

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
AND THE MOORE RISK MANAGEMENT BOARD
JULY 6, 2010 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma on July 6, 2010 at 6:30 p.m. with Mayor Glenn Lewis presiding.

David Roberts
Councilman, Ward I

Robert Krows
Councilman, Ward I

Kathy McMillan
Councilwoman, Ward II

Janie Milum
Councilwoman, Ward II

Jason Blair
Councilman, Ward III

Terry Cavnar
Councilman, Ward III

PRESENT: Krows, Blair, Cavnar, Roberts, Milum, Lewis
ABSENT: McMillan

STAFF MEMBERS PRESENT: City Manager, Steve Eddy, Assistant City Manager, Stan Drake; City Attorney, Randy Brink; City Clerk, Jim Corbett; Community Development Director, Elizabeth Jones; Economic Development Director, Deidre Ebrey; Emergency Management/Communications Director, Gayland Kitch; Manager of Information Technology, David Thompson; Fire Chief, Charles Stephens; Parks & Recreation Director, Cindy Deckard; Risk Manager, Gary Benefield; Police Chief, Ted Williams; Public Works Director, Richard Sandefur; Veolia Water Project Manager, Robert Pistole; and Purchasing Agent, Carol Folsom.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 21, 2010.
- B) RECEIVE THE MINUTES OF THE PLANNING COMMISSION MEETING HELD MAY 11, 2010.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$1,870,009.83.

Councilman Krows moved to approve the consent docket in its entirety, second by Councilman Roberts. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 3 being:

RECEIVE AND ACCEPT REPORT FROM NYHART REGARDING GASB 45 AND OTHER POST EMPLOYMENT BENEFITS FOR FISCAL YEAR ENDED JUNE 30, 2010.

Jim Corbett, Finance Director, stated that as part of the annual auditing requirements GASB 45 requires the City to obtain an actuarial report on the health and life insurance costs for the City's retirees. Mr. Corbett advised that Randy Gomez with Nyhart Actuaries would present the report to the City Council.

Mr. Gomez stated that retirees are allowed to continue as participants in the City's self-insured medical plan. Spouses and their dependents are covered and the City pays for the benefits on a pay-as-you-go basis. In other words, there is no attempt to prefund in advance of the bills. Mr. Gomez stated that there is a deliberate subsidy to the plan. The City agrees to pay a certain portion and the retiree pays the balance. Once an employee reaches the age of 65 and become Medicare eligible, the City offers them a buyout option. If the retiree leaves the City's plan and proves that they have other health coverage, the City will pay up to \$300.00 toward reimbursement for the alternate coverage. Mr. Gomez referred Council to a section of the report on Implicit Subsidy. Mr. Gomez stated that from a macroeconomic point of view insurance only works when there is a pool of people. The City's pool would include current employees and retirees. Retiree health care coverage is implicitly more expensive. The excess is what he would attribute to the City as a GASB 45 accounting liability. He stated the accounting liability would be there as long as the City continues to offer insurance to the retirees. Mr. Gomez advised that the amount of cash necessary to pay the bills for retiree health care is approximately \$14,600,000. However, the City is not required to fund this amount, only to disclose the liability. Actuarial numbers are not static, they move as the City grows and shrinks, with design changes, and changes in premium. He stated that the bottom line is when the City closes out financial statements for June 2010 there will be a balance sheet liability of \$2.3 million. The report is acknowledgement that sometime in the future the City will pay \$2.3 million towards retiree health care and that this future health care expense has been recognized.

Councilman Krows moved to accept a report from Nyhart regarding GASB 45 and Other Post Employment Benefits for fiscal year ended June 30, 2010, second by Councilman Roberts. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 4 being:

CONSIDER RESOLUTION NO. 703(10) AMENDING THE CITY'S FEE SCHEDULE REGARDING INTEREST PAID ON UTILITY DEPOSITS.

Jim Corbett, Finance Director, stated that the City's policy regarding interest paid on utility deposits has been in place for several years. Currently the interest rate paid on the deposit reimbursements is 3%. The City is not earning anywhere close to that rate on the City's investments. Therefore, staff would propose paying a comparable interest rate to what the City would earn on the investments. Mr. Corbett indicated that the City is currently earning less than 1%. The City typically invests the utility deposits in June of each year. He recommended taking this rate and using it as the utility deposit interest rate for the next fiscal year.

