning public records requests.
 - Options for creating sustainable personnel related costs.
 - Additional tools for combating gang activity including funding for gang intervention and prevention activities.
 - Street maintenance utility authority.
- Maintain essential state revenues and authorities for cities
 - Ensure continued appropriation of committed state shared funds and preserve existing local revenue authorities.
 - Preserve infrastructure funding such as the Public Works Trust Fund and storm water funding.
 - Retain current authorities – neither add new requirements or take any away.

Cascade Water Alliance

- Clarify and improve the tools available to voluntarily provide utility services on a joint basis.



Eastside Human Services Forum

- Maintain the current investment in home visiting funding and advocate for evidence-based home visiting programs such as Healthy Start by the federal government.
- Maintain current funding for Washington Information Network (2-1-1) and improve quality and accessibility of services.

Environmental Priorities Coalition

- Budget Solutions for our Environment – Develop a proactive approach that will improve the economy while maintaining environmental protections.
- 2011 Clean Water Act/Working for Clean Water -- Fund job-creating projects across the state by building water infrastructure that will clean up our water ways.

Washington Fire Chiefs Association

- Require simple majority elections (50% +1) for Emergency Medical Services levies and Benefit Charge elections.
- Provide funding for CBRNE/Funded Regional Hazardous Materials Teams.
- Mandate radio repeaters for use by emergency responders inside buildings larger than 10,000 square feet.
- Exempt major fire department capital equipment purchases from State sales tax or allow for some form of a rebate.

Washington Association of Sheriffs and Police Chiefs

- Burglar Alarm Program information protection – Amend RCW 42.56 to protect law enforcement false alarm program information from public disclosure that would compromise the security of properties.
- Require that red light cameras comport with federal standards and that fines are equalized.
- Increase penalties for vehicle prowl.

Washington Bicycle Alliance

- Safe Routes to School – Protect existing funding and find ways to improve the program to better meet the demand created by schools.

Washington Recreation and Parks Association

- Real Estate Excise Tax -- Provide local-option legislation allowing cities and counties to use up to 25 percent of the revenue from the two local 1/4-percent Real Estate Excise Tax (REET) collections to be used for maintenance and operations of parks and recreational facilities
- Washington Wildlife Recreation Program (WWRP) – Support the request by the Recreation and Conservation Funding Board, the Washington Wildlife and Recreation Council (WWRC), WRPA, and others to preserve a \$100 million 2011 Capital Budget funding level for the Washington Wildlife and Recreation Program (WWRP) Grant program.

Washington Low Income Housing Alliance

- Maintain the State's investment in Housing Trust Fund.

Washington Chapter of the American Planning Association

- Create a funding mechanism for Planned Action EIS -- Amend RCW 82.02.020 to allow jurisdictions to impose a fee or charge on development for preparation of a Planned Action EIS.

WRIA 8

- Funding – Support legislation to establish a sustainable funding mechanism to implement the Puget Sound Partnership agenda including funding for projects, programs, permitting and monitoring related to storm water pollution in Puget Sound and throughout Washington State.
- Authorize legislation for creation of multipurpose Watershed Districts.

Additional Legislation to Support

- Support modification of the Washington State Department of Licensing's (DOL) implementation of the Commercial Driver's License process.
- Support legislation providing for the safe collection and disposal of unwanted drugs from residential sources through a producer provided and funded product stewardship program.
- Support an amendment to RCW 46.68.090 that would allocate gas tax revenues between counties and cities based on a per capita allocation rather than the current fixed percentages.
- Support legislation that would allow cities access to the State Department of Labor and Industries data as a means of verifying local business tax payments.