



City Council Meeting Schedule November 2022

The City broadcasts City Council meetings on the City's website
<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

November 1, 2022

Tuesday, 5:30 p.m.

WORKSHOP MEETING

1. 2023/2024 Biennial Budget Presentation

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

November 8, 2022

Tuesday, 6:00 p.m.

CLOSED SESSION – RCW 42.30.140(4)(b) Collective Bargaining being held before the workshop

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. 2023 Property Tax Levy
2. Solid Waste Ordinance

November 15, 2022

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

November 22, 2022

Tuesday, 6:30 p.m.

WORKSHOP MEETING

November 29, 2022

Tuesday, 6:30 p.m.

NO MEETING SCHEDULED

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio and Video Taped

November 2022
Updated 11/08/22

Council Workshop Coversheet



Agenda Item Number	1.	Meeting Date	11/08/2022
Agenda Item Type	Presentation		
Subject	2023 Property Tax Levy		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Info Only	<input type="checkbox"/>
Policy Review	<input checked="" type="checkbox"/>
Policy DevMnt	<input type="checkbox"/>
Other	<input type="checkbox"/>

Summary

The City is required to hold a public hearing each year by November 30th to adopt the property tax levy for the following year. The public hearing for the 2023 property tax levy is scheduled to occur on November 15th. At the November 8th workshop, staff will provide a presentation outlining the proposed 2023 property tax levy.

Through

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Attachments:

PowerPoint

Dept Head Approval

Dan Legard Nov 02, 11:05:59 GMT-0700 2022
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City Mgr Approval

Marie Mosley Nov 03, 15:40:00 GMT-0700 2022
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2023 Property Tax Levy

