

RESOLUTION NO. 2005-718

Adopted by the Sacramento City Council

October 6, 2005

APPROVING THE ACQUISITION AND FINANCING OF GREENWASTE TRASH/RECYCLING CONTAINERS

BACKGROUND

- A. In May 2004, City Council approved the Voluntary Containerized Lawn and Garden (VCLG) Program. This program provides weekly automated collection of lawn and garden material in a 96-gallon container and supplemental loose-in-the-street collection eight times per year. City Council approved Bid No. 1829 with Toter Inc. and Environmental Delivery Services, Inc. (Toter/EDS) in November, 2000, this existing contract was utilized to purchase 20,000 containers in the first series of this financing and will again be utilized to purchase an additional 20,000 containers to support the VCLG Program until the contract expires in December, 2005. In order to facilitate the purchase of these containers, the existing Toter/EDS contract was increased to an aggregate not to exceed amount of \$6.8 million.
- B. The City Treasurer's Office has had a Master Lease Equipment Agreement with Banc of America Leasing & Capital LLC since 1996 and has provided equipment leases for similar acquisitions for Solid Waste containers and several other projects throughout the years. The City will once again utilize this financing structure to finance the second series of \$750,000 for the acquisition of the Greenwaste and Trash/Recycling containers.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVED AS FOLLOWS:

- Section 1. The City Treasurer is hereby authorized to secure \$750,000 in lease financing and to execute the Acquisition Fund Agreement, Schedule of Property No. 6 and Arbitrage and Tax Certificate between the City of Sacramento and Banc of America Leasing and Capital LLC.
- Section 2. The source of repayment for the second series of lease financing would be derived from user assessed fees and paid by existing and future rate payers. Lease payments for the container purchases are subject to Solid Waste Base Rental (1999 Capital Improvement Revenue Bonds) semi-annual debt obligations under the Solid Waste Facility Lease.


Adopted by the City of Sacramento City Council on October 6, 2005 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters and Mayor Fargo.

Noes: None

Abstain: None

Absent: None



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk