

CITY OF MAPLE VALLEY, WASHINGTON
RESOLUTION NO. R-15-1038

**A RESOLUTION OF THE CITY OF MAPLE VALLEY,
WASHINGTON, RATIFYING A TARIFF REVISION FOR FIORITO
ENTERPRISES, INC., & RABANCO COMPANIES DBA KENT
MERIDIAN DISPOSAL AKA REPUBLIC SERVICES OF KENT FOR
THE KING COUNTY BOARD OF HEALTH APPROVED LOCAL
HAZARDOUS WASTE PROGRAM SURCHARGE FEES EFFECTIVE
APRIL 1, 2015 FOR THE 2009 ANNEXATION AREA KNOWN AS
MAPLE RIDGE HIGHLANDS**

WHEREAS, the City of Maple Valley adopted Ordinance 0-09-388, published on July 21, 2009, to annex the area known as Maple Ridge Highlands effective July 26, 2009; and

WHEREAS, pursuant to RCW 35A.14.900 the City of Maple Valley adopted Ordinance O-09-390 granting a solid waste franchise to Fiorito Enterprises, Inc. & Rabanco Companies, dba Kent Meridian Disposal ("Rabanco", aka "Republic Services") in September, 2009 for the statute required seven year plus three additional year to offset any potential measurable damages; and

WHEREAS, Ordinance O-09-390 requires all rates be subject to review by the Public Works Director, who shall provide a recommendation on proposed rate increases to the City Council the approval for which shall not be unreasonably withheld; and

WHEREAS, Ordinance O-09-390 requires the proposed rate increases be fair and reasonable and that compliance with Washington Utilities and Transportation Commission (WUTC) approved rates for similar services in the area is presumed fair and reasonable ; and

WHEREAS, the Local Hazardous Waste Management program in King County fulfills local government responsibilities under state law for managing hazardous waste; and

WHEREAS, the Local Hazardous Waste Management program is funded by local hazardous waste fees on garbage, sewer accounts, and nominal fees charged at King County transfer stations; and

WHEREAS, The King County Board of Health is the rate setting authority for the Local Hazardous Waste Management Program rates in King County; and

WHEREAS, the King County Board of Health adopted BOH 14.03.1 on July 18, 2014 to restructure the Local Hazardous Waste Management Program fee structure from a flat rate to a rate structure tied to the service level by size of the garbage container for Commercial and Multi-family ratepayers in order to improve the fairness of its billing practices; and

WHEREAS, the fees adopted by King County Board of Health's adoption of BOH14.03.1 are to be effective on April 1, 2015; and

WHEREAS, the Local Hazardous Waste Management Program fee does not generate new revenue for the hauler; and

WHEREAS, Fiorito Enterprises, Inc. & Rabanco Companies, dba Kent Meridian Disposal aka Republic Services filed a Tariff Revision on January 20, 2015 to include the Local Hazardous Waste Management program restructured fees; and

WHEREAS, the Local Hazardous Waste Management program fees are a pass-through fee to ratepayers and the Tariff Revision filed for the rate restructure was allowed by the Washington Utilities and Transportation Commission on a No Action Agenda at the March 26, 2015 Open Meeting;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, AS FOLLOWS:

Section 1. Ratification. The City Council of the City of Maple Valley hereby ratifies Fiorito Enterprises, Inc. & Rabanco Companies dba Kent-Meridian Disposal aka Republic Services of Kent Tariff Revision to be effective April 1, 2015 as allowed by the Washington Utilities and Transportation Commission on a No Action Agenda at the March 26, 2015 Open Meeting to implement the Local Hazardous Waste Management program restructured fees as set by the King County Board of Health adoption of BOH14.03.1. A copy of the Rabanco Tariff Revision will be filed with the City Clerk and identified with Clerk's Receiving No. _____.

PASSED BY THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, AT A SPECIAL MEETING THEREOF THIS 26th DAY OF MAY, 2015.

CITY OF MAPLE VALLEY

William T. Allison, Mayor

ATTEST:

Shaunna Lee Rice, City Clerk

Approved as to form:

Patricia Taraday, City Attorney