Kennewick City Council Workshop

November 8, 2022

Property Tax Distribution

School District - 37¢

State School - 27¢

City - 18¢

County - 11¢

Other - 7¢



2022 Total Property Tax Levy – \$9.65 per \$1,000 AV

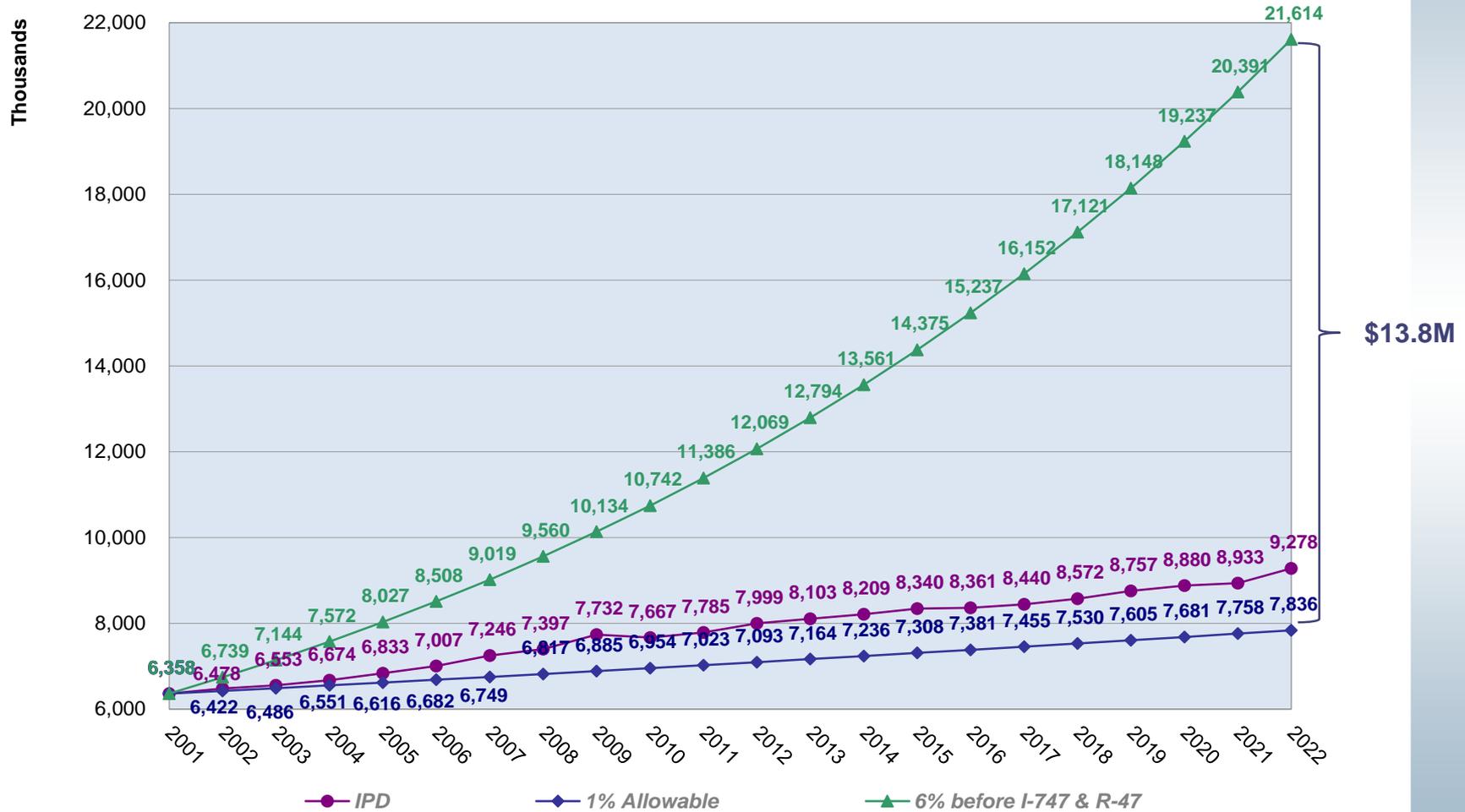
Tri-City 2022 Levy Rate Comparison

	<u>Kennewick</u>	<u>Pasco</u>	<u>Richland</u>
Regular Levy	\$ 1.7099	\$ 1.4653	\$ 2.1616
Voted G.O. Bonds	0.0000	0.0000	0.1679
Library District	<u>0.2943</u>	<u>0.0000</u>	<u>0.0000</u>
Total Rate Per \$1,000	<u><u>\$ 2.0042</u></u>	<u><u>\$ 1.4653</u></u>	<u><u>\$ 2.3295</u></u>

