

THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN REGULAR SCHEDULED SESSION, MONDAY, MAY 17, 2021, DURING THE BOARD OF CITY COMMISSIONER MEETING AT 6:00 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW AT 4:40 P.M. ON MAY 14, 2021. UPON ROLL CALL, A QUORUM WAS DECLARED WITH THE FOLLOWING MEMBERS IN ATTENDANCE:

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

ABSENT: None

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes from the May 3, 2021 regular meeting.

A motion was made by Trustee Rutherford, seconded by Trustee Sehorn, to approve Consent Agenda Item No. 1(a). Motion 6-0-1.

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

NAY: None

ABSTAIN: Matthews

AGENDA ITEM NO. 2:

Consider and take action with respect to a resolution of the Shawnee Municipal Authority (the "Authority") approving and authorizing a Drinking Water SRF Loan from the Oklahoma Water Resources Board in the total aggregate principal amount of not to exceed \$20,625,000; approving the issuance of a promissory note in the total aggregate principal amount of not to exceed \$20,625,000, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for Drinking Water SRF Loan; designating a local trustee and approving and authorizing the execution of a

trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement and operation and maintenance contract, as amended; approving various covenants; approving and authorizing payment of fees and expenses; and containing other provisions relating thereto.

Finance Director Ashley Neel explained this loan will provide financing for updates to the Water Treatment Plant. The loan amount will not exceed \$20,625,000.00, with an interest rate of 1.98%, if closed by June 1, 2021. Mr. Allan Brooks with the Public Finance Law Group provided a brief report of the loan.

Resolution No. SMA-2021-3 was introduced.

A RESOLUTION OF THE SHAWNEE MUNICIPAL AUTHORITY (THE "AUTHORITY") APPROVING AND AUTHORIZING A DRINKING WATER SRF LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,625,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,625,000, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR DRINKING WATER SRF LOAN; DESIGNATING A LOCAL TRUSTEE AND APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT; RATIFYING AND CONFIRMING A LEASE AGREEMENT AND OPERATION AND MAINTENANCE CONTRACT, AS AMENDED; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

A motion was made by Trustee Sehorn, seconded by Trustee Rutherford, to approve a resolution of the Shawnee Municipal Authority (the "Authority") approving and authorizing a Drinking Water SRF Loan from the Oklahoma Water Resources Board in the total aggregate principal amount of not to exceed \$20,625,000; approving the issuance of a promissory note in the total aggregate principal amount of not to exceed \$20,625,000, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for Drinking Water SRF Loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement and operation and maintenance contract, as amended; approving various covenants;

approving and authorizing payment of fees and expenses; and containing other provisions relating thereto. Motion carried 7-0.

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

NAY: None

AGENDA ITEM NO. 3:

Consider and take action with respect to a resolution of the Shawnee Municipal Authority (the "Authority") replacing and superseding Resolution No. SMA 2020-04 dated December 7, 2020 and approving and authorizing a Clean Water SRF Loan from the Oklahoma Water Resources Board in the total aggregate principal amount of \$13,500,000; approving the issuance of a promissory note in the total aggregate principal amount of \$13,500,000, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for Clean Water SRF Loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement and operation and maintenance contract, as amended; approving various covenants; approving and authorizing payment of fees and expenses; and containing other provisions relating thereto.

Finance Director Ashley Neel explained additional funding was approved for the Wastewater Treatment Plant with the approval of Resolution No. SMA-2020-4 in December 2020. The Oklahoma Water Resources Board (OWRB) has presented an offer to increase the principal amount and lower the interest rate.

Resolution No. SMA-2021-4 was introduced.

A RESOLUTION OF THE SHAWNEE MUNICIPAL AUTHORITY (THE "AUTHORITY") REPLACING AND SUPERSEDING RESOLUTION NO. SMA 2020-04 DATED DECEMBER 7, 2020 AND APPROVING AND AUTHORIZING A CLEAN WATER SRF LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$13,500,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$13,500,000, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR CLEAN WATER SRF LOAN; DESIGNATING A LOCAL TRUSTEE AND APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT; RATIFYING AND CONFIRMING A LEASE AGREEMENT AND OPERATION AND MAINTENANCE CONTRACT, AS AMENDED; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

A motion was made by Trustee Matthews, seconded by Trustee Flood, to approve a resolution of the Shawnee Municipal Authority (the "Authority") replacing and superseding Resolution No. SMA 2020-04 dated December 7, 2020 and approving and authorizing a Clean Water SRF Loan from the Oklahoma Water Resources Board in the total aggregate principal amount of \$13,500,000; approving the issuance of a promissory note in the total aggregate principal amount of \$13,500,000, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for Clean Water SRF Loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement and operation and maintenance contract, as amended; approving various covenants; approving and authorizing payment of fees and expenses; and containing other provisions relating thereto. Motion carried 7-0.

AYE: Matthews, Flood, Bolt, Rutherford, Sehorn, Salter, Weaver
NAY: None

AGENDA ITEM NO. 4:

Consider Bids:

- a. Water System Improvements DWSRF Project No. P40-1020504-03
(Award)

Public Works Director Brad Schmidt announced that five (5) bids were received. Staff and project engineers reviewed each bid and Staff recommends awarding the contract to Downey Contracting, LLC Oklahoma City, Oklahoma in the total amount of \$14,594,000.00.

A motion was made by Trustee Weaver, seconded by Trustee Rutherford, to award the bid to Downey Contacting, LLC in the total amount of \$14,594,000.00. Motion carried 7-0.

AYE: Weaver, Rutherford, Sehorn, Salter, Matthews, Flood, Bolt
NAY: None

AGENDA ITEM NO. 5:

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. 6:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:46 p.m.)



ATTEST:



ED BOLT, CHAIRMAN



KACIE ECK, SECRETARY