

AGENDA
SHAWNEE MUNICIPAL AUTHORITY
May 18, 2020 AT 6:00 P.M.
VIA VIDEOCONFERENCE
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

1. Consider approval of Consent Agenda:
 - a. Minutes from the May 4, 2020 regular meeting.
 - b. Confirm action taken by City Commission on Agenda Item No. 3 regarding a memorandum of understanding between the City of Shawnee and Central Disposal regarding delay of price increase due to COVID-19 pandemic.
2. New Business

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

Respectfully submitted

Lisa Lasyone, CMC, City Clerk

Shawnee Municipal Authority

1. a.

Meeting Date: 05/18/2020

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the May 4, 2020 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 VIA VIDEOCONFERENCE, MONDAY, MAY 4, 2020, DURING THE BOARD OF CITY COMMISSIONERS MEETING AT 6:00 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW AT 4:43 P.M. ON MAY 1, 2020. UPON ROLL CALL, A QUORUM WAS DECLARED WITH THE FOLLOWING MEMBERS IN ATTENDANCE VIA VIDEOCONFERENCE:

Members of the Shawnee Municipal Authority participation:

Chairman Richard Finley	Via Videoconference
Trustee James Harrod	Via Videoconference
Trustee Ed Bolt	Via Videoconference
Trustee Ron Gillham	Via Videoconference
Trustee Darren Rutherford	Via Videoconference
Trustee Mark Sehorn	Via Videoconference
Trustee Ben Salter	Via Videoconference

ABSENT: None

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1: Consider approval of Consent Agenda:

- a. Minutes from the April 20, 2020 regular meeting.

A motion was made by Trustee Gillham, seconded by Trustee Harrod, to approve Consent Agenda Item No. 1(a). Motion carried 7-0.

AYE: Gillham, Harrod, Finley, Rutherford, Sehorn, Salter, Bolt

NAY: None

AGENDA ITEM NO. 2: Consideration of Amendment No. 1 for Agreement for Engineering Services for Water Treatment Plant Improvements with Holloway, Updike, and Bellen, Inc.

City Manager Chance Allison explain Holloway, Updike, and Bellen, Inc. has diligently been working on the water treatment plant design. He advised that last week the Department of Environmental Quality (DEQ) approved the engineering report. He also advised that the design is expected to take approximately eleven months to complete.

A motion was approved by Trustee Harrod, seconded by Trustee Bolt, to approve Amendment No. 1 for Agreement for Engineering Services for Water Treatment Plant Improvements with HUB. Motion carried 7-0.

AYE: Harrod, Bolt, Gillham, Finley, Rutherford, Sehorn, Salter

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. (6:18 p.m.)

ATTEST:

RICHARD FINLEY, CHAIRMAN

LISA LASYONE, SECRETARY

Shawnee Municipal Authority

1. b.

Meeting Date: 05/18/2020

Central Disposal MOU

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Confirm action taken by City Commission on Agenda Item No. 3 regarding a memorandum of understanding between the City of Shawnee and Central Disposal regarding delay of price increase due to COVID-19 pandemic.

Fiscal Impact

Attachments

MOU

MEMORANDUM OF UNDERSTANDING

WHEREAS, The Shawnee Municipal Authority, a public Trust for the benefit of the City of Shawnee, Oklahoma ("City"), and Central Disposal, LLC, an Oklahoma limited liability company ("Central Disposal") ("Parties") have engaged in negotiations regarding a contract for solid waste collection and disposal services; and,

WHEREAS, The City and Central Disposal have an existing contract for solid waste collection and disposal services that will expire on June 30, 2020; and,

WHEREAS, at April 20, 2020 City of Shawnee Board of Commissioners Meeting, The Board considered Bids for its Open Request for Proposal regarding Solid Waste Collection, and awarded the bid to Central Disposal, LLC; and,

WHEREAS, the City and Central Disposal are currently in on-going negotiations over the specific terms and conditions of their pending agreement; however, it is recognized by the Parties that such negotiations are being made during an unprecedented global pandemic, being the 2020 COVID-19 virus crisis, which has negatively impacted the public's health, and safety, as well as the national and local economy; and,

WHEREAS, following the National and State Declarations of Emergency, the City of Shawnee exercised its authority in declaring a State of Emergency within its municipal limits that is set to expire on May 24, 2020; and,

ACCORDINGLY, in consideration of the above-recited, the Parties herein desire to enter into a Memorandum of Understanding (MOU) setting forth certain general terms of the contemplated agreement and memorializing the same.

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

1. The Parties will enter into a new Agreement with an Effective July 1, 2020, wherein Central Disposal, LLC will begin to perform services related to the collection and disposal of solid waste for the Shawnee Municipal Authority, a public Trust for the benefit of the City of Shawnee, Oklahoma, and the City will compensate Central Disposal for its services.
2. The Term of the Agreement shall be for a period of 10 years, ending on June 30, 2030.
3. In consideration and recognition of the current COVID-19 health crisis' negative effect on the national and local economy, Central Disposal agrees to perform services at temporary Rate for the first 90-day period of the Agreement, ending September 30, 2020, in which the City shall pay the same Rate paid by the City to Central Disposal during the last month of the Parties' prior and existing Contract ("Temporary Rate").
4. Upon the lapse of the 90-day Temporary Rate Period, and beginning October 1, 2020, the City will pay Central Disposal a rate in the amounts listed and specified in the

Central Disposal's proposed "Schedule of Quotes"—which were approved by the City in the above-recited Board Meeting ("Contract Rate").

5. Thereafter, the Contract Rate shall be increased, yearly, in accordance with the percentage increase in the CPI ("Consumer Price Index") over the previous twelve (12) month period from 2020 (i.e. the difference, expressed as a percentage, between the value of the CPI in June, 2021, and the value of the CPI published in June, 2020). The new adjusted Contract Rate shall begin on July 1, of each year. If in any year the CPI decreases, the Contract Rate for that year shall remain flat (and shall not increase or decrease).

WHEREFORE, we, the undersigned Parties, have read, understand and agree with this Memorandum of Understanding; The execution of this MOU may 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 18th day of May, 2020.

Central Disposal, LLC

The City of Shawnee.

By: _____

By: _____

Chance Allison
City Manager

Attest: _____

Attest: _____

Lisa Lasyone, CMC
City Clerk