

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
July 8, 2019

Southwest Business Products E1809727KV

Pursuant to notice as required by law, the Ponca City Board of Commissioners met in regular session at 5:30 p.m. in the Commission Chamber at City Hall, 516 E. Grand, with Mayor Homer Nicholson presiding:

Present: Homer Nicholson, Mayor  
Ryan Austin, Commissioner  
Lanita Chapman, Commissioner  
Shasta Scott, Commissioner  
Paul Taylor, Commissioner  
Craig Stephenson, City Manager  
Michael Vanderburg, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None

Others Present: Tana McKinley, David Keathly, Rhonda Skrapke, Chris Henderson, Mike Lane, Rob Dick, Don Nuzum, John Andrew, Eric Newell, Kevin Jeffries, Butch Herring, Jim Fairbanks, Dave Williams, Todd Smith, City Staff; Allan Brooks, Bond Council; Chris Gander, Financial Advisor; citizens; Beverly Bryant, TEAM Radio; Mike Seals, Ponca City News.

1. CALL TO ORDER  
Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE

**\*\*CONSENT AGENDA\*\***

The Board of Commissioners found items #3 through #11 non-controversial and routine in nature. Commissioner Austin made the motion to approve the consent agenda. Commissioner Taylor seconded.

Roll: Yeas; Austin, Taylor, Nicholson, Chapman, Scott. Nays; None. Motion carried.

3. Consider And Vote Upon Minutes Of The Ponca City Board Of Commissioners Regular Session June 24, 2019.
4. Consider And Vote Upon Resolution Appropriating Money For Payment Of Claims Against The City of Ponca City, Oklahoma.

**RESOLUTION NO. 6454**

***A RESOLUTION APPROPRIATING MONEY FOR PAYMENT OF CLAIMS AGAINST THE CITY OF PONCA CITY, OKLAHOMA.***

5. Consider And Vote Upon A Resolution Of The Board Of Commissioners Of The City Of Ponca City, Oklahoma Amending The Operating Budget Of Various Funds For Fiscal Year 2019-20.

**RESOLUTION NO. 6455**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGET OF VARIOUS FUNDS FOR FISCAL YEAR 2019-20.***

6. Consider And Vote Upon A Resolution Of The Board Of Commissioners Of The City Of Ponca City, Oklahoma, Appointing Members To Various Boards And Commissions And Establishing The Terms Of Office Thereof.

**RESOLUTION NO. 6456**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AND ESTABLISHING THE TERMS OF OFFICE THEREOF.***

7. Consider And Vote On A Resolution Readopting The City Of Ponca City Citizen Participation Plan.

**RESOLUTION NO. 6457**

***A RESOLUTION READOPTING THE CITY OF PONCA CITY CITIZEN PARTICIPATION PLAN.***

8. Consider And Vote On A Resolution To Affirm The City's Commitment To Take All Action Within Its Power To Facilitate The Receipt Of Assistance Of Community Development Funds If The City Of Ponca City Is Awarded A Community Development Block Grant From The Oklahoma Department Of Commerce.

**RESOLUTION NO. 6458**

***ON A RESOLUTION TO AFFIRM THE CITY'S COMMITMENT TO TAKE ALL ACTION WITHIN ITS POWER TO FACILITATE THE RECEIPT OF ASSISTANCE OF COMMUNITY DEVELOPMENT FUNDS IF THE CITY OF PONCA CITY IS AWARDED A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE OKLAHOMA DEPARTMENT OF COMMERCE.***

9. Consider And Vote Upon An Agreement For Professional Airport Consulting Services With LBR, Inc. For The Ponca City Regional Airport.
10. Consider And Vote On The Final Change Order, Acknowledge Final Acceptance, And Authorize Final Payment On Project No. Gen 19-2, Mill And Overlay Grand Avenue, Flormable Avenue To Waverly Street And El Camino Street, Chapel Hill Road To Prospect Avenue, In The Amount Of \$558,839.35.
11. Consider And Vote Upon Change Order No. 1 And The Final Payment To Hembree And Hodgson Construction, LLC, To Accept All Work As Complete For "Street Improvement Project, Turner Street Reconstruction – Donner Avenue To Prospect Avenue", Project No. GEN 19-4, In The Amount Of \$246,399.65.

