



City of Broken Arrow

Request for Action

File #: 18-636, Version: 1

**Broken Arrow Municipal Authority
Meeting of: 06-04-2018**

Title:

Ratification of Resolution No. 1104, a Resolution of the Regional Metropolitan Utility Authority, an Oklahoma public trust, approving and authorizing a Third Amendment to Declaration of Trust of the Regional Metropolitan Utility Authority, which provides that the Chairman of the Tulsa Metropolitan Utility Authority shall serve ex officio as a trustee; which further provides that the Mayor of the City of Tulsa shall appoint a trustee rather than the Commissioner of Waterworks and Sewerage of the City of Tulsa; which further provides for appointment of trustees by the City Managers of the Cities of Broken Arrow, Bixby, Jenks, and Owasso rather than appointment by the City Councils of the Cities of Broken Arrow, Bixby, Jenks, and Owasso which also required each trustee to be a member of the appointing City's Utility Authority; which further provides for current beneficiaries; to reaffirm and re-accept the trust herein created for and provided for; to agree to carry out the provisions of the Declaration of Trust and all amendments thereto; and finding that such actions are in the best interest of the Regional Metropolitan Utility Authority and its city beneficiaries and the health, safety, and welfare of the residents within and near the Tulsa Metropolitan Region

Background:

On April 15, 2018, at a Special Meeting of the Regional Metropolitan Utility Authority, the Trustees approved and authorized a Third Amendment to the Declaration of Trust of The Regional Metropolitan Utility Authority. The Third Amendment provides for a minimum of ten (10) in number. Additionally, the Amendment provides that the Chairman of the Tulsa Metropolitan Utility Authority shall serve ex officio as a trustee, the Mayor of the City of Tulsa shall appoint a trustee rather the Commissioner of the Waterworks and Sewerage of the City of Tulsa. Further, the Amendment provides for the appointment of trustees by the City Managers of the Cities of Broken Arrow, Bixby, Jenks, and Owasso which also required each trustee to be a member of the appointing City's Utility Authority. Lastly, it requires the current beneficiaries to reaffirm and re-accept the trust and to carry out the provisions of the Declaration of Trust and all amendments. Chairman, Craig Thurmond, approved and executed the Resolution at the Special Meeting. It is now necessary for the Broken Arrow Municipal Authority to ratify the Chairman's signature.

Cost: \$0

Funding Source: Source

Requested By: Trevor Dennis, Acting City Attorney

Approved By: Michael L. Spurgeon, City Manager

Attachments: Amendment 3 of Trust 4-25-18
Resolution No. 1104

Recommendation:

Ratify Resolution No. 1104 and authorize its execution.