Mayor Lewis asked if the City was legally required to pay interest on the utility deposits. Mr. Corbett stated that he was unfamiliar with what state law was on the subject, but felt the City should continue to pay some sort of interest rate since the customers were aware of the City's policy.

Councilman Krows asked how much the City has in utility deposits. Mr. Corbett indicated that the City has approximately \$800,000 in utility deposits. The City paid 3% interest on the money or approximately \$24,000 last year. Since the City is receiving less than 1% on the investments, this would result in a \$16,000 to \$18,000 loss. Councilman Cavnar stated that with the proposed change the City would not gain or lose anything. Mr. Corbett stated that he was proposing 10 basis points in the City's favor; however, the gain would be miniscule.

Councilman Krows moved to approve Resolution No. 703(10) amending the City's Fee Schedule regarding interest paid on utility deposits, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 5 being:

CONSIDER A BUDGET SUPPLEMENT FOR THE MOORE ECONOMIC DEVELOPMENT AUTHORITY IN THE AMOUNT OF \$15,000, AND THE DEBT SERVICE FUND IN THE AMOUNT OF \$420,000.

Jim Corbett, Finance Director, stated that the proposed budget supplement was necessary for FY 09-10. Both situations were the result of issuance of debt after the preparation of the fiscal year budget. Mr. Corbett noted that the cash was available; staff was merely requesting authorization to supplement the budget.

Councilman Krows moved to approve a budget supplement for the Moore Economic Development Authority in the amount of \$15,000 and the Debt Service Fund in the amount of \$420,000, second by Councilwoman Milum. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 6 being:

CONSIDER RESOLUTION NO. 704(10) APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MOORE PUBLIC WORKS AUTHORITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$42,837,500 TO BE EVIDENCED BY THE AUTHORITY'S CLEAN WATER SRF PROMISSORY NOTE TO THE OKLAHOMA WATER RESOURCES BOARD; APPROVING ACTIONS TAKEN BY THE AUTHORITY IN CONNECTION THEREWITH; APPROVING AND AUTHORIZING THE EXECUTION OF A SALES TAX AGREEMENT.

Steve Eddy, City Manager, stated that there were two resolutions on the agenda for consideration. Approval of the resolutions authorizes the Oklahoma Water Resources Board loan for construction of the new wastewater treatment plant. Mr. Eddy indicated that the Phase I loan was around \$3.8 to \$3.9 million; however, after applying stimulus monies to that amount the loan balance was closer to \$2.2 million. He added that Phase 2 would include the majority of the debt. Mr. Eddy stated his opinion that the bids would likely come in significantly less than the engineer's estimate of \$42.8 million. The bid opening was scheduled for July 22, 2010, at which time eight to nine large preapproved contractors are expected to bid on the project. Mr. Eddy added that the loan would be a draw down note during construction and a permanent note after that.

Paul Smith, Financial Advisor, advised that Agenda Item No. 18 is the companion resolution. The resolution is asking for City Council approval on the incurrence of debt in the amount of \$42,837,500. The Oklahoma Water Resources Board ("OWRB") already approved the loan based on preliminary cost estimates obtained a few months previously. Mr. Smith stated that once the bids were opened there would be one to two weeks of bid tabulations, and the engineer would verify the performance bonds before a final recommendation is made. The bids are good for 45 to 60 days. This will give Terry Hawkins, Bond Counsel, time to complete the paperwork for closing on the OWRB loan. He stated that with the current economic situation they are hoping for the bids to come in much lower than estimated. Mr. Smith stated that if the loan was closed today the interest rate would be 2.21% interest with administrative fees of .5% totaling just under 2.75%, fixed from the time of closing. Mr. Smith stated that this means interest is only paid on the amount drawn down before a full 20-year loan at the same fixed rate. Many loans have a 10% debt service reserve fund requirement which increases the cost of borrowing funds that sit idle during the time the debt exists; however, Oklahoma Water Resources Board loans do not require reserve funds. Mr. Smith anticipated closing the first week of August. He issued a reminder that the City was under a consent order by the Environmental Protection Agency to do the project.

Councilman Roberts moved to approve Resolution No. 704(10), second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 7 being:

CONSIDER APPROVAL OF CHANGE ORDERS FOR FIRE STATIONS 1, 3 AND 4 IN THE TOTAL AMOUNT OF \$25,801.96.

Stan Drake, Assistant City Manager, noted a change in the amount of the agenda item from \$25,801.96 to \$25,624.62. The items requested are necessary for the completion of Fire Stations No. 1, 3 and 4. Mr. Drake noted that a 70' flag pole and flag were requested in order to help mark Station 1, which will be partially hidden by Home Depot. He added that the general public appears to appreciate flags located on other City property.

Councilman Roberts moved to approve change orders for Fire Stations 1, 3 and 4 in the total amount of \$25,624.62, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 8 being:

CONSIDER RESOLUTION NO. 695(10) SUBMITTING THE THERMAL PLASTIC ROADWAY MARKINGS PROJECT TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR CONSIDERATION AND CONCURRENCE.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 8 and 9 are companion items. Ms. Jones stated that Resolution No. 695(10) was a request for funding from the Oklahoma

Department of Transportation ("ODOT") for thermal plastic roadway striping. The amount of the project is \$236,088, which will be 100% funded by ODOT with the City responsible for engineering fees. A map was included for Council's review that shows the placement of the striping. Staff recommended that Traffic Engineering Consultants be awarded the engineering contract in the amount of \$24,500 for design of the plans required by ODOT.

Councilman Krows moved to approve Resolution No. 695(10), second by Councilman Roberts. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 9 being:

CONSIDER APPROVAL OF A CONTRACT WITH TRAFFIC ENGINEERING CONSULTANTS IN THE AMOUNT OF \$24,500 FOR DESIGN PLANS FOR THE THERMAL PLASTIC ROADWAY MARKINGS PROJECT AT TEN INTERSECTIONS AND SEVEN SECTIONS OF ROADWAY.

Councilman Roberts moved to approve a contract with Traffic Engineering Consultants in the amount of \$24,500 for design plans for the Thermal Plastic Roadway Markings Project at ten intersections and seven sections of roadway, second by Councilwoman Milum. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 10 being:

CONSIDER MOORE VISION 20/20 COMPREHENSIVE PLAN AMENDMENT NO. 19, LOCATED IN THE SE/4 OF SECTION 14, T10N, R3W, BEING NORTH OF NE 2ND STREET AND EAST OF BROADWAY, ALSO KNOWN AS 115 NE 1ST STREET, FROM NEIGHBORHOOD PRESERVATION DISTRICT TO HEAVY COMMERCIAL. APPLICATION BY FLAIR'S BODY SHOP/PHILLIP HANEY

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 10 and 11 were companion items. The subject property is located north of NE 1st Street and east of Broadway Avenue in Old Town, and was developed as a residential property. Approval of Rezoning Application No. 770 previously rezoned the property from C-6 to R-1 to facilitate a home mortgage. The applicant is now requesting to rezone the property from R-1 to C-5 with permissive use for Automotive and Equipment: Heavy in order to expand the existing Flair's Auto Body Shop. This would allow for heavy repair and painting of automobiles. The property has existing water and sewer to serve the site, and access is provided by NE 1st Street. There is one existing curb cut for the residential drive way, and no additional curb cuts for the street are anticipated. The property is designated in the Moore Vision 20/20 as Neighborhood Preservation District; requiring approval of the proposed Comprehensive Plan Amendment No. 19. Staff's review of the application focused on the potential effects for the surrounding residential properties, as well as the long term effect of the residential character of the Old Town area. Because the surrounding zoning and land uses on this segment of NE 1st are primarily commercial in nature, staff does not anticipate significant increases in traffic, noise, or light trespass. Additionally, applying the City's commercial development regulations to the site at the time of the future development should create sufficient buffering and mitigation for the remaining residential properties to the north and the south. Staff recommended approval of Agenda Items No. 10 and 11.

Councilman Krows asked if there was opposition to the rezoning application. Ms. Jones indicated that no protestors appeared at the Planning Commission meeting.

Councilman Cavnar stated he was in support of this item under this scenario but commented he would normally be opposed if the applicant was attempting to rezone property to a heavier use.

Councilman Krows moved to approve Moore Vision 20/20 Comprehensive Plan Amendment No. 19, located in the SE/4 of Section 14, T10N, R3W, being north of NE 2nd Street and east of Broadway, also known as 115 NE 1st Street, from Neighborhood Preservation District to Heavy Commercial, second by Councilwoman Milum. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 11 being:

CONSIDER REZONING APPLICATION NO. RZ-854 LOCATED IN THE SE/4 OF SECTION 14, T10N, R3W, BEING NORTH OF NE 2ND STREET AND EAST OF BROADWAY, ALSO KNOWN AS 115 NE 1ST STREET, FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-5/PU AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT WITH A PERMISSIVE USE FOR AUTO BODY PAINTING AND REPAIRS; AND APPROVE ORDINANCE NO. 670(10). APPLICATION BY FLAIR'S BODY SHOP/PHILLIP HANEY.

Councilman Roberts move approve Rezoning Application No. RZ-854 and Ordinance No. 670(10), second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 12 being:

CONSIDER MOORE VISION 20/20 COMPREHENSIVE PLAN AMENDMENT NO. 20, LOCATED IN THE NW/4 OF SECTION 36, T10N, R3W, BEING SOUTH OF SW 34TH STREET AND EAST OF EASTERN, FROM MEDIUM COMMERCIAL TO LOW DENSITY RESIDENTIAL. APPLICATION BY SHAZ INVESTMENTS, LLC/JALAL FARZENAH.

Elizabeth Jones, Community Development Director, stated that Agenda Items No. 12, 13 and 14 were companion items. The subject property is located south of SW 34th Street and east of Eastern Avenue. The property is currently vacant and the applicant was requesting to rezone the property to R-1 as a PUD for 62 single-family patio homes. The homes will be similar to the ones in Apple Village Sections 1 and 2. Ms. Jones advised that the property has existing water and sewer to serve the site, and access would be from SW 34th Street.

Ms. Jones stated that the property was designated as Medium Commercial. A land use plan amendment is required for the application. The comprehensive plan identifies areas as medium commercial as those that may be appropriate for higher density residential. With a density of seven units per acre this application does meet this requirement. The applicant is requesting a PUD to increase the allowed densities of the development while providing the following amenities:

- Common area will have landscaping, benches, and a walking trail with a detention pond.
- Three difficult home elevations with varying entryways and rooflines to add interest and variety to the neighborhood.

The preliminary plat shows a portion of the property within the 100 year floodplain. All FEMA requirements must be met to remove the property from the floodplain, and detention for the development is provided on-site. Ms. Jones advised that as part of the PUD the applicant was requesting a variance of a 20-foot front building line from the normal 25-foot requirement. They are also requesting a 45-foot wide lot from the normal 55-foot lot. Due to the reduced front building line and the narrow lots, the collector street Green Apple Drive, will be shown as a 32-foot wide roadway to allow emergency vehicles to access the development. Staff recommended approval of the items.

Ms. Jones noted that an area marked on a site map reflects park land adjacent to a common area. She noted that the entire area is a private common area. The City will not have the land as public park land. The final map will be revised to show the land as a common area only.

Councilman Krows asked if the homes would be for sale or rent. Ms. Jones indicated that she did not know what the applicant's intentions were since the City does not regulate whether the homes are sold or rented.

Councilman Roberts moved to approve the Moore Vision 20/20 Comprehensive Plan Amendment No. 20, located in the NW/4 of Section 36, T10N, R3W, being south of SW 34th Street and east of Eastern, from Medium Commercial to Low Density Residential, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 13 being:

CONSIDER REZONING APPLICATION NO. RZ-855 LOCATED IN THE LOCATED IN THE NW/4 OF SECTION 36, T10N, R3W, BEING SOUTH OF SE 34TH STREET AND EAST OF EASTERN, C-3 GENERAL COMMERCIAL DISTRICT TO R-1/PUD SINGLE-FAMILY DWELLING DISTRICT AS A PLANNED UNIT DEVELOPMENT; AND APPROVE ORDINANCE NO. 671(10). APPLICATION BY SHAZ INVESTMENTS, LLC/JALAL FARZENAHA.

Councilman Krows moved to approve Rezoning Application No. RZ-855 and Ordinance No. 671(10), second by Councilman Roberts. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 14 being:

CONSIDER THE PRELIMINARY PLAT OF APPLE VILLAGE ADDITION, SECTION 3, LOCATED IN THE NW/4 OF SECTION 36, T10N, R3W, BEING SOUTH OF SE 34TH STREET AND EAST OF EASTERN. APPLICATION BY SHAZ INVESTMENTS, LLC/JALAL FARZENAH.

Councilman Roberts moved to approve the Preliminary Plat of Apple Village Addition, Section 3, located in the NW/4 of Section 36, T10N, R3W, being south of SE 34th Street and east of Eastern, second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 15 being:

CONSIDER AWARDING 2009 G.O. BOND ISSUE PROJECT NO. 2 "ROADWAY IMPROVEMENTS AT NE 12TH STREET BETWEEN EASTERN AVENUE AND BRYANT AVENUE" TO THE LOWEST AND MOST RESPONSIBLE BIDDER.

Stan Drake, Assistant City Manager, stated that bids were solicited for the second General Obligation Bond Issue project for street improvements on NE 12th Street between Eastern Avenue and Bryant Avenue, with an Alternate A and Alternate B due to the competitive nature of the asphalt and concrete market. Mr. Drake indicated that it was the engineer and staff's recommendation to award the bid to Redlands Contracting for the total base and Alternate B for concrete in the amount of \$3,453,149.61. He stated that Redlands has never performed work for the City of Moore; however, Jeremy McDowell, principle with Redlands was in attendance at the meeting to answer any questions. Mr. Drake indicated that he checked out his references and spoke with the Oklahoma Department of Transportation and he came highly recommended. Mr. Drake stated that the anticipated start date was August 1, 2010 and should be completed in 140 working days.

Councilman Krows moved to award the 2009 G.O. Bond Issue Project No. 2 "Roadway Improvements at NE 12th Street Between Eastern Avenue and Bryant Avenue" to Redlands Contracting in the amount of \$3,453,149.61, second by Councilman Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 16 being:

CONSIDER ACCEPTANCE OF TWO PERMANENT WASTEWATER EASEMENTS NECESSARY FOR CONSTRUCTION OF THE NEW WASTEWATER TREATMENT FACILITY, FROM BETTY TERRY AND SHERRY GUDGEL AND AUTHORIZE PAYMENT FOR SAID EASEMENTS IN THE AMOUNTS OF \$85,964 (TERRY) AND \$61,444 (GUDGEL).

Stan Drake, Assistant City Manager, advised that the acceptance of two wastewater easements was necessary in order to obtain a permit from the Department of Environmental Quality ("DEQ") for the new wastewater treatment plant. The DEQ requires any wastewater treatment facility located within 100 feet from an adjoining property owner to acquire an easement. Betty Terry is the owner of the old Gordon's

Auto Salvage and Sherry Gudgel owns Freck's Truck Parts. Steve Eddy, City Manager, stated that the City worked for approximately one year to avoid obtaining the easements. The City made its case to the Department of Environmental Quality that the treatment plant had existed on its current site for many years; however, they said in order to get a permit to build the plant the easements must be acquired.

Councilman Krows asked how staff came up with the payment amounts. Mr. Drake indicated that the City hired an appraiser who determined the value of the property. Mr. Eddy advised that the amounts are based on \$2.00 per square foot. One easement area contains close to an acre, and the other contains a half acre. The verbiage in the easement is restrictive. He stated that basically the City is purchasing the property without getting title to it.

Councilman Krows moved to accept of two Permanent Wastewater Easements necessary for construction of the new wastewater treatment facility, from Betty Terry and Sherry Gudgel and authorize payment for said easements in the amounts of \$85,964 (Terry) and \$61,444 (Gudgel), second by Councilwoman Milum. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT 7:18 P.M.

Agenda Item Number 17 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD JUNE 21, 2010.
- B) ACCEPT THE GASB 45 AND OTHER POST EMPLOYMENT BENEFITS REPORT FOR FISCAL YEAR ENDED JUNE 30, 2010.
- C) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$485,275.87.

