

Revised and re-posted March 24, 2020 at 11:30am to reflect correct meeting date and include PWA Agenda.

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Posted at City Hall, 17 Hospital Drive, Eufaula, OK 74432 March 24, 2020 at 11:00 a.m.

**CITY OF EUFAULA, OK**  
Community Center  
First & High Street Eufaula, OK 74432



**SPECIAL MEETING  
AGENDA  
THURSDAY  
MARCH 26, 2020  
12:00 p.m.**

City Council and Eufaula Public Works Authority

The City of Eufaula encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28CRF/36).

Council Rules of Decorum limit citizen comments on agenda items, non-agenda items, and public hearings to five (5) minutes. Any person desiring to address the Council during such period is required to sign in with the City Clerk, provide their name, address and specify the agenda item they wish to address. Remarks shall be directed to the matter being considered and the speaker is allowed to speak only one time. If written materials are to be submitted ten (10) copies should be made available, and may not be returned. Under Oklahoma Law, the Council Members are prohibited from discussing or taking any action on items not on today's agenda.

The complete packet of information for the agenda items is available online at  
[CityofEufaulaOK.com](http://CityofEufaulaOK.com)



AGENDA  
EUFAULA PUBLIC WORKS AUTHORITY  
MARCH 26, 2020  
12:00 p.m.

1. ROLL CALL /ATTENDANCE                      CITY CLERK, VALARIE COX
  
2. Discuss and consider for approval invoice payments of \$8,500 on OWRB-DWSRF Loan #1.
  
3. Discuss and consider for approval invoice payments of \$101,073.50 on OWRB-DWSRF Loan #2.
  
4. Discuss and take any necessary action regarding potential water shut offs due to Package A construction.
  
5. Adjournment.



City Council Agenda Item No. 3

Meeting Date: March 26, 2020

## Agenda Item Memo

**Item Title:** Discuss for approval Resolution 20-03-01 amending the Proclamation Declaring State of Emergency dated March 16, 2020 regarding COVID-19.

**Initiator:** Mayor James Duty.

**Staff Information Source:** Jacob Foos, City Manager.

**Background:** In response to the global pandemic due to COVID-19 (Coronavirus) the City of Eufaula is considering taking advanced preventative measures to reduce the risk of community exposure and transmission.

This resolution amends the Mayor's Proclamation which declared a state of emergency for the City of Eufaula on March 16, 2020. The resolution follows the guidelines of the CDC and mirrors what other Oklahoma cities are doing to protect their communities.

**Council Pillar:** N/A.

**Financial Impact:** N/A.

**Attachment:** Resolution 20-03-01, Governor's Executive Order, Other City Policies.

**Recommended Action:** Approval of the item.

## **RESOLUTION NO. 20-03-01**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUFAULA, WHEREBY THE COUNCIL OF THE CITY OF EUFAULA RESOLVES TO AMEND THE MAYOR'S PROCLAMATION DELCARING STATE OF EMERGENCY (ISSUED ON MARCH 16, 2020) AND ENACTING ADDITIONAL PREVENTATIVE MEASURES TO PRESERVE THE LIFE, HEALTH, AND SAFETY OF THE CITY OF EUFAULA.

**Whereas**, the World Health Organization (WHO) has declared COVID-19 (Coronavirus) to be a global pandemic; and,

**Whereas**, the President of the United States has declared an infectious disease national emergency declaration to combat COVID-19; and,

**Whereas**, the Governor of the State of Oklahoma has declared an emergency by the impending threat of COVID-19 for all of Oklahoma; and,

**Whereas**, on March 16, 2020, the Mayor of the City of Eufaula declared an emergency by the impending threat of COVID-19 for the community; and,

**Whereas**, the spread of COVID-19 is a disaster affecting life, health and safety of Eufaula residents and non-residents alike; and,

**Whereas**, Title 11 § 22-120 of Oklahoma Law states: "The municipal governing body may enact and enforce such ordinances, rules and regulations as it deems necessary for the protection of the public health, not inconsistent with state law; and may establish and regulate hospitals, and provide for their operation and support. The governing body may make regulations to prevent the introduction of contagious diseases into the municipality and may enforce quarantine laws within five (5) miles of the municipal limits."

**Now, therefore**, the City Council of the City of Eufaula hereby resolves and declares the following as an amendment to the March 16, 2020 proclamation, with this amendment overriding any conflicting orders:

Section One: A state of emergency exists within the corporate limits of the City of Eufaula, McIntosh County, Oklahoma.

Section Two: This resolution shall become effective 12:01am March 28, 2020.

Section Three: Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food and beverage are closed for dine-in customers and guests and for on-premises consumption; and, if able, are restricted and limited to curbside, drive-thru, takeout, and delivery services. The following exclusions apply: institutional or in-house food cafeterias

that serve residents, employees, and clients of businesses, child care facilities, hospitals, and long-term care facilities.

Section Four: The following commercial establishments and places of public accommodation shall be and are hereby closed to ingress, egress, use, and occupancy by members of the public:

- a. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
- b. Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption.
- c. Theaters, cinemas, indoor and outdoor performance venues, and museums.
- d. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas. However, such facilities may operate with ten (10) or fewer total persons inside the facility at any time, by appointment only, and such premises not open for walk-in business.
- e. Amusement parks, arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities. However, such facilities may operate with ten (10) or fewer total persons inside the facility at any time, by appointment only, and such premises not open for walk-in business.

Section Five: This Order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

Section Six: The restrictions imposed by this Order do not apply to any of the following:

- a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section;
- b. Health care facilities, child care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
- c. Crisis shelters, soup kitchens, or similar institutions;

However, owners, operators, and managers of such are strongly encouraged to implement CDC recommendations, to include social distancing and sanitization guidelines, in their place of business, until the expiration of this emergency order.

Section Seven: For purposes of this Order, "place of public accommodation" means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.

Section Eight: All other businesses not mentioned in this order are strongly encouraged to implement CDC recommendations, to include social distancing and sanitization guidelines in their place of business, until the expiration of this emergency order.

Section Nine: This Order does not alter any of the obligations under law of an employer affected by this Order to its employees or to the employees of another employer.

Section Ten: The City Manager shall waive the late penalties that would have been applied to accounts that are past due on the 11<sup>th</sup> of April. Customers are still responsible for their bill and need to keep their account in good standing by paying their bill or making a payment arrangement.

Section Eleven: This state of emergency shall continue until 12:01 AM on April 13, 2020, or until terminated earlier, or extended later, by further proclamation.

Passed and approved this 26<sup>th</sup> day of March, 2020.

City of Eufaula

(SEAL)

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James Duty  
Mayor

ATTEST:

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Valarie Cox  
City Clerk

## CITY OF MCALESTER, OKLAHOMA

### PROCLAMATION

#### ORDER PROCLAIMING EXISTENCE OF A CIVIL EMERGENCY

**WHEREAS**, on March 23, 2020, pursuant to City of McAlester Code of Ordinances, Chapter 38, Article IV, the McAlester City Council hereby proclaims a civil emergency in the City of McAlester; and

**WHEREAS** on March 20, 2020, pursuant to City of McAlester Code of Ordinances, Chapter 38, Article IV, and on his authority as City Manager, Peter Stasiak proclaimed a civil emergency in the City of McAlester; and

**WHEREAS**, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 (Coronavirus) to be a pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a National Emergency; due to the COVID-19 Virus pandemic; and

**WHEREAS**, on March 15, 2020, the Governor of the State of Oklahoma has declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety; and

**WHEREAS**, on March 16, 2020, the Pittsburg County Commissioners declared an emergency from the potential effects of COVID-19; and

**WHEREAS**, on March 17, 2020, the Mayor of McAlester proclaimed a state of emergency in the city limits of McAlester; and

**WHEREAS**, on March 23, 2020, the McAlester City Council met in an Emergency Meeting and voted to continue the invocation of the extraordinary powers conferred by the McAlester City Codes, Chapter 38, Title IV, Section 80, as necessary to ensure or to restore the public peace; and

**WHEREAS**, McAlester City Code of Ordinances, Chapter 38, Article IV, Section 83 provides that the City Council may extend the actions of the City Manager, after proclaiming a civil emergency, may in the interest of the public "issue such other orders as are imminently necessary for the protection of life and property."

