

City of Flint, Michigan

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



Meeting Agenda - Final

Tuesday, November 21, 2017

7:00 PM

Council Chambers

SPECIAL CITY COUNCIL

*Herbert J. Winfrey, President, Ward 6
Monica Galloway, Vice President, Ward 7*

*Eric Mays, Ward 1
Santino J. Guerra, Ward 3
Jerri Winfrey-Carter, Ward 5*

*Maurice D. Davis, Ward 2
Kate Fields, Ward 4
Allan Griggs, Ward 8*

Eva Worthing, Ward 9

Inez M. Brown, City Clerk

This Special City Council Meeting was called by Mayor Karen W. Weaver for the purpose of the GLWA 30 year contract Resolution No. 170354.2.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

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.

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. Numbered slips will be provided prior to the start of the meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council members may not speak during Public Speaking, nor may they make response comments to speakers. Council members may use their five (5) minutes for Final Comments to address any issues that have been addressed by Public Speakers.

RESOLUTIONS

170354.2 2nd Amendment/Amended Resolution/Master Agreement/City of Flint/Department of Environmental Quality of the State of Michigan (MDEQ)/Genesee County Drain Commissioner (GCDC)/Great Lakes Water Authority (GLWA)/Karegnondi Water Authority (KWA)

A second amendment to a resolution resolving that the Flint City Council approves the Master Agreement and the Exhibits attached to the Master Agreement, inclusive of the Water Contract between the City of Flint and the Great Lakes Water Authority (GLWA) contingent upon the Additional Terms, AND, resolving that the Mayor and City Clerk are authorized to execute and deliver the Transaction Documents to be executed by the City and to do all other things necessary to effectuate the execution and delivery of the Transaction Documents, in accordance with the provisions of this Resolution. [NOTE: The City of Flint, the Department of Environmental Quality of the State of Michigan (DEQ), the Genesee County Drain Commissioner (GCDC), the Great Lakes Water Authority (GLWA) and the Karegnondi Water Authority (KWA) have worked in collaboration for the purposes of effectuating the overall agreement described in the Statement of Principles for Long-Term Water Delivery to the City of Flint, signed by the Parties and dated April 18,

2017, and implemented through the Master Agreement and the exhibits attached thereto and incorporated therein (collectively referred to as the "Transaction Documents"). The aforementioned parties have come to a collective agreement to enter into a partnership for the purpose of Flint receiving long-term water source from GLWA to provide safe drinking water to the residents of the city, to relieve the City of its debt service payment obligations on the KWA bonds, and to obtain ownership of the 72-inch pipe and a backup water source in the event of an emergency. The Mayor and the Flint City Council have worked in collaboration with the State which has resulted in the Governor's legal counsel stating in writing that the current board member of GLWA appointed by the Governor will be asked to resign and that, upon application of a qualified representative from the city of Flint, the Governor intends to appoint a Flint resident to that seat; that \$750,000.00 will be granted to the City of Flint in some combination of GLWA Water Residential Assistance Program (WRAP) funds and by the State of Michigan from its Reserve Fund for estimated water bill relief; that funds earmarked in the WIIN Fund for residential infrastructure will be immediately released by the State of Michigan to the City of Flint upon submittal and approval by EPA of an Intended Use Plan based on the amended Project Plan to be submitted by the City and proof of qualified expenditures pursuant to that Plan; that the State of Michigan will request that General Motors Engine Plant return as a user of the City of Flint water supply. GLWA and the City have agreed to a Water Service Contract regarding the long-term service of potable water to the City of Flint. GLWA shall sell and supply water to the City of Flint in accordance with the terms of the GLWA/Flint Water Contract for a period of thirty years from the effective date of the GLWA/Flint Water Contract. Mayor Karen Weaver recommends that the Water Service Contract should be entered into in collaboration with the DEQ, GCDC, GLWA, and KWA. Subject to GLWA Board approval that the language that was added to the proposed Master Agreement (other than timing adjustments) and Article 12.04(B) & (F) and 12.06 that expired on October 1, 2017, be removed; that upon full execution of such agreements, the DEQ and the City of Flint and Flint City Council all stipulate to setting aside the judgment, withdrawing of all pleadings and other filings by all parties in US District Court Case No. 17-12107, and that the case be dismissed; and that the Great Lakes Water Authority be advised that the Flint City Council withdraws all statements in all its pleadings regarding the non-payment of water bills owed to the Great Lakes Water Authority by the City of Flint ("Additional Terms"). [NOTE: Resolution amended because the terms were amended.]

FINAL COUNCIL COMMENTS

ADJOURNMENT