

**NOTICE OF PUBLIC HEARING AND NOTICE AND AGENDA OF THE REGULAR MEETING
OF THE MARIETTA CITY COUNCIL**

Tuesday, July 12, 2022 at 6:00 PM

Marietta Public Works Authority Building, 303 W Main Street, Marietta, Oklahoma

BUSINESS TO BE CONDUCTED (which will include discussion, consideration, action for approval or disapproval, voting to take any appropriate action, and the passage of resolutions, on the following agenda items):

CALL TO ORDER.

DECLARATION OF QUORUM.

INVOCATION.

CONSENT AGENDA.

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the Regular Meeting of the Marietta City Council on May 10, 2022.
3. Approval of financial reports.
4. Approval of expenditures from the following accounts/funds, if any: general fund; sanitation fund; cemetery care fund; expense account; grant fund; police asset forfeiture account; payroll account.
5. Approval of payroll and scheduled payments.
6. Appointment of Seth Brown and Charlie Brown as volunteer firefighters, and the purchase of any necessary protective equipment.
7. Purchase of commercial lawn mower for Operations Department.
8. Designation of special events sponsored by the Love County Frontier Days Committee and necessary street closures.
9. Amendments to the budget for the fiscal year ending June 30, 2022.

ITEMS REMOVED FROM CONSENT AGENDA.

PUBLIC PARTICIPATION.

CITY ADMINISTRATOR'S REPORT.

REGULAR BUSINESS.

1. Public hearing regarding the application of Mark Nowell/FlowValve, LLC to rezone property Lots 1, 2, 3, 4, and the north 22.9 feet of Lot 5, Block 3, and Lots 12 and 13, Block 1, Fraley Heights Addition to the City of Marietta, Love County, Oklahoma, from R-1 single-family residential district to I-1 light industrial district.
2. Ordinance rezoning property described as Lots 1, 2, 3, 4, and the north 22.9 feet of Lot 5, Block 3, and Lots 12 and 13, Block 1, Fraley Heights Addition to the City of Marietta, Love County, Oklahoma, from R-1 single-family residential district to I-1 light industrial district.

- 3. Continuation of a public hearing on June 14, 2022, regarding conditions of buildings, and secondary or accessory structures located at 705 S. Driftwood Avenue (otherwise identified as the South 80 feet of the West 80 feet of Lot 6, Block 16, J.C. Washington Addition, City of Marietta, Love County, Oklahoma).
- 4. Finding and order of abatement of dilapidated conditions of buildings, and secondary or accessory structures located at 705 S. Driftwood Avenue (otherwise identified as the South 80 feet of the West 80 feet of Lot 6, Block 16, J.C. Washington Addition, City of Marietta, Love County, Oklahoma).
- 5. Agreement with Corner, Greer, and Associates architects for professional services.
- 6. Materials and/or services for street improvement projects.
- 7. Application to 2023 Community Development Block Grant - Rural Economic Action Plan.
- 8. Agreement with Fox Engineering, Inc. for professional services.
- 9. A resolution approving and accepting a beneficial interest in a trust indenture creating the Marietta Municipal Authority; and containing other provisions relating thereto.
- 10. Amending the duties of the City Administrator to include appointment as General Manager of the Marietta Municipal Authority.

MAYOR'S COMMENTS.

NEW AND UNFORESEEN BUSINESS.

ADJOURN.

POSTED: Monday, July 11, 2022, at 3:00 PM, at the Marietta City Hall, located at 101 W. Main Street, Marietta, Oklahoma.



Dottie Gwin, City Clerk
 Scott Chaney, Deputy City Clerk

MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, June 14, 2022 at 6:00 PM

Marietta Public Works Authority Building, 303 W Main Street, Marietta, OK

CALL TO ORDER.

Meeting called to order at 6:00 p.m. by Vice Mayor McKinney.

DECLARATION OF QUORUM.

A quorum was declared.

PRESENT

- Council Member KorDale Lornes
- Council Member Kermit McKinney
- Council Member Angela Vega
- Council Member Richard Barker
- Council Member Brandy Valenzuela
- Council Member Tambre Sanders (left at 7:17 p.m.)

ABSENT

Mayor Kimberly Fraire

INVOCATION.

Invocation given by Lawrence Anderson.

CONSENT AGENDA.

Motion made by Council Member Lornes to approve the Consent Agenda, Seconded by Council Member Barker.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the Regular Meeting of the Marietta City Council on May 10, 2022.
3. Approval of financial reports.
4. Approval of expenditures from the following accounts/funds, if any: general fund; sanitation fund; cemetery care fund; expense account; grant fund; police asset forfeiture account; payroll account.
5. Approval of payroll and scheduled payments.

Minutes - Regular Meeting

June 14, 2022

Page 1 of 5

ITEMS REMOVED FROM CONSENT AGENDA.

None.

PUBLIC PARTICIPATION.

(This is an opportunity for citizens to address the City Council. Remarks shall be directed to the governing body as a whole. Any issues presented by the public will not be discussed by the City Council or Mayor. Comments must be limited to three minutes or less.)

Billy Bob Cross addressed the Council regarding street name changes. Please consider problems that may arise when changing street names.

Jason May handed a letter out to all Council Members.

CITY ADMINISTRATOR'S REPORT.

City Administrator Scott gave an update on the drainage project, the street project on Cherokee Street, the trash truck (it was delivered) but the City appreciates SORD for all their help, work is continuing on Municipal Office and McCarroll Park Ribbon Cutting.

REGULAR BUSINESS.

1. Martin Luther King Jr. Committee's Juneteenth celebration and parade.

Rochelle Washington addressed Council asking for Street closure for Juneteenth Celebration on Main for a short period for Parade and Candlewood from 9-4.

Motion made by Council Member Lornes to adopt Resolution 2022-15 as presented regarding Juneteenth celebration, Seconded by Council Member Sanders.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

2. Public hearing regarding conditions of buildings, and secondary or accessory structures located at 705 S. Driftwood Avenue (otherwise identified as the South 80 feet of the West 80 feet of Lot 6, Block 16, J.C. Washington Addition, City of Marietta, Love County, Oklahoma).

Motion made by Council Member Barker to continue Public Hearing to July 12, 2022, Seconded by Council Member Lornes.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

3. Finding and order of abatement of dilapidated conditions of buildings, and secondary or accessory structures located at 705 S. Driftwood Avenue (otherwise identified as the South 80 feet of the West 80 feet of Lot 6, Block 16, J.C. Washington Addition, City of Marietta, Love County, Oklahoma).

Motion made by Council Member Sanders to table item # 3, Seconded by Council Member Lornes.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

- 4. Public hearing regarding budget for fiscal year ending June 30, 2023.

Motion made by Council Member Vega to close Public Hearing, Seconded by Council Member Lornes.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

- 5. Budget for the fiscal year ending June 30, 2023.

Motion made by Council Member Barker to adopt Resolution 2022-16, Seconded by Council Member Valenzuela.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

- 6. An ordinance granting to Oklahoma Gas and Electric Company a franchise for the installation, operation and maintenance of an electric distribution system in the City of Marietta and the selling of electricity therein for a term of 25 years.

Motion made by Council Member Lornes to adopt Ordinance 2022-1, Seconded by Council Member Sanders.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

- 7. A resolution calling and holding an election in the City of Marietta for the purpose of granting a franchise to Oklahoma Gas and Electric Company for the installation, operation, and maintenance of an electric distribution system and the selling of electricity therein for a term of 25 years.

Motion made by Council Member Lornes adopt Resolution 2022-17, Seconded by Council Member Valenzuela.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

- 8. Construction of a crosswalk and enforcement of parking restrictions on US Highway 77 near Mayall Street, and purchase of necessary materials and equipment.

City Administrator Scott said Superintendent Naylor will have to go to the Board to get permission to help with Crosswalk, but she feels like they will split the cost with the City.

Motion made by Council Member Barker to approve Crosswalk 77/Mayall not to exceed \$12,000.00 with the understanding the School will pay 1/2 of the cost, Seconded by Council Member Lornes.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders

- 9. Application to 2023 Community Development Block Grant - Rural Economic Action Plan.

City Administrator Scott discussed the Reap grant. The award this year is \$75,000. Funds could be used to repair 2nd Street. The Council will revisit this next month. No action taken.

10. Executive session to discuss the employment of ALL EMPLOYEES of the City of Marietta, pursuant to Title 25, Oklahoma Statutes, Section 307 (B) (1). (Notice: Without stating each individual name herein, all employees, full-time and part-time, with the City of Marietta, are notified that their employment and/or appointment will be discussed in this executive session.)

Motion made by Council Member Valenzuela to go into Executive Session at 6:45 p.m.,
Seconded by Council Member Vega.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega,
Council Member Barker, Council Member Valenzuela, Council Member Sanders

Returned to Open Session at 7:18 p.m.

11. Appointment of V. Derrick Gray as street equipment operator.

Motion made by Council Member Lornes to adopt Resolution 2022-18 as presented,
Seconded by Council Member Valenzuela.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega,
Council Member Barker, Council Member Valenzuela

12. Appointment of Brett Harris as Chief of Police.

Motion made by Council Member Barker to adopt Resolution 2022-19 as presented,
Seconded by Council Member Valenzuela.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega,
Council Member Barker, Council Member Valenzuela

13. Employment of Jerry Fox as Animal Control Officer.

Motion made by Council Member Lornes to adopt Resolution 2022-20 as presented,
Seconded by Council Member Valenzuela.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega,
Council Member Barker, Council Member Valenzuela

14. Increase rate of pay for certain employees based on employment longevity.

Motion made by Council Member Lornes to adopt Resolution 2022-21 as presented,
Seconded by Council Member Barker.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega,
Council Member Barker, Council Member Valenzuela

MAYOR'S COMMENTS.

