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RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A SPECIAL INDUSTRIAL SEWER USE AGREEMENT WITH SAGE V FOODS, LLC; AND FOR OTHER PURPOSES.

WHEREAS, SAGE V Foods, LLC, an Arkansas Limited Liability Company (hereafter "SAGE V"), operates a rice processing plant located at 5901 Sloane Drive, Little Rock, Arkansas 72206, and

WHEREAS, on September 23, 2010, the City of Little Rock and SAGE V entered into a Special Industrial Sewer Use Agreement (hereafter the "Contract"), and

WHEREAS, the Contract specifies the terms and conditions under which the Little Rock Wastewater Utility (hereafter "LRW") provides treatment for wastewater that SAGE V transports to LRW's facility by means of a dedicated force main, and

WHEREAS, the Contract has a five (5)-year term that will expire on September 23, 2015, and

WHEREAS, SAGE V and the LRW staff have negotiated the terms of a new five (5)-year contract that would take effect at the expiration of the current Contract, and

WHEREAS, in order to make plans regarding the future of its Little Rock processing plant, SAGE V wishes to have certainty about the terms that will govern its sewer use after the expiration of the current Contract, and

WHEREAS, the new Contract will not adversely affect the fair and reasonable rate structure applicable to all LRW customers, and

WHEREAS, on February 18, 2015, the Little Rock Sanitary Sewer Committee passed and adopted Resolution No. 15-02 to recommend to the Board of Directors of the City of Little Rock that the City of Little Rock enter into the Special Industrial Sewer Use Agreement with Sage V Foods, LLC, which is attached to this resolution as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. The City Manager is hereby authorized to enter into the Special Industrial Sewer Use Agreement with Sage V Foods, LLC, attached hereto as Exhibit "A".

Section 2. The new Special Industrial Sewer Use Agreement becomes effective as of September 23, 2015.

Section 3. This resolution will be in full force and effect from and after the date of its adoption.

1 **ADOPTED: April 7, 2015**

2 **ATTEST:**

APPROVED:

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4 _____
5 **Susan Langley, City Clerk**

_____ **Mark Stodola, Mayor**

6 **APPROVED AS TO LEGAL FORM:**

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9 **Thomas M. Carpenter, City Attorney**

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