

COMMISSIONERS' PROCEEDINGS, MONDAY, APRIL 3, 2023 AT 7:00 P.M. IN THE COMMISSION CHAMBERS AT CITY HALL, 320 W 3RD, ELK CITY, OKLAHOMA.

A G E N D A

INVOCATION:

FLAG SALUTE: Commissioner Rod Carver

Commission to consider and approve or disapprove the minutes of the March 15th meeting.

1. Commission to consider and approve or disapprove Participation in the Walgreens Settlement Agreement dated December 9, 2022, the Retailer State-Subdivision Agreement as it pertains to the Walgreens Settlement Agreement, and the State Back-Stop Agreement applicable to the Walgreens Settlement Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Elk City and other litigating Oklahoma subdivisions, including approval of Resolution No. 2023-4, and authorize the Mayor of the City of Elk City to execute the Subdivision Participation Form for the City of Elk City's participation in the Walgreens Settlement Agreement.
2. Commission to consider and approve or disapprove Participation in the Walmart Settlement Agreement November 22, 2022, the Retailer State-Subdivision Agreement as it pertains to the Walmart Settlement Agreement, and the State Back-Stop Agreement applicable to the Walmart Settlement Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Elk City and other litigating Oklahoma subdivisions, including approval of Resolution No. 2023-5, and authorize the Mayor of the City of Elk City to execute the Subdivision Participation Form for the City of Elk City's participation in the Walmart Settlement Agreement.
3. Commission to consider and approve or disapprove Participation in the CVS Settlement Agreement dated December 9, 2022, and the Retailer State-Subdivision Agreement as it pertains to the CVS Settlement Agreement, and the State Back-Stop Agreement applicable to the CVS Settlement Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Elk City and other litigating Oklahoma subdivisions, including approval of Resolution No. 2023-6, and authorize the Mayor of the City of Elk City to execute the Subdivision Participation Form for the City of Elk City's participation in the CVS Settlement Agreement.
4. Commission to consider and approve or disapprove Participation in the Allergan Settlement Agreement dated November 22, 2022, and the Allergan State-Subdivision Agreement and the Allergan State Back-Stop Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Elk City and other litigating Oklahoma subdivisions, including approval of Resolution No. 2023-7, and authorize the Mayor of the City of Elk City to execute the Subdivision Participation Form for the City of Elk City's participation in the Allergan Settlement Agreement.
5. Commission to consider and approve or disapprove Participation in the Teva Settlement Agreement dated November 22, 2022, and the Teva State-Subdivision Agreement and the Teva State Back-Stop Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Elk City and other litigating Oklahoma subdivisions, including approval of Resolution No. 2023-8, and authorize the Mayor of the City of Elk City to execute the Subdivision Participation Form for the City of Elk City's participation in the Teva Settlement Agreement.
6. Commission to consider and approve or disapprove bid received from Redibuilt for repairs to a 40' x 67' Quonset Barn and 67' x 17' Lean to located on Elk City Water Plant property in the amount of \$28,542.50.

7. Commission to consider and approve or disapprove DWSRF from DW-271 Disbursement Request No 8 in the amount of \$92,311.76 for Loan P40-200050102 ORF-22-0021-DW.
8. Commission to consider and approve or disapprove Pay App #5 for Orr Construction for the 2022 Water System Improvements project in the amount of \$180,765.40. (budgeted item.)
9. Commission to consider and approve or disapprove Pay App #1 for Orr Construction for the Main Street Waterline & Storm Sewer Plan project in the amount of \$231,211.38. (budgeted item.)
10. Previously discussed and tabled from April 20, 2022, July 20, 2022, September 6, 2022, November 7, 2022, February 6, 2023, and March 6, 2023 - Commission to consider and approve or disapprove declaring the structure(s) at 805 N Randall, Elk City, Ok to be a dilapidated building detrimental to the public health, safety and welfare and ordering removal of the structure(s).
11. Previously discussed and tabled from March 16, 2022, June 15, 2022, July 5, 2022, September 6, 2022, October 3, 2022, November 7, 2022, February 6, 2023 and March 6, 2023 - Commission to consider and approve or disapprove declaring the structure(s) at 609 N Jackson, Elk City, Ok to be a dilapidated building detrimental to the public health, safety and welfare and ordering removal of the structure(s).
12. Commission to consider and approve or disapprove Purchase Orders FY 22-23 & recurring invoices for April 3, 2023.
13. City Manager's Report:
 - (1) Discussion of ongoing projects.
14. City Treasurer's Report:
15. **Public Comment (3-minute time limit per individual)
16. Motion to adjourn the meeting.

**The City Commission cannot legally enter into discussion or take action on any item addressed under public comment. State law dictates that only those matters specifically appearing on the Commission agenda may be discussed or voted upon by the City Commission. Public comment exist to allow members of the public an opportunity to bring their concerns to the attention of the City Commission. However, to prevent any potential violations of the Oklahoma Open Meeting Act, no interaction or discussion will occur with regard to any item addressed under public comment. Should action be deemed to be necessary, an item will appear on the next meeting agenda for discussion and/or possible City Commission action.