Trustee Krows moved to approve the consent docket in its entirety, second by Trustee Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 18 being:

CONSIDER RESOLUTION NO. 229(10) AUTHORIZING A LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$42,837,500; APPROVING THE ISSUANCE OF A CLEAN WATER SRF PROMISSORY NOTE IN SAID PRINCIPAL AMOUNT TO BE SECURED BY A PLEDGE OF UTILITY AND SALES TAX REVENUES AND LEASEHOLD INTEREST OF THE AUTHORITY IN UTILITY SYSTEMS AND PROPERTIES; DESIGNATING A LOCAL TRUSTEE; APPROVING AND AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL NOTE INDENTURE, LOAN AGREEMENT, SALES TAX AGREEMENT, AND RELATED LOAN DOCUMENTS, CERTIFICATES, AND AGREEMENTS; APPROVING VARIOUS COVENANTS AND REPRESENTATIONS; APPROVING AND

AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Trustee Krows moved to approve Resolution No. 229(10), second by Trustee Roberts. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 19 being:

CONSIDER THE DESIGNATION AND/OR APPOINTMENT OF JIM A. CORBETT, JR., THE CITY CLERK/CITY TREASURER OF THE CITY, TO SERVE AS AN ASSISTANT SECRETARY (NON-VOTING) OF THE AUTHORITY, FOR THE PURPOSE OF EXECUTING ANY AND ALL DOCUMENTS PERTAINING TO AUTHORITY BUSINESS.

Steve Eddy, City Manager, stated that he and Bond Counsel Terry Hawkins had a discussion about the possibility of the Trustees appointing an Assistant Secretary for convenience purposes when it becomes necessary to obtain signatures on various documents. He stated that the position would be non-voting and administratively might make things easier.

Trustee Roberts moved to designate and/or appoint Jim A. Corbett, Jr., the City Clerk/City Treasurer of the City to serve as an Assistant Secretary (non-voting) of the Authority for the purpose of executing any and all documents pertaining to Authority business, second by Trustee Krows. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

Agenda Item Number 20 being:

CONSIDER A BUDGET SUPPLEMENT FOR RISK MANAGEMENT/HUMAN RESOURCES IN THE AMOUNT OF \$500,000, AND APPROVE OPERATING TRANSFER FROM MPWA.

Jim Corbett, Finance Director, stated that the proposed budget supplement request in the amount of \$500,000 for the Risk Management Fund was due to higher than anticipated health claims. With another two weeks left in the fiscal year a supplement became necessary. Mr. Corbett stated that the supplement would require a transfer of funds available from the Moore Public Works Authority Fund. Steve Eddy, City Manager, advised that the MPWA will be paid back from funds that will be available when judgment payments are received from the settlement approved at the June 21, 2010 City Council meeting.

Trustee Krows moved to approve a budget supplement for Risk Management/Human Resources in the amount of \$500,000, and approve operating transfer from MPWA, second by Councilwoman Milum. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT 7:23 P.M.

Agenda Item Number 21 being:

CONSENT DOCKET:

- A) APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD JUNE 21, 2010.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2009-2010 IN THE AMOUNT OF \$243,019.95.

Trustee Krows moved to approve the consent docket in its entirety, second by Trustee Cavnar. Motion carried unanimously.

Ayes: Krows, Blair, Cavnar, Roberts, Milum, Lewis
Nays: None
Absent: McMillan

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 7:24 P.M.

Agenda Item Number 22 being:

NEW BUSINESS:

- A) CITIZENS' FORUM FOR ITEMS NOT ON THE AGENDA.

There were no citizens to speak.

- B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Mayor Lewis thanked City staff for donating their time to the citizens of Moore during the July Fourth celebration. He stated that everyone did an excellent job. The fireworks exhibit was wonderful.

- C) ITEMS FROM THE CITY/TRUST MANAGER.

Steve Eddy, City Manager, expressed his appreciation to all of the departments involved in the Fourth of July festivities. He commented that it takes a colossal effort and he is proud of the activities. Mr. Eddy received phone calls and e-mails about the spectacular fireworks display.

Mayor Lewis announced that Councilwoman McMillan was named as Chairwoman of the Board of Directors for ACOG.

Agenda Item Number 23 being:

ADJOURNMENT

Councilman Cavnar moved to adjourn the City Council meeting, second by Councilman Krows. Motion carried unanimously.

Ayes: Krows, Blair, McMillan, Cavnar, Milum, Roberts

Nays: None
Absent: Lewis

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:27 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

RECORDED BY:

CAROL FOLSOM, Purchasing Agent

FOR:

JANIE MILUM, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2010.

ATTEST:

JIM CORBETT, City Clerk