**\*\*ITEMS REMOVED FROM THE CONSENT AGENDA\*\***

12. None.

**\*\*COMMUNICATIONS FROM MAYOR AND COMMISSIONERS\*\***

13. Commissioner Lanita Chapman was very complimentary of the fireworks celebration.

Commissioner Shasta Scott complimented Eric Newell, Parks and Recreation Director on the improvements at Lake Ponca.

Commissioner Paul Taylor stated splash pads are greatly utilized.

Mayor Homer Nicholson mentioned that City staff is working on 40 different projects.

**\*\*REPORTS\*\***

14. CITY MANAGER'S REPORT

City Manager Craig Stephenson stated that it was a great firework show, and there is a lot going on in the community.

**\*\*PUBLIC HEARINGS\*\***

- 15A. Conduct A Public Hearing On Subparagraph (B) Hereof

Development Services Director Chris Henderson gave background on the alley closing. No comment was received.

- 15B. Consider And Vote To Approve An Ordinance Authorizing The Closing A Public Alley Located In Block 11, Lynchville Addition To The City Of Ponca City, Located South Of The 300 Block Of East Oklahoma.

**ORDINANCE NO. 6268**

***AN ORDINANCE AUTHORIZING THE CLOSING A PUBLIC ALLEY LOCATED IN BLOCK 11, LYNCHVILLE ADDITION TO THE CITY OF PONCA CITY, LOCATED SOUTH OF THE 300 BLOCK OF EAST OKLAHOMA.***

Commissioner Scott made the motion to approve item #15B. Commissioner Chapman seconded.

Roll: Yeas; Scott, Chapman, Nicholson, Austin, Taylor. Nays; None. Motion carried.

- 16A. Conduct A Public Hearing On Subparagraph (B) Hereof

Development Services Director Chris Henderson gave background on the zoning petition.

- 16B. Consider And Vote On An Ordinance Zoning Real Property Located At 3700 North 14th Street, From R-1 Single Family Residential To C-2 General Commercial, And Directing The Development Services Director To Change The Official Zoning Map Of The City Accordingly, And Directing The City Clerk To File Of Record.

**ORDINANCE NO. 6269**

***AN ORDINANCE ZONING REAL PROPERTY LOCATED AT 3700 NORTH 14TH STREET, FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-2 GENERAL COMMERCIAL, AND DIRECTING THE DEVELOPMENT SERVICES DIRECTOR TO CHANGE THE OFFICIAL ZONING MAP OF THE CITY ACCORDINGLY, AND DIRECTING THE CITY CLERK TO FILE OF RECORD.***

Commissioner Taylor made the motion to approve item #16B re-zoning 3700 N. 14<sup>th</sup> to C-2 Commercial. Commissioner Austin seconded.

Roll: Yeas; Taylor, Austin, Nicholson, Chapman, Scott. Nays; None. Motion carried.

**\*\*NEW BUSINESS\*\***

17. Consider And Take Action With Respect To A Resolution Of The City Of Ponca City, Oklahoma (The "City") Approving The Incurrence Of Indebtedness By The Ponca City Utility Authority (The "Authority") Issuing Its Sales Tax Revenue Note, Series 2019 (The "Note") And A Related Rate Lock Agreement; Providing That The Organizational Document Creating The Authority Is Subject To The Provisions Of The Note Indenture Authorizing The Issuance Of Said Note; Waiving Competitive Bidding With Respect To The Sale Of The Note And The Indebtedness Evidenced By The Rate Lock Agreement And Approving The Proceedings Of The Authority Pertaining To The Sale Of Said Note And The Execution Of The Rate Lock Agreement; Approving And Authorizing Execution Of A Sales Tax Agreement By And Between The City And The Authority Pertaining To A Year-To-Year Pledge Of Certain Sales Tax Revenue; And Containing Other Provisions Relating Thereto.