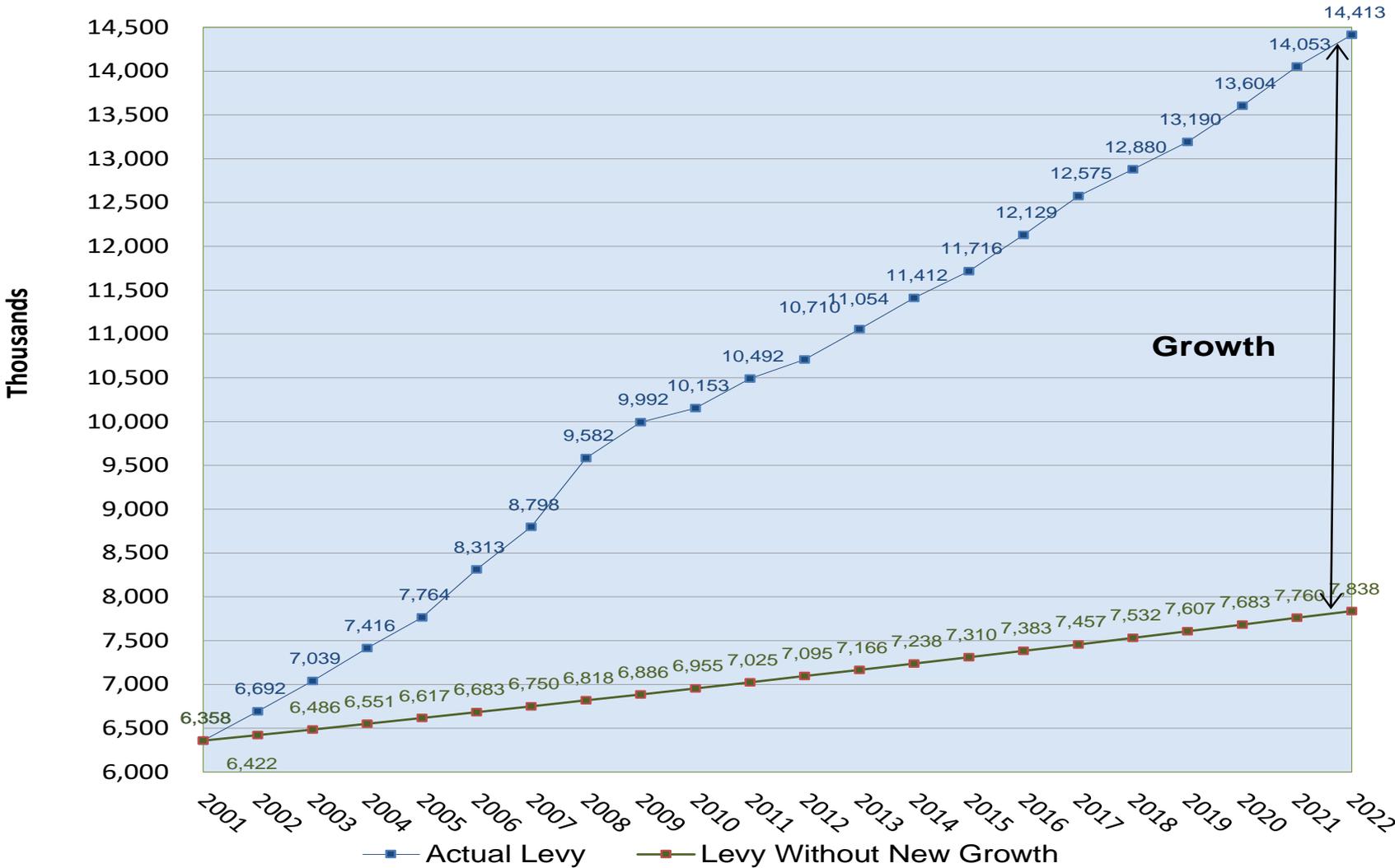
Property Tax Overview

- Statutory Maximum Levy Rate is \$3.325 for Kennewick (\$3.825 less \$.50 library district) without voter approval
- Prior to November, 1997 the base limit factor was 106%
- Referendum 47 (1997) reduced limit to Implicit Price Deflator (IPD) but allowed for up to a 6% increase if approved by a super-majority vote of the Council
- I-747 (2001) reduced the amount the base property tax levy can be increased annually to the lesser of IPD or 1%
 - Revenue derived from New Construction & Annexations are above limit
 - I-747 declared unconstitutional in 2007, but was then added to state law