None.

NEW AND UNFORESEEN BUSINESS.

None.

ADJOURN.

Minutes - Regular Meeting

June 14, 2022

Page 4 of 5

Meeting adjourned at 7:23 p.m.

A handwritten signature in blue ink, appearing to be 'D. Gwin', written over a horizontal line.

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

Daily Bank Balance

06/01/22 - 06/30/22

7/8/2022

11:13:20AM

8

<u>Account</u>	<u>Account Name</u>	<u>Begin Balance</u>	<u>Additions</u>	<u>Deductions</u>	<u>End Balance</u>
CEMETERY CARE					
03-00-100	Cemetery Care Bank Account	\$11,541.37	\$562.60	\$0.00	\$12,103.97
03-00-109	CD-American Nation Bank-0063	\$40,662.34	\$81.32	\$0.00	\$40,743.66
03-00-110	CD-Simmons Bank-7675	\$10,244.85	\$26.97	\$0.00	\$10,271.82
CEMETERY CARE		\$62,448.56	\$670.89	\$0.00	\$63,119.45
EXPENSE FUND					
04-00-100	Expense Fund Bank Account	\$9,895.75	\$1,809.90	\$1,809.90	\$9,895.75
EXPENSE FUND		\$9,895.75	\$1,809.90	\$1,809.90	\$9,895.75
GENERAL FUND					
01-00-100	General Fund Bank Account	\$1,480,270.66	\$354,567.82	\$369,040.88	\$1,465,797.60
01-00-104	CD-First National Bank-1665	\$78,118.07	\$156.35	\$0.00	\$78,274.42
01-00-105	CD-First National Bank-1666	\$52,068.59	\$104.21	\$0.00	\$52,172.80
GENERAL FUND		\$1,610,457.32	\$354,828.38	\$369,040.88	\$1,596,244.82
GRANT FUND					
05-00-100	Grant Fund Bank Account	\$16,738.61	\$0.00	\$35.30	\$16,703.31
GRANT FUND		\$16,738.61	\$0.00	\$35.30	\$16,703.31
POLICE ASSET FORFEITURE					
06-00-100	Police Asset Forfeiture Bank Account	\$580.06	\$0.00	\$0.00	\$580.06
POLICE ASSET FORFEITURE		\$580.06	\$0.00	\$0.00	\$580.06
SANITATION FUND					
02-00-100	Sanitation Bank Account	\$102,998.85	\$396,213.20	\$456,961.14	\$42,250.91
SANITATION FUND		\$102,998.85	\$396,213.20	\$456,961.14	\$42,250.91
		\$1,803,119.15	\$753,522.37	\$827,847.22	\$1,728,794.30

RESOLUTION _____

APPOINTMENT OF EMPLOYEE FOR THE CITY OF MARIETTA

WHEREAS, it is necessary to employ a number of personnel to exercise the powers and perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta;

WHEREAS, a vacancy exists within the City of Marietta based on the number of personnel funded by the budget of the current fiscal year;

WHEREAS, the following applicant was selected on the basis of their experience, aptitudes and abilities;

WHEREAS, this resolution serves to memorialize the action of the governing body regarding the hours, duties, compensation, and benefits for the employee and position described herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

1. Charlie Brown is hereby appointed as an employee of the City of Marietta to the position of Volunteer Firefighter of the Fire Department, under the supervision of Fire Chief, to be effective 7/12/22.
2. Said position shall be classified as a full-time part-time volunteer employee as defined by Section 207 of the City of Marietta Employee Handbook of Personnel Policies and is eligible for all benefits prescribed by this classification.
3. Compensation for said employee shall be based on rate — of the Grade and Step Structure adopted by City Council on November 12, 2019.
4. Employment is subject to a probationary period as outline in Section 207.A of the City of Marietta Employee Handbook of Personnel Policies.

PASSED by the City Council and SIGNED by the Mayor this 12th day of July, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

APPOINTMENT OF EMPLOYEE FOR THE CITY OF MARIETTA

WHEREAS, it is necessary to employ a number of personnel to exercise the powers and perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta;

WHEREAS, a vacancy exists within the City of Marietta based on the number of personnel funded by the budget of the current fiscal year;

WHEREAS, the following applicant was selected on the basis of their experience, aptitudes and abilities;

WHEREAS, this resolution serves to memorialize the action of the governing body regarding the hours, duties, compensation, and benefits for the employee and position described herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

1. Seth Brown is hereby appointed as an employee of the City of Marietta to the position of Volunteer Firefighter of the Fire Department, under the supervision of Fire Chief, to be effective 7/12/22.
2. Said position shall be classified as a full-time part-time volunteer employee as defined by Section 207 of the City of Marietta Employee Handbook of Personnel Policies and is eligible for all benefits prescribed by this classification.
3. Compensation for said employee shall be based on rate — of the Grade and Step Structure adopted by City Council on November 12, 2019.
4. Employment is subject to a probationary period as outline in Section 207.A of the City of Marietta Employee Handbook of Personnel Policies.

PASSED by the City Council and SIGNED by the Mayor this 12th day of July, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

A RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT, MATERIALS, AND/OR SUPPLIES FOR THE CITY OF MARIETTA

WHEREAS, the purchase of equipment, materials and supplies is necessary to perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta; and

WHEREAS, the following described equipment is needed to allow for the performance of the above described duties/functions; and

WHEREAS, in accordance with Section 2-172 of the Code of Ordinances, the following competitive bids for COMMERCIAL LAWN MOWER were submitted by AGRI-PRODUCTS - HUSTLER X-ONE - 60" \$8,999⁰⁰ ZIMMERER KUBOTA - COMMERCIAL DIESEL - 60" - \$14,769⁰⁰ _____; and

WHEREAS, staff recommend the purchase of equipment as submitted by AGRI-PRODUCTS, based upon the following justification: LOWEST BID; IMMEDIATELY AVAILABLE _____; and

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: CEMETERY / PARKS _____.

- NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:
1. The purchase of HUSTLER X-ONE as submitted by AGRI-PRODUCTS, ARDMORE, OK is hereby approved.
 2. The expenditure for the purchase will be deducted from the following department/account: CEM/PARKS CAPITAL OUTLAY _____.

PASSED by the City Council and SIGNED by the Mayor this 12TH day of JULY, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

Q U O T A T I O N

AGRI PRODUCTS
 712 P STREET NORTHEAST
 ARDMORE, OK 73401 USA
 Phone #: (580)223-7355
 Fax #: (580)223-7356

PHONE #: (580)276-5569 DATE: 7/7/2022
 CELL #: (580)276-7318 ORDER #: 245205
 ALT. #: (580)276-7284 Ext: TER CUSTOMER #: 107888
 P.O.#: CP: 005
 TERMS: Net 10th EOM LOCATION: 1
 SALES TYPE: Quote STATUS: Active

BILL TO 107888
 CITY OF MARIETTA
 101 WEST MAIN
 MARIETTA, OK 73448

SHIP TO
 CITY OF MARIETTA
 101 WEST MAIN
 MARIETTA, OK 73448

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
EXCL	940064	ZT, EXCL, X-ONE 60", KAW FX730 (23.5hp)	1	\$13,126.75	\$8,999.00	\$8,999.00
****	PDI	PRE DELIVERY INSPECTION/SETUP	1	\$50.00	\$0.00	\$0.00
****	PD	PICKUP / DELIVERY	1	\$0.00	\$0.00	\$0.00

Prices reflected on this quote are valid for 30 days and while current supplies last. However, prices are subject to change if the program or promotion the prices were quoted under is no longer in effect.

SUBTOTAL: \$8,999.00
 TAX: \$0.00
 ORDER TOTAL: \$8,999.00

Authorized By: _____



Zimmerer Kubota & Equipment, Inc.

3218 W US Hwy 82 Gainesville, TX 76240 (940) 668-7861

Customer: CITY OF MARIETTA Work Phone: _____
TERRY
 Address: _____ Home/Cell Phone: 580-276-7284
 City: _____ E-Mail: _____

Make	Model	Description	MSRP	Price:
KUBOTA	ZD1211-3-60	COMMERCIAL DESIEL ZERO TURN MOWER WITH 60 INCH DECK	\$ 18,799.00	\$ 18,114.00
		GOVERNMENT DISCOUNT		\$ (3,644.00)
KUBOTA	ZD5960	OPERATOR CONTROLLED DISCHARGE SCHUTE	\$ 299.00	\$ 299.00
Sub-Total:			\$ 19,098.00	\$ 14,769.00

Insurance Premium	
Term	Cost
0	\$50.00

Finance Payment Options	
Loan Amount	\$14,769.00
Annual Interest Rate	0.00%
Term of Loan in Years	0
First Payment Due	
Frequency of Payment	Monthly

Summary (with no extra payments)	
# of Payments	0
Rate (per period)	0.000000%
Payment (per period)	#NUM!
Total Interest	#NUM!
Total Payments	#NUM!

Trade-In	(Y/N)	
Value:	N	
Pay-Off:	N	
Difference (Sub-Total - Value + Payoff):		\$ 14,769.00
2 Yr Extended Warranty:	N	\$ 1,325.00
Taxes		
Sales Tax (6.75%):	N	\$ -
Heavy Equipment Tax (.001929)	N	\$ -
TERP Tax (50+ HP Units) (1.5%):	N	\$ -
3% Convenience Fee	N	\$ -
Extras		
Theft, Fire & Vandalism Insurance:	N	\$ -
UCC/Document Fee (C/B/Y/N):	N	\$ -
RTV Title Fee:	N	\$ -
Delivery Fee:	N	\$ -
Total:		\$ 14,769.00
Down Payment:		Amount \$ 14,769.00

Proposal Only. Not a Sales Invoice

All prices quoted are for cash or check purposes. Credit cards are gladly accepted at our non-discounted price. Unfortunately, due to steel surcharges and market increases beyond our control, prices are subject to change at any time.

