

Council Chambers  
Municipal Building  
December 11, 2012

The McAlester Public Works Authority met in a Regular session on Tuesday, December 11, 2012, at 6:00 P.M. after proper notice and agenda was posted December 10, 2012.

Present: Weldon Smith, John Titsworth, Travis Read, Robert Karr, Buddy Garvin, Sam Mason, & Steve Harrison  
Absent: None  
Presiding: Steve Harrison, Chairman

Chairman Harrison convened the McAlester Public Works Authority at 7:20 P.M.

- Consider and Take Action with respect to a Resolution authorizing the McAlester Public Works Authority (the “Authority”) to issue its utility system and sales tax revenue refunding note, taxable series 2012 (the “Note”) in the aggregate principal amount of not to exceed \$26,200,000.00; waiving competitive bidding and authorizing the note to be sold on a negotiated basis; approving and authorizing execution of a sales tax agreement by and between the city of McAlester, Oklahoma (the “City”) and the Authority pertaining to a year-to-year pledge of certain sales tax revenue; approving and authorizing execution of an indenture authorizing the issuance and securing the payment of the Note; providing that the organizational document creating the Authority is subject to the provisions of the indenture; ratifying and confirming a lease pertaining to the City’s water, sanitary sewer, and garbage systems; authorizing and directing the execution of the Note and other documents relating to the transaction, including an escrow deposit agreement; and containing other provisions relating thereto. (*Jon Wolff, Municipal Finance Services, Inc*) (*Allan A. Brooks, The Public Finance Law Group PLLC*)

Executive Summary

Motion to approve Resolution and authorizing the McAlester Public Works Authority (the “Authority”) to issue its utility system and sales tax revenue refunding note, taxable series 2012 (the “Note”) in the aggregate principal amount of not to exceed \$26,200,000.00.

A motion was made by Mr. Titsworth and seconded by Mr. Smith to approve RESOLUTION NO. 12-18, and authorizing the McAlester Public Works Authority (the “Authority”) to issue its utility system and sales tax revenue refunding note, taxable series 2012 (the “Note”) in the aggregate principal amount of not to exceed \$26,200,000.00.

Before the vote, Allan A. Brooks, The Public Finance Law Group PLLC., verified that the Board had received the correct document. There was no further discussion, and the vote was taken as follows:

AYE: Trustees Titsworth, Smith, Read, Karr, Garvin, Mason, & Chairman Harrison  
NAY: None

Chairman Harrison declared the motion carried.

Chairman Harrison recessed the McAlester Public Works Authority at 7:24 P.M., to sign the required documents for this item.

The McAlester Public Works Authority was reconvened at 9:11 P.M.

A motion was made by Mr. Karr and seconded by Mr. Garvin to approve the following:

- Approval of the Minutes from the November 27, 2012 Regular Meeting of the McAlester Public Works Authority *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item B, regarding claims ending December 4, 2012. *(Toni Ervin, Chief Financial Officer)* In the amount of \$83,691.63.
- Confirm action taken on City Council Agenda Item C, authorizing the Mayor to sign four copies of the proposed adjusted McAlester/Krebs urban boundary for the Oklahoma Department of Transportation Planning and Research Division. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item D, a resolution approving Cobb Engineering Company to provide engineering services to the City of McAlester for compliance with National Bridge Inspection Standards. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*
- Accept 2013 Annual Meeting Schedule for the McAlester Public Works Authority of the City of McAlester. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 1, Discussion and update on Hampel Oil Distributors, Inc. CDBG-EDIF grant project. *(Millie Vance, Private Consultant)*
- Confirm action taken on City Council Agenda Item 3, a Resolution approving the incurrence of indebtedness by the McAlester Public Works Authority (the “Authority”) issuing its utility system and sales tax revenue refunding note, taxable series 2012 (the “Note”); providing that the organizational document creating the authority is subject to the provisions of the indenture authorizing the issuance of said note; waiving competitive bidding with respect to the sale of said note and approving the proceedings of the authority pertaining to the sale of said note; approving and authorizing execution of a sales tax agreement by and between the City of McAlester, Oklahoma (the “City”) and the authority pertaining to the year-to-year pledge of certain sales tax revenues; ratifying and confirming a lease pertaining to the city’s water, sanitary sewer, and garbage systems; and containing other provisions relating thereto. *(Jon Wolff, Municipal Finance Services, Inc) (Allan A. Brooks, The Public Finance Law Group PLLC)* RESOLUTION NO. 12-18.
- Confirm action taken on City Council Agenda Item 4, endorsing a Resolution of the remaining Trustees to dissolve the McAlester Parking Authority. *(Joe Ervin, City Attorney)*

- Confirm action taken on City Council Agenda Item 5, McAlester Regional Health Center Quarterly Presentation 2012. *(David Keith, FACHE, President/Chief Executive Officer)*
- Confirm action taken on City Council Agenda Item 6, two Resolutions of Support for the Southwinds Aldridge Apartments, LP Development and authorizing a monetary contribution from Economic Development funds in the amount of \$14,001. *(Peter J. Stasiak, City Manager)*
- Confirm action taken on City Council Agenda Item 7, an Ordinance amending Ordinance No. 2425 which established the budget for fiscal year 2012-2013; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, CFO)*

Approval of the attached Transfer of Appropriations for FY 2012-2013. *(Toni Ervin, CFO)*

- Confirm action taken on City Council Agenda Item 8, Amend Ordinance No. 2443 by the addition and enactment of an Emergency Clause. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 9, an Ordinance to Extend the Term of the Cable Television Permit for the Allegiance Communications, LLC to five (5) years, which will expire on October 28, 2017. *(Joe Ervin, City Attorney)*
- Confirm action taken on City Council Agenda Item 10, accepting the Traffic Signal Improvements at the intersection of Wyandotte Avenue and Strong Boulevard. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 11, Resolution pertaining to the Recordkeeping and Disposal of Public Records. *(Cora Middleton, City Clerk)*
- Confirm action taken on City Council Agenda Item 12, the lease/purchase of one new and unused, asphalt paver for approximately \$350,000, and authorizing the City to borrow the necessary funds. *(John C. Modzelewski, PE, City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 13, award of bid to YellowHouse Machinery Co. for the purchase of one (1) New and Unused 2012 Model 410 K Backhoe Loader. *(David Medley, PE, Utilities Director)*
- Confirm action taken on City Council Agenda Item 14, Change Order No. 1 – Final and Contractor’s Pay Estimate No. 3 – Final for the Taylor Industrial Park 12-Inch Main Water Improvements Project. Change Order No. 1 reconciles the final quantities and results for an addition of \$51,075.00 to the contract amount
- Confirm action taken on City Council Agenda Item 17, closing 10<sup>th</sup> Street lying between Lots 4, in Block 325, and Lot 4, in Block 326 and to retain utility easements. *(Peter J. Stasiak, City Manager)*

There was no discussion, and the vote was taken as follows:

AYE: Trustees Smith, Titsworth, Read, Karr, Garvin, Mason, & Chairman Harrison

NAY: None

Chairman Harrison declared the motion carried.

There being no further business to come before the Authority, Mr. Karr moved for the meeting to be adjourned, seconded by Mr. Garvin. There was no discussion and the vote was taken as follows:

AYE: Trustees Smith, Titsworth, Read, Karr, Garvin, Mason, & Chairman Harrison

NAY: None

Chairman Harrison declared the motion carried.

ATTEST:

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Steve Harrison, Chairman

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Cora Middleton, Secretary