

**MINUTES OF THE REGULAR MEETING OF
OF THE MOORE CITY COUNCIL
THE MOORE PUBLIC WORKS AUTHORITY
THE MOORE RISK MANAGEMENT BOARD
AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY
FEBRUARY 16, 2021 – 6:30 P.M.**

The City Council of the City of Moore met in the City Council Chambers, 301 North Broadway, Moore, Oklahoma, and by videoconference, on February 16, 2021 at 6:30 p.m. with Vice-Mayor Mark Hamm presiding.

*Adam Webb
Councilman, Ward I*

*Danielle McKenzie
Councilwoman, Ward I*

*Melissa Hunt
Councilwoman, Ward II*

*Mark Hamm
Councilman, Ward II*

*Jason Blair
Councilman, Ward III*

*Louie Williams
Councilman, Ward III*

PRESENT: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
ABSENT: None

APPEARED IN PERSON: Williams, Blair, Hamm
APPEARED BY VIDEOCONFERENCE: McKenzie, Hunt, Webb, Lewis

STAFF MEMBERS PRESENT: City Manager, Brooks Mitchell; Assistant City Manager, Jerry Ihler; Assistant to the Finance Director, Katie Berhalter; City Attorney, Randy Brink; Assistant City Attorney/Risk Manager, Brian Miller; Community Development Director, Elizabeth Weitman; Emergency Management Director, Gayland Kitch; Fire Chief, Greg Herbster; Manager of Information Technology, David Thompson; PC/IT Technician, Zane Gruver; Police Chief Todd Gibson; Sergeant Troy Fullbright; Project-Grants Manager (Capital Planning & Resiliency), Kahley Gilbert; Public Affairs Director, Deidre Ebrey; and Veolia Water Project Manager, Robert Pistole.

Agenda Item Number 2 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 1, 2021.
- B) RECEIVE THE MINUTES OF THE REGULAR PARKS BOARD MEETING HELD JANUARY 5, 2021.
- C) APPROVE A CONTRACT WITH THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS ("ACOG") FOR ACCEPTANCE OF A PUBLIC FLEET CONVERSION GRANT IN THE AMOUNT OF \$32,755.00.
- D) ACCEPT A 5' DRAINAGE EASEMENT FROM JASON AND SHERRY KREITZER AT 1314 LADERA CIRCLE AND JASON AND BLAIR VALENTINE AT 1318 LADERA CIRCLE FOR THE CONSTRUCTION OF A DRAINAGE FLUME.
- E) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$2,605,113.80.

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

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

Agenda Item Number 3 being:

CONSIDER ADOPTION OF RESOLUTION NO. 983(21) OF THE CITY COUNCIL OF THE CITY OF MOORE, OKLAHOMA, APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE MOORE ECONOMIC DEVELOPMENT AUTHORITY (THE "AUTHORITY") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,000,000 IN CONNECTION WITH THE ISSUANCE OF ITS SALES TAX REVENUE NOTE, SERIES 2021 (MUNICIPAL CAPITAL IMPROVEMENTS PROJECT) (THE "NOTE"); PROVIDING THAT THE TRUST INDENTURE, AS AMENDED, CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE GENERAL INDENTURE, AS SUPPLEMENTED AND AMENDED, AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE; APPROVING A SECURITY AGREEMENT BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE DEPOSIT AND TRANSFER OF SALES TAX REVENUE; RATIFYING AND CONFIRMING AN AGREEMENT OF SUPPORT, BETWEEN THE MOORE PUBLIC WORKS AUTHORITY AND THE AUTHORITY WHEREBY THE MOORE PUBLIC WORKS AUTHORITY AGREES TO TRANSFER REVENUES TO THE AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Brooks Mitchell, City Manager, stated that Resolution No. 983(21) was for the issuance of a sales tax revenue note in the amount of \$4 million. Note proceeds would be used to pay for cleanup costs associated with an ice storm that occurred in October 2020. Mr. Mitchell indicated that FEMA would reimburse the City for the cost of the cleanup; however, it might take several months to receive the money. Mr. Mitchell advised that the City's financial advisor, Chris Gander with BOK Securities, and the City's bond counsel, Terry Hawkins with Phillips Murrah, were in attendance and available to answer questions.