Sales Person: BILL PEARSON Date: 7/6/2022
 Email: billp@zkmail.com

www.zimmererkubota.com		
2825 N Nolan River Rd Cleburne, TX 76033 (817) 645-9106	1421 N Loop 288 Denton, TX 76209 (940) 382-1564	3472 S US Hwy 287 Decatur, TX 76234 (940) 627-4744
5165 Mark IV Parkway Fort Worth, TX 76106 (817) 281-6143	3218 W US Hwy 82 Gainesville, TX 76240 (940) 668-7861	

RESOLUTION 2021-22

DECLARING LOVE COUNTY FRONTIER NIGHTS A SPECIAL EVENT AND AUTHORIZING STREET CLOSURES TO ACCOMMODATE THE EVENT

WHEREAS, the Love County Frontier Days’ Committee is planning a special, one-day event to be held within the corporate limits of the City of Marietta on Friday, August 5, 2022; and

WHEREAS, it will be necessary to close a portion of South Fourth Avenue to accommodate the event.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

1. The Love County Frontier Nights celebration, scheduled for August 5, 2022, is recognized as a special event within the City of Marietta.
2. The closure of South Fourth Avenue, between Main Street and Chickasaw Street, is hereby authorized beginning at 5:00 p.m. on August, 2022. This authorization expires at 5:00 a.m. p.m. on August 6, 2022.
3. The City Administrator may authorize the closure of other City streets located adjacent to the event area.
4. The Police Department is authorized and directed to post and enforce parking restrictions along areas of South Fourth Avenue and other City streets to provide for safe and effective movement of traffic and pedestrians.
5. The Operations Department is authorized and directed to install signage and traffic control devices to effect the closures authorized by this Resolution as outlined in the latest addition of the Manual of Uniform Traffic Control Devices.

PASSED by the City Council and **SIGNED** by the Council President this 12th day of July, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

DECLARING A HALLOWEEN CELEBRATION ORGANIZED BY THE LOVE COUNTY FRONTIER DAYS COMMITTEE A SPECIAL EVENT AND AUTHORIZING STREET CLOSURES TO ACCOMMODATE THE EVENT

WHEREAS, the Love County Frontier Days Committee is planning a special event to be held within the corporate limits of the City of Marietta on Saturday, October 29, 2022; and

WHEREAS, it will be necessary to close various streets, including a portion of Main Street, within the City of Marietta to accommodate the celebration; and

WHEREAS, the Oklahoma Department of Transportation requires a Resolution be passed by the Marietta City Council authorizing the closure of said street and providing certain information.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

1. The Love County Frontier Days Committee Halloween celebration, scheduled for October 29, 2022, is recognized as a special event within the City of Marietta.
2. The closure of West Main Street, which is also State Highway 32, between Second Avenue and Fifth Avenue is hereby authorized beginning at 10:00 a.m. on October 29, 2022. This authorization expires at 5:00 a.m. on October 30, 2022.
3. The City Administrator may authorize the closure of other City streets located adjacent to the event area.
4. The Police Department is authorized and directed to post and enforce parking restrictions along areas of South Fourth Avenue and other City streets to provide for safe and effective movement of traffic and pedestrians.
5. The Operations Department is authorized and directed to install signage and traffic control devices to effect the closures authorized by this Resolution as outlined in the latest addition of the Manual of Uniform Traffic Control Devices.

PASSED by the City Council and **SIGNED** by the Mayor this 12th day of July, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR.

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

**ADOPTING BUDGET AMENDMENTS AND APPROVING TRANSFER OF FUNDS
BETWEEN DEPARTMENTS FOR FISCAL YEAR ENDED JUNE 30, 2022**

WHEREAS, the City Council has adopted a budget as a method for planning and authorizing the expenditure of public funds; and

WHEREAS, the Oklahoma Municipal Budget Act permits the City Council to amend the City’s annual adopted budget. The budget may be amended for supplemental appropriations up to the amount of any additional revenues that are available due to: revenues received from unanticipated sources; revenues from anticipated sources in excess of unbudgeted estimates; or unanticipated, unencumbered cash balances on hand at the end of the previous fiscal year in excess of budgeted estimates; and

WHEREAS, it has become necessary to amend the budget of the fiscal year ended June 30, 2022, to provide for transfers of funds between departments and revenues received from unanticipated sources.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

SECTION 1. The budget amendment forms attached hereto as “Attachment A” are hereby adopted and the budget for the fiscal year ended June 30, 2022, is amended as detailed within said attached exhibit.

SECTION 2. A copy of this resolution and attached exhibits shall be forwarded to the City Clerk, and a copy shall be filed with the Office of the State Auditor and Inspector pursuant to the Oklahoma Municipal Budget Act.

PASSED BY THE CITY COUNCIL and **SIGNED** by the Mayor of the City of Marietta this 12th day of July 2022.

CITY OF MARIETTA

KIMBERLY FRAIRE, MAYOR

ATTEST

DOTTIE GWIN, CITY CLERK

BUDGET AMENDMENT FORM

Type of Amendment:

Supplemental Appropriation _____
 Decrease Appropriation _____
 Transfer of Appropriation X

Fund: City of Marietta
 General Fund

Accounts Decreased			Accounts Increased		
Acct No.	Name	Amount	Acct No.	Name	Amount
01-45-600	Salaries - Code Enforcement	23,000.00	01-15-710	Supplies	13,000
01-80-805	Improvements	40,000.00	01-15-800	Capital Outlay	16,500
01-20-800	Capital Outlay	68,600.00	01-15-805	Improvements - Park	20,500
			01-30-720	Contract Services	100
			01-40-720	Contract Services	1,000
			01-45-810	Abatements	22,000
			01-45-710	Supplies	1,500
			01-65-755	CLEET/AFIS/FORENSIC	3,000
			01-75-700	Fuel	15,000
			01-80-600	Salaries - Street	21,000
			01-80-710	Supplies	18,000
		131,600			131,600

Explanation: To transfer budget amounts between departments

Date Approved By Council _____

BUDGET AMENDMENT FORM

Type of Amendment:

Supplemental Appropriation X
 Decrease Appropriation _____
 Transfer of Appropriation _____

Fund: City of Marietta Sanitation

Accounts Decreased			Accounts Increased		
Acct No.	Name	Amount	Acct No.	Name	Amount
			02-10-700	Fuel	15,000
			02-10-745	Tipping Fees	28,000
			02-10-800	Capital Outlay	226,000
			02-15-800	Capital Outlay	25,000
			02-00-420	Other Revenue	116,000.00
			02-00-425	Transfer from General	178,000.00

Explanation: To increase budget for additional revenue and expenses

Date Approved By Council _____

City of Marietta
Application for Zoning Amendment

Application is hereby made to the Marietta Planning and Zoning Commission and the City of Marietta for amendment of the zoning of the following described property:

Legal Description: Lots 1, 2, 3 & 4 N 22.90' of Lots 5 BLK 3 Fraley Heights Addition & Lots 12 & 13 BLK 1 Fraley Heights Addition

Tract Acreage: _____

General Location: Corner of N 8th Ave & Love St.

Present Zoning: Residential

Present use of Property: Storage

Proposed Zoning: Industrial

Record Owner of Property: Mark Nowell / Flow Value LLC.

Are there any private or Deed Restrictions concerning the use of this property? _____

If so, describe restrictions: _____

I hereby certify that the information herein submitted is complete, true and accurate.

Applicant: Charlie Hodges
Address: 600 N HWY 77 Marietta
Phone: 580 618 3094

Owner: Mark Nowell
(If other than applicant, owner must sign)
Address: _____
Phone: 580 618 3094

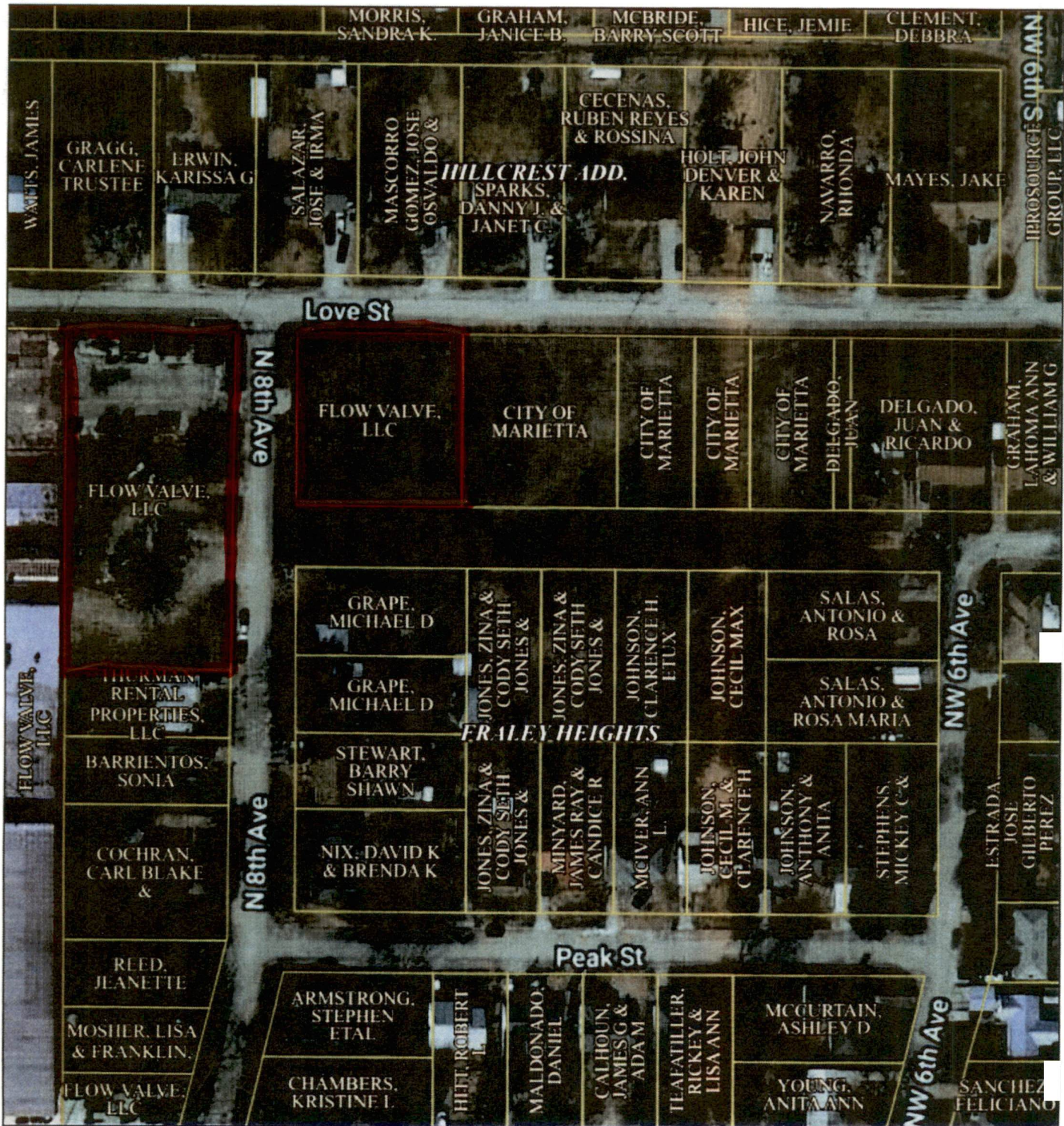
Application received by: ~~4/21/22~~ SPA Date: 4/21/22 Fee Paid: 300⁰⁰