**THEREFORE**, by the power vested in City Council of the City of McAlester, we find that due to the potential for rapid community spread and transmission of the COVID-19 virus, immediate action is required for public order preservation to protect public health, safety, and welfare, it is hereby declared and **ORDERED**, as follows:

1. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food and beverage are closed for dine-in customers and guests and for on-premises consumption, are restricted and limited to curbside, drive-thru, takeout, and delivery services, excluding institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, and long-term facilities.
2. The following commercial establishments and places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
  - a. Bars, taverns, brewpubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other establishments selling intoxicating liquor or beer by the drink.

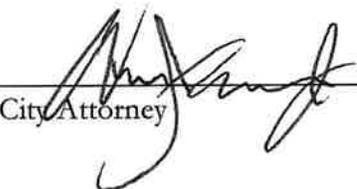
- b. Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption.
  - c. Theaters, cinemas, indoor and outdoor performance venues, and museums.
  - d. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas.
  - e. Amusement parks, arcades, bingo halls, bowling alleys, skating rinks, and other similar recreational or entertainment facilities.
3. This order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, existing, using, or occupying that place of public accommodation in their professional capacity.
  4. The restrictions imposed by this order do not apply to any of the following:
    - a. Places for public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, dispensary, and food pantries, other than those portions of the place of public accommodation subject to the requirements of the section;
    - b. Health care facilities, child care facilities, residential care facilities, congregate care facilities, occupational and physical therapy facilities, and juvenile justice facilities; and
    - c. Crisis shelters, soup kitchens, or similar institutions.
  5. For purposes of this order, “place of public accommodation” means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
  6. This order does not alter any of the obligations under the law of an employer affected by this order to its employees or the employees of another employer.
  7. This emergency shall terminate at 8:00 p.m. on the 24th day of March, 2020 unless otherwise terminated or extended by the McAlester City Council.

This order shall take effect on the 23rd day of March, 2020, at 9:00 a.m. and shall terminate on the 24th of March, 2020, at 8:00 p.m. unless otherwise acted on by the McAlester City Council.



  
Cora Middleton, City Clerk

APPROVED as to FORM:

  
City Attorney

  
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John Browne, Mayor

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## AMENDED RESOLUTION OF STATE OF EMERGENCY

At tonight's Muskogee City Council meeting, the council voted to amend a previous resolution (passed on Thursday, March 19, 2020) that declared a State of Emergency in the City of Muskogee due to the COVID-19 pandemic. Tonight's amendments included mandatory closings and restrictions to specific types of businesses as recommended by CDC guidelines to prevent the spread of the coronavirus COVID-19.

See the resolution below and note the highlighted areas for the complete list of affected businesses.

### AMENDED RESOLUTION NO. 2801

AN EMERGENCY RESOLUTION DECLARING A LOCAL EMERGENCY UNDER THE OKLAHOMA EMERGENCY MANAGEMENT ACT OF 2003 FOR THE CORPORATE LIMITS OF THE CITY OF MUSKOGEE RELATING TO THE COVID-19 PANDEMIC; AMENDING PROVISIONS OF THE EMERGENCY OPERATIONS PLAN, AS PER THE ATTACHED; ACTIVATING THE EMERGENCY OPERATION PLAN; ESTABLISHING PROHIBITIONS ON PUBLIC EVENT FACILITIES OWNED AND OPERATED BY THE CITY OF MUSKOGEE; MANDATING CLOSURE OR RESTRICTED OPERATIONS OF CERTAIN BUSINESSES; ADOPTING GUIDELINES ESTABLISHED BY THE OKLAHOMA DEPARTMENT OF HEALTH, THE CENTERS FOR DISEASE CONTROL AND PREVENTION, AND THE WORLD HEALTH ORGANIZATION; AUTHORIZING ENTRY INTO PUBLIC AND PRIVATE PROPERTY TO ABATE EMINENT THREATS TO LIFE, SAFETY AND WELFARE OF CITIZENS; GRANTING ADDITIONAL AUTHORITY TO THE CITY MANAGER; SUSPENDING ALL PURCHASING PROCEDURES OF THE CITY, WHERE NECESSARY UNTIL APRIL 27, 2020 FOR PURCHASES REASONABLY RELATED TO DEALING WITH TO SUBJECT OF THE DECLARED EMERGENCY.

WHEREAS, the novel coronavirus, COVID-19 was first detected in Wuhan City, Hubei Province, China in December 2019, and the Centers for Disease Control (CDC) considers this virus to be a significant public health threat that has and continues to spread globally; and

WHEREAS, on January 30th, 2020, the World Health Organization (WHO) declared COVID-19 to be a public health emergency of International concern; and

WHEREAS, on January 31st, 2020, the United States Secretary of Health and Human Services declared a public health emergency due to COVID-19; and

WHEREAS, on March 11th, 2020, the World Health Organization (WHO) declared COVID-19 to be a pandemic; and

WHEREAS, on March 13th, 2020, the President of the United States of America declared a National Emergency due to COVID-19; and

WHEREAS, on March 15th, 2020, the Governor of the State of Oklahoma declared an emergency due to the threat of the COVID-19 to the people of the State and the public's peace, health and safety; and

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WHEREAS, it is the duty of the City Council of the City of Muskogee to insure the health, safety and welfare of the citizens of the City of Muskogee; and

WHEREAS, COVID-19 will have serious and immediate economic consequences for the City of Muskogee ("City"); and

WHEREAS, the widespread nature of COVID-19 constitutes a threat to the life, health, safety and welfare of the City of Muskogee, and its residents, and create an emergency situation within the meaning of Title 63, Section 683.1. et seq., Oklahoma Emerge



NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, that a local emergency is hereby declared for the City of Muskogee due to COVID-19 and its impact on Citizens;

IT IS FURTHER RESOLVED that Amendments to the Emergency Operations Plan of the City of Muskogee ("Plan"), including provisions for the continuity of government, as attached hereto as Exhibit A shall be adopted, and the Plan shall immediately be activated, and all provisions contained therein which require an emergency declaration before effect are hereby satisfied;

IT IS FURTHER RESOLVED that the City Manager of the City of Muskogee is hereby empowered and directed to establish reasonable prohibitions on public gatherings at all City owned and operated facilities, and all prior acts regarding the same are hereby ratified;

IT IS FURTHER RESOLVED that all of the City's Purchasing Procedures are hereby suspended for a period until April 27th, 2020, where said purchases reasonably related ensuring and promoting the health, safety and welfare of the Citizens;

IT IS FURTHER RESOLVED that stabilization funds are hereby authorized and approved to be used for purchases and overtime personnel expenses related to this declared emergency;

IT FURTHER RESOLVED that the City Manager is authorized to amend Council Policy 3-3-2, General Leave Policy, to the extent necessary to implement the Families First Coronavirus Response Act signed by President Trump on March 18;

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IT IS FURTHER RESOLVED that, effective 7:30 p.m. (CST) March 24, 2020 until further act of the City Council of the City of Muskogee, **the following businesses are hereby ordered closed or operations restricted as further defined below:**