**RESOLUTION NO. 6459**

***A RESOLUTION OF THE CITY OF PONCA CITY, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE PONCA CITY UTILITY AUTHORITY (THE "AUTHORITY") ISSUING ITS SALES TAX REVENUE NOTE, SERIES 2019 (THE "NOTE") AND A RELATED RATE LOCK AGREEMENT; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE NOTE INDENTURE AUTHORIZING THE ISSUANCE OF SAID NOTE; WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF THE NOTE AND THE INDEBTEDNESS EVIDENCED BY THE RATE LOCK AGREEMENT AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID NOTE AND THE EXECUTION OF THE RATE LOCK AGREEMENT; APPROVING AND AUTHORIZING EXECUTION OF A SALES TAX AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; AND CONTAINING OTHER PROVISIONS RELATING THERETO.***

Commissioner Chapman made the motion to approve item #17 as stated. Commissioner Austin seconded.

Roll: Yeas; Chapman, Austin, Nicholson, Scott, Taylor. Nays; None. Motion carried.

18. Consider And Vote Upon A Joint Resolution Of The Board Of Commissioners Of The City Of Ponca City And The Ponca City Utility Authority, Transferring All Assets From All Previous Funds To Ponca City Broadband.

**RESOLUTION NO. 6460**

***A JOINT RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY AND THE PONCA CITY UTILITY AUTHORITY, TRANSFERRING ALL ASSETS FROM ALL PREVIOUS FUNDS TO PONCA CITY BROADBAND.***

Commissioner Scott made the motion to approve. Commissioner Taylor seconded.

Roll: Yeas; Scott, Taylor, Nicholson, Chapman, Austin. Nays; None. Motion carried.

19. Consider And Vote To Submit An Application For The Small Cities Community Development Block Grant (CDBG) Program To The Oklahoma Department Of Commerce For FY-2019 Funding In The Amount Of \$112,787.00 And Execute All Documents In Support Of Application.

Commissioner Chapman made the motion to approve item #19 as stated. Commissioner Austin seconded.

Roll: Yeas; Chapman, Austin, Nicholson, Scott, Taylor. Nays; None. Motion carried.

20. Consider And Vote On A Resolution Obligating Funds To Be Used As Leverage With The FY-19 Small Cities Community Development Block Grant (CDBG) Program.

**RESOLUTION NO. 6461**

***A RESOLUTION OBLIGATING FUNDS TO BE USED AS LEVERAGE WITH THE FY-19 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.***

Commissioner Austin made the motion to approve item #20. Commissioner Chapman seconded.

Roll: Yeas; Austin, Chapman, Nicholson, Scott, Taylor. Nays; None. Motion carried.

21. Consider And Vote On A Resolution Of The Board Of Commissioners Of The City Of Ponca City, Oklahoma, Authorizing The Mayor Of Ponca City To Sign A Grant Agreement Between The City Of Ponca City And The FAA (Federal Aviation Administration) To Rehabilitate Runway 17-35 And Improve Drainage AIP 3-40-0078-018-2019.

**RESOLUTION NO. 6462**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, AUTHORIZING THE MAYOR OF PONCA CITY TO SIGN A GRANT AGREEMENT BETWEEN THE CITY OF PONCA CITY AND THE FAA (FEDERAL AVIATION ADMINISTRATION) TO REHABILITATE RUNWAY 17-35 AND IMPROVE DRAINAGE AIP 3-40-0078-018-2019.***

Commissioner Scott made the motion to approve item #21. Commissioner Chapman seconded.

Roll: Yeas; Scott, Chapman, Nicholson, Austin, Taylor. Nays; None. Motion carried.

22. Consider And Vote On Amendment No. 1 To LBR, Inc. For Professional Airport Consulting Services For Airport Improvement Projects.

Commissioner Taylor made the motion to approve item #22 as stated. Commissioner Chapman seconded

Roll: Yeas; Taylor, Chapman, Nicholson, Austin, Scott. Nays; None. Motion carried.