Reduced Levy Capacity



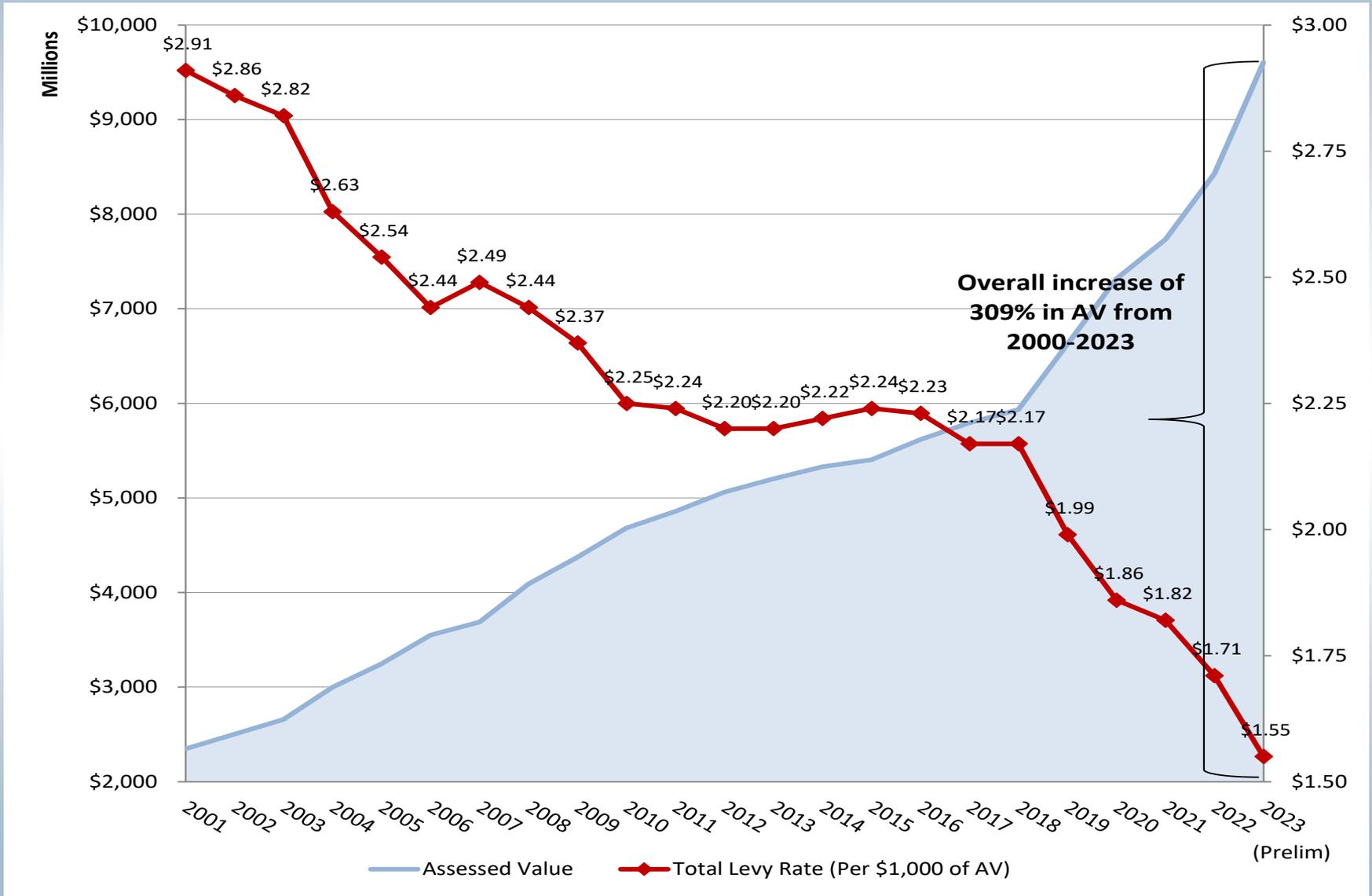
Property Tax Levy History 2001-2021



Property Tax Levy Rate Formula

$$(\text{Total Levy} \div \text{AV}) \times \$1,000 = \text{Rate per } \$1,000 \text{ AV}$$

AV & Levy Rate 2001-2023



2023 Property Tax Levy Proposal

- **Property Tax Levy** – Overall increase of \$484k to \$14,897,051
 - New Construction/Annexation (\$198M in AV) - \$338k
 - Change to Base Levy Under State Law - \$146k (1%)
 - July 2022 IPD = 6.457%
- **Assessed Valuation** – Increased by \$1.175B (Total of \$9.6B)
 - \$195M from new construction
 - \$86M (44% of total) in Southridge LRA (75% to LRF program)
 - \$3M from annexation
 - \$977M from revaluation of existing property – 11.6% incr.
- **Property Tax Levy Rate** – Reduction of 16¢ to \$1.55 (per \$1,000 AV)
 - Increase of \$4.76 (~40¢/mo.) for a median value home (\$239,200)
 - Assumes AV of home increases by ave. change in AV for 2022 (11.6%)
 - Assumes levy rate reduction from \$1.71 to \$1.55 per \$1,000 of AV

Questions?

Council Workshop Coversheet



Agenda Item Number	2.	Meeting Date	11/08/2022
Agenda Item Type	Presentation		
Subject	Solid Waste Ordinance		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Public Works		

Info Only	<input type="checkbox"/>
Policy Review	<input checked="" type="checkbox"/>
Policy DevMnt	<input type="checkbox"/>
Other	<input type="checkbox"/>

Summary

Public Works staff will be giving a presentation on a proposed new section of code relating to the consideration to use compost material in capital projects. This new code is required to be in compliance with recently passed state law.

Through	John Cowling Nov 02, 09:46:42 GMT-0700 2022	Attachments:
Dept Head Approval	Cary Roe Nov 02, 14:08:01 GMT-0700 2022	
City Mgr Approval	Marie Mosley Nov 03, 16:25:24 GMT-0700 2022	

CITY OF KENNEWICK
ORDINANCE NO. XXXX

AN ORDINANCE RELATING TO PUBLIC WORKS CONSTRUCTION
STANDARDS AND ADDING A NEW DEFINITION 5.56.030 (9) AND A
NEW SECTION 5.56.216 COMPOST PROCUREMENT AND EDUCATION
TO THE KENNEWICK MUNICIPAL CODE

WHEREAS, in March 2022, ESSHB 1799 was signed into Washington law. The primary goal of the law is to increase the diversion of organic materials going to landfills in order to reduce methane emissions—landfills are a significant source of methane emissions; and

WHEREAS, as more organic materials are diverted and recycled, it is critical the compost manufactured be procured by local jurisdictions and others to support the economic viability of these processes and programs. It is well established compost production and use provide significant environmental benefits to our soil and food. ESSHB 1799 encourages most cities and counties in Washington adopt a compost procurement ordinance by January 1, 2023.

