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INTRODUCED BY LOUISE MILLER
PROPOSED NO. 97-224

ORDINANCE NO. 12764

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AN ORDINANCE relating to solid waste division funds including the Landfill Reserve Fund and the Landfill Post-Closure Maintenance Fund; amending Ordinance 12076, Sections 13, and 25; and K.C.C. 4.08.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12076, Section 13, and K.C.C. 4.08 are hereby amended to read as follows:

Landfill Reserve Fund. A. POLICY. Public necessity requires that the existing system of the county for the disposal of solid waste, together with such extensions, additions or betterments thereto as may from time to time be authorized, be maintained, conducted, operated and accounted for as a utility of King County. As a financially self-supporting utility, the solid waste system shall set aside reserve monies for closure, post-closure maintenance, new area development, facility relocation and ~~((the replacement of landfills))~~ the improvement, replacement or extension of the life of capital facilities or the acquisition of landfill space outside of King County. ~~((Replacement of landfills may include other means of disposal and handling including but not limited to providing facilities or programs that substitute for landfill capacity.))~~

B. ESTABLISHMENT. There is hereby created a Landfill Reserve Fund for the sole purpose of accumulating and disbursing financial resources for the management and replacement of King County landfills as described in paragraph E of this section.

1 C. RESPONSIBILITY. The Executive shall be responsible for
2 the administration of the Landfill Reserve Fund including the
3 preparation and issuance of operating procedures deemed necessary
4 to insure the proper administrative implementation of the
5 policies governing the purpose and use of the fund.

6 D. CLASSIFICATION. The Landfill Reserve Fund shall be
7 classified as a Capital Fund. All amounts designated by the
8 council within the rate structure of the solid waste system as
9 earmarked for the Landfill Reserve Fund shall be collected as
10 prescribed by the rate structure. These earmarked funds shall be
11 transferred and credited to the Landfill Reserve Fund within
12 thirty-five days of the end of the month in which the solid waste
13 disposal action occurred.

14 E. USE OF FUND. All funds deposited into the Landfill
15 Reserve Fund pursuant to this section shall be appropriated and
16 used only for the management and replacement of King County
17 landfills as follows:

18 1. Landfill closure and site restoration, including design
19 work.

20 2. Reserve monies for p((P))ost closure maintenance
21 including but not limited to environmental monitoring, leachate
22 pretreatment, gas extraction, and site maintenance.

23 3. Facility relocation of existing support facilities as
24 existing landfill disposal areas are closed and new areas
25 developed, including design work.

26 4. New area development to provide new disposal areas within
27 a landfill, including design work.

1 (~~5. Landfill replacement which includes the acquisition,~~
 2 ~~design and development of additional landfill sites, other~~
 3 ~~facilities or programs to replace or extend the life of King~~
 4 ~~County landfills.))~~

5 5. Facilities or programs to improve, replace or extend the
 6 life of system capital facilities or to acquire additional
 7 landfill space outside of King County.

8 F. EARNINGS. All earnings derived from specific investment
 9 of funds accumulated in the Landfill Reserve Fund shall be
 10 deposited and credited to the Landfill Reserve Fund.

11 G. ESTABLISH FUND. The executive is hereby authorized to
 12 establish and activate a Capital Fund entitled, "Landfill
 13 Reserve", for the purpose described in paragraph A of this
 14 section and in accordance with the specific policies contained in
 15 paragraphs B, C, D, E, and F of this section.

16 SECTION 2. Ordinance 12076, Section 25, and K.C.C. 4.08 are
 17 hereby amended to read as follows:

18 **Landfill Post-Closure Maintenance Fund.** A. There is hereby
 19 created a Landfill Post-Closure Maintenance Fund. The fund
 20 balance may be used for all costs associated with landfill post-
 21 closure maintenance operations at county owned landfills(~~(-)~~),
 22 and all operations and maintenance costs related to closed solid
 23 waste disposal sites or handling facilities which the King County
 24 solid waste division owns or has custodial responsibility for.

25 B. The director of the department of natural resources shall
 26 be responsible for the administration of the Landfill Post-
 27 Closure Maintenance Fund including the preparation and issuance

1 of operating procedures deemed necessary to ensure the proper
2 administrative implementation of the policies governing the
3 purpose and use of the fund.

4 C. The Landfill Post-Closure Maintenance Fund shall be
5 classified as a Special Revenue Fund. Monies collected in the
6 Landfill Reserve Fund for landfill post-closure maintenance for
7 landfills operated by King County shall be transferred into the
8 Landfill Post-Closure Maintenance Fund at the time each landfill
9 is closed. At such time as a landfill is closed, the executive
10 shall present to the council an ordinance appropriating funds
11 designated for its post-closure maintenance from the Landfill
12 Reserve Fund to the Landfill Post-Closure Maintenance Fund, and
13 appropriating from the Landfill Post-Closure Maintenance Fund
14 monies for post closure maintenance.

15 D. All earnings derived from specific investment of funds
16 accumulated in the Landfill Post-Closure Maintenance Fund shall
17 be deposited and credited to the existing Landfill Post-Closure
18 Maintenance fund balance.

19 E. The executive is hereby authorized to establish and
20 activate a new Special Revenue Fund entitled "Landfill Post-
21 Closure Maintenance Fund" for the purpose described in paragraph
22 A of this section and in accordance with the specific policies
23 contained in paragraphs B, C, and D of this section.

