



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 9/13/2022

REQUESTER: Taylor Johnson, Transit and Parking Program Manager

PRESENTER: Shawn O'Leary, Director of Public Works

TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF RESOLUTION R-2223-34: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED TRUST AGREEMENT AND INDENTURE OF THE REGIONAL TRANSPORTATION AUTHORITY OF CENTRAL OKLAHOMA.

BACKGROUND:

In August 2015, the City of Norman, together with other interested Central Oklahoma municipalities, formed the Regional Transit Authority Task Force of the Association of Central Oklahoma Governments (ACOG) for the purpose of developing a Regional Transportation Authority (RTA). Over the following three years, the Task Force diligently studied the development of the RTA including the structure, design, and rules of operation; the geographic boundaries, districting, and rules of modification; the form of government and board representation; the organizational structure and staffing; and the structure of the relationship among the RTA and existing transit systems.

The Task Force unanimously approved the draft of the Trust Agreement and Indenture of the Regional Transportation Authority of Central Oklahoma on September 27, 2018. This would serve to create the Regional Transportation Authority under the provisions of Title 68, Oklahoma Statutes 2014, § 1370.7; Title 60, Oklahoma Statutes §176, et seq., as amended by Title 60, Chapter 4, Oklahoma Session Laws 1953; and the Oklahoma Trust Act and other applicable statutes of the State of Oklahoma.

The Council of the City of Norman passed and adopted a resolution (R-1819-42) on October 23, 2018, in support of adopting the Trust Agreement and Indenture of the Regional Transportation Authority of Central Oklahoma and creating the Regional Transportation Authority. This resolution stated the purpose of the RTA as planning, financing, constructing, maintaining, and operating transportation projects located within the boundaries of the regional transportation district.

Initially there were six municipalities designated as beneficiaries of the trust: Oklahoma City, Edmond, Norman, Moore, Midwest City, and Del City.

DISCUSSION:

On December 14, 2022, the City of Midwest City followed procedures in Article X, Annexation and Withdrawal, of the original trust indenture to withdraw from the RTA. The cities of Moore and Del City then followed the same course of action on June 6, 2021 and June 21, 2022, respectively.

At the June 15, 2022, regular meeting of the RTA Board of Directors a resolution was passed authorizing the Interim Executive Director of the RTA, Jason Ferbrache, to facilitate the consideration of amending the Trust Agreement and Indenture of the Regional Transportation Authority of Central Oklahoma. Mr. Ferbrache provided a proposed revision of the document to the City Manager on August 24, 2022, for the review and approval of Council. Each remaining member city will need to approve of the revised agreement before it can be ratified and enacted by the RTA.

The revision amendment acknowledges the changes in membership, increases the number of appointed Directors to the Board by one for the remaining members, and modifies the weighted vote percentages. This is in accordance with the current version of this governing document which requires that *"In the event that a beneficiary from the member jurisdictions withdraws from Authority, the governing boards of the remaining member jurisdictions shall restructure the board of directors and associated voting protocols to account equitably for the population and sales tax distribution among the remaining member jurisdictions."* (RTA Trust Agreement and Indenture, Article X, Section 6 Reapportionment)

RECOMMENDATION:

Staff recommends approval of resolution R-2223-34 approving the amendment and restatement of the Regional Transportation Authority of Central Oklahoma Trust Agreement and Indenture.