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. There is hereby added a new subsection 5.56.030 (9) to the Kennewick Municipal Code, to read as follows:

5.56.030: - Definitions.

- (9) *Finished Compost Product* means a product created with “composted material” as defined in RCW 70A.205.015(3). Finished Compost Products include, but are not limited to, 100% finished compost or blends that include compost as a primary ingredient. Mulch is considered a Finished Compost Product if it contains a minimum of sixty percent composted material. Bark is not a Finished Compost Product.

Section 2. There is hereby added a new section 5.56.216 to the Kennewick Municipal Code, to read as follows:

5.56.216: - Composting Procurement and Education.

- (1) The City shall consider the purchase of finished compost products for use in public projects in which compost is an appropriate material in City projects or on City land, provided it is not cost prohibitive to acquire. Cost prohibitive is defined as a product purchasing cost that exceeds 10% of the cost of another product that would serve the same purpose. Procurement costs will include the product cost and all associated transportation and delivery charges.
- (a) The City is not required to use compost products if:
- (i) Compost products are not available within a reasonable period of time;

- (ii) Compost products that are available do not comply with existing purchasing standards; and
 - (iii) Available compost products do not comply with federal or state health, quality, or safety standards.
 - (iv) Compost purchase prices are not reasonable or competitive; and
- (b) Before the transportation or application of compost products under this section, composting facilities, the City must ensure compliance with department of agriculture pest control regulations provided in chapter 16-470 WAC.

Pursuant to RCW 43.19A.130, The City will strive to purchase an amount of finished compost products equal or greater than fifty percent of the amount of organic materials delivered to the compost processor from sources within the City.

- (2) Pursuant to RCW 43.19A.150, the City shall purchase finished compost products from companies producing compost locally, are certified by a nationally recognized organization, such as the US Composting Council, and produce finished compost products derived from municipal solid waste compost programs while meeting quality standards adopted by the Department of Transportation or adopted by rule by the Department of Ecology. If locally produced compost is not available, compost shall be sourced from outside the region, with preference given to products sourced as close as possible to the City. The City defines “local” as compost providers located within a 50-mile radius of the City limits. Proof that locally produced compost was not available at the time of purchase or was cost-prohibitive shall be documented.
- (3) In order to meet the general policy, the City shall plan for compost use in the following categories:
- (a) Landscaping projects;
 - (b) Construction and post-construction soil amendments;
 - (c) Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways; and
 - (d) Low-impact development of green infrastructure to filter pollutants or to keep water onsite, or both.

This plan will be re-assessed each December 31st of even-numbered years, beginning in 2024 and thereafter as part of the reporting obligations in Section 6.

- (4) The City shall conduct educational outreach to inform residents about the value of compost and how the jurisdiction uses compost in its operations each year.
- (5) By December 31, 2024, and each December 31st of even-numbered years thereafter, the City shall report the following information to the Department of Ecology:
- (a) Total tons of organic material diverted (from landfills) each year;
 - (b) The volume and cost of composted material¹ purchased each year; and

- (c) The source(s) of the finished compost product purchased.
- (6) Pursuant to RCW 43.19A.160 the City shall use compost products to the maximum extent economically feasible to meet the requirements established in RCW 43.19A.120.
- (7) If any section, subsection, sentence, clause, phrase or other portion of this Ordinance or its application to any person is, for any reason, declared invalid, illegal or unconstitutional in whole or in part by any court or agency of competent jurisdiction, said decision shall not affect the validity of the remaining portions hereof.
- (8) Upon approval of the Prosecuting Attorney's Office, the Clerk of the Board is authorized to make any necessary corrections to any section, subsection, sentence, clause, phrase or other portion of this Ordinance for scriveners or clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.
- (9) This ordinance shall be in full force and effect on January 1, 2023.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 6th day of December, 2022, and signed in authentication of its passage this 6th day of December, 2022.

