

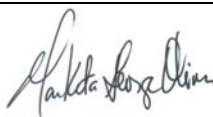
**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**

Item No. 8
For Meeting of 08/16/10

ITEM TITLE: Consideration of a resolution approving a modified garbage contract with Artistic Waste to authorize Friday only pickup and transfer to Waste Management in Windsor Heights.

CONTACT PERSON: Jason VanAusdall, Public Works Director
Marketa George Oliver, City Administrator

Artistic Waste, the current solid waste contracted collector for the City of Windsor Heights, has recently been sold to Waste Management. As part of their agreement, Waste Management will take over the contract with the city of Windsor Heights. The contract is set to expire July 1, 2012 and the city will do an RFP through Metro Waste Authority to identify our next contractor.

<input checked="" type="checkbox"/> Resolution _____ <input type="checkbox"/> Ordinance _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Other (Specify) _____
Funding Source _____
APPROVED FOR SUBMITTAL _____ <div style="text-align: right; margin-right: 100px;"> City Administrator</div>

STAFF/COMMITTEE RECOMMENDATION:

RESOLUTION No. 10-0816/

CONSIDERATION OF A RESOLUTION APPROVING A MODIFIED GARBAGE CONTRACT
WITH ARTISTIC WASTE TO AUTHORIZE FRIDAY ONLY PICKUP AND TRANSFER TO
WASTE MANAGEMENT IN WINDSOR HEIGHTS.

WHEREAS, Artistic Waste is the current solid waste hauler for the city of Windsor Heights; and

WHEREAS, Artistic Waste was recently sold to Waste Management, who will assume all of the
Artistic contracts; and

WHEREAS, the attached agreement will transfer the Artistic Waste Contract to Waste Management
until the Windsor Heights contract with Artistic is set to expire;

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Windsor Heights, Iowa,
that the City does hereby authorize the solid waste contract with Artistic Waste to be assumed by
Waste Management:

PASSED, APPROVED, AND ADOPTED by the City Council of Windsor Heights, Iowa, this 16th
day of August, 2010

Jerry Sullivan, Mayor

Attest:

Marketa Oliver, City Administrator/Clerk

**Assignment of Agreement for Waste Collection and Disposal Services
Windsor Heights**

Artistic Solid Waste Systems, Inc. (also known as Artistic Waste Services, Inc.) is a party to an Agreement for Waste Collection and Disposal Services with the city of Windsor Heights (the **“Collection and Disposal Contract”**).

Artistic Solid Waste Systems, Inc. hereby assigns, sells, transfers and sets over (collectively, the **“Assignment”**) to Waste Management of Iowa, Inc. all of Artistic Solid Waste Systems, Inc.’s right, title, benefit, privileges and interest in and to the Collection and Disposal Contract, and all of Artistic Solid Waste Systems, Inc.’s burdens, obligations and liabilities in connection with the Collection and Disposal Contract.

Waste Management of Iowa, Inc. hereby accepts the Assignment and assumes and agrees to observe and perform all of the duties, obligations, terms, provisions and covenants, and to pay and discharge when due all of the liabilities of Artistic Solid Waste Systems, Inc. to be observed, performed, paid or discharged from and after July 1, 2010, in connection with the Collection and Disposal Contract.

IN WITNESS WHEREOF, Waste Management of Iowa, Inc. and Artistic Solid Waste Systems, Inc. have caused this Assignment and Assumption Agreement to be signed by their respective duly authorized officers effective on the 1st day of July, 2010.

Artistic Solid Waste Systems, Inc.

Waste Management of Iowa, Inc.

By _____

By _____

Approval of Assignment

The City of Windsor Heights hereby approves the assignment of the Collection and Disposal Contract to Waste Management of Iowa, Inc.

City of Windsor Heights

Dated: _____

Mayor

Dated: _____

City Clerk