

Council Chambers
Municipal Building
May 13, 2014

The McAlester Public Works Authority met in a Regular session on Tuesday, May 13, 2014, at 6:00 P.M. after proper notice and agenda was posted May 9, 2014.

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

A motion was made by Mr. Smith and seconded by Mr. Read to approve the following:

- Approval of the Minutes from the April 22, 2014 Regular Meeting of the McAlester Public Works Authority. (*Cora Middleton, City Clerk*)
- Confirm action taken on City Council Agenda Item B, regarding claims ending May 6, 2014. (*Toni Ervin, Chief Financial Officer*) in the amount \$79,776.40
- Confirm action taken on City Council Agenda Item C, the Mayor to sign forms necessary to view the City of McAlester's BancFirst accounts online. (*Toni Ervin, Chief Financial Officer*)
- Confirm action taken on City Council Agenda Item D, authorizing the Mayor to sign a Resolution amending Healthcare Coverage with Oklahoma Public Employees Health & Wellness in the amount of \$476.14 per full time regular employee and to include Vision Coverage in the amount of \$6.28 for a period of July 1, 2014 through June 30, 2015, and appointing a member of the City of McAlester Administration to the OPEH&W Plan Board. (*Toni Ervin, Chief Financial Officer & Peter J. Stasiak, City Manager*)
- Confirm action taken on City Council Agenda Item E, authorization of payment to EST, Invoice No. 32134, in the amount of \$13,170.00 for Construction Management Services related to CIP#1 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item F, authorization of payment to Poe & Associates, Inc., Invoice No. 0-203031-8595, in the amount of \$39,810.95 for engineering services related to CIP#2 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)
- Confirm action taken on City Council Agenda Item G, authorization of payment to Mehlburger Brawley, Invoice No. MC-14-01-01, in the amount of \$55,900.00 for engineering services related to CIP#3 and funded through the McAlester Public Works Authority Construction Fund Series 2013 Project Account. (*John C. Modzelewski, P.E., City Engineer and Public Works Director*)

- CONFIRM ACTION TAKEN ON CITY COUNCIL AGENDA ITEM 1, WITH RESPECT TO A RESOLUTION AUTHORIZING THE MCALESTER PUBLIC WORKS AUTHORITY (THE “AUTHORITY”) TO ISSUE ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2014 (THE “NOTE”) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,910,000.00; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; RATIFYING AND CONFIRMING 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; ESTABLISHING THE AUTHORITY’S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY THE AUTHORITY IN CALENDAR YEAR 2014, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. *(Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC)*
- CONFIRM ACTION TAKEN ON CITY COUNCIL AGENDA ITEM 2, WITH RESPECT TO A RESOLUTION OF THE CITY OF MCALESTER, OKLAHOMA (THE “CITY”) APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MCALESTER PUBLIC WORKS AUTHORITY (THE “AUTHORITY”) ISSUING ITS UTILITY SYSTEM AND SALES TAX REVENUE NOTE, SERIES 2014 (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; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN 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; ESTABLISHING THE CITY’S REASONABLE EXPECTATION WITH RESPECT TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY OR ON BEHALF OF SAID CITY IN CALENDAR YEAR 2014, AND DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION; AND CONTAINING OTHER PROVISIONS RELATING THERETO. *(Jon Wolff Municipal Finance Services, Inc. and Alan Brooks, Public Finance Law Group PLLC)*

- Confirm action taken on City Council Agenda Item 3, an Ordinance amending Ordinance No. 2467 which established the budget for fiscal year 2013-2014; repealing all conflicting ordinances; providing for a severability clause; and declaring an emergency. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 4, Change Order No. 1 to the contract with Goodwin & Goodwin for the construction of 2013 CDBG Water Improvements along West Street and Birch Street and authorize the Mayor to sign Change Order No. 1 in the amount of \$35,600.00. *John C. Modzelewski, P.E., City Engineer and Public Works Director)*
- Confirm action taken on City Council Agenda Item 6, an Ordinance amending Chapter 106, Article II, Section 106-75. When due and payable: delinquency. Repealing all conflicting ordinances; Providing for a severability clause; and establishing an effective date. *(Toni Ervin, CFO)*
- Confirm action taken on City Council Agenda Item 9, Presentation and Submittal of the Preliminary Annual Operating Budget for FY 2014/2015. *(Toni Ervin, Chief Financial Officer for Peter J. Stasiak, City Manager)*

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

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

NAY: None

Chairman Harrison declared the motion carried.

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

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

NAY: None

Chairman Harrison declared the motion carried.

Steve Harrison, Chairman

ATTEST:

Cora Middleton, Secretary