

CITY OF NOVI
COUNTY OF OAKLAND, MICHIGAN

CITY OF NOVI RESOLUTION
CONSENTING TO THE ASSIGNMENT OF ITS WASTE HAULING
SERVICES AGREEMENT FROM GFL ENVIRONMENTAL
TO PRIORITY WASTE LLC

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on June 17, 2024, at 7 o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following preamble and Resolution were offered by Councilmember _____and supported by Councilmember _____.

RECITALS:

WHEREAS, the City of Novi, ("City") entered into an agreement with GFL Environmental, ("GFL") requiring GFL to pick up residential waste and recycling materials within the City; and

WHEREAS, the agreement provides that it may not be assigned to another waste hauler without the City's consent, which cannot be unreasonably withheld; and

WHEREAS, GFL has announced that it intends to sell its residential solid waste collection business in southeast Michigan to Priority Waste LLC, ("Priority") effective upon finalizing an Agreement Transfer between GFL and Priority scheduled to occur on June 30, 2024; and

WHEREAS, GFL has provided a letter to the City requesting that it sign prior to June 30, 2024, to approve the assignment to Priority; and

WHEREAS, City Council will consent to the assignment of its waste hauling contract from GFL to Priority contingent upon the conditions in this Resolution. However, if the Agreement Transfer does not take place, the City's consent shall be null and void.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. City Council hereby consents to the assignment of its residential waste hauling agreement from GFL to Priority Waste and authorizes the City Manager to sign the consent letter provided by GFL.
2. The consent of City Council to the assignment is contingent upon the closing and execution of the Agreement Transfer between GFL and Priority, which is scheduled to occur on June 30, 2024. In the event that the Agreement Transfer fails to close, this consent shall be null and void and the agreement between the City and GFL shall not be assigned to Priority.
3. This consent is also conditioned upon Priority: (i) providing a certificate of insurance to the City in accordance with the terms of the GFL waste hauling agreement: (ii) signing an amendment to the GFL waste hauling agreement confirming its assumption all the obligations under the agreement and updating its contact and notice information. All these conditions must be satisfied prior to July 31, 2024, or this Resolution shall be null and void.
4. The City Council further resolves to authorize the City Manager to take the necessary actions to finalize the assignment of the waste hauling services to Priority, should the Agreement Transfer take place.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this 17th day of June, 2024, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan,

1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi