

MINUTES OF THE PUBLIC WORKS AUTHORITY MEETING, JULY 20, 2010

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Public Works Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, July 20, 2010 at 5:30 P.M. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on July 16, 2010.

Chairman Bryson called the meeting to order with the following present:

CHAIRMAN: Allen Bryson

TRUSTEES: Steve Jones, John Jordan, Terry Wheeler, Bob Marcy

CITY MANAGER: Grayson Bottom

CITY CLERK: Lisa Anders

CITY TREASURER: Debra Blanchard

DEPUTY CLERK: Rhonda Williams

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green and Mike Smith

OTHERS: Arnold Adams, David Crabtree, Gene McCullough, Jeff Raley, Jason Sternberger, Bobby Hoffman, and others.

Nathan Marsh of the Broadway Heights Baptist Church opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of July 6, 2010

Moved by Trustee Marcy and seconded by Trustee Jordan, that Consent Agenda Item No. 3 (a) be approved.

Chairman put the motion to a roll call vote:

Aye: Marcy, Jordan, Jones, Wheeler, Bryson

Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO. 4. ACTION ITEMS

4A. AUTHORIZE MAYOR TO SIGN MEMORANDUM AGREEMENT BETWEEN CLINTON PUBLIC SCHOOLS, CLINTON CITY COUNCIL AND CLINTON PUBLIC WORKS

City Manager Grayson Bottom reported that he and Superintendent Jason Sternberger had discussed various financing types for the school and the requested being presented seemed reasonable. He said the Jeff Raley of the Floyd Law Firm had contacted Randy and Ryan Meacham regarding the City's role in the finance package.

Jeff Raley, attorney with Floyd Law Firm explained the financing process and the leasing of revenue bonds. He explained that the City would not be responsible for any debt. He said this would create a partnership between the school and the city.

Trustee Wheeler asked why the school was not able to bond \$13,500,000.

Superintendent Jason Sternberger said that last year the school had capped out.

Ryan Meacham explained that state statutes provides for the ability for Authorities to be a pass through entity.

City Manager Grayson Bottom referred to paragraph d in the Memorandum Agreement where it states that the Public Works Authority shall not be obligated.

Jeff Raley said there would be built in payments to the Authority and the Authority would be issuing the bonds and conducting the annual audit.

Superintendent Sternberger said the overall project is for fifteen years. He said every other year there would be a payoff.

Trustee Wheeler asked to confirm that this would not affect the City in any way.

City Manager Bottom said it would not affect the City.

Jeff Raley said because the school and city are growing and developing that is the reason this type of financing was recommended. He said without the agreement between the school and the city, it would take longer for the project to be completed.

Motion was made by Trustee Wheeler and seconded by Trustee Jordan to approve the Memorandum Agreement between Clinton Public Schools, Clinton City Council and Clinton Public Works.

Chairman put the motion to a roll call vote:

Aye: Wheeler, Jordan, Jones, Marcy, Bryson

Nay: None

Chairman declared the motion carried.

4B. CONSIDERATION AND ACTION UPON A RESOLUTION APPROVING THE INCURRING OF INDEBTEDNESS BY THE CLINTON PUBLIC WORKS AUTHORITY (HEREIN THE "AUTHORITY") TO BE ACCOMPLISHED BY THE ISSUANCE OF LEASE REVENUE BONDS, NOTES OR OTHER EVIDENCES OF INDEBTEDNESS ON A TAX-EXEMPT OR TAXABLE BASIS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED THIRTEEN MILLION FIVE HUNDRED THOUSAND AND NO/100 (\$13,500,000) TO PROVIDE FUNDS TO INDEPENDENT SCHOOL DISTRICT NO. 99, CUSTER COUNTY, OKLAHOMA ("CLINTON PUBLIC SCHOOLS) THE ACQUISITION, CONSTRUCTION, EQUIPPING, RENOVATING AND REMODELING OF SCHOOL BUILDINGS, ACQUIRING SCHOOL FURNITURE, FIXTURES, AND EQUIPMENT AND ACQUIRING AND IMPROVING SCHOOL SITES; ESTABLISH A RESERVE FUND, IF ANY, CAPITALIZE INTEREST, IF ANY AND PAY COSTS OF ISSUANCE; WAIVING COMPETITIVE BIDDING IN REGARD THERETO; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS IN CONNECTION THEREWITH, INCLUDING, BUT NOT LIMITED TO, A BOND INDENTURE, A GROUND LEASE AGREEMENT, A SUBLEASE AGREEMENT, A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A CONTINUING DISCLOSURE AGREEMENT AND A BOND PURCHASE AGREEMENT; SELECTION OF A CONTINUING DISCLOSURE AGREEMENT AND A BOND PURCHASE AGREEMENT; SELECTION OF PROFESSIONALS TO EFFECT SAID FINANCING AND THE TAKING OF OTHER ACTION WITH RESPECT THERETO.

City Manager Grayson Bottom explained that the resolution could be passed by the Authority but it should be noted that the School Board has not approved the Memorandum Agreement. He said that the resolution could be tabled until the School Board has met and then call a special meeting. He said another option discussed would involved the creation of a new and separate authority for this project which would make for a cleaner process.

Trustee Wheeler asked what would happen in the City approved the documents and the School Board declined.

City Manager Bottom said nothing would happen.

City Treasurer Debra Blanchard said currently the Clinton Public Works Authority has three bond issues.

Motion was made by Trustee Wheeler and seconded by Trustee Jones to approve Resolution PW10-01 regarding the financing for Clinton Public Schools.

Chairman put the motion to a roll call vote:

Aye: Wheeler, Jones, Jordan, Marcy, Bryson

Nay: None

Chairman declared the motion carried.

AGENDA ITEM NO .5: CITY MANAGER’S REPORT

City Manager Grayson Bottom reported the waterline for the Northeast Waterline replacement project has all been laid and the city is in the process of cleaning up the area.

Public Works Director Arnold Adams said they would be putting water in the lines for testing and after completing of testing, the new service would begin.

AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

Bobby Hoffman asked about the Water Treatment contract. He asked for copies of the minutes of the meeting where the two proposals were presented. He also asked about the Sinor Ambulance contract. He asked if any audits had been conducted of the business since the original audit when the first agreement was created.

Chairman Bryson said there had been one audit since the original audit.

Mr. Hoffman said he has been please with the outcome of the ambulance service.

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Jones and seconded by Trustee Marcy that the meeting adjourn.

Chairman put the motion to a roll call vote:

Aye: Jones, Marcy, Wheeler, Jordan, Bryson

Nay: None

Chairman declared the meeting adjourned at 6:20 pm.