MINUTES
LAWTON WATER AUTHORITY SPECIAL MEETING
MAY 10, 2022 - 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

The meeting was called to order at 2:00 p.m. by Chairman Stan Booker. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL

PRESENT: Mary Ann Hankins, Kelly Harris, Linda Chapman, Jay Burk, Randy Warren.

ABSENT: Allan Hampton, Sean Fortenbaugh, Onreka Johnson

ALSO PRESENT: Michael Cleghorn, City Manager; John Ratliff, City Attorney; Traci Hushbeck, City Clerk, COL Rhett A. Taylor, Fort Sill Liaison.

BUSINESS ITEMS:

1. Consider approval of the minutes of the Lawton Water Authority special meeting of June 8, 2021.

MOVED by Burk, SECOND by Warren, to approve the minutes of the Lawton Water Authority special meeting of June 8, 2021. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

2. Consider and take action with respect to a resolution of the Lawton Water Authority (the "Borrower") agreeing to file application with the Oklahoma Water Resources Board (the "Board") for financial assistance through the Clean Water State Revolving Fund (CWSRF) loan program, with the loan proceeds being for the purpose of financing certain Wastewater Treatment Plant (WWTP) improvements and Water Meter replacements; approving and authorizing a CWSRF loan from the Board in the total aggregate principal amount of not to exceed $45 million; approving the issuance of a promissory note or notes in one or more series in the total aggregate principal amount of not to exceed $45 million, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for CWSRF loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement, as amended pertaining to certain water, sanitary sewer, and refuse systems; approving various covenants; approving and authorizing the establishment of a project costs disbursement account; and containing other provisions relating thereto.

Rusty Whisenhunt, Public Utilities Director, briefed the council on the application and the project.

Mayor Booker questioned the interest rate.

Chris Gander, BOK Financial Services, stated it will be around 3%.

MOVED by Burk, SECOND by Chapman, to approve **Resolution 22-01**. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

3. Consider and take action with respect to a resolution of the Lawton Water Authority (the "Borrower") declaring Official Intent to reimburse itself for certain capital improvement expenditures that may be made prior to receiving financial assistance from the Oklahoma Water Resources Board (the "Board") through the Clean Water State Revolving Fund (CWSRF) loan program, with the loan proceeds being for the purpose of financing certain Wastewater Treatment Plant and Water Meter improvements.

Whisenhunt stated this will allow us to reimburse expenditures for engineering and other services that we accrue prior to closing of the loan.

MOVED by Burk, SECOND by Chapman, to approve **Resolution 22-02**. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

4. Consider and take action with respect to a resolution of the Lawton Water Authority (the "Borrower") agreeing to file application with the Oklahoma Department of Environmental Quality (ODEQ) for financial assistance through the Drinking Water State Revolving Fund (DWSRF) loan program, with the loan proceeds being for the purpose of financing certain Water system improvements; approving and authorizing a DWSRF loan from ODEQ in the total aggregate principal amount of not to exceed $33 million; approving the issuance of a promissory note or notes in one or more series in the total aggregate principal amount of not to exceed $33 million, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for DWSRF loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement, as amended pertaining to certain water, sanitary sewer, and refuse systems; approving various covenants; approving and authorizing the establishment of a project costs disbursement account; and containing other provisions relating thereto.

Rusty Whisenhunt, Public Utilities Director, briefed the council on the application and the project. He stated two years ago the estimate on this project was at $11 million, and now we are at almost $25 million.

MOVED by Burk, SECOND by Chapman, to approve **Resolution 22-03**. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

5. Consider and take action with respect to a resolution of the Lawton Water Authority (the "Borrower") declaring Official Intent to reimburse itself for certain capital improvement expenditures that may be made prior to receiving financial assistance from the Oklahoma Department of Environmental Quality (ODEQ) through the Drinking Water State Revolving Fund (DWSRF) loan program, with the loan proceeds being for the purpose of financing certain Water system improvements.

Whisenhunt stated this will allow us to reimburse expenditures for engineering and other services.

MOVED by Burk, SECOND by Warren, to approve **Resolution 22-04**. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 2:13 p.m. upon motion, second and roll call vote.

Mayor Booker stated there is a legal issue and they need to re-open the Lawton Water Authority meeting.

The meeting was called to order at 2:27 p.m. by Chairman Stan Booker.

MOVED by Burk SECOND by Warren to waive the rules. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

MOVED by Burk SECOND by Hankins to reconsider agenda items #2 and #4. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

2. Consider and take action with respect to a resolution of the Lawton Water Authority (the "Borrower") agreeing to file application with the Oklahoma Water Resources Board (the "Board") for financial assistance through the Clean Water State Revolving Fund (CWSRF) loan program, with the loan proceeds being for the purpose of financing certain Wastewater Treatment Plant (WWTP) improvements and Water Meter replacements; approving and authorizing a CWSRF loan from the Board in the total aggregate principal amount of not to exceed $45 million; approving the issuance of a promissory note or notes in one or more series in the total aggregate principal amount of not to exceed $45 million, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for CWSRF loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement, as amended pertaining to certain water, sanitary sewer, and refuse systems; approving various covenants; approving and authorizing the establishment of a project costs disbursement account; and containing other provisions relating thereto.

MOVED by Burk SECOND by Chapman to approve **Resolution 22-01**, agreeing to file an application with the Oklahoma Water Resources Board. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

4. Consider and take action with respect to a resolution of the Lawton Water Authority (the "Borrower") agreeing to file application with the Oklahoma Department of Environmental Quality (ODEQ) for financial assistance through the Drinking Water State Revolving Fund (DWSRF) loan program, with the loan proceeds being for the purpose of financing certain Water system improvements; approving and authorizing a DWSRF loan from ODEQ in the total aggregate principal amount of not to exceed $33 million; approving the issuance of a promissory note or notes in one or more series in the total aggregate principal amount of not to exceed $33 million, secured by a pledge of revenues and authorizing its execution; approving and authorizing the execution of a loan agreement for DWSRF loan; designating a local trustee and approving and authorizing the execution of a trust agreement; approving and authorizing the execution of a security agreement; ratifying and confirming a lease agreement, as amended pertaining to certain

water, sanitary sewer, and refuse systems; approving various covenants; approving and authorizing the establishment of a project costs disbursement account; and containing other provisions relating thereto.

MOVED by Burk SECOND by Warren to approve **Resolution 22-03** agreeing to file an application with the Oklahoma Department of Environmental Quality. AYE: Hankins, Harris, Chapman, Burk, Warren. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 2:29 p.m. upon motion, second and roll call vote.

STAN BOOKER, CHAIRMAN

ATTEST:

TRACI HUSHBECK, SECRETARY