

## Findings of the Akron Scholarship Plan Advisory Committee

Based on the Mayor's proposed 'Akron Scholarship Plan' which would provide higher education opportunities for resident students of the City, we, the members of the Akron Scholarship Plan Advisory Committee, after our review and analysis\*, enthusiastically support the Akron Scholarship Plan and find that this goal can be achieved by means of a long-term lease of the Akron sanitary sewer system to be negotiated by the City containing the following protections for Akron sewer customers:

- 1. City Retains Ownership of the Sewer System:** The agreement should provide that the City will retain ownership of the sanitary sewer system. Any additions, improvements, and extensions constructed by the lessee must be approved by the City and will become the property of the City of Akron at the end of the lease.
- 2. Protection Against Unreasonable Rate Increases:** The agreement should limit how and when rates may be adjusted by establishing a maximum cap consistent with the City's rate history.
- 3. Operating and Customer Service Standards:** The agreement should contain detailed operating and customer service standards, which shall be equal to or exceed the current operating, maintenance and customer service standards, together with the right of the City to terminate the agreement if the lessee fails to operate the sewer system in accordance with the operating and customer service standards, resume operations of the sewer system, and retain the upfront payment. The agreement should further contain the right of the City to monitor the operation in order to guarantee compliance with the operating and customer service standards. The lessee should also be required to staff the sewer system with competent individuals who are certified Wastewater Works Operators in the State of Ohio and/or Plant Maintenance Technologists from the Association of Boards and Certification.
- 4. Environmental Protection and Compliance with Laws:** The agreement must obligate the lessee to observe and comply with all EPA laws, state and local, that are applicable to the operation of the sewer system. The lessee must also comply with all laws, including but not limited to, all environmental rules and regulations, all federal and state laws concerning the regulation, use, or protection of human health, the environment and hazardous materials, and all employment and non-discrimination laws of the State of Ohio. The lessee shall pay all fines and penalties resulting from any violation of any laws.
- 5. Employee Protection:** All employees should be protected. Each affected sewer system employee should be afforded the opportunity to work in a similarly paid position with the City unless they choose to work for the lessee. The lessee shall offer a similarly paid position to each affected employee of the sewer system.
- 6. Use of Proceeds:** The net proceeds received by the City shall only be used to finance a