

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 June 5, 2020 at 2:00 p.m. and that an agenda of said meeting was posted at the place of such meeting at 10:16 a.m. on the 12th day of June, 2020.

**MINUTES OF THE SPECIAL CALLED MEETING OF THE DURANT CITY UTILITIES
AUTHORITY OF June 16, 2020 AT 6:00 PM, Roscoe J. Hatfield Council Chambers, 300
West Evergreen, Durant, Oklahoma 74701**

CALL TO ORDER

Chairman Grube called the meeting to order at 6:39 p.m.

ROLL CALL

Present: Trustee Mike Morris	City Manager John Dean
Trustee Danny Sherrer	City Attorney Tom Marcum
Trustee Jerry Tomlinson	City Clerk Cynthia J. Price
Vice Chairman Steve Brittingham	
Chairman Oden Grube	

Absent: None (*denotes partial attendance)

Chairman Grube declared a quorum.

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 May 12, 2020

Approved

Motion was made by Mike Morris and seconded by Steve Brittingham to approve consent item as presented.

Motion Passed with the following vote: Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

2. Information Items

- a. Landfill Monthly Report - May 2020
- b. Public Works Director Monthly Report - May 2020

- c. Solid Waste Department Monthly Report - May 2020
- d. Utility Department Monthly Report - May 2020
- e. Water and Sewer Line Maintenance Monthly Report - May 2020
- f. Water Treatment Plant Monthly Report - May 2020

3. Administration

- a. Consider Proposal of Negotiated Fee for Excessive Strength Charges from The Choctaw Nation Utility Authority

Approved

Public Works Director Marty Cook addressed the Authority Board and recommended approval of negotiated fee.

Motion was made by Jerry Tomlinson and seconded by Danny Sherrer to approve negotiated fee for excessive strength charges from the Choctaw Nation Utility Authority.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- b. Consider Approval of Work Order # DU-20-01 for Professional Services with Wall Engineering for Water Treatment Plant Improvements in the Amount of \$309,985.00

Approved

Public Works Director Marty Cook addressed the Authority Board and stated the professional services includes engineering fees for the project.

Motion was made by Steve Brittingham and seconded by Danny Sherrer to approval of Work Order #DU-20-01 for Professional Services with Wall Engineering for Water Treatment Plant Improvements in the amount of \$309,985.00.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

- c. CONSIDER AND TAKE ACTION WITH RESPECT TO RESOLUTION 2020-23 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 \$12,935,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$12,935,000, 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, 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 VARIOUS COVENANTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Approved

Motion was made by Danny Sherrer and seconded by Jerry Tomlinson to approve Resolution 2020-23 approving and authorizing a Clean Water SRF Loan from the Oklahoma Water Resources Board in the total aggregate principal amount of \$12,935,000, 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, 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 various covenants; approving and authorizing payment of fees and expenses; and containing other provisions thereto.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson

Adjournment

Motion was made by Steve Brittingham and seconded by Mike Morris to adjourn meeting.

Motion Passed with the following vote:

Ayes: Brittingham, Grube, Morris, Sherrer, Tomlinson