

# City of Flint, Michigan

*Third Floor, City Hall  
1101 S. Saginaw Street  
Flint, Michigan 48502  
www.cityofflint.com*



## Meeting Agenda - Draft

Thursday, September 23, 2021

6:00 PM

ELECTRONIC MEETING

## SPECIAL CITY COUNCIL

*Kate Fields, President, Ward 4  
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1  
Jerri Winfrey-Carter, Ward 5  
Monica Galloway, Ward 7*

*Santino J. Guerra, Ward 3  
Herbert J. Winfrey, Ward 6  
Allan Griggs, Ward 8*

*Eva L. Worthing, Ward 9*

*Inez M. Brown, City Clerk*

*Davina Donahue, Deputy Clerk*

**SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING****SPECIAL FLINT CITY COUNCIL ELECTRONIC PUBLIC MEETING**

On Friday, October 16, 2020, Governor Whitmer signed into law Senate Bill 1108 amending the Open Meetings Act. Subsequently, on December 22, 2020 Public Act 267 of 1976 was amended through Senate Bill 1246 extending the electronic meetings with no reason through March 31, 2021. The act also allow after March 31, 2021, electronic meetings if a local state of emergency was declared. On March 23, 2020, the Flint City Council extended Mayor Neeley's declaration of emergency indefinitely due to the COVID-19 pandemic. Therefore, this meeting is held pursuant to the amended Open Meetings Act.

Pursuant to Act 267 of the Public Acts of 1976 (Open Meetings Act) and Flint City Charter Section 3-202, notice is hereby given that Mayor Sheldon A. Neeley hereby calls for a Special Meeting of the Flint City Council scheduled to be held as follows:

Date: Thursday, September 23, 2021 Time: 6:00 P.M.  
Location: Electronically

The meeting is being held for the following purpose:

\* **For the City Council to make a determination to move forward with the waste collection contract. This ensures the continuation of garbage collection services on October 1, 2021.**

1. The public and media may listen to the meeting online by live stream broadcast on YouTube at: <https://www.youtube.com/channel/UCo28darsY5qNtQSTP9Lf3Q> or through Start Meeting Solution by dialing (617) 944-8177.

2. In order to speak during the public meeting by telephone, you will also call (617) 944-8177:

a. All callers will be queued and muted during the Public Hearing.

b. The public speaker will be unmuted in order and asked if they wish to speak during public comment.

c. The public speaker should state and spell name their name and be allowed 3 minutes for public speaking.

d. The speaker will be returned to mute after the 3 minutes have expired.

e. After the telephonic public speakers are completed, then emailed public comments on the public hearing will be read by the City Clerk. All emailed public comments will be timed for 3 minutes.

3. The public may send public comments by email to [CouncilPublicComment@cityofflint.com](mailto:CouncilPublicComment@cityofflint.com) no later than 10 minutes prior to the meeting start time of 6 p.m.

4. Persons with disabilities may participate in the meeting by the abovementioned means and by emailing and requesting for an accommodation to [CouncilPublicComment@cityofflint.com](mailto:CouncilPublicComment@cityofflint.com) with subject line Request for Accommodation or by contacting the City Clerk at (810) 766-7418 to request accommodation including but not limited to interpreters.

Questions should be directed to the Mayor's Office at 766-7346.

**This Special City Council meeting was called by Mayor Sheldon A. Neeley for the City Council to make a determination to move forward with the waste collection contract. This ensures the continuation of garbage collection services on October 1, 2021.**

**CALL TO ORDER**

**ROLL CALL**

**MEMBER REMOTE ANNOUNCEMENT**

*Pursuant to the newly revised Open Meetings Act, each Council member shall state that they are attending the meeting remotely and shall state where he or she is physically located (county or city and state).*

## **MEMBER CONTACT INFORMATION**

*Eric Mays - (810) 922-4860; Maurice Davis - mdavis@cityofflint.com; Santino Guerra - sguerra@cityofflint.com; Kate Fields - kfields@cityofflint.com; Jerri Winfrey-Carter - jwinfrey-carter@cityofflint.com; Herbert Winfrey - (810) 691-7463; Monica Galloway - mgalloway@cityofflint.com; Allan Griggs - agriggs@cityofflint.com; Eva Worthing - eworthing@cityofflint.com.*