Planning Commission Action:
Date: 7/7/22 Approved: _____ Denied: X Modified: _____

City Council Action:
Date: 7/12/22 Approved: _____ Denied: _____ Modified: _____

Comments: _____

Love County
Assessor's Office
Missy Tunnell, Assessor



Date Created: 5/25/2022
Created By: actDataScout

FLOWVALVE

1 inch = 150 feet

This map should be used for reference purposes only and should not be considered a legal document. While every effort has been made to ensure the accuracy of this product, the publisher accepts no responsibility for any errors or omissions nor for any loss or damage alleged to be suffered by anyone as a result of the publication of this map and the notations on it or as a result of the use or misuse of the information provided herein.

RESOLUTION PC22-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARIETTA REGARDING THE REZONING OF REAL PROPERTY DESCRIBED AS LOTS 1,2,3,4 & N 22.90' OF LOT 5 BLK 3 FRALEY HEIGHTS ADDITION, MARIETTA, LOVE COUNTY, OKLAHOMA & LOTS 12 & 13 BLK 1 FRALEY HEIGHTS ADDITION, MARIETTA, LOVE COUNTY, OKLAHOMA

WHEREAS, Flow Valve LLC., the owner of real property described above, hereinafter described, has submitted application for the rezoning of said real property described above; and

WHEREAS, notice of a public hearing was published in the Marietta Monitor on June 17, 2022, and mailed to the owners of property located within 300 feet of the real property on June 15, 2022; and

WHEREAS, a public hearing regarding the rezoning of the real property was held before the Planning Commission on July 7, 2022; and

WHEREAS, the owner and/or representative of 3 of the Twenty surrounding properties participated in the public hearing with 0 of the owners and/or representatives in favor of the action, and 3 against the action.

WHEREAS, 0 letter(s) were received for the action and 0 letter(s) were received against the action.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Marietta, Oklahoma:

1. The Planning Commission does recommend the rezoning of the property described as Lots 1,2,3,4 & N 22.90' of Lot 5 Blk 3 Fraley Heights Addition, Marietta, Love County, Oklahoma & Lots 12 & 13 Blk 1 Fraley Heights Addition, Marietta, Love County, Oklahoma from R1 to I1.
2. X The Planning Commission does not recommend the rezoning of the property described as Lots 1,2,3,4 & N 22.90' of Lot 5 Blk 3 Fraley Heights Addition, Marietta, Love County, Oklahoma & Lots 12 & 13 Blk 1 Fraley Heights Addition, Marietta, Love County, Oklahoma from R1 to I1.

BE IT FURTHER RESOLVED, that the foregoing resolution was introduced and moved for adoption on July 7, 2022, by Commissioner Anderson, and being duly seconded by Commissioner Dixon, was passed by the following vote:

AYES: Anderson, Dixon, Cohee

NOES: Twyford

ABSTAIN: _____

ABSENT: Reed + Perez

MARIETTA PLANNING COMMISSION

Tim Reed
TIM REED, CHAIRPERSON
CRYSTAL COHEE, VICE CHAIRPERSON

ATTEST

[Signature]
DOTTIE GWIN, CITY CLERK
SCOTT CHANEY, DEPUTY CITY CLERK



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING OF REAL PROPERTY LOCATED IN THE CITY OF MARIETTA; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY;

WHEREAS, the owner of the real properties described as Lots 1,2,3,4 & N.22.90' of Lot 5 Blk 3 Fraley Heights Addition, Marietta, Love County, Oklahoma & Lots 12 & 13 Blk 1 Fraley Heights Addition, Marietta, Love County, Oklahoma has made application with the City of Marietta requesting the zoning of said real properties be amended from R-1 single family residential district to I-2 medium industrial district; and

WHEREAS, notice of a public hearing was published in the Marietta Monitor on June 17, 2022 and mailed to the owners of property located within 300 feet of the real property on June 15, 2022; and

WHEREAS, a public hearing regarding the application for zoning amendment of the real property was held before the Planning Commission on July 7th, 2022, and the Planning Commission does not recommend amendment to the zoning of the real properties as provided by Resolution PC22-02; and

WHEREAS, a public hearing regarding the application for zoning amendment of the real property was held before the City Council on July 12, 2022, and the City Council has determined that the amendment of the zoning district of the real properties, located within the corporate limits of the City of Marietta, is in the best interest of the City and the general public.

THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:

SECTION 1. The zoning of the following properties is hereby amended from R-1 single family residential district to I-2 medium industrial district to wit:

Lots 1,2,3,4 & N.22.90' of Lot 5 Blk 3 Fraley Heights Addition, Marietta, Love County, Oklahoma & Lots 12 & 13 Blk 1 Fraley Heights Addition, Marietta, Love County, Oklahoma, according to the recorded plat thereof.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

SECTION 3. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 12th day of July 2022.

CITY OF MARIETTA

ATTEST:

BY: _____
KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

ORDER OF ABATEMENT
City of Marietta, Oklahoma
Public Nuisance Administrative Hearing

PROPERTY LOCATION: 705 S. Driftwood

CASE NUMBER: M-21-0128

HEARING DATE: July 12, 2022

LEGAL: S 80' OF W 80' OF LOT 6 BLK 16 J.C. WASHINGTON ADDITION

A public hearing was held before the City Council of the City of Marietta on this date concerning the existence of a public nuisance on the property described above.

A determination was made that written notice had been properly served upon the property owner as shown by the records of the County Treasurer of Love County, Oklahoma, in accordance with Oklahoma Statutes.

As a result of this hearing, a public nuisance was determined to exist as defined by the Oklahoma Statutes, to-wit: **Dilapidated Building as defined by 11 O.S. § 22-112**

THEREFORE, it is ordered by the City Council of the City of Marietta, that the owner of the property take immediate action to repair the dilapidated building(s) and obtain a certificate of occupancy, as required by Section 8-3 of Appendix A to the City of Marietta Code of Ordinances, by _____.

If the owner of the property fails to take action to repair the dilapidated building(s), authorized officers of the City of Marietta, Oklahoma, or designated agents thereof, shall take action to abate the public nuisance existing upon the property by any procedure necessary. Said abatement shall commence on or after _____.

A bill for all costs and expenses associated with the abatement of this public nuisance shall be prepared by the City Clerk, certified by the Mayor or his designee, and forwarded to the property owner shown above. Should said bill not be paid in full within six (6) months, said costs and expenses shall be certified to the County Treasurer of Love County, Oklahoma, and shall be placed on the tax rolls for said property, and thereby become a lien against the property.

An appeal of this Order may be made to Love County District Court, 405 W. Main Street, Marietta, Oklahoma, 73448, within thirty (30) business days from the date of this Order.

CITY OF MARIETTA

ATTEST:

BY: Kimberly Fraire, Mayor

Dottie Gwin, City Clerk

RESOLUTION _____

A RESOLUTION AUTHORIZING APPLICATION FOR FINANCIAL ASSISTANCE FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT / RURAL ECONOMIC ACTION PLAN FUND

WHEREAS, the City of Marietta desires to seek funding from the Community Development Block Grant / Rural Economic Action Plan Fund for water or wastewater upgrades and improvements in the City of Marietta, Love County, Oklahoma; and

WHEREAS, it is in the best interest if the residents of the City of Marietta to expedite the preparation and submission of an application for financial assistance from the Community Development Block Grant / Rural Economic Action Plan Fund, in the form of a grant.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA that City Administrator Dustin Scott and Deputy City Clerk Scott Chaney are authorized to sign all related documentation necessary to file for and process a grant through the Community Development Block Grant / Rural Economic Action Plan Fund on behalf of the City of Marietta.

PASSED by the City Council and **SIGNED** by the Mayor of the City of Marietta this 12th day of July, 2022.