**\*\*CITIZENS COMMENTS \*\***

23. None.

24. ADJOURN

The motion to adjourn was made by Commissioner Austin and seconded by Commissioner Taylor.

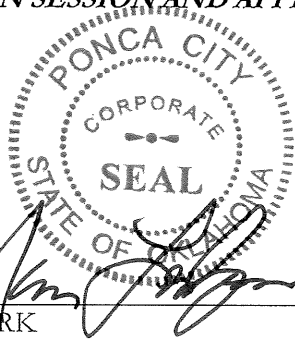
Roll: Yeas; Austin, Taylor, Nicholson, Chapman, Scott. Nays; None. Motion carried.

Mayor Nicholson adjourned the Board of Commissioners meeting at 6:16 p.m.

***PASSED IN SESSION AND APPROVED THIS 22<sup>ND</sup> DAY OF JULY 2019.***

ATTEST:

CITY CLERK



VICE MAYOR

ACTING MAYOR PAUL TAYLOR

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
July 8, 2019

Pursuant to notice as required by law, the Board of Trustees of the Ponca City Utility Authority met in regular session at 5:30 p.m. in the Commission Chamber at City Hall, 516 E. Grand, with Chairman Homer Nicholson presiding.

Present: Homer Nicholson, Chairman  
Ryan Austin, Trustee  
Lanita Chapman, Trustee  
Shasta Scott, Trustee  
Paul Taylor, Trustee  
Craig Stephenson, City Manager  
Michael Vanderburg, Trust Attorney  
Marc LaBossiere, Secretary

Absent: None

Others Present: Tana McKinley, Chris Henderson, Rob Dick, John Andrew, Eric Newell, Kevin Jeffries, Butch Herring, Dave Williams, Todd Smith, City Staff; Allan Brooks, Bond Council; Chris Gander, Financial Advisor; citizens; Beverly Bryant, TEAM Radio; Mike Seals, Ponca City News.

1. CALL TO ORDER  
Chairman Homer Nicholson called the meeting to order at 6:16 p.m.

**\*\*CONSENT AGENDA\*\***

The Board of Trustees found items #2 through #4 noncontroversial and routine in nature by the governing body and are approved by one motion.

Trustee Scott made the motion to approve the consent agenda. Trustee Austin seconded.

Roll: Yeas; Scott, Austin, Nicholson, Chapman, Taylor. Nays; None. Motion carried.

2. Consider And Vote Upon The Minutes Of The Regular Session Held June 24, 2019.
3. Consider And Vote Upon A Resolution Appropriating Money For Payment Of Claims Against The Ponca City Utility Authority Of Ponca City, Oklahoma.

**RESOLUTION NO. 1066**

***A RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF CLAIMS AGAINST THE PONCA CITY UTILITY AUTHORITY OF PONCA CITY, OKLAHOMA***

4. Consider And Vote Upon A Resolution Of The Ponca City Utility Authority, Ponca City, Oklahoma Amending The Operating Budget Of Various PCUA Funds For Fiscal Year 2019-20.

**RESOLUTION NO. 1067**

***A RESOLUTION OF THE PONCA CITY UTILITY AUTHORITY, PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGET OF VARIOUS PCUA FUNDS FOR FISCAL YEAR 2019-20.***

**\*\*ITEMS REMOVED FROM THE CONSENT AGENDA\*\***

5. None.

**\*\*NEW BUSINESS\*\***

6. Consider And Take Action With Respect A Resolution Authorizing The Ponca City Utility Authority (The "Authority") To Issue Its Sales Tax Revenue Note, Series 2019 (The "Note") In The Aggregate Principal Amount Of \$22,000,000 And A Related Rate Lock Agreement; Waiving Competitive Bidding And Authorizing The Note To Be Sold On A Negotiated Basis And Waiving Competitive Bidding With Respect To The Indebtedness Evidenced By The Rate Lock Agreement; Approving And Authorizing Execution Of A Sales Tax Agreement By And Between The City Of Ponca City, Oklahoma (The "City") And The Authority Pertaining To A Year-To-Year Pledge Of Certain Sales Tax Revenue; Approving And Authorizing Execution Of A Note 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 Note Indenture; Authorizing And Directing The Execution Of The Note And Other Documents Relating To The Transaction, Including Professional Services Agreements; And Containing Other Provisions Relating Thereto.

