



City of Broken Arrow
Minutes
Broken Arrow Municipal Authority

City Hall
220 S 1st Street
Broken Arrow OK
74012

Chairperson Craig Thurmond
Vice Chair Richard Carter
Trustee Mike Lester
Trustee Johnnie Parks
Trustee Scott Eudey

Tuesday, July 5, 2016

Council Chambers

1. Call to Order

Chairman Craig Thurmond called the meeting to order at approximately 7:19 p.m.

2. Roll Call

Present: 4 - Scott Eudey, Mike Lester, Richard Carter, Craig Thurmond
Absent: 1 - Johnnie Parks

3. Consideration of Consent Agenda

Chairman Thurmond asked if there were any items to remove from the Consent Agenda. There being none, he asked for a motion.

MOTION: A motion was made by Mike Lester, seconded by Richard Carter.

Move to approve the Consent Agenda as presented

The motion carried by the following vote:

Aye: 4 - Scott Eudey, Mike Lester, Richard Carter, Craig Thurmond

- A. 16-681 Approval of Broken Arrow Municipal Authority Meeting Minutes of June 6, 2016**
- B. 16-707 Approval of Broken Arrow Municipal Authority Meeting Minutes of June 20, 2016**
- C. 16-760 Acceptance of Broken Arrow Municipal Authority's Monthly Water Usage Report**
- D. 16-745 Approval and authorization to execute Change Order Number C02 for Construction Contract WL.1611; Tulsa Water Line Connection Phase II**
- E. 16-735 Approval of the Broken Arrow Municipal Authority Claims List for July 05, 2016**

4. Consideration of Items Removed from Consent Agenda

There were no items removed from the Consent Agenda. No action was required or taken.

5. Public Hearings, Appeals, Presentations, Recognitions, Awards

There were no public hearings, appeals, presentations, recognitions or awards.

6. General Authority Business

- A. 16-721 Consideration, discussion, and possible approval to terminate the mowing contract previously awarded to WCD Enterprises, LLC**
City Attorney Beth Anne Wilkening stated that one of their newest attorneys, Mr. Littlefield, was approached by the Streets and Stormwater Department with regard to unsatisfactory performance by one of the two separate contractors hired to do the mowing. From their research they learned that the company subcontracted the work out from their base in Arizona, though they did bid on contracts nationally. As illustrated in the

photographs attached to the agenda item, the work had not been satisfactory. It was requested that the Municipal Authority take action to terminate the mowing contract. Ms. Wilkening added that there were several other contractors lined up who were prepared to honor their original bids. They anticipated, because it was an amount less than \$25,000, that they would meet with the City Manager later that week and initiate a contract with another contractor, scheduling it for ratification at the next meeting.

Trustee Eudey asked what the liability to the City was for terminating the contract. Ms. Wilkening replied that, based on hers and Mr. Littlefield's review of the contract, she believed they did have the right and the expectation for the jobs to be performed satisfactorily. The photographs spoke for themselves and they had numerous conversations, she believed, with the company's subcontractors in an effort to gain compliance. She added that most of those conversations should be documented and concluded that she felt confident in their position to terminate the contract. She confirmed to Trustee Lester that they were terminating for cause.

MOTION: A motion was made by Mike Lester, seconded by Richard Carter.

Move to terminate the WCD Enterprises, LLC contract for mowing, for cause

The motion carried by the following vote:

Aye: 4 - Scott Eudey, Mike Lester, Richard Carter, Craig Thurmond

7. Executive Session

There was no Executive Session. No action was required or taken.

8. Adjournment

The meeting adjourned at approximately 7:22 p.m.

MOTION: A motion was made by Scott Eudey, seconded by Mike Lester.

Move to adjourn

The motion carried by the following vote:

Aye: 4 - Scott Eudey, Mike Lester, Richard Carter, Craig Thurmond

Attest:

Chairman

Secretary