



RESOLUTION R&EB-2020-09

WHEREAS, it is the stated policy of the State of Minnesota, under the Waste Management Act, to manage solid waste in an environmentally sound manner; and

WHEREAS, Ramsey and Washington Counties (the “Counties”) have committed to continue to protect and ensure the public health, safety, welfare and environment of each County’s residents and businesses through sound management of solid and hazardous waste generated in each County; and

WHEREAS, Ramsey and Washington Counties have in place County Solid Waste Management Master Plans (“Master Plans”) approved by the Commissioner of the Minnesota Pollution Control Agency, which clearly state the policy goal of maintaining and improving an integrated system of solid waste management that supports Minnesota’s hierarchy of solid waste management, with an emphasis on waste reduction, reuse, recycling and composting before the remaining solid waste is managed through resource recovery; and

WHEREAS, the Master Plans also include policies that affirm the processing of waste, for recovering energy and recyclables, and other beneficially usable materials, as the preferred method to manage solid waste that is not reduced, reused or recycled; and

WHEREAS, the Ramsey/Washington Recycling & Energy Board (“R&E Board”) is governed by the amended and restated joint powers agreement by and between Ramsey County and Washington County dated September 22, 2015 (“Joint Powers Agreement”); and

WHEREAS, R&E has conducted extensive evaluation and analysis of methods to enhance recovery of value from the waste stream using source separation and mechanical separation of organics and recyclables, and has designed system changes to assist in meeting state recycling goals; and

WHEREAS, a peer-reviewed preliminary engineering design has been completed for enhancements to the R&E Center that would recover source separated organic waste in durable compostable bags and add equipment for removal of recyclables; and

WHEREAS, extensive analysis of these enhancements has been completed for technology, economics, environmental benefits, risk assessment and procurement; and

WHEREAS, to be “shovel ready” R&E has engaged the services of a construction manager and architect/engineer to prepare plans and budgets for these enhancements, and has completed the schematic design and budget, with a timeline to complete design and procurement with construction to begin in late 2020; and

WHEREAS, the R&E Board has applied to receive funding from the State of Minnesota to assist with construction of the proposed enhancements to provide this necessary public service, through the Minnesota Management and Budget (MMB) administered capital grants program, and through the Minnesota Pollution Control Agency’s (MPCA) capital assistance program, both of which require a local matching of funds; and

WHEREAS, At its meeting on August 21, 2019, the R&E Board approved Resolution R&EB-2019-16, which approved the Financing Plan to fund the capital improvements necessary for the system enhancements for recycling, and also approved a Procurement Plan (Resolution R&EB-2019-18) for steps necessary to proceed with design and budgeting of the enhancements; and

WHEREAS, the Joint Leadership Team (JLT), working with the two county finance departments, the counties' financial advisors and bond counsel, the R&E financial advisor Ehlers, and county attorneys, as completed a Financing Report to move forward the R&E Board's plans for R&E Center enhancements. NOW, THEREFORE, BE IT

RESOLVED, The R&E Board hereby approves the R&E Center Enhancements Financing Report. BE IT FURTHER

RESOLVED, the R&E Board hereby accepts state bond funds in the amount approved by the legislature and authorizes the Joint Leadership Team (JLT) to negotiate documents for receipt of state bond funds, with such agreements brought back for R&E Board approval as soon as possible. BE IT FURTHER

RESOLVED, The R&E Board hereby authorizes the chair of the R&E Board to execute documents necessary for the receipt of state bond funds, upon approval as to form by the county attorney. BE IT FURTHER

RESOLVED, the R&E Board hereby authorizes proceeding with the full scope of the R&E Center enhancements, including the durable compostable bag food scraps recycling system and the recyclables recovery system and authorizes the JLT to proceed with final engineering, architecture and construction plans. BE IT FURTHER

RESOLVED, the R&E Board hereby authorizes the JLT to apply for permits necessary for the enhancements, and further authorizes the JLT to execute necessary easement and permit documents upon approval as to form by county attorneys. BE IT FURTHER

RESOLVED, The Recycling & Energy Board hereby approves and recommends that the county boards approve and implement a financing structure for the R&E Center enhancements, with said financing structure to include the following:

- Each county shall loan a proportionate share to the R&E Board sufficient to cover its share of total financing, including all financing costs, for the R&E Center enhancements, according to the percentages set forth in the joint powers agreement: Ramsey County – 73%, Washington County – 27% (the "County Enhancement Loans").
- Ramsey County shall issue general obligation bonds on behalf of both counties (the "County Bonds") to fund the aggregate County Enhancement Loan amount for the R&E Center enhancements.
- Ramsey County and Washington County shall enter into an agreement whereby Washington County agrees that Ramsey County will issue bonds on behalf of both counties, and that Washington County shall provide its general obligation pledge to Ramsey County for its share of the financing and pay its share of the total financing of the R&E Center Enhancements through its loan agreement with the R&E Board.
- The R&E Board shall be obligated to and is hereby authorized to enter into one or more loan agreements pursuant to which it will agree to repay the County Enhancements Loans from facility revenues, CEC funds and other available revenues on terms and conditions that match, or are otherwise consistent with, any terms and conditions of any other loans outstanding and owed to the

counties, additional covenants required by the counties and the County Bonds issued to fund R&E Board's County Enhancements Loans. BE IT FURTHER

RESOLVED, The R&E Board hereby authorizes the JLT to make all necessary budget adjustments related to the R&E Center enhancements project.



Fran Miron, Board Chair

August 20, 2020



Attest

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