AGENDA
SHAWNEE MUNICIPAL AUTHORITY
March 18, 2013 AT 6:30 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

1. Consider approval of Consent Agenda:

   a. Minutes from the March 4, 2013 regular meeting

2. New Business

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

3. Administrative Reports

4. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

Shawnee Municipal Authority **1. a.**

Meeting Date: 03/18/2013

Minutes

Submitted By: Donna Mayo, Administration

Department: Administration

Title of Item for Agenda

Minutes from the March 4, 2013 regular meeting

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 IN THE COMMISSION CHAMBERS AT CITY HALL, 9TH AND BROADWAY, SHAWNEE, OKLAHOMA, MONDAY, MARCH 4, 2013, 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: Stephens, Agee, Harrod, Mainord, Hall, Winterringer, Smith
ABSENT: None

Call to Order

Declaration of a Quorum

AGENDA ITEM NO. 1: Consider approval of Consent Agenda

a. Minutes from the February 19, 2013 regular meeting
b. Budget Amendment
   To adjust water items and to add money for airport lift station that was commission approved.
c. Accept right-of-way easements for North Park Sewer line for Severn Street:

   1. Mrs. Betty Ray Gilbert
      A 5' Easement located in parts of Lot 4 and Lot 5, Block 5 of North Park

   2 Mr. & Mrs. Cory & Destiny McLoud Revocable Living Trust
      A 10' Easement located in part of Lot 4, Block 5 of North Park Addition

   3. Mr. & Mrs. Caroll E,. & Vickie R. Shinn
      A 10' Easement located in part of Lot 4, Block 5 of North Park Addition

   4. Mrs. Myra Jean Bray Revocable Living Trust
      A 1 0' Easement located in Lot 1, Block 5 of North Park Addition

   5. Mr. George Avitia
      A 10' Easement located in part of Lot 2, Block 5 of North Park

   6. Mr. Robert L. Franklin
      A 10' Easement located in part of Lot 2, Block 5 of North Park

   7. Ms. Carrie Huston

A 10' Easement located in part of Lot 3, Block 5 of North Park

8. Mr. & Mrs. Alfred H. & Adriane C. Bryce Revocable Living Trust
   A 10' Easement located in part of Lot 3, Block 5 of North Park Addition

9. Mr. Curtis Hargus
   A 10' Easement located in parts of Lot 3 and Lot 4, Block 5 of North Park Addition

10. Bank of America, N.A.
    A 10' Easement located in parts of Lot 2 and Lot 3, Block 5 of North Park

d. Accept right-of-way easement for Kimberly Sewer Lift Station:

1. Absentee Shawnee Housing Authority

Utility easement legal description: a utility easement located in the southeast corner of the above described property in the northeast quarter of the southeast quarter of section 20, township 10 north, range 4 east of the Indian Meridian, Pottawatomie County, Oklahoma, being more particularly described as follows: beginning at the southeast corner the above described description; thence north east line a distance of 62.00 feet, also being 66.40 feet north of the centerline of E. Main Street; thence west a distance of 25.00 feet; thence south a distance of 62.00 feet also being 66.40 feet south to the Centerline of E. Main Street; thence east 25.00 feet to the point of beginning containing 0.035 acres more or less.

TRUSTEE HARROD LEFT MEETING AT 7:51 P.M.

A motion was made by Trustee Winterringer, seconded by Trustee Stephens, to approve the Consent Agenda items 1(a-d). Motion carried 6-0.

AYE: Winterringer, Stephens, Agee, Mainord, Hall, Smith
NAY: None

TRUSTEE HARROD RETURNED TO MEETING AT 7:56 P.M.

AGENDA ITEM NO. 2: Consider and take action with respect to a resolution of the Shawnee Municipal Authority authorizing a loan from the Oklahoma Water Resources Board in the total aggregate principal amount of not to exceed $13,350,000; approving the issuance of a promissory note in the total aggregate principal amount of not to exceed $13,350,000, secured by a pledge of revenues and authorizing its execution; designating the local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a loan 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.

Resolution No. SMA-2013-02 was introduced.

A RESOLUTION OF THE SHAWNEE MUNICIPAL AUTHORITY AUTHORIZING A LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $13,350,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $13,350,000, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; DESIGNATING THE LOCAL TRUSTEE AND APROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN 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.

Commissioner Agee questioned City Manager Brian McDougal regarding the timing of this loan and asked if this matter could have been brought to the Commission for consideration any sooner. Mr. McDougal explained the timeline from his perspective and Mr. John Waldo with BOSC, a division of BOKF, NA also spoke of the timing issue, which is tied to current low interest rates. After a lengthy discussion, review of loan options and questions from Commissioners, it was determined that Option No. 5, as presented on Exhibit B provided by BOSC would be the best fit for the City. This option matures in 9.5 years (October 1, 2022) and would result in a net present value savings of $1,848.648.48.

A motion was made by Trustee Agee, seconded by Trustee Smith, to approve a resolution of the Shawnee Municipal Authority authorizing a loan from the Oklahoma Water Resources Board in the total aggregate principal amount of not to exceed $13,350,000; approving the issuance of a promissory note in the total aggregate principal amount of not to exceed $13,350,000, secured by a pledge of revenues and authorizing its execution; designating the local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a loan 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; and approval of OPTION NUMBER 5 FROM EXHIBIT "B" *Maturity: October 1, 2022 (Front-loaded 9.5 year term – 3.75 years shorter*. Motion carried 7-0.

AYE: Agee, Smith, Stephens, Harrod, Mainord, Hall, Winterringer
NAY: None

Resolution No. SMA-2013-02 was adopted by the Shawnee Municipal Authority.

AGENDA ITEM NO. 3: Consider Bids:

a. Sanitary Sewer Rehab Project (Various Locations) Contract No. SMA-13-05 (Award)

Interim Public Works Director Steve Nelms announced that five bids were received and after review and consideration it was staff's recommendation to award the bid to Jordan Construction of Tecumseh, Oklahoma in the total amount of $740,955.00.

A motion was made by Trustee Harrod, seconded by Trustee Smith, to accept staff's recommendation and award the bid to Jordan Construction in the total amount of $740,955.00. Motion carried 7-0.

AYE: Harrod, Smith, Stephens, Agee, Mainord, Hall, Winterringer
NAY: None

AGENDA ITEM NO. 4: 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. 5: Administrative Reports

There was no Administrative Reports.

AGENDA ITEM NO. 6: Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (8:21 p.m.)

____
WES MAINORD
CHAIRMAN

ATTEST:

(SEAL)

____
PHYLLIS LOFTIS, CMC, CITY CLERK
SECRETARY