CITY OF MARIETTA

KIMBERLY FRAIRE, MAYOR

ATTEST

DOTTIE GWIN, CITY CLERK

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA (THE "CITY") MET IN REGULAR SESSION IN THE MARIETTA PUBLIC WORKS BUILDING, 303 W. MAIN, IN SAID CITY ON THE 12TH DAY OF JULY, 2022, AT 6:00 O'CLOCK P.M.

PRESENT: _____

ABSENT: _____

Thereupon, the following resolution was introduced and caused to be read by title by the Mayor. Councilmember _____ moved passage of the Resolution and Councilmember _____ seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE: _____

NAY: _____

The Resolution so approved is as follows:

RESOLUTION _____

A RESOLUTION APPROVING AND ACCEPTING BENEFICIAL INTEREST IN A TRUST INDENTURE CREATING THE MARIETTA MUNICIPAL AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

SECTION 1. Trust Indenture. The Trust Indenture dated as of July 12, 2022 (the "Trust Indenture") by and among Kimberly Fraire, as Trustor, and Kimberly Fraire, Lawrence Anderson, Richard Barker, KorDale Lornes, Kermit McKinney, Tambre Sanders, Doug Stewart, Brandy Valenzuela, and Angela Vega, as Trustees, creating the Marietta Municipal Authority, is hereby approved. The City of Marietta, Oklahoma (the "City") is hereby declared to be beneficiary of the trust as created by the Trust Indenture creating the Authority and the City accepts said trust as

beneficiary thereof and authorizes the Mayor or Vice Mayor and City Clerk or Deputy City Clerk of the City to execute any and all documents necessary to evidence acceptance of said beneficial interest in the Trust Indenture.

PASSED BY THE CITY COUNCIL and **SIGNED** by the Mayor of the City of Marietta this 12th day of July, 2022.

CITY OF MARIETTA

ATTEST:

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

STATE OF OKLAHOMA)
)SS
COUNTY OF LOVE)

I, the undersigned, City Clerk of the City of Marietta, Oklahoma, do hereby certify that the above and foregoing is a true, full, and correct copy of an excerpt from the minutes of a meeting of the Board of Trustees of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

GIVEN UNDER MY HAND THIS 12TH DAY OF JULY, 2022.

DOTTIE GWIN, CITY CLERK

**TRUST INDENTURE
CREATING THE
MARIETTA MUNICIPAL AUTHORITY**

KNOW ALL MEN BY THESE PRESENTS:

This Trust Indenture dated as of the 12th day of July, 2022, by Kimberly Fraire, hereinafter referred to as the Trustor, and, Kimberly Fraire, Lawrence Anderson, Richard Barker, KorDale Lornes, Kermit McKinney, Tambre Sanders, Doug Stewart, Brandy Valenzuela, and Angela Vega, and their respective successors as provided herein, to be known as the Trustees of the Marietta Municipal Authority, who shall be and are hereinafter referred to as Trustees of the said Authority, hereinafter referred to as “Authority” or “Trust”.

NOW, THEREFORE, in consideration of the payment by the Trustor to the Trustees of the sum of Ten Dollars (\$10.00), receipt of which is hereby acknowledged, the mutual covenants herein set forth, and other valuable considerations, the said Trustees agree to hold, manage, invest, assign, convey and distribute as herein provided, authorized and directed, such property as Trustor, or others may heretofore or from time to time hereafter assign, transfer, lease, convey, give, bequeath, devise or deliver unto this Trust or the Trustees hereof.

TO HAVE AND HOLD such property and the proceeds, rents, profits, and increases thereon unto said Trustees and said Trustees’ successors and assigns, but nevertheless in trust, for the use and benefit of the City of Marietta, State of Oklahoma, such City being hereby designated and hereinafter referred to as “Beneficiary” and upon the trusts, terms and conditions hereinafter stated.

**ARTICLE I
Creation of Trust**

The undersigned Trustor recreates, creates and establishes a Trust for the use and benefit of the Beneficiary for the public purposes hereinafter set forth, under the provisions of Title 60, Oklahoma Statutes 2021, Sections 176 to 180.4, inclusive, as amended and supplemented, the Oklahoma Trust Act and other applicable statutes and laws of the State of Oklahoma.

The undersigned Trustor hereby forever irrevocably conveys, relinquishes and assigns to the Trustees of the Authority any and all right, title and interest he may have in and under this Trust Indenture and the trust created hereunder, including, without limitation, the right to consent to and approve any further changes, amendments or supplements to this Trust Indenture.

ARTICLE II
Name and Effective Date of Trust

The Trustees of this Trust shall continue to conduct all business and execute or authorize the execution of all instruments in the name of this Trust, which shall be “Marietta Municipal Authority” and otherwise perform the duties and functions required in the execution of this Trust, and hereby authorize the Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Trust to execute instruments on behalf of the Trust as directed by duly enacted resolutions of the Trust. This Trust Indenture shall be in full force and effect from and after the date of execution by the Trustees of the Trust and acceptance of the beneficial interest herein by the Beneficiary.

ARTICLE III
Definitions

“Act” shall mean the Oklahoma Public Trust Act, being Title 60, Oklahoma Statutes 2021, Sections 176 to 180.4, as amended and supplemented.

“Authority” shall mean the Marietta Municipal Authority created and recreated pursuant to this Trust Indenture, and the Trustees thereof, acting on behalf of and in the name of said Authority.

“Beneficiary” shall mean the City of Marietta, State of Oklahoma, acting by and through its City Council.

“Bonds” or “Notes” shall mean respectively the bonds and notes of the Authority that are contemplated under this Trust Indenture.

“By-Laws” shall mean the By-Laws, if any, duly adopted by the Authority as the same may be amended from time to time.

“Governmental Agency” shall mean the United States of America and the State or any department, division, public corporation, public agency, political subdivision or other public instrumentality of either.

“Lending Institution” shall mean any bank or trust company, Federal National Mortgage Association, mortgage banker, mortgage company, national banking association, savings bank, savings and loan association and any other financial institution or Governmental Agency or person.

“Mortgage” shall mean a mortgage, mortgage deed, deed of trust, security agreement or other instrument creating a lien on a fee interest in real and/or personal property located with the Beneficiary or a leasehold on such fee interest.

“Mortgage Loan” means an interest bearing obligation secured by a Mortgage.

“State” shall mean the State of Oklahoma.

“Trustees” shall mean the Trustees of the Authority.

“Trust Indenture” shall mean this Trust Indenture dated as of July 12, 2022.

ARTICLE IV
Purposes of Trust

The purposes of this Trust are:

- (1) To assist the Beneficiary, the State of Oklahoma, Governmental Agencies, municipalities and private entities, agencies and citizens in making the most efficient use of all of their economic resources and powers in accord with the needs and benefit of the State of Oklahoma and the Beneficiary in order to lessen the burdens on government and to stimulate economic growth and development, specifically including, but not limited to, the power to conduct studies and prepare comprehensive plans relating to the future economic growth and development of the Beneficiary; to inventory the services, facilities and resources of the Beneficiary; to promote, stimulate, encourage and finance the growth and development of the utility, agricultural, commercial, health care and industrial resources of the Beneficiary, all in order to achieve maximum utilization of the Beneficiary’s human, economic and natural resources and tourist attractions; to foster and promote an improved industrial climate within the Beneficiary and to otherwise promote its general economic welfare and prosperity and to finance any and all programs, utilities, facilities or resources promoting or intending to promote any of the foregoing and, without restriction, in furtherance of the foregoing general objectives, the following specific powers or purposes, to wit:
 - (a) To promote and develop any and all utility and public works projects or facilities of any type or description including, but not limited to, those for water, sewer, electric, solid waste, natural gas or other public utilities of any type or description.
 - (b) To promote, develop and finance projects or facilities relating to agriculture, farming, ranching and agri-business of any sort or description including, but not limited to, any land or personal property related thereto, or projects relating to cattle, poultry, irrigation equipment and systems, or other agri-projects of any other sort or description.
 - (c) To promote, finance and develop commercial and industrial projects or facilities and to exercise all of the powers, privileges and prerogatives of industrial trusts within this State.
 - (d) To promote, finance and develop hospitals, ambulance services and other health care facilities and any other medically related facilities including, but not limited to, medical and/or dental, optometric, osteopathic or chiropractic clinics, offices, laboratories, nursing homes, research facilities, geriatric

facilities, retirement facilities, central service facilities and training facilities, extended care facilities, facilities for aged and/or disabled persons, day care facilities for children and all other types of facilities for serving the medical and physical needs of people.

