

AGENDA
SHAWNEE MUNICIPAL AUTHORITY
May 4, 2015 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

All motions will be made in the affirmative. The fact that a commissioner makes or offers a second to a motion does not mean that the commissioner must vote in favor of passage.

1. Consider approval of Consent Agenda:
 - a. Minutes from the April 20, 2015 meeting.
 - b. Budget Amendment – Shawnee Municipal Authority Fund
Adjust Budget to Account for Compensative Absences
2. Discussion, consideration and possible action to include the letter from the Oklahoma Water Resources Board (OWRB) dated December 10, 2014 in citizens' monthly water bill.
3. New Business

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

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

Shawnee Municipal Authority

1. a.

Meeting Date: 05/04/2015

SMA 04-20-2015 Minutes

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the April 20, 2015 meeting.

Attachments

SMA 04-20-2015 Minutes

THE TRUSTEES OF THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN REGULAR SCHEDULED SESSION IN THE COMMISSION CHAMBERS AT CITY HALL, 9TH AND BROADWAY, SHAWNEE, OKLAHOMA, MONDAY, APRIL 20, 2015, DURING THE BOARD OF CITY COMMISSIONERS MEETING AT 6:30 P.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. UPON ROLL CALL, A QUORUM WAS DECLARED WITH THE FOLLOWING MEMBERS IN ATTENDANCE:

PRESENT: Agee, Harrod, Mainord, Hall, Shaw, Dykstra

ABSENT: None

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1: Consider approval of Consent Agenda

- a. Minutes from the April 6, 2015 meeting.
- b. Authorize staff to purchase water meters.

A motion was made by Trustee Harrod, seconded by Trustee Hall, to approve Consent Agenda item Nos. 1(a-b). Motion carried 6-0.

AYE: Harrod, Hall, Shaw, Dykstra, Agee, Mainord

NAY: None

AGENDA ITEM NO. 2: New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)

There was no New Business.

AGENDA ITEM NO. 3: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:02p.m.)

WES MAINORD
CHAIRMAN

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK
SECRETARY

Shawnee Municipal Authority

1. b.

Meeting Date: 05/04/2015

Budget Amd

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Budget Amendment – Shawnee Municipal Authority Fund

Adjust Budget to Account for Compensative Absences

Attachments

SMA Budget Amd

APRIL 20 2015

					Balance	Amount of	Balance
Fund	Account	Project	Line		Before	Increase	After
Number	Number	Code	Item	Description	Amendment	(Decrease)	Amendment
501-3001					5,457,056.00	(11,753.61)	5,445,302.39
				Total	5,457,056.00	(11,753.61)	5,445,302.39

[illegible]

Approved by the Shawnee Municipal Authority this _____ day of _____				Explanation of Budget Amendment: _____			
Approved: _____ _____ Mayor				Compensated leave for employee retirements and terminations			
Attest: _____ _____ City Clerk				Posted By _____ Date _____ BA# _____ Pkt.# _____			

Shawnee Municipal Authority

2.

Meeting Date: 05/04/2015

OWRB Letter

Submitted By: Lisa Lasyone, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Discussion, consideration and possible action to include the letter from the Oklahoma Water Resources Board (OWRB) dated December 10, 2014 in citizens' monthly water bill.

Attachments

SMA OWRB Letter



STATE OF OKLAHOMA
WATER RESOURCES BOARD

www.owrb.ok.gov

RECEIVED
DEC 11 2014
CITY ATTORNEY

December 10, 2014

Ms. Mary Ann Karns
City of Shawnee
PO Box 1448
Shawnee, OK 74802

Dear Ms. Karns:

The Oklahoma Water Resources Board (OWRB) has been made aware of the suit filed in Pottawatomie County, *The Citizen Potawatomi Nation vs. City of Shawnee*, case no. CV-2014-128, regarding the Citizen Potawatomi Nation ("CPN") petition of detachment of certain lands currently served by the Shawnee Public Works Authority (the "Authority"). The OWRB is concerned about this action and the possible effect that it may have on our outstanding loans with the Authority.

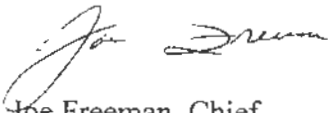
The Authority currently has four (4) outstanding loans with the OWRB including one Clean Water State Revolving Fund Loan, two Drinking Water State Revolving Fund Loans and one State Loan Program Loan. Each of these loan agreements specifically states that "The Borrower will not grant any franchise to provide any services which compete with the System." This language is further codified in Oklahoma State Statute Title 82 Section 1085.36:

After a loan or other financial assistance is obtained under Sections 1085.31 through 1085.65 of this title, and during the term of such loan or other financial assistance, no person, other than the eligible entity obtaining the financial assistance, shall be authorized to provide services of the type relied on for security of the loan or other financial assistance to customers of the portion of the system that is identified in the loan documents as collateral for the loan and either (1) in existence at the time of the loan or other financial assistance or (2) financed by the loan or other financial assistance.

As described in the promissory notes, collateral for the Authority's loans with OWRB includes a pledge and assignment of revenues derived from the Authority's operation of the water and sanitary sewer systems serving the City of Shawnee. Therefore, removing customers from the service area may impact the security of the loans, not to mention violate the laws and contractual provisions designed to provide such security. OWRB respectfully requests that the loan agreements and above stated statutory language be taken into consideration as the action between the CPN and City of Shawnee moves forward.

If you have any questions, or if I can be of any further assistance, please contact me at 405-530-8800 or joe.freeman@owrb.ok.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Freeman", written in a cursive style.

Joe Freeman, Chief
Financial Assistance Division