**a. Restaurants, food courts, cafes, and other places of public accommodation offering food and beverage shall be closed for dine-in customers and for on-premises consumption. Curbside, drive-thru, takeout and delivery services are permitted, as are, institutional and in-house food cafeterias that serve residents, employees, or clients of businesses, child care facilities, hospitals and long-term care facilities. b. Bars, taverns, brew pubs, breweries, tasting rooms, clubs and all other areas of public accommodation offering alcoholic beverages for on-premises consumption shall be closed; however, establishments within this category which also have food service may operate for curbside pickup or delivery in accordance with the rules of the ABLE Commission. c. Gymnasiums, fitness centers, recreation centers, indoor sports facilities shall be closed; d. Theaters, cinemas, indoor and outdoor performances venues and museums shall be closed; e. Bingo halls, bowling alleys, skating rinks, and other similar recreational or entertainment facilities shall be closed;**

**IT IS FURTHER RESOLVED that businesses not referenced above are hereby encouraged compliance with all guidelines and recommendations promulgated by the State of Oklahoma, the Centers for Disease Control, and the World Health Organization and will adopt and enforce all lawful directives and orders as may be implemented by the State related to stopping the spread of COVID-19;**

IT IS FURTHER RESOLVED that the City, its agents, employees, contractors and assigns have been and are hereby empowered to enter onto private and public property, and to abate any and all existing and imminent threats to the life, safety, health and welfare of the city or its residents, including mandatory evacuation, isolation, or quarantine of persons or areas and enforcement of the same;

IT IS FURTHER RESOLVED that under 63 O.S. §683.14, the City, its agents, employees, contractors and assigns will suffer neither liability nor be responsible for any damages caused to private or public property during the abatement of existing and imminent threats to the safety, health and welfare of the City or its Citizens.

IT IS FURTHER RESOLVED that the city, having been affected by COVID-19 is hereby declared an emergency area, entitled to all aid, relief and assistance that may be lawfully made available;



\_\_\_\_\_ JANEY BOYDSTON, Mayor

ATTEST:

\_\_\_\_\_ TAMMY L. TRACY, City Clerk

APPROVED as to form and legality this 23rd day of March, 2020.

\_\_\_\_\_ ROY D. TUCKER, City Attorney

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J. Kevin Stitt  
Office of the Governor  
State of Oklahoma

**FILED**

**MAR 24 2020**

**OKLAHOMA SECRETARY  
OF STATE**

**EXECUTIVE DEPARTMENT  
FOURTH AMENDED EXECUTIVE ORDER 2020-07**

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On March 24, 2020, the 109<sup>th</sup> case of a novel coronavirus ("COVID-19"), was confirmed in the State of Oklahoma. As noted in a previous Executive Order, the United States Centers for Disease Control and Prevention has identified the potential public health threat posed by COVID-19 as "high" both globally and in the United States. In addition, on March 14, 2020, the President of the United States declared a national health emergency in the United States as a result of the national spread of COVID-19.

As COVID-19's impact continues to evolve, it is important to take measures to protect all Oklahomans against this threat. Therefore, I believe, after consultation with numerous health experts within my administration, it is now necessary to provide for the rendering of mutual assistance among the State and political subdivisions of the State and to cooperate with the Federal government with respect to carrying out emergency functions during the continuance of the State emergency pursuant to the provisions of the Oklahoma Emergency Management Act of 2003.

Therefore, I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power vested in me by Section 2 of Article VI of the Oklahoma Constitution, hereby declare and order the following:

1. There is hereby declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health, and safety. The counties included in this declaration are:

*All 77 Oklahoma Counties*

2. The State Emergency Operations Plan has been activated, and resources of all State departments and agencies available to meet this emergency are hereby committed to the reasonable extent necessary to prepare for and respond to COVID-19 and to protect the health and safety of the public. These efforts shall be coordinated by the Director of the Department of Emergency Management with comparable functions of the federal government and political subdivisions of the State.
3. State agencies, in responding to this emergency, may make necessary emergency acquisitions to fulfill the purposes of this declaration. If using a P-Card to make

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such acquisitions, agencies may purchase the necessary acquisitions without regard to the current P-Card policy limitation of \$5,000.00 purchase limit. Agencies may make the necessary emergency acquisitions without the requirement to follow bidding requirement/limitations on such emergency acquisitions, without the need to purchase from State Use Vendors, or to purchase from mandatory State Wide contracts. Such necessary emergency purchases shall be capped at \$250,000.00 per transaction. All such purchases must be readily identifiable as such, as following the conclusions of this threat, all such necessary emergency acquisitions will be audited to determine if they were made for emergency purposes.

4. State agencies, in responding to this emergency, may employ additional staff without regard to the classification requirements of such employment.
5. State agencies shall continue to follow guidance for interaction with the public provided by the Oklahoma Department of Health.

In addition, I direct as follows:

1. Transmit a clear delegation of authority for state agency directors and designate an Emergency Management Liaison by 5:00 p.m. on March 16, 2020;
2. Establish and, if necessary, implement a remote work policy that balances the safety and welfare of state employees with the critical services they provide;
3. Encourage Oklahomans interacting with agency services to utilize online options whenever possible;
4. Ensure continued compliance with Executive Order 2019-13, which limits non-essential out-of-state travel.
5. Promulgate any emergency rules necessary to respond to the emergency and to comply with the directives contained herein.
6. Any medical professional who holds a license, certificate, or other permit issued by any state that is a party to the Emergency Management Compact evidencing the meeting of qualifications for the practice of certain medical services, as more particularly described below, shall be deemed licensed to practice in Oklahoma so long as this Order shall be in effect, subject to the following conditions:
  - a. This shall only apply to Medical (MD) and Allied Licenses issued by the Board of Medical Licensure and Supervision, Licenses issued by State Board of Osteopathic Examiners, and Licenses and Certificates issued by the Board of Nursing, all three shall collectively be referred to as "Boards";
  - b. Any medical professional intending to practice in Oklahoma pursuant to

this Order, hereinafter referred to as “Applicant,” shall first apply with and receive approval from appropriate Board;

- c. It is the responsibility of each Board to verify the license status of any applicant and, upon verification of good standing, shall issue a temporary license to practice within this State; and
  - d. Any applicant licensed under this Order shall be subject to the oversight and jurisdiction of the licensing Board, which includes the ability of the Board to revoke said license and to initiate any administrative or civil proceeding related to any alleged misconduct of the applicant.
7. All occupational licenses issued by any agency, board, or commission of the State of Oklahoma that expire during this emergency shall be extended so long as this Order is in effect. All occupational licenses extended during this Order will expire fourteen (14) days following the withdrawal or termination of this Order.
8. Hospitals and Physician Clinics (collectively referred to as “hospitals”) operating in the State shall cooperate with and respond to all requests for critical data from the Oklahoma State Department of Health (“OSDH”), as applicable to the services they provide. This shall include, but will not be limited to, the daily submission, no later than noon, of critical data in a manner and format prescribed by OSDH. Critical Data shall include, but not be limited to:
- a. The number of available (i) ICU beds, (ii) medical surgery beds, (iii) operating room beds, (iv) pediatric beds, (v) PICU beds, (vi) ventilators, (vii) negative flow rooms, (viii) and overall occupancy status;
  - b. COVID-19 Test Availability, as measured by the number of COVID-19 testing kits available for use at the hospital;
  - c. The number of (i) positive patients and persons under investigation in the hospital receiving treatment and (ii) positive patients and persons under investigation sent home for self-quarantine; and
  - d. Days of essential Personal Protective Equipment stock on hand, as measured by the hospital’s defined daily adjusted burn rate of PPE.
9. The OSDH shall provide daily an aggregated summary of the information requested in the preceding paragraph to the Office of the Governor by 3:00 p.m.
10. The OSDH and all private labs performing COVID-19 testing shall provide daily updates, by 3:00 p.m., to the Office of the Governor on (i) the daily number of COVID-19 tests they are capable performing that day and (ii) number of COVID-19 testing kits they have on hand for distribution to hospitals.

