



Roll Call Number

Agenda Item Number

AS

Date May 7, 2007

APPROVING AND AUTHORIZING EXECUTION OF A SERVICE AGREEMENT WITH METRO WASTE AUTHORITY FOR OPERATION OF A PROGRAM FOR THE COLLECTION AND PROCESSING OF YARD WASTE MATERIALS

WHEREAS, the Des Moines Metropolitan Area Solid Waste Agency, now known as the Metro Waste Authority (hereinafter "MWA"), was created pursuant to the Amended and Substituted Intergovernmental Agreement Creating the Des Moines Metropolitan Area Solid Waste Agency (hereafter the "Chapter 28E Agreement"), executed by the City in December of 1969 and found of record in the office of the Polk County Recorder at Book 4081, Page 542; and

WHEREAS, the Authority exists for the purpose of serving the needs of its member municipalities in matters involving the collection and disposal of solid waste, as may be agreed upon by and between the Authority and its member entities; and

WHEREAS, the City's Public Works Department presently operates a yard waste collection program for its residential customers within the City; and

WHEREAS, the Authority has established a unified yard waste bag collection and processing program for all of its member entities in the Des Moines metropolitan area; and

WHEREAS, pursuant to the Chapter 28E Agreement, Section II thereof, the Authority is authorized to contract with its member municipalities, including the City of Des Moines, for the provision of solid waste disposal, or collection and disposal services; and

WHEREAS, by Roll Call No. 01-763, dated March 12, 2001, the City Council approved the execution of a Service Agreement with MWA, pursuant to which MWA agreed to operate a yard waste collection service within Des Moines with the City of Des Moines acting as its contract agent for collection of yard waste; Des Moines agreed to lease its Harriett Street site to MWA; and MWA agreed to purchase the City's equipment at said site and to thereafter operate a yard waste processing facility at said site, all for a term of three years ending March 31, 2004; and

WHEREAS, by Roll Call No. 04-609, dated March 22, 2004, the City Council approved the execution of a new Service Agreement with MWA for lease and operation of the Harriet Street Facility, all for a term of three years ending March 31, 2007; and

WHEREAS, City and MWA staff have renegotiated the terms and conditions of a new Service Agreement providing that the Authority will continue to operate a yard waste collection program within Des Moines with the City of Des Moines continuing to act as MWA's contract agent for the collection of yard waste from eligible residences within Des Moines; providing for the lease of the Harriett Street site to MWA; and providing that MWA will continue to operate a



Roll Call Number

Agenda Item Number

AS

Date May 7, 2007

yard waste processing facility at the Harriett Street site, all for an additional term of three years ending March 31, 2010; and

WHEREAS, this City Council has been advised and does believe that it would be in the best interests of the City of Des Moines and its citizens for the City to execute and enter into said Service Agreement with the Authority.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

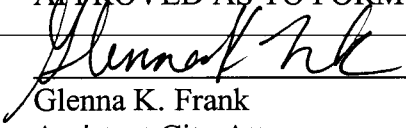
1. That the Service Agreement by and between the City of Des Moines, Iowa and the Metro Waste Authority for Operation of a Program for the Collection and Processing of Yard Waste Materials, now on file in the office of the City Clerk and by this reference made a part hereof, is hereby approved as to form and content.

2. That the Mayor and City Clerk be, and they are hereby authorized and directed to execute and attest, respectively, said Service Agreement for and on behalf of the City of Des Moines, Iowa

(Council Communication No. 07-254 attached)

MOVED BY _____ TO ADOPT.

APPROVED AS TO FORM:


Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk