

RESOLUTION NO. RS2018-1096

A resolution approving three amendments to three agreements between The Metropolitan Government of Nashville and Davidson County and the State of Tennessee, Department of Environment and Conservation, concerning maintenance of closed solid waste disposal facilities.

WHEREAS, The Metropolitan Government of Nashville and Davidson County (“the Metropolitan Government”) owns the Due West Superfund Site (DSF190000543), the Bordeaux Sanitary Landfill (SNL 190000092), the Thermal Ash Monofill, Phases II and III (IDL 190000068), all of which are closed solid waste disposal facilities, maintained pursuant to three agreements (the “Agreements”) between the State of Tennessee, Department of Environment and Conservation (“TDEC”) and the Metropolitan Government; and,

WHEREAS, each agreement lists the “total penal sum” that TDEC may collect in the event the Metropolitan Government fails to properly perform its duties relative to the closed solid waste disposal facility; and,

WHEREAS, BL2010-719 provides that amendments to the Agreements may be approved by resolution of the Metropolitan County Council with 21 or more affirmative votes; and,

WHEREAS, the approval of the three amendments is in the best interests of the citizens of the Metropolitan Government.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The three amendments to the Agreements between the Metropolitan Government and TDEC, reducing the total penal sums, attached hereto and incorporated herein by reference, are approved and the Mayor is authorized to execute the same.

Section 2. This resolution shall take effect November 7, 2018, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Mark Sturtevant,
Director of Public Works

Members of the Council

APPROVED AS TO THE
AVAILABILITY OF FUNDS:

Talia Lomax-O'dneal,
Director of Finance

APPROVED AS TO FORM AND
LEGALITY

Assistant Metropolitan Attorney