11. The preexisting patient relationship requirement for telemedicine, as required by 59 O.S. § 478.1, is hereby waived so long as this Order is in effect. Nothing in this Order shall waive 59 O.S. § 478.1(B) regarding HIPAA or (C) for the purpose of prescribing opiates and other controlled dangerous substances referenced therein.
12. The requirement that an individual be unemployed for a waiting period of one (1) week before benefits are paid, as required by 40 O.S. § 2-206, is hereby waived so long as this Order remains in effect.
13. Advanced practice registered nurses, registered nurses, licensed practical nurses and advanced unlicensed assistants who have lapsed or inactive licenses or certifications may have their single-state license or certification reinstated if they submit a reinstatement application and fee prescribed by the Board and meet the qualifications for licensure or certification established by the Board, provided such license shall only be valid as long as this Order is in effect. The continuing qualifications as required for licensure or certification by OAC 485:10-7-4 (h); 485:10-7-5 (g); 485:10-9-4 (h); 485:10-9-5 (g); 485:10-10-8.1 (d) are hereby waived as long as this Order remains in effect. It is strongly recommended any required fees be waived to the fullest extent possible.
14. The requirements for Oklahoma Tax Commission compliance for any advanced practice registered nurse, registered nurse, licensed practical nurse and advanced unlicensed assistant application for renewal or reinstatement of a lapsed or inactive license or certification who is identified as being Oklahoma Tax Commission non-compliant, as set forth in 68 OS § 238.1 (E), is hereby waived as long as this Order remains in effect.
15. Oklahoma State regulations requiring Clinical Laboratory Improvement Amendment (CLIA) certification for testing laboratories are hereby suspended until further notice for the universities named below and for the narrow purposes described herein. During this suspension, laboratories operated by or through the University of Oklahoma and Oklahoma State University are authorized to conduct testing and testing-related activities in response to the COVID-19 pandemic. Further, the Oklahoma Commissioner of Health, acting through and on behalf of OSDH, is hereby authorized to contract with the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, the Board of Regents for the University of Oklahoma, and/or their constituent agencies to perform laboratory tests and test-related activities, without regard to CLIA certification requirements, as necessary to detect and report COVID-19 infection in compliance with applicable law. The Commissioner of Health is authorized to negotiate and execute any and all agreements and terms necessary to execute and implement this provision.
16. No prescription for chloroquine or hydroxychloroquine may be dispensed unless all of the following apply:

- a. The prescription bears a written diagnosis from the prescriber consistent with the evidence for its use.
- b. The prescription is limited to no more than a fourteen (14) day supply, unless the patient was previously established on the medication prior to the effective date of this Order.
- c. No refills may be permitted unless a new prescription is furnished.

If a scenario is not addressed in these medication limitations a pharmacy can use the waiver form provided by the Board of Pharmacy to request further consideration.

17. Adults over the age of sixty-five (65) and people of any age who have serious underlying medical conditions, collectively referred to as “vulnerable individuals,” shall stay in their home or place of residence except for working in a critical infrastructure sector, as more particularly described herein, and the conduct of essential errands. Essential errands shall mean those errands which are critical to everyday life and includes obtaining medication, groceries, gasoline, and visiting medical providers. The vulnerable population is encouraged to use delivery and/or curbside services whenever available.
18. Oklahomans and medical providers in Oklahoma shall postpone all elective surgeries, minor medical procedures, and non-emergency dental procedures until April 7, 2020.
19. Social gatherings of more than ten people are prohibited. Businesses within a critical infrastructure sector, as more particularly described herein, shall take all reasonable steps necessary to comply with this Order and protect their employees, workers, and patrons.
20. Effective at 11:59 p.m. on March 25, 2020, all businesses not identified as being within a critical infrastructure sector as defined by the U.S. Department of Homeland Security and located in a county experiencing community spread of COVID-19, as identified by OSDH on its website, shall close. Additional sectors may be designated as critical by Executive Order or Memorandum. Nothing in this provision shall prevent restaurants and bars from providing pick-up, curbside, and delivery. This shall be effective until April 16, 2020.
21. Visitors are prohibited from entering and visiting patients and residents at nursing homes, long-term care facilities, and retirement homes.

Further, I hereby order the temporary suspension of the following as they apply to vehicles in the support efforts:

1. The cost and fees of oversize/overweight permits required of carriers whose sole purpose is transportation of materials, equipment, and supplies used for recovery/relief efforts which require an overweight permit under Title 47 of Oklahoma statutes;

2. By execution of this Order, motor carriers and drivers providing direct assistance in support of relief efforts related to the COVID-19 outbreaks are granted emergency relief from Parts 390 through 399 of Title 49 Code of Federal Regulations, except as restricted herein. Direct assistance means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential services, such as medical care, or essential supplies such as food, related to COVID-19 outbreaks during the emergency.
  - a. This Emergency Declaration provides regulatory relief for commercial motor vehicle operations that are providing direct assistance in support of emergency relief efforts related to the COVID-19 outbreaks, including transportation to meet immediate needs for: (1) medical supplies and equipment related to the testing, diagnosis and treatment of COVID-19; (2) supplies and equipment necessary for community safety, sanitation, and prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap and disinfectants; (3) food for emergency restocking of stores; (4) equipment, supplies and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to COVID-19; (5) persons designated by Federal, State or local authorities for medical, isolation, or quarantine purposes; (6) persons necessary to provide other medical or emergency services, the supply of which may be affected by the COVID-19 response; (7) fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, and liquid petroleum); and (8) livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested.
  - b. Direct assistance does not include routine commercial deliveries, or transportation of mixed loads that include essential supplies, equipment and persons, along with supplies, equipment and persons that are not being transported in support of emergency relief efforts related to the COVID-19 outbreaks.
  - c. Direct assistance terminates when a driver or commercial motor vehicle is used in interstate commerce to transport cargo or provide services that are not in support of emergency relief efforts related to the COVID-19 outbreaks or when the motor carrier dispatches a driver or commercial motor vehicle to another location to begin operations in commerce. 49 CFR 390.23(b). Upon termination of direct assistance to emergency relief efforts related to the COVID-19 outbreaks, the motor carrier and driver are subject to the requirements of 49 CFR Parts 390 through 399, except that a driver may return empty to the motor carrier's terminal or the driver's normal work reporting location without complying with Parts 390 through 399. However, if the driver informs the motor carrier that he or she needs immediate rest, the driver must be permitted at least 10 consecutive hours off duty before the driver is required to return to

the motor carrier's terminal or the driver's normal reporting location. Once the driver has returned to the terminal or other location, the driver must be relieved of all duty and responsibilities and must receive a minimum of 10 hours off duty if transporting property, and 8 hours if transporting passengers.

3. The requirements for licensing/operating authority as required by the Oklahoma Corporation Commission; and
4. The requirements for licensing/registration authority as required by the Oklahoma Tax Commission.

Nothing contained in this Order shall be construed as an exemption from the Controlled Substance and Alcohol Use and testing requirements. (49 C.F.R. part 382), the Commercial Driver License requirements (49 C.F.R. part 383), the Financial Responsibilities requirements (49 C.F.R. part 387), or any other portion of the regulations not specifically identified herein. Motor carriers that have an Out-of-Service Order in effect cannot take advantage of the relief from regulation that this declaration provided.

***This Order shall be effective until the end of thirty (30) days after the filing of this Order.***

Copies of this Executive Order shall be distributed to the Director of Emergency Management, the Oklahoma State Health Commissioner, the Commissioner of the Department of Public Safety and the Director of the Office of Management and Enterprise Services who shall cause the provisions of this Order to be implemented by all appropriate agencies of State government.

