

## **BILL NO. 22-61**

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AN ORDINANCE APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND SUMMIT TRANSFER, LLC, FOR THE LEE'S SUMMIT SOLID WASTE PROCESSING FACILITY.

WHEREAS, the City operates 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 residents of Lee's Summit; and,

WHEREAS, in November 2018, the City issued Request for Proposals No. 2019-032 which solicited proposals for 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 allows residential customers in the 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 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 Lease Agreement which is attached hereto as Exhibit A and incorporated herein by reference (the "Lease Agreement"), is hereby approved and the City Manager is authorized and directed to execute the Lease Agreement in substantial compliance with the attached Agreement.

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 Lease Agreement.

SECTION 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed. The Public Disposal Area Agreement approved by Ordinance No. 8602 shall be terminated at the Commencement Date, as defined in the attached Lease Agreement.

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SECTION 4. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

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*]