**RESOLUTION NO. 1068**

***A RESOLUTION AUTHORIZING THE PONCA CITY UTILITY AUTHORITY (THE "AUTHORITY") TO ISSUE ITS SALES TAX REVENUE NOTE, SERIES 2019 (THE "NOTE") IN THE AGGREGATE PRINCIPAL AMOUNT OF \$22,000,000 AND A RELATED RATE LOCK AGREEMENT; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE NOTE TO BE SOLD ON A NEGOTIATED BASIS AND WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE INDEBTEDNESS EVIDENCED BY THE RATE LOCK AGREEMENT; APPROVING AND AUTHORIZING EXECUTION OF A SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF PONCA CITY, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; APPROVING AND AUTHORIZING EXECUTION OF A NOTE 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 NOTE INDENTURE; AUTHORIZING AND DIRECTING THE EXECUTION OF THE NOTE AND OTHER DOCUMENTS RELATING TO THE TRANSACTION, INCLUDING PROFESSIONAL SERVICES AGREEMENTS; AND CONTAINING OTHER PROVISIONS RELATING THERETO.***

Trustee Austin made the motion to approve item #6. Trustee Scott seconded.

Roll: Yeas; Austin, Scott, Nicholson, Chapman, Taylor. Nays; None. Motion carried.



7. Consider And Vote Upon A Joint Resolution Of The Board Of Commissioners Of The City Of Ponca City And The Ponca City Utility Authority, Transferring All Assets From All Previous Funds To Ponca City Broadband.

**RESOLUTION NO. 1069**

***A JOINT RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY AND THE PONCA CITY UTILITY AUTHORITY, TRANSFERRING ALL ASSETS FROM ALL PREVIOUS FUNDS TO PONCA CITY BROADBAND.***

Trustee Taylor made the motion to approve item #7. Trustee Chapman seconded.

Roll: Yeas; Taylor, Chapman, Nicholson, Austin, Scott. Nays; None. Motion carried.

- 8A. Consider And Vote To Declare That An Emergency Exists Endangering Health, Safety And Welfare Such As To Permit Waiving Of The Notice And Bidding Requirements Under The Competitive Bidding Act.

Trustee Taylor made the motion to approve item #8A declaring that an emergency exists endangering the health, safety, and welfare of the community. Trustee Chapman seconded.

Roll: Yeas; Taylor, Chapman, Nicholson, Austin, Scott. Nays; None. Motion carried.

- 8B. Consider And Vote To Authorize Parkson Corporation To Perform Repair Work For Two Bar Screens In The Not-To-Exceed Amount Of \$153,760.00.

Trustee Chapman made the motion to approve item #8B as stated. Trustee Austin seconded.

Roll: Yeas; Chapman, Austin, Nicholson, Scott, Taylor. Nays; None. Motion carried.

9. ADJOURN

A motion to adjourn was made by Trustee Taylor and seconded by Trustee Austin.

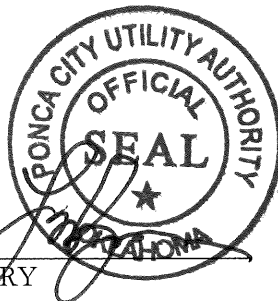
Roll: Yeas; Taylor, Austin, Nicholson, Scott, Chapman. Nays; None. Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:26 p.m.

***PASSED IN SESSION AND APPROVED THIS 22<sup>ND</sup> DAY of JULY 2019.***

ATTEST:

  
TRUST SECRETARY



  
VICE CHAIRMAN  
ACTING CHAIRMAN PAUL TAYLOR