Mr. Gander stated that bids were received ranging from the low bid from BB&T with an interest rate of .99% up to 2%. He advised that the loan could be paid off in one year at the first payment date or it would turn into a three payment note that pays off in three years. Mr. Gander indicated that the closing date was scheduled for February 23, 2021. He noted that the total interest paid on the three-year \$4 million note at .99% would be \$78,743.

Mr. Gander stated that Resolution No. 983(21) would approve the incurrence of debt by the Moore Economic Development Authority. Mr. Mitchell added that Agenda Items No. 10 and 14 were companion items.

Councilman Blair moved to adopt Resolution No. 983(21), second by Councilman Williams. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

Agenda Item Number 4 being:

CONSIDER APPROVAL OF AN AMENDMENT TO THE AGREEMENT WITH THE SALVATION ARMY FOR THE ADMINISTERING OF A RENTAL/MORTGAGE AND UTILITY ASSISTANCE PROGRAM.

Kahley Gilbert, Project-Grants Manager (Capital Planning & Resiliency), stated that the proposed amendment was to the agreement with The Salvation Army for administration of a rental/mortgage and utility assistance program. Ms. Gilbert advised that The Salvation Army had expended the original \$35,000

allocation and was requesting an additional \$10,000. She indicated that the amendment would revise the award amount from \$35,000 to \$45,000. Ms. Gilbert added that the funds were budgeted in the second round of CDBG-COVID allocations.

Councilman Blair moved to approve an amendment to the agreement with The Salvation Army for the administering of a Rental/Mortgage and Utility Assistance Program, second by Councilman Williams. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

Agenda Item Number 5 being:

CONSIDER ADOPTING RESOLUTION NO. 986(21) DECLARING THE NECESSITY FOR ACQUIRING CERTAIN REAL PROPERTY AND/OR EASEMENTS FROM THE SEITER FAMILY REVOCABLE TRUST NEAR SUNNYLANE AND INDIAN HILLS, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF MOORE, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE SE BASIN LIFT STATION AND SANITARY SEWER LINE IMPROVEMENT PROJECT, IN THE CITY OF MOORE; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTIES FOR ROADWAY AND DRAINAGE PURPOSES.

Jerry Ihler, Assistant City Manager, stated that adoption of Resolution No. 986(21) would authorize the City Attorney to proceed with the condemnation process to obtain a sanitary sewer easement located west of Sunnyleane and approximately ½ mile north of Indian Hills Road that was needed for the SE Basin Lift Station and Sanitary Sewer Improvement Project.

Mr. Ihler stated that the City made fair and reasonable offers for the easement but was unable to reach an agreement with the property owner. Mr. Ihler requested that the motion should state that it was for sanitary sewer improvement purposes which would correct an error in the resolution.

Vice-Mayor Hamm asked if the property for condemnation included a home or business. Mr. Ihler stated that the property in question was located on farm land.

Councilman Williams moved to adopt Resolution No. 986(21) to include sanitary sewer improvement purposes, second by Councilwoman Hunt. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

Agenda Item Number 6 being:

CONSIDER ADOPTING RESOLUTION NO. 987(21) DECLARING THE NECESSITY FOR ACQUIRING CERTAIN REAL PROPERTY AND/OR EASEMENTS FROM THE PRATER FAMILY TRUST NEAR BRYANT AND INDIAN HILLS, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF MOORE, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE SE BASIN LIFT STATION AND SANITARY SEWER LINE IMPROVEMENT PROJECT, IN THE CITY OF MOORE; AND DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTIES FOR ROADWAY AND DRAINAGE PURPOSES.

Jerry Ihler, Assistant City Manager, stated that adoption of Resolution No. 987(21) would authorize the City Attorney to begin the condemnation process for obtaining a roadway and utility easement located on

the north side of Indian Hills Road and west of Bryant Avenue that was needed for the SE Basin Lift Station and Sanitary Sewer Improvement Project.

Mr. Ihler advised that the City had made fair and reasonable offers for the easement; however, an agreement with the property owner had not been reached. Mr. Ihler advised that although staff was requesting authorization to begin the condemnation process, negotiations with the property owner would continue. If an agreement was reached the item would be brought back to Council for consideration. He requested that the motion state that the purpose of the condemnation proceeding was to obtain an easement for roadway and utility improvements.

Councilwoman McKenzie moved to adopt Resolution No. 987(21) for the purposes of roadway and utility easements, second by Councilman Blair. Motion carried by majority vote.

