



RESOLUTION NO. 2018-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, AUTHORIZING THIRD AMENDMENT TO MANAGEMENT AND OPERATIONS AGREEMENT WITH CAMELOT LANDFILL TX, L.P.; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City Administration has negotiated a third amendment to that certain *Management and Operations Agreement* (the "Operations Agreement"), effective October 1, 2008, between the City and Camelot Landfill TX, LP ("Contractor"), related to the management and operation of City's municipal solid waste landfill ("Camelot") for the reasons and purposes set forth in the recitals set forth in said amendment; and

WHEREAS, for the consideration stated therein, the amendment provides for the City to convey certain property to Contractor in exchange for making certain payments to the City of Lewisville on behalf of the City as well as to reduce collection of certain waste from a landfill owned by Contractor with the intent of such waste being diverted; and

WHEREAS, the City Council of the City of Farmers Branch finds it to be in the public interest to authorize the execution of such an amendment; and:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS THAT:

SECTION 1. The City Manager is hereby authorized to negotiate and execute on behalf of the City a *Third Amendment to Management and Operations Agreement* with Camelot Landfill TX, L.P., ("CLT") further amending that certain *Management and Operations Agreement* effective October 1, 2018, between the City and CLT ("the Operations Agreement") relating to the operation by CLT for City of the Camelot Landfill, such amendment to include, but not be limited to (1) the addition of terms and conditions providing for the sale to CLT, either directly or through the Farmers Branch Local Government Corporation, of the property described as Lots 2, 3, and 4, Block A, Farmers Branch Camelot Landfill Addition, an addition to the City of Lewisville, Denton County, Texas, according to the plat thereof recorded as Documents No. 2016-2229, Plat Records, Denton County, Texas, for a sale price of \$700,000 and subject to an appropriate restriction agreement or other agreement providing for an option to repurchase said property under certain conditions, including failure to pay the full purchase price; (b) adding provisions providing for CLT to reduce to minimum required levels the collection of construction and demolition debris at CLT's landfill in Lewisville, Texas, with the intent of diverting the disposal of such waste to the Camelot Landfill; (c) an amendment to provisions of the Operations Agreement relating to the City's construction of certain improvements at the Camelot Landfill following issuance of the amendment to the TCEQ permit providing for the expansion of the Camelot Landfill to provide for the timing of construction and financial obligations relating to the costs for such improvements; and (d) such other amendments to the Operations Agreement as may be reasonable and/or necessary to conform the Operations Agreement to the other amendments.

SECTION 2. The City Manager is further authorized to negotiate and sign such additional agreements and documents, and to provide any consents, he deems reasonable and necessary to carry out the performance of the City's obligations under the Operations Agreement, as amended.

SECTION 3. This resolution shall become effective immediately upon its approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS
BRANCH, TEXAS, THIS 6TH DAY OF MARCH, 2018.**

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:3/2/18:96653)