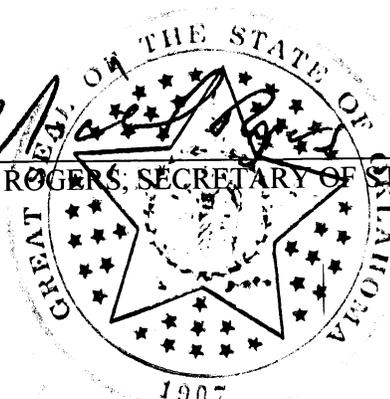
IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 24th day of March, 2020.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
\_\_\_\_\_  
J. KEVIN STITT

ATTEST:

  
\_\_\_\_\_  
MICHAEL ROGERS, SECRETARY OF STATE



The Great Seal of the State of Oklahoma is circular, featuring a five-pointed star in the center. The star is surrounded by a ring of smaller stars. The outer border of the seal contains the text "GREAT SEAL OF THE STATE OF OKLAHOMA" at the top and "1907" at the bottom.



J. Kevin Stitt  
Office of the Governor  
State of Oklahoma

**FILED**  
MAR 24 2020  
OKLAHOMA SECRETARY  
OF STATE

**EXECUTIVE DEPARTMENT  
EXECUTIVE MEMORANDUM 2020-01**

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On March 24, 2020, the 109<sup>th</sup> case of a novel coronavirus (“COVID-19”), was confirmed in the State of Oklahoma. As noted in a previous Executive Order, the United States Centers for Disease Control and Prevention has identified the potential public health threat posed by COVID-19 as “high” both globally and in the United States. In addition, on March 14, 2020, the President of the United States declared a national health emergency in the United States as a result of the national spread of COVID-19.

On March 15, 2020, I issued Executive Order 2020-07 declaring an emergency caused by the impending threat of COVID-19 to the people of this State and the public’s peace, health, and safety. And, on March 24, 2020, I issued the Fourth Amended Executive Order 2020-07. Paragraph 20 of the Fourth Amended Executive Order 2020-07 ordered all businesses not identified as being within a critical infrastructure sector as defined by the U.S. Department of Homeland Security (USDHS) and located in a county experiencing community spread of COVID-19, as identified by OSDH on its website, to close.

In addition to those critical infrastructure sectors identified by USDHS, I hereby add the following:

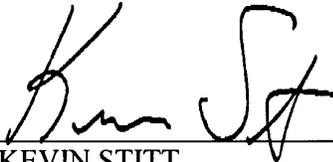
- **HEALTHCARE / PUBLIC HEALTH**
  - Health care providers (e.g. physicians, dentists, psychologist, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists).
  - Manufacturers, technicians, logistics and warehouse operators, and distributors of personal care/hygiene products.
  - Behavioral health workers (including mental and substance use disorder) responsible for coordination, outreach, engagement, and treatment to individuals in need of mental health and/or substance use disorder services.
  - Workers who provide support to vulnerable populations to ensure their health and well-being including family care providers.
  - Medicinal marijuana dispensaries.
  - Workers supporting veterinary hospitals and clinics.

050297

- LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS
  - Including front line and management, personnel include emergency management, law enforcement, Emergency Management Systems, fire, and corrections, search and rescue, tactical teams including maritime, aviation, and canine units.
  - Workers at Public Safety Answering Points.
  - Fire mitigation activities.
  - Private security, private fire departments, and private emergency medical services personnel.
  - State and County workers responding to abuse and neglect of children, elders and dependent adults.
  - Animal control officers.
- OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS
  - Faith-based services that are provided through streaming or other technology.
  - Critical government workers, as defined by the employer and consistent with Continuity of Operations Plans and Continuity of Government plans.
  - Workers supporting public and private childcare establishments, pre-K establishments, K-12 schools, colleges, and universities for purposes of distance learning, provision of school meals, or care and supervision of minors to support essential workforce across all sectors.

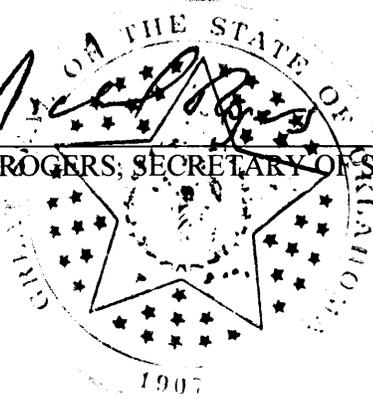
IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 24th day of March, 2020.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

  
\_\_\_\_\_  
J. KEVIN STITT

ATTEST:

  
\_\_\_\_\_  
MICHAEL ROGERS, SECRETARY OF STATE

  
1907

March 23, 2020

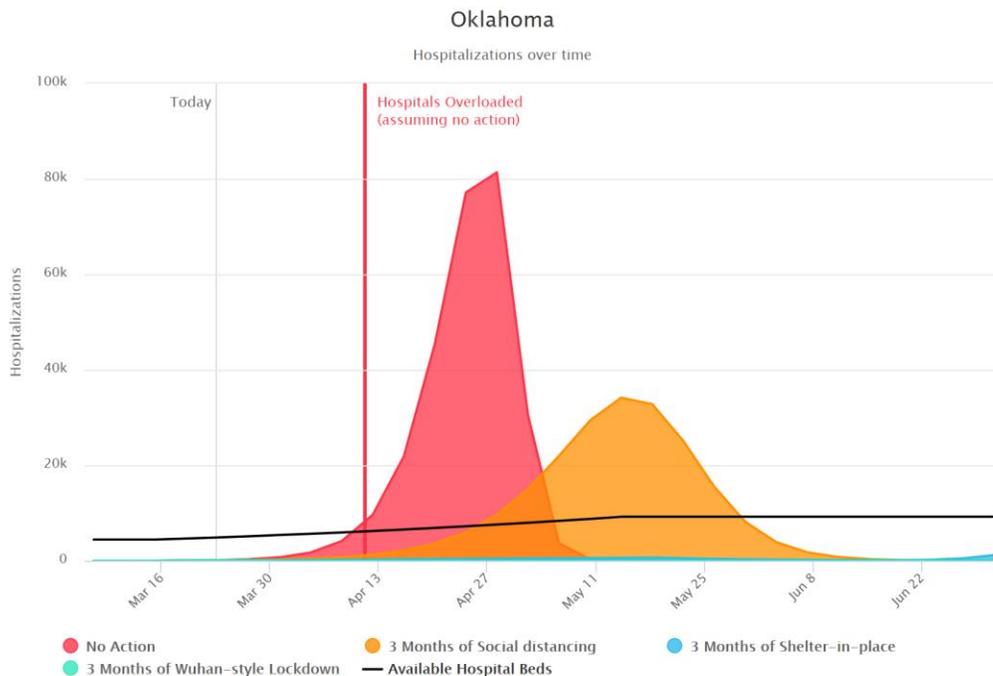
The Honorable Kevin Stitt  
Governor, State of Oklahoma  
Oklahoma State Capitol  
2300 N. Lincoln Blvd.  
Oklahoma City, OK 73105

Dear Governor Stitt:

On behalf of the undersigned associations and representing thousands of healthcare workers across the state, we emergently urge you to significantly expand the Oklahoma’s “all hands on deck” efforts to combat the COVID-19 pandemic. While we applaud the hard work and efforts your administration has taken thus far, experience from the rest of the country and globally show that these measures are not enough. More aggressive, proactive efforts are necessary if we are to stop the spread of this disease and prevent unnecessary death.

**We urgently request that you issue an executive order that will implement a shelter-in-place policy and close non-essential businesses until this pandemic is truly contained.**

Current CDC recommendations should be considered a bare minimum. Even so, these recommendations do include adopting a shelter-in-place policy for states with community transmission of COVID-19. As the epidemiological model below demonstrates, current efforts are insufficient to combat a pandemic of this magnitude. A shelter-in-place policy is what has proven to be the most effective method globally of combating the spread of COVID-19. At present, 15 states and numerous localities have adopted such measures. This is not just a solution in high-density states like California and New York. Closer to home, the state of Louisiana and the cities of Dallas, Kansas City and St. Louis have already adopted such policies.