- (e) To promote, finance and develop projects or facilities relating to the development of energy of any sort or description including, but not limited to those relating to the development of oil, gas, coal, gravel, lead, zinc or other minerals or hydro-carbons, the financing of oil and gas equipment, refineries, drilling and pumping rigs and equipment, or other energy development of any sort or description and synthetic fuel facilities.
 - (f) To promote, finance and develop projects, facilities, services and industries pertaining to the development or improvement of: individual, commuting, airport and mass transportation; transportation generally; trucking; handling and shipping of goods; railroads, railroad rights-of-way; railroad equipment or rolling stock construction, repair or maintenance facilities; air transportation; public or mass transportation systems, facilities and equipment, and the financing of automobiles, trucks and vehicles of every sort and description; and other methods and modes of transporting people, goods and equipment of whatsoever kind or character, within the boundaries of the Beneficiary and to provide additional employment or increase transportation efficiency which will benefit and strengthen the economy of the Beneficiary.
 - (g) To promote, finance and develop recreational, sports, cultural, tourism, entertainment and communication media projects or facilities including, but not limited to, mass-media broadcasting facilities such as radio, television and cable television equipment and facilities.
 - (h) To plan, establish, develop, construct, finance, enlarge, remodel, acquire, improve, alter, extend, maintain, equip, operate, lease, furnish and regulate any facilities related to any of the foregoing and, if desired, to lease such facilities and to operate the same in connection therewith and to do, perform, own, acquire, construct or engage in or finance any other enterprise or activity, project or facility to such extent and in such manner as now is or may be considered a proper and lawful function of public trust entities within the State of Oklahoma.
- (2) To promote the development of adequate housing within the territorial limits of the Beneficiary whether single family dwellings or multi-family dwellings:
- (a) By making or committing to make or participating in the making of loans to non-profit sponsors of housing;
 - (b) By making or committing to make or participating in the making of loans to persons upon terms and conditions requiring such owners to use the proceeds

of such loans to construct, acquire, rehabilitate or improve housing and such additional terms and conditions as may be set by the Authority;

- (c) By participating in all Government Agency programs relating to housing and housing projects;
 - (d) By participating in housing programs of all kinds to assist in providing safe and sanitary housing to the residents of the Beneficiary and surrounding community.
- (3) To provide funds and assistance for the purposes set out in this Indenture which include, among others:
- (a) the expansion of the supply of funds in the Beneficiary available for new Mortgage Loans for housing; and
 - (b) the provision of the additional housing needed to remedy the shortage of such housing within the boundaries of the Beneficiary and to upgrade substandard housing within the boundaries of the Beneficiary so as to eliminate the existence of substandard dwellings.
- (4) To hold, maintain and administer any leasehold rights in and to physical properties heretofore or hereafter demised to the Beneficiary or the Authority and to comply with the terms and conditions of any such lease.
- (5) To acquire by lease, purchase, production, reduction to possession or otherwise, and to plan, establish, develop, construct, enlarge, improve, extend, maintain, equip, operate, furnish, provide, supply, regulate, hold, store and administer any and all physical properties (real, personal or mixed), rights, privileges, immunities, benefits and any other thing of value, designated or needful for utilization in furnishing, providing or supplying the aforementioned services, utilities, buildings and facilities; to finance and refinance and to enter into contracts of purchase, lease-purchase or other interest in or operation and maintenance of said properties, and revenues thereof, and to comply with the terms and conditions of any such contracts, leases or other contracts entered into in connection with the acquisition, equipping, maintenance and disposal of any of said property; and to relinquish, dispose of, rent or otherwise make provisions for properties owned or controlled by the Trust, but no longer needful for Trust purposes.
- (6) To acquire, construct, reconstruct, extend, lease, purchase, install, equip, maintain, repair, enlarge, remodel and operate any property, improvements, buildings and other facilities of every nature for use by the State of Oklahoma, the United States of America, or the Beneficiary, or for use by authorities or agencies of the State of Oklahoma, the United States of America or the Beneficiary or for the use of corporations, individuals, partnerships, associations or proprietary companies for industrial development; to plan, establish, develop, construct and enlarge railroad and railway facilities, trucking, air transportation, public or mass transportation, and all phases of transportation relating to commerce; improve, extend, replace, reconstruct,

repair, operate and maintain railroad rights-of-way, trucking, air transportation, public or mass transportation projects, and related facilities; maintain, equip, operate, lease, furnish, provide, supply, regulate, hold, store and administer property, buildings, improvements and facilities of every nature, within the territorial boundaries of the Beneficiary which may be useful in securing, developing and maintaining such facilities, functions or activities.

- (7) To perform, on behalf of the Beneficiary, all functions, activities and powers authorized by industrial and economic development statutes as they from time to time exist.
- (8) To provide funds for the cost of financing, refinancing, acquiring, constructing, purchasing, equipping, maintaining, leasing, repairing, improving, extending, enlarging, remodeling, holding, storing, operating and administering any or all aforesaid property, improvements, buildings, facilities and all properties (real, personal or mixed) necessary or desirable for executing and fulfilling the Trust purposes, as set forth in this instrument, and all other charges, costs and expenses necessarily incurred in connection therewith and in so doing, to incur indebtedness, either unsecured or secured by all or any part of the Trust Estate and its revenues.
- (9) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for the purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, and to distribute the residue and remainder of such funds to the Beneficiary.

ARTICLE V
Duration of Trust

This Trust shall have duration for the term of duration of the Beneficiary and until such time as its purposes shall have been fully fulfilled and all indebtedness of the Authority is paid, or until it shall be terminated as hereinafter provided.

ARTICLE VI
The Trust Estate

The Trust Estate shall consist of:

- (1) The funds and property presently in the hands of the Trustees or to be hereafter acquired or constructed by the Trustees and dedicated by the Trustor, the Beneficiary and others to be used for trust purposes.
- (2) Any and all leasehold rights heretofore or hereafter remised to the Trustees by the Beneficiary, and others as authorized and empowered by law.

- (3) Any and all money, property (real, personal or mixed), rights, choses in action, contracts, leases, privileges, immunities, licenses, franchises, benefits, Mortgages, Mortgage Loans, collateral and all other things of value heretofore or hereafter coming into the hands of the Trustees under this Trust Indenture.
- (4) Cash in the sum of \$10.00 paid by the Trustor to the Trustees, receipt of which is hereby specifically acknowledged by the Trustees.

ARTICLE VII
The Trustees

- (1) The Trustees of this Trust shall be citizens and residents of the Beneficiary, who are the persons presently constituting the Mayor and members of the City Council of the Beneficiary, and the persons who shall be their successors as Mayor, and members of said City Council of said Beneficiary, and each such successor in office shall, upon taking the Oath of Office, but without any further act, deed or conveyance, automatically become Trustees of this Trust and become fully vested with all the estate, properties, rights, powers, duties and obligations of his predecessor hereunder with like effect as if originally named as a Trustee herein.
- (2) The person who shall be the Mayor of the Beneficiary, shall become automatically the Chairperson of the Trustees and shall preside at all meetings and perform other duties designated by the Trustees. The Trustees shall designate the time and place of all regular meetings. All actions by the Trustees pursuant to the provisions of this Trust Indenture shall be approved by the affirmative vote of at least a majority of the Trustees qualified to act as such under the provisions of this Trust Indenture. The Council President shall automatically become Vice-Chairperson who shall act in the place of the Chairperson during the latter's absence or incapacity to act.
- (3) The person who shall be the City Clerk of the Beneficiary shall act as Secretary of the Trustees. The person who shall be the Deputy City Clerk of the Beneficiary shall act as Assistant Secretary of the Trustees. The Secretary or Assistant Secretary shall keep minutes of all meetings of the Trustees and shall maintain complete and accurate records of all their financial transactions, all such minutes, books and records to be on file in the office of the Trust. All meetings of the Trustees shall be open to the public, and the books, records and minutes of the Trustees shall be considered as public records and available for inspection at all times by any interested party.
- (4) The person who shall be the City Treasurer of the Beneficiary shall act as Treasurer of the Trustees. The duties of the Treasurer shall be prescribed by the Trustees.
- (5) The Trustees may appoint a General Manager and/or Executive Director for the Trust Estate, and the Trustees may employ such other clerical, professional, legal and technical assistance as may be deemed necessary in the discretion of the Trustees to properly operate the business of the Trust, and may fix their duties, terms of employment and compensation from the Trust Estate. All Trustees shall serve without

compensation, but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder. In the event a General Manager and/or Executive Director for the Trust Estate is appointed by the Trustees, the said General Manager and/or Executive Director shall administer the business of the Trust Estate as directed from time to time by the Trustees.

- (6) The Trustees are authorized to contract, in connection with the incurrence of any funded indebtedness secured by the Trust Estate and/or its revenues, or any part of either or both, that in the event of a default in the fulfillment of any contractual obligation undertaken on behalf of the Trust Estate or in the payment of any indebtedness incurred on behalf of the Trust Estate, that a Temporary Trustee or Trustees or Receiver shall be appointed to succeed to the rights, powers and duties of the Trustees then in office. Any such contract, if made, may set forth the terms and conditions under which such Temporary Trustee or Trustees or Receiver may be appointed to operate the Trust Estate and may provide for compensation to be paid, and may provide for such appointment to be vacated and permanent Trustees to be automatically reinstated upon termination of all defaults by which their appointment was authorized.
- (7) Bonds or other evidences of indebtedness to be issued by the Trustees shall not constitute an indebtedness or obligation of the State or the Beneficiary nor personal obligations of the Trustees, but shall constitute obligations of the Trust only, payable solely from the Trust Estate.
- (8) The Trustees, the State, and the Beneficiary shall not be charged personally with any liability whatsoever by reason of any act or omission committed or suffered in good faith or in the exercise of their honest discretion in the performance of such Trust or in the operation of the Trust Estate; but any act or liability for any omission or obligation of the Trustees in the execution of such Trust, or in the operation of the Trust Estate, shall extend to the whole of the Trust Estate or so much thereof as may be necessary to discharge such liability or obligation.
- (9) Notwithstanding any other provision of this Trust Indenture which shall appear to provide otherwise, no Trustee or Trustees shall have the power or authority to bind or obligate any other Trustee, or the Beneficiary, in his or its capacity, nor can the Beneficiary bind or obligate the Trust or any individual Trustee.
- (10) The Trust shall cause to be prepared annually at the close of each fiscal year of the Trust an audit of the funds, financial affairs and transactions of the Trust including, but not limited to, all fees, salaries and expenditures in exact amounts and specifying to whom such expenditures were paid. Such audit is to be certified with an unqualified opinion of an independent, certified public account. A copy of the annual audit of the Trust shall be filed within the time period and in conformity with the provisions of Oklahoma law related thereto. Unless hereafter changed by specific resolution of the Trustees, the fiscal year of the Trust shall be July 1 to June 30 of the following year. All expense incurred in connection with the annual audits shall be paid from the Trust Estate.