## **PROCEDURES ON CONDUCTING ELECTRONIC MEETINGS**

*All boards and commissions must adhere to all laws established under the Michigan Compiled Laws and in accordance with the revisions to the Open Meetings Act adopted in Senate Bill 1108, as passed on October 13, 2020, and signed into law on October 16, 2020.*

## **READING OF DISORDERLY PERSONS CITY CODE SUBSECTION**

*Any person that persists in disrupting this meeting will be in violation of Flint City Code Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.*

## **PLEDGE OF ALLEGIANCE**

## **PRAYER OR BLESSING**

## **REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA**

*Council shall vote on any agenda changes.*

## **PUBLIC SPEAKING**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), three (3) minutes per speaker. Only one speaking opportunity per speaker.*

## **COUNCIL RESPONSE**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes.*

## **PURPOSE OF MEETING**

*Purpose: to be presented by the mayor and/or his administration.*

## **RESOLUTIONS**

**210475** Lifting Stay of Procurement/Bid Protest/GFL/Waste Collection Contract/Priority Waste LLC

Resolution resolving that the Flint City Council determines that the award of the [Waste Collection Services] contract to Priority Waste should proceed without delay because it is necessary to protect the substantial interests of the City and its residents. [NOTE: On Monday, September 20, 2021, GFL submitted a bid protest with regard to the waste collection services contract that was awarded to Priority Waste LLC on September 7, 2021. Pursuant to Flint City Ordinance Section 18-21.15(4), "in the event a timely protest is submitted to the purchasing director under this section, the purchasing director shall not proceed further with the solicitation, award, or performance of the purchase order agreement or contract until the protest is sustained or dismissed, or the City Council makes a determination on the record that the award or performance of a purchase order agreement or contract without delay is necessary to protect substantial interests of the City."]

**FINAL COUNCIL COMMENTS****ADJOURNMENT**



210475

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 9-23-2021

ADOPTED: \_\_\_\_\_

**RESOLUTION TO LIFT STAY OF PROCUREMENT AFTER DETERMINATION BY THE FLINT CITY COUNCIL TO MOVE FORWARD WITH CONTRACT WITHOUT DELAY TO PROTECT SUBSTANTIAL INTEREST OF THE CITY AFTER BID PROTEST FILED BY GFL**

**BY THE FLINT CITY COUNCIL:**

**WHEREAS**, on Tuesday, September 7, 2021, the Flint City Council adopted resolution 210367 for Priority Waste LLC for waste collection services to be provided for the Flint residents. The contract has been assembled and the terms negotiated for immediate implementation by the vendor; and

**WHEREAS**, prior to the contract being signed, on Monday, September 20, 2021, GFL, who submitted a proposal to the City and was not awarded the waste collection contract, submitted a bid protest. As a result, this has temporarily stayed entering into a contract with Priority Waste; and

**WHEREAS**, Republic's first amendment to its contract expires on September 30, 2021. Republic has met with the City and the new vendor to transfer information to support a smooth transition to the new vendor Priority Waste; and

**WHEREAS**, a lapse in waste collection services throughout the City poses a significant threat to the health, safety, welfare, and quality of life for both the residents and business community residing and doing business in the City of Flint; and creating an unsafe environment and fertile conditions for vermin and disease, which must be addressed immediately and on an ongoing basis; and

**WHEREAS**, pursuant to Flint City Ordinance Section 18-21.15(4), "in the event a timely protest is submitted to the purchasing director under this section, the purchasing director shall not proceed further with the solicitation, award, or performance of the purchase order agreement or contract until the protest is sustained or dismissed, or the City Council makes a determination on the record that the award or performance of a purchase order agreement or contract without delay is necessary to protect substantial interests of the City."



WHEREAS, due to the current waste collection contract expiring on September 30, 2021, executing the contract with the awardee, Priority Waste without delay, is necessary to protect the substantial interests of the City and thus preventing waste collection services being delayed during the bid protest process.

**IT IS RESOLVED** that the Flint City Council determines that the award of the contract to Priority Waste should proceed without delay because it is necessary to protect substantial interests of the City and its residents.

**APPROVED BY CITY COUNCIL:**

---

**Kate Fields, City Council President**

**APPROVED AS TO FORM:**

  

---

**Angela Wheeler, Chief Legal Officer**