Last Updated: March 19th

Highcharts.com

Hockey great Wayne Gretzky once said the secret to his success was to “skate to where the puck is going, not where it has been.” Likewise, Oklahoma’s leaders need to base such serious decisions not on the numbers and situation in which we find ourselves today (which we already know are inaccurate due to a lack of testing), but on where we could be in the coming weeks or, more appropriately, where we *want* to be in that time frame. The decisions you make in the coming days will have far-reaching impacts on the duration and severity of this crisis. Your office can exhibit decisive leadership now to not only mitigate the effects of current infection but to truly prevent the spread of this disease.

**If we want to flatten the curve, we must get ahead of the curve.**

There is no way to know exactly how much effort will be needed to end this plague. But we can assure you that history will be much more kind to those who did too much than those who did too little. The time for wait-and-see is over. The time for bold leadership is now. We respectfully urge you to issue the executive order needed to implement a shelter-in-place policy and save the lives of countless Oklahomans.

As Oklahoma’s leading voices representing the state’s doctors, nurses, hospitals, dentists, dental hygienists, long-term care providers and senior community living centers, we stand ready to assist your administration in implementing this and other policies that will help get us through this crisis.

Sincerely:

American College of Obstetricians and Gynecologists—Oklahoma Chapter  
LeadingAge Oklahoma  
Oklahoma Academy of Family Physicians  
Oklahoma Academy of Ophthalmology  
Oklahoma Association of Clinical Nurse Specialists  
Oklahoma Association of Nurse Anesthetists  
Oklahoma Chapter-American Academy of Pediatrics  
Oklahoma Chapter-American College of Surgeons  
Oklahoma Dental Association  
Oklahoma Dental Hygienists’ Association  
Oklahoma Hospital Association  
Oklahoma Nurses Association  
Oklahoma Psychiatric Physicians Association  
Oklahoma Society of Anesthesiologists  
Oklahoma State Medical Association



Public Works Authority Agenda Item No. 2

Meeting Date: March 26, 2020

## Agenda Item Memo

**Item Title:** Discuss and consider for approval invoice payments of \$8,500 on OWRB-DWSRF Loan #1.

**Initiator:** Staff.

**Staff Information Source:** Jacob Foos, City Manager.

**Background:** This item would have been considered for approval on the April 6 regular City Council meeting, but due to the COVID-19 pandemic staff is presenting it now to ensure proper approvals are received before paying the contractors.

**Council Pillar:** Reliable Infrastructure.

**Financial Impact:** \$8,500 from DWSRF Loan #1 proceeds.

**Attachment:** DW-271 form, Invoice.

**Recommended Action:** Approval of the item.

DRINKING WATER STATE REVOLVING FUND

<b>OUTLAY REPORT AND REQUEST FOR LOAN PROCEEDS FOR CONSTRUCTION PROGRAMS FROM THE DRINKING WATER FACILITY CONSTRUCTION REVOLVING LOAN ACCOUNT (DWSRF)</b>		<b>1. DISBURSEMENT REQUEST NO.</b> 17	PAGE 1 OF 1	
		<b>2. LOAN NUMBER ASSIGNED BY OWRB:</b> P40-1020514-01 'ORF-19-0012-DW		
<b>3. EMPLOYEE IDENTIFICATION NUMBER</b> 73-1242197	<b>4. RECIPIENT ACCOUNT OR OTHER ID NUMBER:</b>	<b>5. PERIOD COVERED BY THIS REPORT</b> FROM: (mm/dd/yy) TO: (mm/dd/yy) 2/16/2020 3/20/2020		
<b>6. RECIPIENT ORGANIZATION</b> Name: Eufaula Public Works Authority  No. and Street: P.O. Box 684  City/State/Zip: Eufaula, OK 74432		<b>7. PAYEE (if different than No. 6)</b> Name:  No. and Street:  City/State/Zip:		
<b>8. STATUS OF FUNDS</b>				
<b>CLASSIFICATIONS</b>	<b>BUDGET &amp; PAYMENT TRACKING</b>			<b>TOTAL</b> (cumulative amounts)
	<b>BUDGET AMOUNTS</b>	<b>PREVIOUS TOTALS</b>	<b>THIS REQUEST</b>	
a. Construction - 12-inch Water Line Bore	\$ 135,030.00	\$ 135,030.00	\$ -	\$ 135,030.00
b. Construction - Other Const. Items	\$ 153,798.00	\$ 8,855.00	\$ -	\$ 8,855.00
c. Engineering	\$ 649,500.00	\$ 577,966.18	\$ 8,500.00	\$ 586,466.18
d. Inspection	\$ -	\$ -	\$ -	\$ -
e. Bond Counsel	\$ 20,000.00	\$ 20,000.00	\$ -	\$ 20,000.00
f. Local Counsel	\$ 8,750.00	\$ 8,750.00	\$ -	\$ 8,750.00
g. Financial Advisor	\$ 20,000.00	\$ 20,000.00	\$ -	\$ 20,000.00
h. Trustee Bank Fee	\$ 500.00	\$ 500.00	\$ -	\$ 500.00
i. Permit Fee	\$ 162.00	\$ -	\$ -	\$ -
j. BLANK	\$ -	\$ -	\$ -	\$ -
k. Contingency	\$ 12,260.00	N/A	N/A	N/A
<b>l. TOTALS</b>	<b>\$ 1,000,000.00</b>	<b>\$ 771,101.18</b>	<b>\$ 8,500.00</b>	<b>\$ 779,601.18</b>
m. Amount Previously Requested	N/A	N/A	N/A	\$ 771,101.18
n. Amount of this request	N/A	N/A	N/A	\$ 8,500.00
o. Percent complete w/ construction	N/A	N/A	N/A	49.82%
<b>9. CERTIFICATION</b>  I certify that to the best of my knowledge and belief the billed cost or disbursement represents the amount due which has not been previously requested and that an inspection has been performed on all construction.	<b>a. Recipient</b>	<b>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b>	<b>DATE REPORT SUBMITTED</b>	
		<b>TYPED/PRINTED NAME AND TITLE</b> James Duty, Chairman	<b>TELEPHONE NO.</b> (918) 689-2534	
	<b>b. Representative Certifying to line 8u.</b>	<b>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b>	<b>DATE REPORT SUBMITTED</b>	
		<b>TYPED/PRINTED NAME AND TITLE</b> Valarie Cox, Secretary	<b>TELEPHONE NO.</b> (918) 689-2534	



## Cowan Group Engineering, LLC

7100 N. Classen, Suite 500  
Oklahoma City, OK 73116-7747  
Tel: 405-463-3369 Fax: 405-463-3381  
beverly@cowangroup.co  
www.cowangroup.co

## Invoice

Mr. Jacob Foos  
City of Eufaula  
PO Box 684  
Eufaula, OK 74432

Invoice Date: Mar 17, 2020  
Invoice Num: 4934  
Billing Through: Mar 14, 2020

### Eufaula-Water Distribution System Improvements (18-704) - Managed by (RJM)

Phase	Contract	% Complete	Total Billed To Date	Current Total
01-Eufaula-Eufaula Water Dist. Cntr. Land Svy.	\$68,000.00	100%	\$68,000.00	\$0.00
02-Eufaula-Eufaula Water Dist. Cntr. Prelim Design	\$285,000.00	100%	\$285,000.00	\$0.00
03-Eufaula-Water Dist. Cntr.Final Design	\$150,000.00	100%	\$150,000.00	\$0.00
04-Eufaula-Package A Bidding and CA	\$50,000.00	85%	\$42,500.00	\$7,500.00
05-Eufaula-WTP Improvements	\$20,000.00	100%	\$20,000.00	\$1,000.00
<b>TOTALS</b>	<b>\$573,000.00</b>		<b>\$565,500.00</b>	<b>\$8,500.00</b>

Total Earned to Date: \$565,500.00  
Invoice Total: \$8,500.00  
Previous Outstanding Balance: \$0.00  
Balance Due:           \$8,500.00

*This invoice is due on 4/16/2020*

Approved by: 

See Cowan Group Engineering, LLC's Mandatory STANDARD TERMS AND CONDITIONS FOR PROFESSIONAL SERVICES at  
<http://www.cowangroup.co/terms-and-conditions>



Public Works Authority Agenda Item No. 3

Meeting Date: March 26, 2020

## Agenda Item Memo

**Item Title:** Discuss and consider for approval invoice payments of \$101,073.50 on OWRB-DWSRF Loan #2.

**Initiator:** Staff.

**Staff Information Source:** Jacob Foos, City Manager.

**Background:** This item would have been considered for approval on the April 6 regular City Council meeting, but due to the COVID-19 pandemic staff is presenting it now to ensure proper approvals are received before paying the contractors.

