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Title: AN ORDINANCE determining that unique circumstances exist that make a negotiated direct sale of the landfill gas generated at the Cedar Hills regional landfill in the best interests of the public and authorizing the county executive to enter into contracts with respect to the sale of the landfill gas.

Sponsors: Julia Patterson, Larry Phillips

Indexes: Cedar Hills, Landfills

Code sections:

Attachments: 1. Ordinance 14723.pdf, 2. Revised Staff Report 7-22-03, 3. 2003-0319 Transmittal Letter.doc, 4. A. Landfill Gas Sales Agreement Cedar Hills Regional Landfill, 5. B. Project Development Agreement, 6. C. Plant Site Lease, 7. D. Schedule 1.1 Definitions, 8. Fiscal Note, 9. Staff Report 7-22-03

Date	Ver.	Action By	Action	Result
7/28/2003	2	Metropolitan King County Council	Hearing Held	
7/28/2003	2	Metropolitan King County Council	Passed	Pass
7/22/2003	1	Utilities Committee	Amended	Pass
7/22/2003	2	Utilities Committee	Recommended Do Pass Substitute Consent	Pass
7/7/2003	1	Metropolitan King County Council	Introduced and Referred	

Clerk 07/03/2003

AN ORDINANCE determining that unique circumstances exist that make a negotiated direct sale of the landfill gas generated at the Cedar Hills regional landfill in the best interests of the public and authorizing the county executive to enter into contracts with respect to the sale of the landfill gas.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The Cedar Hills regional landfill ("landfill") produces landfill gas ("LFG"), a valuable green energy resource created by the anaerobic decomposition of organic wastes, containing methane, carbon dioxide and

trace concentrations of other compounds, that may be utilized as a marketable energy product.

B. The landfill currently collects approximately thirteen million cubic feet of LFG per day at its North Flare station, and the LFG is surplus property that currently is not put to beneficial use.

C. The LFG produced at the landfill was declared surplus to the county's needs in Motion 8591, passed by the King County council on April 6, 1992.

D. The quantity of gas produced and collected is estimated to be sufficient to generate enough electricity to serve approximately sixteen thousand households per year, eliminating the need for other energy sources and thereby providing environmental benefits to King County residents.

E. Putting the LFG to beneficial use will greatly reduce the amount of LFG that must be destroyed through flaring.

F. The unique nature of LFG and the complexity of converting it to a useable energy resource make a negotiated direct sale in the overall best interests of the public.

G. Factors involved in determining the most advantageous transaction include the purchaser's safety and environmental record, the purchaser's proposed technology for generating electricity, the potential ability of the purchaser to obtain tax credits and other factors.

H. The county issued a request for proposals ("RFP") to obtain proposals from qualified purchasers with respect to the LFG and its conversion in to energy, and asked prospective purchasers to provide information not only with respect to the price at which they were willing to purchase the LFG, but also information on technical expertise, environmental and safety records, experience with similar facilities and numerous other factors that are necessary for the county to consider in determining the transaction that is most beneficial to the public.

SECTION 2. A. The council hereby finds pursuant to K.C.C. 4.56.100 that unique circumstances exist that make a negotiated direct sale of the landfill gas generated at Cedar Hills Landfill in the best interests of the public.

B. The King County executive or the executive's designee is hereby authorized to enter into three agreements with respect to the sale and conversion into energy of landfill gas generated by Cedar Hills Landfill, substantially in the form of Attachments A, B, C and D to this ordinance.

C. Income earned from this project shall be deposited into the solid waste operating fund.