

BILL NO. 22-62

AN ORDINANCE APPROVING AN OPERATIONS AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND SUMMIT TRANSFER, LLC, FOR THE LEE'S SUMMIT SOLID WASTE PROCESSING FACILITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

WHEREAS, the City owns the Public Disposal Area that is located at the City's Resource Recovery Park for the purpose of receiving specifically enumerated household solid waste products for the benefit of the citizens; and,

WHEREAS, in November 2018, the City issued Request for Proposals No. 2019-032, which solicited proposals for the operation of the Public Disposal Area for the City at the Resource Recovery Park, and subsequently executed Agreement No. 2019-032 with the KC Dumpster, LLC, on April 5, 2019, to provide for the operations of the Public Disposal Area, which provides residential customers in Lee's Summit with solid waste services that are convenient by allowing use of areas of the Resource Recovery Park for drop-off of residential customers' solid waste, yard waste, and household hazardous waste; and

WHEREAS, in 2021, the City issued Request for Proposals No. 2021-016, which sought statements of qualifications from qualified companies to design, construct, permit, and operate a solid waste processing facility and associated programs, with a stated goal being to identify and select a partner to provide solid waste disposal services through a processing facility and continue associated environmental programs to serve residents and businesses by providing a convenient drop off location for municipal solid waste; and,

WHEREAS, in response to the 2021 RFP, KC Dumpster, LLC, submitted a statement of qualifications, and thereafter formed Summit Transfer, LLC (the "Company"), for the purpose of pursuing contracts with the City for the operation of the Solids Waste Processing Facility at the Public Disposal Area; and,

WHEREAS, the City now desires to lease certain property in the Public Disposal Area to the Company for the construction of certain improvements and thereafter for the operation of the Solid Waste Processing Facility.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. The City Council hereby approves an Operations Agreement between the City of Lee's Summit, Missouri, and Summit Transfer, LLC to operate a solid waste processing facility and authorizes the City Manager to execute the same, substantially similar to said Agreement attached hereto as Exhibit 1.

SECTION 2. City officers and agents of the City are each hereby authorized and directed to take such action and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and the attached Agreement.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

BILL NO. 22-62

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A
LEASE AGREEMENT

[ATTACHED]