**Council Pillar:** Reliable Infrastructure.

**Financial Impact:** \$101,073.50 from DWSRF Loan #1 proceeds.

**Attachment:** DW-271 form, Invoices.

**Recommended Action:** Approval of the item.

DRINKING WATER STATE REVOLVING FUND

<b>OUTLAY REPORT AND REQUEST FOR LOAN PROCEEDS FOR CONSTRUCTION PROGRAMS FROM THE DRINKING WATER FACILITY CONSTRUCTION REVOLVING LOAN ACCOUNT (DWSRF)</b>		<b>1. DISBURSEMENT REQUEST NO.</b> 7	PAGE 1 OF 1	
		<b>2. LOAN NUMBER ASSIGNED BY OWRB:</b> P40-1020514-02 'ORF-19-0012-DWA		
<b>3. EMPLOYEE IDENTIFICATION NUMBER</b> 73-1242197	<b>4. RECIPIENT ACCOUNT OR OTHER ID NUMBER:</b>	<b>5. PERIOD COVERED BY THIS REPORT</b> FROM: (mm/dd/yy) TO: (mm/dd/yy) 2/21/2020 3/20/2020		
<b>6. RECIPIENT ORGANIZATION</b> Name: Eufaula Public Works Authority  No. and Street: P.O. Box 684  City/State/Zip: Eufaula, OK 74432		<b>7. PAYEE (if different than No. 6)</b> Name:  No. and Street:  City/State/Zip:		
<b>8. STATUS OF FUNDS</b>				
<b>CLASSIFICATIONS</b>	<b>BUDGET &amp; PAYMENT TRACKING</b>			<b>TOTAL</b> (cumulative amounts)
	<b>BUDGET AMOUNTS</b>	<b>PREVIOUS TOTALS</b>	<b>THIS REQUEST</b>	
a. Construction Package A - Lonehickory	\$ 2,437,342.00	\$ 1,149,433.50	\$ 73,523.50	\$ 1,222,957.00
b. Package D - Sunrise Construction	\$ 190,000.00	\$ 162,450.00	\$ 27,550.00	\$ 190,000.00
c. Package E - Lonehickory	\$ 529,210.00	\$ 8,835.00		\$ 8,835.00
d. Other Construction Items	\$ 2,638,204.88	-	-	-
e. Inspection	\$ 50,000.00	-	-	-
f. Bond Counsel	\$ 79,812.50	\$ 79,812.50	-	\$ 79,812.50
g. Local Counsel	\$ 38,656.25	\$ 38,656.25	-	\$ 38,656.25
h. Financial Advisor	\$ 64,350.00	\$ 64,350.00	-	\$ 64,350.00
i. DEQ/Railroad Permit Fees	\$ 25,119.02	\$ 20,560.00	-	\$ 20,560.00
j. Trustee Bank Fee	\$ 500.00	\$ 500.00	-	\$ 500.00
k. Contingency	\$ 131,805.35	N/A	N/A	N/A
l. TOTALS	<b>\$ 6,185,000.00</b>	<b>\$ 1,524,597.25</b>	<b>\$ 101,073.50</b>	<b>\$ 1,625,670.75</b>
m. Amount Previously Requested	N/A	N/A	N/A	\$ 1,524,597.25
n. Amount of this request	N/A	N/A	N/A	\$ 101,073.50
o. Percent complete w/ construction	N/A	N/A	N/A	24.54%
<b>9. CERTIFICATION</b>  I certify that to the best of my knowledge and belief the billed cost or disbursement represents the amount due which has not been previously requested and that an inspection has been performed on all construction.	<b>a. Recipient</b>	<b>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b>	<b>DATE REPORT SUBMITTED</b>	
		<b>TYPED/PRINTED NAME AND TITLE</b> James Duty, Chairman	<b>TELEPHONE NO.</b> (918) 689-2534	
	<b>b. Representative Certifying to line 9a.</b>	<b>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b>	<b>DATE REPORT SUBMITTED</b>	
		<b>TYPED/PRINTED NAME AND TITLE</b> Valarie Cox, Secretary	<b>TELEPHONE NO.</b> (918) 689-2534	

# Contractor's Application for Payment No. 6

Application Period: 02/21/20 to 03/23/20 Application Date: March 23, 2020

From (Contractor): Lonehickory Cattle L.L.C. Via (Engineer): Cowan Group Engineering LLC

Contract: DWSRF P40-1020514-02

Contractor's Project No.: \_\_\_\_\_ Engineer's Project No.: \_\_\_\_\_

## Application for Payment

Change Order Summary		
Approved Change Orders	Additions	Deductions
1	\$6,500.00	
TOTALS		
	\$6,500.00	
NET CHANGE BY CHANGE ORDERS		\$6,500.00

1. ORIGINAL CONTRACT PRICE \$2,437,342.00
2. Net change by Change Orders \$6,500.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2) \$2,443,842.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate) \$1,470,470.00
5. RETAINAGE:
 

a. 5	% x	\$1,470,470.00	Contract Amount	\$73,523.50
b. 0	% x	\$0.00	Stored Material	
c. Total Retainage (Line 5a + Line 5b)				\$73,523.50
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$1,396,946.50
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) \$1,149,433.50
8. AMOUNT DUE THIS APPLICATION \$247,513.00
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above) \$1,055,895.50

## Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Payment of: \$247,513.00  
 (Line 8 or other - attach explanation of other amount)

is recommended by: 3/24/2020  
 (Engineer) (Date)

Payment of: 247,513  
 (Line 8 or other - attach explanation of other amount)

is approved by: \_\_\_\_\_ (Owner) (Date)

Approved by: \_\_\_\_\_ Funding Agency (if applicable) (Date)