Ayes: McKenzie, Blair, Hunt, Lewis, Webb, Hamm
Nays: None
Abstentions: Williams

Agenda Item Number 7 being:

CONSIDER AUTHORIZING THE BUDGETED PURCHASE OF A JOHN DEERE 410L BACKHOE LOADER FROM C.L. BOYD IN THE AMOUNT OF \$115,491, USING STATE CONTRACT NO. SW0192, AND WAIVE COMPETITIVE BIDDING.

Jerry Ihler, Assistant City Manager, stated that proposed purchase of a backhoe loader was a budgeted item in the amount of \$128,000. However, Mr. Ihler indicated that the equipment would be purchased from C.L. Boyd off the state contract in the amount of \$115,491. The equipment would replace a 2008 backhoe in the Utilities Department that was in poor condition and required the City to rent equipment while it was being repaired.

Councilman Williams asked if the 2008 backhoe would be kept as a backup. Mr. Ihler anticipated that the backhoe would be auctioned off.

Councilman Webb moved to authorize the budgeted purchase of a John Deere 410L Backhoe Loader from C.L. Boyd in the amount of \$115,491, using State Contract No. SW0192, and waive competitive bidding, second by Councilman Williams. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

Agenda Item Number 8 being:

CONSIDER APPROVAL OF A LETTER AGREEMENT IN THE AMOUNT OF \$30,000 WITH TRAFFIC ENGINEERING CONSULTANTS, INC. FOR DESIGN OF THE SW 19TH STREET CORRIDOR TRAFFIC SIGNAL IMPROVEMENTS.

Brooks Mitchell, City Manager, stated that the proposed Letter Agreement with Traffic Engineering Consultants, Inc. ("TEC") was for traffic improvements along the SW 19th Street corridor.

Councilman Webb moved to approve a Letter Agreement in the amount of \$30,000 with Traffic Engineering Consultants, Inc. for design of the SW 19th Street Corridor traffic signal improvements, second by Councilman Blair. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

THE CITY COUNCIL MEETING WAS RECESSED AND THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS CONVENED AT APPROXIMATELY 6:45 P.M.

Agenda Item Number 9 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE PUBLIC WORKS AUTHORITY MEETING HELD FEBRUARY 1, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$532,963.23.

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

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

Agenda Item Number 10 being:

CONSIDER ADOPTION OF RESOLUTION NO. 249(21) OF THE TRUSTEES OF THE MOORE PUBLIC WORKS AUTHORITY (THE "AUTHORITY") AUTHORIZING AN AGREEMENT OF SUPPORT BY AND BETWEEN THE AUTHORITY AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY.

Trustee Blair moved to adopt Resolution No. 249(21), second by Trustee Williams. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

THE MOORE PUBLIC WORKS AUTHORITY MEETING WAS RECESSED AND THE MOORE RISK MANAGEMENT MEETING WAS CONVENED AT APPROXIMATELY 6:47 P.M.

Agenda Item Number 11 being:

CONSENT DOCKET:

- A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE RISK MANAGEMENT MEETING HELD FEBRUARY 1, 2021.
- B) APPROVE AND RATIFY CLAIMS AND EXPENDITURES FOR FY 2020-2021 IN THE AMOUNT OF \$413,235.70.

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

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

THE MOORE RISK MANAGEMENT MEETING WAS RECESSED AND THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS CONVENED WITH COUNCILMAN LOUIE WILLIAMS PRESIDING AT 6:48 P.M.

Agenda Item Number 12 being:

ROLL CALL

PRESENT: McKenzie, Blair, Hunt, Lewis, Webb, Hamm, Williams
ABSENT: None

Agenda Item Number 13 being:

CONSENT DOCKET:

A) RECEIVE AND APPROVE THE MINUTES OF THE REGULAR MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING HELD JANUARY 19, 2021.