W.D. MCKAY, Mayor

Attest:

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. XXXX filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 7th day of December, 2022

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

Solid Waste Ordinance

Council Workshop November 8, 2022
Martin Nelson, Development Review Supervisor



Engrossed House Bill 1799

- In March 2022, Engrossed Second Substitute House Bill (ESSHB) 1799 was signed into Washington law.
- The primary goal of the law is to increase the diversion of organic materials going to landfills in order to reduce methane emissions
- ESSHB 1799, encourages most cities and counties in Washington adopt a compost procurement ordinance and establish an education program by January 1, 2023
- ESSHB 1799 resulted in revisions to RCW 49.19A



RCW 43.19A.120

Use of compost products in projects

- When planning government-funded projects, all state agencies and local governments shall consider whether compost products can be utilized in the project.
- A state agency or local government is not required to use compost products if:
 - (i) not available within a reasonable period of time;
 - (ii) do not comply with existing purchasing standards;
 - (iii) do not comply with federal or state health, quality, and safety standards; and
 - (iv) prices are not reasonable or competitive;



RCW 43.19A.120

Use of compost products in projects

- (3) Before the transportation or application, the City must ensure compliance with department of agriculture pest control regulations provided in chapter 16-470 WAC.
- (4) Are encouraged to give priority to purchasing from companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards adopted by rule by the Department of Ecology.



RCW 43.19A.130

Local governments encouraged to enter compost product purchasing agreements (does not currently apply to Kennewick)

- Each local government that provides a residential composting service is encouraged to enter into a purchasing agreement with its compost processor to buy back finished compost products for use in government projects or on government land.
- The local government is encouraged to purchase an amount of finished compost product that is equal to or greater than fifty percent of the amount of organic residuals it delivered to the compost processor.
- When purchasing compost products for use in government projects or on government-owned land, local governments are encouraged to purchase compost with at least eight percent food waste, or an amount of food waste that is commensurate with that in the local jurisdiction's curbside collection program.



RCW 43.19A.150

Cities and counties required to adopt a compost procurement ordinance report

- Cities over 25,000 residents shall adopt a compost procurement ordinance to implement RCW **43.19A.120** by January 1, 2023
- Shall plan for the use of compost in the following categories:
 - (a) Landscaping projects;
 - (b) Construction and postconstruction soil amendments;
 - (c) Applications to prevent erosion, filter stormwater runoff, promote vegetation growth, or improve the stability and longevity of roadways; and
 - (d) Low-impact development and green infrastructure to filter pollutants or keep water on-site, or both.



RCW 43.19A.150

Cities and counties required to adopt a compost procurement ordinance report

- Must develop strategies to inform residents about the value of compost and how the jurisdiction uses compost in its operations in the jurisdiction's comprehensive solid waste management plan pursuant to RCW **70A.205.045**.
- By December 31, 2024, must submit a report covering the previous year's compost procurement activities to the department of ecology that contains the following information:
 - (a) The total tons of organic material diverted throughout the year;
 - (b) The volume and cost of compost purchased throughout the year; and
 - (c) The source or sources of the compost.



RCW 43.19A.150

Cities and counties required to adopt a compost procurement ordinance report

- Shall give priority to companies that produce compost products locally, are certified by a nationally recognized organization, and produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the department of transportation or adopted by rule by the department of ecology.
- May enter into collective purchasing agreements if doing so is more cost-effective or efficient.



RCW 43.19A.160

Use of compost products

- A contract by a local government or state agency must require the use of compost products to the maximum extent economically feasible to meet the requirements established in RCW **43.19A.120**.



Next Steps

- Council Adoption – December 6, 2022
- Benton County Comprehensive Solid Waste Plan – Fall 2023

Questions?





City Council Meeting Schedule December 2022

The City broadcasts City Council meetings on the City's website
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December 6, 2022
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

December 13, 2022
Tuesday, 6:30 p.m. WORKSHOP MEETING
1. Animal Control Update
2. City Manager Goals & Accomplishments
3. Council Legislative Priorities

December 20, 2022
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

December 27, 2022
Tuesday, 6:30 p.m. WORKSHOP MEETING

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December 2022
Updated 11/01/22