By: Date 3-23-20

Progress Estimate

Contractor's Application

A		B			C		D		E		F		G	
Item		Qty	Unit Price	Bid Value	Estimated Qty Installed	Value	Maximums Previously Stored (not in C)	Total Completed and Stored to Date (D * E)	% (F / B)	March 23, 2020		Balance to Finish (G - F)		
Bid Item No.	Description													
<b>WATERLINE IMPROVEMENTS</b>														
1	MOBILIZATION/DEMobilIZATION													
2	CLEARING AND GRUBBING	1	75,000.00	\$75,000.00	0.5	\$37,500.00	\$0.00	\$37,500.00	50%		\$37,500.00		\$37,500.00	
3	TEMPORARY EROSION AND SEDIMENT CONTROL	1	10,000.00	\$10,000.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$10,000.00	
4	STORMWATER POLLUTION PREVENTION PLAN	1	5,000.00	\$5,000.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$5,000.00	
5	SOLID SLAB SODDING	1	5,000.00	\$5,000.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$5,000.00	
6	4" PVC C900 WATERLINE	3939	5.00	\$19,695.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$19,695.00	
7	6" PVC C900 WATERLINE	28	100.00	\$2,800.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$2,800.00	
8	8" PVC C900 WATERLINE	21624	30.00	\$648,720.00	13300	\$399,000.00	\$0.00	\$399,000.00	62%		\$399,000.00		\$249,720.00	
9	6" GATE VALVE AND BOX (RJ)	4629	33.00	\$152,757.00	4600	\$151,800.00	\$0.00	\$151,800.00	99%		\$151,800.00		\$957.00	
10	8" GATE VALVE AND BOX (RJ)	85	1,200.00	\$102,000.00	57	\$68,400.00	\$0.00	\$68,400.00	67%		\$68,400.00		\$33,600.00	
11	FIRE HYDRANT ASSEMBLY	11	1,500.00	\$16,500.00	17	\$25,500.00	\$0.00	\$25,500.00	155%		\$25,500.00		\$0.00	
12	CONNECTION TO EXISTING WATERLINE	52	5,200.00	\$270,400.00	25	\$130,000.00	\$0.00	\$130,000.00	48%		\$130,000.00		\$140,400.00	
13	LONG SERVICE CONNECTION	11	2,000.00	\$22,000.00	4	\$8,000.00	\$0.00	\$8,000.00	36%		\$8,000.00		\$14,000.00	
14	SHORT SERVICE CONNECTION	135	2,000.00	\$270,000.00	64	\$128,000.00	\$0.00	\$128,000.00	47%		\$128,000.00		\$142,000.00	
15	SAWCUT, REMOVE AND REPLACE CONCRETE SIDEWALK	117	800.00	\$93,600.00	74	\$59,200.00	\$0.00	\$59,200.00	63%		\$59,200.00		\$34,400.00	
16	SAWCUT, REMOVE AND REPLACE CONCRETE PAVEMENT	120	80.00	\$9,600.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$9,600.00	
17	SAWCUT, REMOVE AND REPLACE ASPHALT PAVEMENT	567	80.00	\$45,360.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$45,360.00	
18	REMOVE AND REPLACE GRAVEL DRIVE	854	80.00	\$68,320.00	747	\$59,760.00	\$0.00	\$59,760.00	87%		\$59,760.00		\$8,560.00	
19	REMOVE AND REPLACE 15" CORRUGATED METAL PIPE (CMP)	371	30.00	\$11,130.00	172	\$5,160.00	\$0.00	\$5,160.00	46%		\$5,160.00		\$5,970.00	
20	REMOVE AND REPLACE 18" CORRUGATED METAL PIPE (CMP)	208	30.00	\$6,240.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$6,240.00	
21	REMOVE AND REPLACE 12" CORRUGATED METAL PIPE (CMP)	16	30.00	\$480.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$480.00	
22	REMOVE AND REPLACE 18" CORRUGATED PLASTIC PIPE (CPP)	39	30.00	\$1,170.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$1,170.00	
23	REMOVE AND REPLACE EX IRON FENCE	19	30.00	\$570.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$570.00	
24	REMOVE AND REPLACE EX FENCE	25	100.00	\$2,500.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$2,500.00	
25	CUT EXISTING WATERLINE AND INSTALL 4" GATE VALVE & BOX	20	100.00	\$2,000.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$2,000.00	
26	CUT EXISTING WATERLINE AND INSTALL 8" GATE VALVE & BOX	1	4,000.00	\$4,000.00	1	\$4,000.00	\$0.00	\$4,000.00	100%		\$4,000.00		\$0.00	
27	CONSTRUCTION STAKING	1	3,000.00	\$3,000.00	1	\$3,000.00	\$0.00	\$3,000.00	100%		\$3,000.00		\$0.00	
28	CONSTRUCTION SIGNING AND TRAFFIC CONTROL	1	15,000.00	\$15,000.00	0.5	\$7,500.00	\$0.00	\$7,500.00	50%		\$7,500.00		\$7,500.00	
29	PRESSURE AND LEAKAGE TESTING	1	5,000.00	\$5,000.00	0.33	\$1,650.00	\$0.00	\$1,650.00	33%		\$1,650.00		\$3,350.00	
30	DISINFECTION	1	10,000.00	\$10,000.00	0.5	\$5,000.00	\$0.00	\$5,000.00	50%		\$5,000.00		\$5,000.00	
31	2" AUTOMATIC FLUSHING DEVICES	1	10,000.00	\$10,000.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$10,000.00	
32	LONG SERVICE METER RECONNECTION	18	3,500.00	\$63,000.00	5	\$17,500.00	\$0.00	\$17,500.00	28%		\$17,500.00		\$45,500.00	
33	SHORT SERVICE METER RECONNECTION	50	2,150.00	\$107,500.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$107,500.00	
34	GROUND STORAGE TANK PUMP STATION	31	1,000.00	\$31,000.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$31,000.00	
35	4" PRESSURE VALVE AND VAULT	1	136,000.00	\$136,000.00	1	\$136,000.00	\$0.00	\$136,000.00	100%		\$136,000.00		\$0.00	
36	8" PRESSURE REDUCING VALVE AND VAULT	2	35,000.00	\$70,000.00	2	\$70,000.00	\$0.00	\$70,000.00	100%		\$70,000.00		\$0.00	
37	10" PRESSURE REDUCING VALVE AND VAULT	1	42,000.00	\$42,000.00	1	\$42,000.00	\$0.00	\$42,000.00	100%		\$42,000.00		\$0.00	
38	8" ALTITUDE AND VAULT AT ELEVATED STORAGE TANK	1	60,000.00	\$60,000.00	1	\$60,000.00	\$0.00	\$60,000.00	100%		\$60,000.00		\$0.00	
39	8" ALTITUDE AND VAULT AT ELEVATED STORAGE TANK	1	40,000.00	\$40,000.00	1	\$40,000.00	\$0.00	\$40,000.00	100%		\$40,000.00		\$0.00	
40				\$0.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$0.00	
41				\$0.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$0.00	
42				\$0.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$0.00	
43				\$0.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$0.00	
44				\$0.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$0.00	
45				\$0.00	0	\$0.00	\$0.00	\$0.00	0%		\$0.00		\$0.00	
				<b>Totals</b>		\$2,437,342.00	\$0.00	\$1,470,470.00	60%		\$1,470,470.00		\$987,372.00	



**Progress Estimate (Lump Sum Bid)**

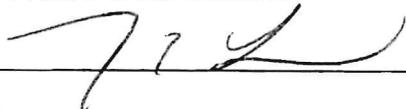
**Contractor's Application**

For (contract): Eufaula PWA/Water Treatment Plant Back-Up Generator		Application Number: 3						
Application Period: 02/18/2020-03/16/2020		Application Date: 03/16/2020						
A		B	C	D	E	F		
Bid Item No.	Item Description	Bid Value	Estimated Quantity Installed	Value	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)	% (F) B	Balance to Finish (B - F)
1	Emergency Diesel Generator Improvements 1 LS	190,000.00	100%	190,000.00		190,000.00	100%	0
Totals		190,000.00		190,000.00		190,000.00	0	0

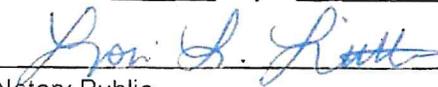
CLAIM OR INVOICE AFFIDAVIT

STATE OF Oklahoma ) ss.  
COUNTY OF McIntosh )

The undersigned (contractor or supervisory official), certifies that this (invoice, claim or contract) is true and correct. Affiant further states the work, services or materials as shown by this invoice or claim have been completed or supplied in accordance with the plans, specifications, orders, or requests furnished to the affiant. Affiant further states that (s)he has made no payment, given, donated or agreed to pay, give or donate either directly or indirectly, to any elected official, officer, or employee of the State of Oklahoma, of money or any other thing of value to obtain payment or the award of this contract.

Signed: 

Subscribed and sworn to before me this 16th day of March, 2020.

  
Notary Public

My Commission Expires:

7-22-2023





Public Works Authority Agenda Item No. 4

Meeting Date: March 26, 2020

## Agenda Item Memo

**Item Title:** Discuss and take any necessary action regarding potential water shut offs due to Package A construction.

**Initiator:** