

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 8th day of November, 2022 and that an agenda of said meeting was posted at the place of such meeting at 3:00 p.m. on the 9th day of November, 2023.



Cynthia J. Price, City of Durant

**MINUTES OF THE MEETING OF DURANT CITY UTILITIES AUTHORITY
November 14, 2023 AT 6:00 PM
Roscoe J. Hatfield Council Chambers
300 West Evergreen
Durant, Oklahoma**

CALL TO ORDER

Chairman Tucker called the meeting to order at 6:07 p.m.

ROLL CALL

Present:

Trustee Lauran Fuller
Trustee Humphrey Miller
Trustee Danny Sherrer
Vice Chairman Mike Simulescu
Chairman Martin Tucker
City Attorney Tom Marcum
Interim City Manager Rick Rumsey
City Clerk Cynthia J. Price

Absent:

None

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes of October 10, 2023
- b. Consider Approval of the Schedule of Regular Meetings for the Durant City Utilities Authority for Calendar Year 2024

Motion To: Approve Consent Items as Presented

Motion By: Humphrey Miller

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

4. Administration

- a. Consider and Take Action with Respect to a Resolution of the Durant City Utilities Authority (the "Borrower") Approving and Authorizing a Clean Water SRF Loan From the Oklahoma Water Resources Board in the Total Aggregate Principal Amount of \$23,000,000.00; Approving the Issuance of a Promissory Note in the Total Aggregate Principal Amount of \$23,000,000.00, 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, as Amended; Ratifying, Confirming, and Approving a Sales Tax Agreement By and Between the City and the Borrower Pertaining to a Year-To-Year Pledge of Certain Sales Tax Revenue; Approving and Authorizing Application to the Oklahoma Water Resources Board; Approving Professional Services Agreements; Approving Various Covenants; Approving and Authorizing Payment of Fees and Expenses; and Containing Other Provisions Relating Thereto (R-2023-23)

Motion To: Approve Resolution of the Durant City Utilities Authority (the "Borrower") Approving and Authorizing a Clean Water SRF Loan From the Oklahoma Water Resources Board in the Total Aggregate Principal Amount of \$23,000,000.00; Approving the Issuance of a Promissory Note in the Total Aggregate Principal Amount of \$23,000,000.00, 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, as Amended; Ratifying, Confirming, and Approving a Sales Tax Agreement By and Between the City and the Borrower Pertaining to a Year-To-Year Pledge of Certain Sales Tax Revenue; Approving and Authorizing Application to the Oklahoma Water Resources Board; Approving Professional Services Agreements; Approving Various Covenants; Approving and Authorizing Payment of Fees and Expenses; and Containing Other Provisions Relating Thereto (R-2023-23)

Motion By: Humphrey Miller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

5. New Business

There was no new business.

ADJOURNMENT

Motion To: Adjourn Meeting

Motion By: Humphrey Miller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None