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

Ayes: McKenzie, Blair, Hunt, Lewis, Webb, Hamm, Williams
Nays: None

Agenda Item Number 14 being:

CONSIDER ADOPTION OF RESOLUTION NO. 19(21) OF THE TRUSTEES OF THE MOORE ECONOMIC DEVELOPMENT AUTHORITY (THE "AUTHORITY") AUTHORIZING THE ISSUANCE OF ITS SALES TAX REVENUE NOTE, SERIES 2021 (MUNICIPAL CAPITAL IMPROVEMENTS PROJECT) (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,000,000, FOR THE PURPOSE OF FINANCING (I) THE REPAIR AND CLEANUP OPERATIONS RESULTING FROM THE OCTOBER 2020 ICE STORM; AND (II) PAYING CERTAIN COSTS OF ISSUANCE IN CONNECTION WITH THE REFERENCED FINANCING (COLLECTIVELY, THE "PROJECT") IN THE CITY OF MOORE, OKLAHOMA, AND PAYING CERTAIN LEGAL AND FINANCING COSTS; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS; RATIFYING, APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO THE DEPOSIT AND TRANSFER OF SALES TAX REVENUE; RATIFYING, APPROVING AND AUTHORIZING THE EXECUTION OF A SERIES 2021 SUPPLEMENTAL NOTE INDENTURE, WHICH, ALONG WITH THE GENERAL INDENTURE, THE SERIES 2009 SUPPLEMENTAL NOTE INDENTURE, THE SERIES 2014 SUPPLEMENTAL NOTE INDENTURE, THE SERIES 2016 SUPPLEMENTAL NOTE INDENTURE AND THE SERIES 2017 SUPPLEMENTAL NOTE INDENTURE SHALL BE REFERRED TO COLLECTIVELY AS THE "INDENTURE", AND WHICH INDENTURE AUTHORIZES THE ISSUANCE AND SECURES THE PAYMENT OF THE NOTE; PROVIDING THAT THE TRUST INDENTURE, AS AMENDED, CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF SAID INDENTURE; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION INCLUDING, BUT NOT BY WAY OF LIMITATION, AN AGREEMENT OF SUPPORT BY AND BETWEEN THE AUTHORITY AND THE MOORE PUBLIC WORKS AUTHORITY; AND AUTHORIZING EMPLOYMENT OF FINANCIAL ADVISOR AND BOND COUNSEL PERTAINING TO SAID FINANCING; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

**Trustee Lewis moved to adopt Resolution No. 19(21), second by Trustee Webb.
Motion carried unanimously.**

Ayes: McKenzie, Blair, Hunt, Lewis, Webb, Hamm, Williams
Nays: None

THE MOORE ECONOMIC DEVELOPMENT AUTHORITY MEETING WAS RECESSED AND THE CITY COUNCIL MEETING RECONVENED AT 6:51 P.M. WITH VICE-MAYOR MARK HAMM PRESIDING.

Agenda Item Number 15 being:

NEW BUSINESS:

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

Brian Walters, 1513 SW 113th Place, in Oklahoma City stated that he was a CPA who was appearing on behalf of the Moore Youth Football Association ("MYFA") who hired him to assist with their finances and to represent them in some issues that would be before the City Council in the next few weeks. Mr. Walters advised that the MYFA had been in existence since 1969 to provide a service to the children of the community. For several years the City has entered into a two-year lease agreement with the MYFA for lease of the football fields. The current lease is set to renew on March 1, 2021; however, there are some parties who do not want the association to continue the way that it has been. For the last number of years all of the details of the leases have not been carried out to the letter of the law but the intent to provide the service was there. Part of the issue involved the financial records kept by the association. They plan to rectify the problem going forward and ensure the records are kept according to the lease requirements. Mr. Walters stated it was his understanding that the lease would be modified. They would be working with the Parks Department to work out issues related to the lease. There are some tax and recordkeeping questions that are being brought up that can't be resolved quickly. They want to make sure they are abiding by the lease. He invited Council or Parks staff to call him with questions regarding their plan going forward. Mr. Walters commented that the Moore Youth Football Association would like to lease the football fields and continue the tradition of providing this service to the community.

B) ITEMS FROM THE CITY COUNCIL/MPWA TRUSTEES.

Councilwoman McKenzie read an email she received from a constituent complimenting the Moore Police Department and the great work they do for the community.

Mayor Lewis expressed his appreciation to Vice-Mayor Hamm for chairing the meeting.

C) ITEMS FROM THE CITY/TRUST MANAGER.

Brooks Mitchell, City Manager, announced that an upgrade to the City Council Chambers audio/visual system would take place the week of February 22, 2021. Mr. Mitchell complimented City crews for the good job they did clearing the streets during the recent snow storms. He added that he had received some emails from citizens who also wished to express their appreciation. Vice-Mayor Hamm added that emergency services and the street and sanitation employees were also doing a great job.

Agenda Item Number 16 being:

EXECUTIVE SESSION:

- A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED ON BEHALF OF FREDDY ALVAREZ ALLEGING HE WAS DISCRIMINATED AGAINST ON THE BASIS OF HIS RACE AND NATIONAL ORIGIN IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT AND OKLAHOMA'S ANTI-DISCRIMINATION ACT, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- B) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: BOB PRESLEY AND DARLENE PRESLEY V. CITY OF MOORE AND VEOLIA WATER NORTH AMERICA, CASE NO. CJ-2020-905, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- C) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: BNSF RAILWAY COMPANY V. CITY OF MOORE, OKLAHOMA, CASE NO. CIV-20-714-J (CAUSE NO. TD- 202000005), AND AUTHORIZE STAFF TO PROCEED AS DIRECTED IN EXECUTIVE SESSION AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).
- D) CONVENE INTO EXECUTIVE SESSION

Councilman Blair moved to convene into executive session, second by Councilman Williams. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

The City Council convened into executive session at 7:00 p.m.

Brooks Mitchell, City Manager, stated because the meeting included videoconferencing the Chambers would be cleared and the Executive Session would be held there.

- E) RECONVENE FROM EXECUTIVE SESSION

PRESENT: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
ABSENT: None

The City Council reconvened from executive session at 7:30 p.m.

- F) ACTION.

- A) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING TORT CLAIM FILED ON BEHALF OF FREDDY ALVAREZ ALLEGING HE WAS DISCRIMINATED AGAINST ON THE BASIS OF HIS RACE AND NATIONAL ORIGIN IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT AND OKLAHOMA'S ANTI-DISCRIMINATION ACT, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE CITY AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to deny a pending tort filed on behalf of Freddy Alvarez alleging he was discriminated against on the basis of his race and national origin in violation of Title VII of the Civil Rights Act and Oklahoma's Anti-Discrimination Act, and authorization for legal counsel and staff to take action(s) as necessary and appropriate in the interest of the City as authorized by 25 Okla. Stat. § 307(B)(4), second by Councilman Blair. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

B) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: BOB PRESLEY AND DARLENE PRESLEY V. CITY OF MOORE AND VEOLIA WATER NORTH AMERICA, CASE NO. CJ-2020-905, AND AUTHORIZATION FOR LEGAL COUNSEL AND STAFF TO TAKE ACTION(S) AS NECESSARY AND APPROPRIATE IN THE INTEREST OF THE DEFENDANT AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to authorize staff to proceed as directed in Executive Session regarding pending litigation styled Bob Presley and Darlene Presley v. City of Moore and Veolia Water North America, Case No. CJ-2020-905, second by Councilman Blair. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

C) DISCUSS, AND IF DEEMED APPROPRIATE, CONSIDER TAKING POSSIBLE ACTION REGARDING PENDING LITIGATION STYLED: BNSF RAILWAY COMPANY V. CITY OF MOORE, OKLAHOMA, CASE NO. CIV-20-714-J (CAUSE NO. TD-202000005), AND AUTHORIZE STAFF TO PROCEED AS DIRECTED IN EXECUTIVE SESSION AS AUTHORIZED BY 25 OKLA. STAT. § 307(B)(4).

Councilwoman McKenzie moved to authorize staff to proceed as directed in Executive Session regarding pending litigation BNSF Railway Company v. City of Moore, Oklahoma, Case No. CIV-20-714-J (Cause No. TD- 202000005), second by Councilman Williams. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

Agenda Item Number 17 being:

ADJOURNMENT

Councilman Blair moved to adjourn the City Council meeting, second by Councilman Williams. Motion carried unanimously.

Ayes: McKenzie, Blair, Hunt, Lewis, Williams, Webb, Hamm
Nays: None

The City Council, Moore Public Works Authority, and the Moore Risk Management meetings were adjourned at 7:32 p.m.

TRANSCRIBED BY:

RHONDA BAXTER, Executive Assistant

FOR:

MELISSA HUNT, MPWA Secretary

These minutes passed and approved as noted this ____ day of _____, 2021.

ATTEST:

KATIE BERHALTER, Deputy City Clerk