- (11) Every person becoming a Trustee shall first take the Oath of Office required of an elected public officer. The Oath of Office shall be administered by any person authorized to administer oaths in the State, and shall be filed with the Clerk or Deputy Clerk of the Beneficiary. Every officer and employee who handles funds of the Trust shall furnish a good and sufficient fidelity bond in an amount and with surety as may be specified and approved by the Trustees; the Trustees may, but shall not be obligated to, obtain bonds relating to the performance of their duties as Trustees. Such bonds shall be in a surety company authorized to transact surety business in the State and the cost thereof shall be paid from the Trust Estate.

ARTICLE VIII
Powers and Duties of the Trustees

To accomplish the purposes of the Trust, the Trustees shall have, in addition to the usual powers incident to their office and the powers granted to them otherwise by law or in other parts of this Trust Indenture, the following rights, powers, duties, authority, discretion and privileges, all to be exercised on behalf of and in the name of the Authority:

- (1) To sue and be sued.
- (2) To have a seal and alter same at pleasure.
- (3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions hereunder.
- (4) To make and alter by-laws for its obligations and internal management as provided herein.
- (5) To make and alter rules and regulations pertaining to any loan or other program developed by the Authority.
- (6) To acquire, lease, convey, or otherwise hold and dispose of real and personal property for its Trust purposes; provided that, no purchaser at any sale or lessee under a lease made by the Trustees shall be bound to inquire into the expediency, propriety, validity or necessity of such sale or lease or to see or be liable for the application of the purchase or rental monies arising therefrom.
- (7) To enter into contracts for sale of Bonds, Notes or other evidences of indebtedness, interim Notes or Bonds or other obligations of the Trust and to issue the same for any of the purposes of the Trust authorized hereby including, but not limited to: the acquisition, construction, reconstruction, equipping or otherwise financing facilities discussed in Article IV hereof or for any other lawfully permitted facilities which may be secured with Mortgages, security interests or other collateral satisfactory to the Trustees; making Mortgage loans or purchasing Mortgage notes secured by Mortgages on dwellings; acquiring real or personal property or facilities at foreclosure of any loan or obligation or authorized to be acquired pursuant to the terms of this

Trust Indenture or other purposes authorized under any instrument securing any indebtedness of the Trust; refunding or advance refunding any outstanding indebtedness of the Trust; creating any reserves or replacement funds, loan funds or other funds or accounts deemed advisable by the Trustees in the furtherance of the Trust purposes or in connection with the securing of any of the Trust’s debts or in the administration of Trust programs; and for any other purpose authorized by law and/or by Article IV hereof; and for those purposes the Trustees may:

- (a) Sell all Bonds, Notes or other evidences of indebtedness or obligations of the Trust at public or private sale in whole or in installments or series and on such terms and conditions and in such manner as is prescribed by law and as the Trustees shall deem to be in the best interest of the Trust Estate; and
- (b) Appoint and compensate attorneys, paying agencies and corporate trustees in connection with the issuance of any such Bonds, Notes, evidences of indebtedness or other obligations of the Trust; and
- (c) Pay all expenses incident to the creation of any indebtedness or the issuance of any Bonds, Notes or other evidences of indebtedness including, but not limited to, printing expenses, feasibility studies, special consultants, travel expenses or reproduction expenses; and
- (d) Create any reserve fund and any and all other funds and accounts as the Authority shall deem necessary or desirable in connection with the issuance of any Bonds, Notes or other evidences of indebtedness.

Any such indebtedness shall be deemed to be incurred or issued on behalf of the Beneficiary and may be general or special obligations of the Trust as the Trustees may from time to time determine.

- (8) To purchase or redeem their Bonds, Notes or other evidences of indebtedness in whole or in part prior to the stated maturity thereof as specified in any instrument authorizing the issuance or securing the payment of any such indebtedness.
- (9) To pledge any or all of the Trust’s revenues or assets to secure the payment of any of its indebtedness.
- (10) To enter into agreements with or participate in any programs of the Beneficiary, the State of Oklahoma, or any agency or instrumentality thereof, the United States of America, or any agency or instrumentality thereof.
- (11) To enter into and execute, purchase, lease or otherwise acquire property, real, personal or mixed, contracts, leases, rights, privileges, benefits, choses in action or other things of value and to pay for the same in cash, with bonds or other evidences of indebtedness or otherwise.
- (12) To fix, demand and collect charges, rentals and fees for the services and facilities of the Trust and to discontinue the furnishing of services and facilities to, and foreclose

on any collateral of, any person, firm, or corporation, or public instrumentality delinquent in the payment of any indebtedness to the Trust; to purchase and sell such supplies, goods and commodities as are incident to the operation of its properties.

- (13) To make and perform contracts of every kind including, management contracts, with any person, firm, corporation, association, joint venture, trusteeship, municipality, government, sovereignty or other entity; and without limitation as to amount, to draw, make, accept, endorse, assume, guarantee, account, execute and issue promissory notes, drafts, bills of exchange, acceptances, warranties, bonds, debentures and other negotiable or non-negotiable instruments, obligations and evidences of unsecured indebtedness, or of indebtedness secured by mortgage, deed of trust or otherwise upon any or all income of the Trust, in the same manner and to the same extent as a natural person might or could do. To collect and receive any property, collateral, money, rents, or income of any sort and distribute the same or any portion thereof for the furtherance of the authorized Trust purposes set out herein.
- (14) To exercise or to request of, arrange or contract with the Beneficiary or any governmental unit, agency or political subdivision thereof for the exercise of the power of eminent domain as necessary in establishing, operating, administering and maintaining any Trust facilities, systems, projects or programs.
- (15) To expend all funds coming into the hands of the Trustees as revenue or otherwise for the payment of any indebtedness incurred by the Trustees for purposes specified herein, and in the payment of the aforesaid costs and expenses, and in payment of any other obligation properly chargeable against the Trust Estate, to from time to time transfer any surplus funds to the Beneficiary as the Authority in its sole discretion may determine and, upon termination of the Trust, to distribute the residue and remainder of such funds to the Beneficiary.
- (16) To contract for services with firms or persons or other units and entities of government or private entities or agencies to carry out the purposes of the Trust; to apply for, contract for, receive and expend for its purposes, funds or grants from any governmental or non-governmental agency or entity, the Beneficiary, the State, the Federal Government or any agency or department thereof, or from any other source.
- (17) To receive funds, money, property, collateral, services, rights and choses in action from any source to finance the programs and operations of the Trust; to receive grants, gifts, contributions and donations to carry out the purposes for which the Trust is formed; to receive and accept from any Federal, State or private agencies or entities, grants or loans for or in aid of the construction of any facility or system and to receive and accept aid or contributions of money, labor or any other valuable things from any source.
- (18) To plan, coordinate, implement, administer or otherwise carry out public works or other projects or programs for public purposes for the benefit of the Beneficiary.

- (19) To make, or commit to make, or participate in the making of Mortgage Loans whether for construction, for acquisition, financing or purchasing of housing.
- (20) To invest monies of the Authority not required for immediate use, including proceeds from the sale of any Bonds or Notes, in accordance with the laws of the State.
- (21) To sell any Mortgages or other personal property acquired by the Authority at public or private sale and at such price or prices as it shall determine.
- (22) To renegotiate, refinance or foreclose, or contract for the foreclosure of any Mortgage, security interest or other obligation in default; to waive any default or consent to the modification of the terms of any Mortgage; to commence any action to protect or enforce any right conferred upon it by any law, Mortgage, security interest, contract or other agreement, and to bid for and purchase such property at any foreclosure or at any other sale, or acquire or take possession of any such property; to operate, manage, rehabilitate, improve, lease, dispose of, and otherwise deal with such property, in such manner as may be necessary to protect the interests of the Trust and the holders of its Bonds, Notes or other obligations.
- (23) To renegotiate or refinance any loan in default; waive any default or consent to the modification of the terms of any loan, and commence any action or proceedings to protect or enforce any right conferred upon it by law, loan agreement, contract or other agreement.
- (24) To make and execute contracts and appoint agents for the administration or servicing of any loan made or acquired by the Trust and pay the reasonable value of services rendered to the Trust pursuant to such contracts.
- (25) To sell any loans made or acquired by the Trust at public or private sale and at such price or prices and on such terms as the Trust shall determine.
- (26) To collect and pay reasonable fees and charges in connection with making, committing to make, purchasing or committing to purchase and servicing its Mortgage Loans, Notes, Bonds, commitments and other evidences of indebtedness.
- (27) To procure insurance against any type loss in such amounts, and from such insurers, as it may deem necessary or desirable.
- (28) To consent, whenever it shall be deemed necessary or desirable in the fulfillment of its Trust purposes, to the modification of the rate of interest, time of payment of any installment of principal or interest, or any other terms of any Mortgage Loan, Mortgage Loan commitment, construction loan, temporary loan, contract or agreement of any kind to which the Trust is a party.
- (29) To do any and all things necessary or convenient to carry out its purposes and exercise the powers given and granted herein, and to do all other acts in their judgment necessary or desirable, for the proper and advantageous management, investment and distribution of the Trust Estate and income therefrom.

- (30) To exercise exclusive management and control of the properties of the Trust Estate.
- (31) To contract for the furnishing of any services or the performance of any duties that they may deem necessary or proper and pay for the same as they see fit.
- (32) To select depositories for the funds and securities of this Trust.
- (33) To compromise any debts or claims of or against the Trust Estate, and adjust any dispute in relation to such debts or claims against the Trust Estate upon any evidence deemed by the Trustees to be sufficient. The Trustees may bring any suit or action which in their judgment is necessary or proper to protect the interest of the Trust Estate, or to enforce any claim, demand or contract for the Trust; and they shall defend, in their discretion, any suit against the Trust, or the Trustees or employees, agents or servants thereof. They may compromise and settle any suit or action, and discharge the same out of assets of the Trust Estate, together with court costs and attorney’s fees. All such expenditures shall be treated as expenses of executing this Trust.
- (34) To do each and all things necessary to implement the purposes of this Trust as set out herein, and to that end Article IV “Purposes of Trust” is incorporated in its entirety under this “Powers” Article for the purpose of insuring that all appropriate power is granted to the Trustees to accomplish the purposes hereof without inhibition.

ARTICLE IX
Supervisory Control

The Trust created hereby and the Trustees appointed hereunder are subject to such supervision and control as may be determined from time to time by the Legislature of the State or by regulations that may be issued by departments or agencies of the United States of America, to insure the tax exempt status of any Bonds, Notes or other evidences of indebtedness issued by the Authority.

ARTICLE X
Beneficiary of Trust

- (1) The Beneficiary of this Trust shall be the municipality designated in Article III herein, under and pursuant to Title 60, Oklahoma Statutes 2021, Sections 176 to 180.4, inclusive, as amended and supplemented, and other applicable statutes of the State presently in force and effect.
- (2) The Beneficiary shall have no legal title, claim or right to the Trust Estate, its income, or to any part thereof or to demand or require any partition or distribution thereof. Neither shall the Beneficiary have any authority, power or right whatsoever, to do or transact any business for, or on behalf of or binding upon the Trustees or upon the Trust Estate, nor the right to control or direct the actions of the Trustees pertaining to the Trust Estate or any part thereof, except as herein provided. The Beneficiary shall

be entitled solely to the benefits of this Trust as administered by the Trustees hereunder, and at the termination of the Trust, as provided herein, and only then, the Beneficiary shall receive the residue of the Trust Estate.

ARTICLE XI
Adoption and Amendment of By-Laws;
Amendment and Termination of Trust

This Trust Indenture may be amended by an affirmative vote of at least two-thirds (2/3) of all Trustees and any such proposed amendment shall be further approved by the affirmative vote of two-thirds (2/3) of the governing body of the Beneficiary before becoming effective.

The Trustees, by an affirmative vote of a majority of all Trustees, may adopt, alter and amend By-Laws of the Trust.

PROVIDED, HOWEVER, that this Trust Indenture shall not be subject to revocation, alteration, amendment, revision, modification or termination in any manner which would be adverse to the interest of the holders of any evidence of indebtedness of the Trust without the consent of holders of indebtedness who would be adversely affected, which consent may be given by less than all of such holders, if so provided in any resolution, indenture or agreement relating to such indebtedness.

This Trust shall terminate -

- (1) When the purposes set out in Article IV of this instrument shall have been fully executed; or
- (2) In the manner provided by Oklahoma law. Provided, however, that this Trust shall not be terminated by voluntary action while there be outstanding indebtedness or fixed obligations of the Trustees, unless all owners of such indebtedness or obligations shall have consented in writing to such termination.

Upon the termination of this Trust, the Trustees shall proceed to wind up the affairs of this Trust, and after payment of all debts, expenses and obligations out of the monies and properties of the Trust Estate to the extent thereof, the Trustees shall distribute the residue of the money and properties of the Trust Estate to the Beneficiary hereunder. Upon final distribution, the powers, duties and authority of the Trustees hereunder shall terminate.

ARTICLE XII

The Trustees accept the Trust herein created and provided for, and agree to carry out the provisions of this Trust Indenture on their part to be performed.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Trustor and the Trustees have hereunto set their hands on the day and year indicated.

Kimberly Fraire, Trustor

Kimberly Fraire, Trustee

Lawrence Anderson, Trustee

Richard Barker, Trustee

KorDale Lornes, Trustee

Kermit McKinney, Trustee

Tambre Sanders, Trustee

Doug Stewart, Trustee

Brandy Valenzuela, Trustee

Angela Vega, Trustee

[Remainder of Page Intentionally Left Blank]

STATE OF OKLAHOMA)
)SS
COUNTY OF LOVE)

BEFORE ME, the undersigned, a Notary Public in and for the above County and State, on the 12th day of July, 2022, appeared Kimberly Fraire, and further known to me to be the identical person who subscribed said person’s name to the foregoing instrument, as Trustor, and acknowledged to me that said person executed the same as said person’s free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

Notary Public

(SEAL)

My Commission Expires: _____.
Commission No.: _____.

STATE OF OKLAHOMA)
)SS
COUNTY OF LOVE)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on the 12th day of July, 2022, personally appeared Kimberly Fraire, Lawrence Anderson, Richard Barker, KorDale Lornes, Kermit McKinney, Tambre Sanders, Doug Stewart, Brandy Valenzuela, and Angela Vega, and further known to me to be the identical persons who subscribed their names to the foregoing instrument, as Trustees, and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year aforesaid.

Notary Public

(SEAL)

My Commission Expires: _____.
Commission No.: _____.

STATE OF OKLAHOMA)
)SS
COUNTY OF LOVE)

ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS:

That the City Council of the City of Marietta, State of Oklahoma, hereby accepts the beneficial interest in the Trust created and recreated by the within and foregoing Trust Indenture, for and on behalf of said City in all respects in accordance with the terms of said Trust Indenture.

WITNESS my hand as Mayor of said City, attested by the Clerk of said City, pursuant to direction of the City Council of said City, as of this 12th day of July, 2022.

CITY OF MARIETTA, OKLAHOMA

Mayor

ATTEST:

City Clerk

(SEAL)

RESOLUTION _____

A RESOLUTION AMENDING THE JOB DESCRIPTION FOR POSITION OF CITY ADMINISTRATOR

WHEREAS, the City of Marietta has adopted job descriptions for all positions within the City of Marietta; and

WHEREAS, it is necessary to amend from time to time the responsibilities of certain positions to perform the duties relative to the functions lawfully imposed upon or assumed by the City Council; and

WHEREAS, the City Council desires to memorialize the approval of duties and responsibilities of the City Administrator.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

SECTION 1. The amended job description related to the duties and responsibilities of the City Administrator, as attached hereto as “Attachment A,” is hereby approved.

PASSED BY THE CITY COUNCIL and **SIGNED** by the Mayor of the City of Marietta this 12th day of July 2022.

CITY OF MARIETTA

KIMBERLY FRAIRE, MAYOR

ATTEST

DOTTIE GWIN, CITY CLERK

City of Marietta, Oklahoma Job Description

Position Title: City Administrator	Department: City Administration
Pay Grade: BB	Supervisor: Mayor/City Council

Position Purpose:

To plan, direct, manage and oversee the activities and operations of the City of Marietta, including the departments of Emergency Management, Police, Fire, Office Management and Operations, **and the activities and operations of the Marietta Municipal Authority**; to coordinate assigned activities with City departments and outside agencies; to provide administrative support to the City Council **and the Board of Trustees of the Marietta Municipal Authority.**

Essential Functions and Duties:

- Assume full management for all City of Marietta operations, services and activities including the departments of Office Management, Emergency Management, Police, Fire and Operations.
- Manage the development and implementation of the City’s goals, objectives, policies and priorities for each service area; recommend and administer policies and procedures.
- Plan, direct and coordinate, through subordinate level managers and/or supervisors, the City’s work plan; review and evaluate work methods and procedures; meet with management staff to identify and resolve problems.
- Oversee the development and administration of the City budget; approve expenditures and budget adjustments as necessary.
- Carry out the needs of the City’s elected officials and outside agencies; coordinate City activities with those of other departments and outside agencies and organizations.
- **Administer, as General Manager, the business of the Trust Estate of the Marietta Municipal Authority as directed from time to time by the Trustees.**
- Attend and participate in professional group meetings; stay abreast of new trends and innovations in the field of City management and administration.
- Respond to and resolve difficult and sensitive citizen inquiries and complaints.
- Performs any other related duties as required or assigned by the Mayor.

Education and Experience:

- Bachelor’s Degree with major course work in public administration, business administration or a related field.
- Master’s Degree preferred
- Five (5) years of increasingly responsible administrative and analytical experience in a public sector setting

Certificates and Licenses:

- Valid Oklahoma Driver’s License and a driving record acceptable to the City’s insurance carrier.

Knowledge and Skills:

City of Marietta, Oklahoma Job Description

- Ability to read, analyze and understand the most complex documents.
- Ability to respond to the most sensitive inquiries or complaints.
- Ability to write speeches and articles using original or innovative techniques or style.
- Ability to make effective and persuasive speeches and presentations on controversial or complex topics to top management, public groups and City Commission.
- Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference and volume.
- Ability to apply concepts such as fractions, ratios and proportions to practical situations.
- Ability to define problems, collect data, establish facts and draw valid conclusions.
- Ability to solve problems in novel, non-recurring or swiftly changing situations in which the approach is not fully defined, with guidance from the Mayor or City Council.
- Ability to interpret an extensive variety of technical instructions in mathematical and diagram form and deal with several abstract and concrete variables.
- Ability to use computer, software and all other office equipment.

Physical and Environmental Requirements:

The following physical and environmental activities and conditions represent those that must be met by and employee to successfully perform the essential functions of this job.

Physical Activities	None	Under 1/3	To 2/3	Over 2/3	Physical Activities	None	Under 1/3	To 2/3	Over 2/3
Stand		X			Lift up to 25 pounds		X		
Walk			X		Work Indoors				X
Sit				X	Normal Vision with or without corrective lenses Low to Moderate Noise Level				
Use hands to finger, Handle, or feel				X					
Climb or balance		X							
Stoop, kneel, crouch, or crawl		X							
Talk or hear				X					
Taste or Smell	X								

Conditions of Employment:

- Subject to post offer, pre-employment drug screen
- Subject to post offer, pre-employment fit for duty examination
- Subject to post offer, pre-employment criminal background check
- Must be at least 18 years of age