



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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Title: To authorize the Director of Public Utilities to enter into a Twelfth Modification of the Lease and Transfer Agreement by and between the Solid Waste Authority of Central Ohio and the City of Columbus.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/16/2009	1	CITY CLERK	Attest	
12/15/2009	1	MAYOR	Signed	
12/14/2009	1	Columbus City Council	Approved	Pass
12/14/2009	1	COUNCIL PRESIDENT	Signed	
12/7/2009	1	Columbus City Council	Read for the First Time	
11/23/2009	1	Utilities Drafter	Sent for Approval	
11/23/2009	1	Finance Reviewer	Reviewed and Approved	
11/23/2009	1	Finance Reviewer	Reviewed and Approved	
11/23/2009	1	FINANCE DIRECTOR	Reviewed and Approved	
11/23/2009	1	Utilities Drafter	Sent for Approval	
11/23/2009	1	Auditor Reviewer	Reviewed and Approved	
11/23/2009	1	CITY AUDITOR	Reviewed and Approved	
11/23/2009	1	Utilities Drafter	Sent for Approval	
11/23/2009	1	CITY ATTORNEY	Reviewed and Approved	
11/23/2009	1	Utilities Drafter	Sent to Clerk's Office for Council	
11/20/2009	1	Utilities Drafter	Sent for Approval	
11/20/2009	1	Utilities Reviewer	Sent for Approval	
11/20/2009	1	UTILITIES DIRECTOR	Reviewed and Approved	

Background: This ordinance authorizes the Director of the Department of Public Utilities to enter into the Twelfth Modification of the Lease and Transfer Agreement between the City and the Solid Waste Authority of Central Ohio ("SWACO"), dated April 1, 1993, (as modified by the First through the Tenth Modifications to that Agreement, the "Lease Agreement") for the purpose of providing partial funding for the Office of the Environmental Steward through December 31, 2010, and for the purpose of terminating SWACO's ability to enter into lease agreements to mine minerals as permitted by the Eighth Modification.

The Office of the Environmental Steward was first established by the City and SWACO under the terms and conditions of the Seventh Modification. Since then it has been extended and modified several times to reflect ongoing commitment and support. The interest and need in the community for strong environmental leadership is at an all time high. The efforts of the Environmental Steward work to protect the SWACO landfill by reducing the amount of waste produced in our community, by increasing recycling, working to attract green businesses to our community, providing for public education, and protecting our air and water.

In addition, this modification will establish certain goals and objectives for the Office of Environmental Steward. The goals have been mutually established by both SWACO and the City of Columbus, to ensure their conformance with Ohio law. Additionally, by mutually determining the goals for the Office, both The City and SWACO ensure that the program accomplishes work that is in the best interest of the community. This important project is a model of collaboration and demonstrates the commitment of the City and SWACO to improving the environmental conditions of the City, Franklin County, and SWACO's solid waste management district.

Fiscal Impact: The City's share of the operation of the Office of the Environmental Steward will continue to take the form of credits against the lease payments due from SWACO to the City. Since these are being largely deferred pending retirement of the SWACO bonds there will be no immediate fiscal impact on revenue to the City.

To authorize the Director of Public Utilities to enter into a Twelfth Modification of the Lease and Transfer Agreement by and between the Solid Waste Authority of Central Ohio and the City of Columbus.

WHEREAS, the City and the Solid Waste Authority of Central Ohio ("SWACO") entered into a Lease and Transfer Agreement dated April 1, 1993 (together with the First through the Eleventh Modifications to that Lease and Transfer Agreement, the "Lease Agreement") to, among other things, transfer possession of the City's Solid Waste Reduction Facility ("Facility") to SWACO as Lessee of the Facility and to require that SWACO make lease payments to the City; and

WHEREAS, the ongoing efforts of the Environmental Steward work to protect the SWACO landfill by reducing the amount of waste produced in our community, by increasing recycling, working to attract green businesses to our community, providing for public education, and protecting our air and water; and

WHEREAS, the City and SWACO now desire to enter into a Twelfth Modification of the Lease Agreement to account fully fund the office of the Environmental Steward through 2010 and to modify the goals and objectives of the office of the Environmental Steward; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Utilities is hereby authorized to enter into and execute the Twelfth Modification to the Lease Agreement between the City and the Solid Waste Authority of Central Ohio.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.