

FACT SHEET**CITY OF SHREVEPORT, LOUISIANA**

<u>TITLE</u> A Resolution authorizing the Mayor to execute a Contract for Water Supply and Sewerage Disposal between the City of Shreveport, Louisiana, Pratt Paper, LLC, Pratt Recycling (LA), LLC and BFI Waste Services, LLC and to otherwise provide with respect thereto.	<u>DATE</u> June 9, 2020	<u>ORIGINATING DEPARTMENT</u> Office of the City Attorney <u>COUNCIL DISTRICT</u> City-wide <u>SPONSOR</u>
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PURPOSE

To authorize the Mayor to execute a Contract between the City of Shreveport, Louisiana, Pratt Paper, LLC, Pratt Recycling (LA), LLC and BFI Waste Services, LLC to (1) Re-establish terms for Pratt Recycling inside water and sewerage rates, (2) Re-negotiate Pratt Recycling sludge disposal rate at the City landfill, (3) Re-establish reduced rates for Pratt sludge disposal at the city landfill, and (3) Establish reduced recycling fees for city recycling transported to Pratt by BFI Waste Services.

BACKGROUND INFORMATION

On or about March 10, 2020, Council passed Amendments No. 1 and No. 3 of Resolution No. 11 of 2020. Thereafter, officials from Pratt's legal team requested amended language for the section titled, "***Maintenance of Financial Records and Audit Clause.***" Specifically, Pratt has requested that Section VI (C) of the contract to match the exact written language contained in Ordinance Sec. 26-217. Pratt's rationale for making the change is that "*the language in the online Municode Library does not exactly match the revision previously approved by the Council.*" Lastly, Pratt has requested the additional language to Section VII (C) in regard to the Council's ability to terminate the contract.

TIMETABLE

Introduction: June 9, 2020
Final Passage: June 23, 2020

ATTACHMENTS

Exhibit A Contract previously adopted by Council
Exhibit B Revised contract proposed by Pratt (redline version)
Exhibit C Revised contract proposed by Pratt (clean version)

SPECIAL PROCEDURAL REQUIREMENTS

None

FINANCES

TBD

SOURCE OF FUNDS

NA

ALTERNATIVES

(1) Adopt the resolution as submitted, or (2) Amend the resolution, or (3) Reject the resolution.

RECOMMENDATION

It is recommended the City Council adopt the resolution.

FACT SHEET PREPARED BY: Mekisha Smith Creal,
City Attorney

RESOLUTION NO. _____ OF 2020

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR WATER SUPPLY AND SEWERAGE DISPOSAL BETWEEN THE CITY OF SHREVEPORT, LOUISIANA, PRATT PAPER, LLC, PRATT RECYCLING (LA), LLC AND BFI WASTE SERVICES, LLC AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER:

WHEREAS, the City owns and operates a waterworks plant, water delivery system, and a sewerage collection system and treatment plant pursuant to Section 2.03, et seq. of its Charter which permits and allows the City to establish charges for the use of its water and sewerage systems; and

WHEREAS, the City owns and operates a sanitary landfill and, in accordance with Section 74-54 of the Code of Ordinances for the City, permits and allows the City to set landfill fees; and

WHEREAS, the City has a supply of water available for delivery to Pratt and is willing to sell and deliver such water to Pratt for its sole use at the price hereinafter set forth; and

WHEREAS, the City agrees to accept sewerage from Pratt for disposal in accordance with all rules, regulations and ordinances, of the City and subject to the terms and conditions herein provided; and

WHEREAS, Pratt LA operates a manufacturing plant and Recycling operates a recycling facility, both of which are situated in Caddo Parish, Louisiana, located outside of, but in close proximity to, the jurisdictional limits of the City of Shreveport; and

WHEREAS, BFI in the business of hauling certain waste and is desirous of providing waste management services to Pratt, and Pratt is desirous of obtaining such waste management services from BFI; and

WHEREAS, the City is authorized by the City of Shreveport Code of Ordinances Section 94-164(12) to enter into an agreement for the provisions of establishing Pratt as a Contract customer; and

WHEREAS, the City finds it to be in the interest of the public and in the interest of promoting economic development within the City to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport, in due, legal, and regular session convened, that Adrian Perkins, Mayor, be and is hereby authorized to execute, for and on behalf of the City of Shreveport, a Contract for Water Supply and Sewerage Disposal between the City of Shreveport, Louisiana, Pratt Paper, LLC, Pratt Recycling (LA), LLC and BFI Waste Services, LLC substantially in accordance with the draft thereof filed in the Office of the Clerk of Council on June 9, 2020, and attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other, provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or application, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

THUS DONE AND RESOLVED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

City Attorney's Office