

AGENDA
SHAWNEE MUNICIPAL AUTHORITY
February 22, 2022 AT 6:00 P.M.
COMMISSION CHAMBERS AT CITY HALL
16 WEST 9TH STREET
SHAWNEE, OKLAHOMA

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the public body may refer the matter to Staff or back to Committee or the recommending body. Under certain circumstances, items are deferred to a future date or stricken from the agenda entirely.

CALL TO ORDER

DECLARATION OF A QUORUM

1. Consider approval of Consent Agenda:
 - a. Minutes from the February 7, 2022 regular meeting.
2. Confirm action taken by the City Commission on Agenda Item No. 6 regarding an Addendum to the Contract for Solid Waste Collection, Recycling and Disposal Services.
3. New Business

(Any matter not known or which could not have been reasonably foreseen prior to the posting of the agenda)
4. Adjournment

Respectfully submitted,

Lisa Lasyone, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

Shawnee Municipal Authority

1. a.

Meeting Date: 02/22/2022

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the February 7, 2022 regular meeting.

Fiscal Impact

Attachments

Minutes

THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN REGULAR SCHEDULED SESSION, MONDAY, FEBRUARY 7, 2022, DURING THE BOARD OF CITY COMMISSIONER MEETING AT 6:00 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW AT 2:23 P.M. ON FEBRUARY 3, 2022. UPON ROLL CALL, A QUORUM WAS DECLARED WITH THE FOLLOWING MEMBERS IN ATTENDANCE:

PRESENT: Matthews, Flood, Bolt, Rutherford, Sehorn, Salter

ABSENT: Engles

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes from the January 18, 2022 regular meeting.

A motion was made by Trustee Matthews, seconded by Trustee Rutherford, to approve Consent Agenda Item No. 1(a). Motion carried 5-0-1.

AYE: Matthews, Rutherford, Sehorn, Flood, Bolt

NAY: None

ABSTAIN: Salter

AGENDA ITEM NO. 2:

Consideration of a budget amendment for Fund 501 Shawnee Municipal Authority to move full-time employee position budget from Fund 501 to Fund 001 (General Fund) due to new department position arrangement.

Assistant Finance Director Jacob Bussell gave a staff report.

A motion was made by Trustee Sehorn, seconded by Trustee Rutherford, to approve a budget amendment for Fund 501 Shawnee Municipal Authority. Motion carried 6-0.

AYE: Sehorn, Rutherford, Salter, Matthews, Flood, Bolt

NAY: None

AGENDA ITEM NO. 3:

New Business (Any matter not known, or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 4.:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:11 p.m.)

ED BOLT, CHAIRMAN

ATTEST:

LISA LASYONE, CMC, CITY CLERK

Shawnee Municipal Authority

2.

Meeting Date: 02/22/2022

Contract

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Confirm action taken by the City Commission on Agenda Item No. 6 regarding an Addendum to the Contract for Solid Waste Collection, Recycling and Disposal Services.

Fiscal Impact

Attachments

Addendum

ADDENDUM TO CONTRACT FOR SOLID WASTE COLLECTION,
RECYCLING AND DISPOSAL SERVICES

WHEREAS, The Shawnee Municipal Authority, a public Trust for the benefit of the City of Shawnee, Oklahoma ("City/Authority"), and Central Disposal, LLC, an Oklahoma limited liability company ("Central Disposal" or "Contractor") ("Parties") entered into a Contract for Solid Waste Collection, Recycling and Disposal Services on July 1, 2020 (the "Contract"); and,

WHEREAS, Central Disposal has informed the City of its unit holder(s) (owners) intent to transfer all or part of their units (ownership, interest, or membership interest) in Central Disposal to Superior Waste Solutions, LLC ("Superior Waste"); and

WHEREAS, Section VIII of the Contract states; "VIII. If Contractor changes ownership, name, etc., then the City/Authority shall have the option to re-bid the contract immediately if City/Authority so desires"; and

WHEREAS, it is the intention of Central Disposal and Superior Waste to retain the current key management team responsible for the operations of Central Disposal and the administration and performance of the Contract; and

WHEREAS, the Contract will otherwise expire on June 30, 2030.

NOW, THEREFORE, it is hereby agreed by and between the Parties as follows:

1. The City agrees that it will not trigger the re-bid process set forth in Section VIII of the Contract upon the change/transfer in ownership of Central Disposal contemplated herein;
2. Central Disposal agrees that material changes to the key management team responsible for the operations of Central Disposal and the administration and performance of the Contract during the remaining Contract term, shall constitute a trigger of Section VIII of the Contract and enable the City to exercise its option to re-bid the contract immediately.
3. Superior Waste hereby acknowledges notice of this Addendum to the Contract and specifically agrees that in the event Superior Waste accepts transfer of any units (ownership, interest, or membership interest) in Central Disposal, it does so, subject to the conditions recited herein.
4. All other conditions contained with the Contract (dated July 1, 2020) and the Memorandum of Understanding (dated May 18, 2020) remain intact, in full force and effect.

WHEREFORE, we, the undersigned Parties, have read, understand and agree with this Addendum to Contract for Solid Waste Collection, Recycling and Disposal Services; the execution of this Contract may be made in multiple counterparts, sent electronically to other party, and each of which shall be deemed an original and together shall constitute one and the same agreement, with one counterpart being delivered to each party thereto.

Executed this ____ day of _____, 2022.

CITY OF SHAWNEE
SHAWNEE MUNICIPAL AUTHORITY

By: _____
Andrea Weckmueller-Behringer
City Manager

(SEAL)
ATTEST:

Lisa Lasyone, CMC
City Clerk

CENTRAL DISPOSAL, LLC

By: _____
Printed Name: _____
Title: _____
4650 North Harrison
Shawnee, Oklahoma 74804

(SEAL)
ATTEST/NOTARY

Secretary

SUPERIOR WASTE SOLUTIONS, LLC

By: _____
Printed Name: _____
Title: _____
5715 Arnie Loop
Bradenton, Florida 34211

(SEAL)
ATTEST/NOTARY

Secretary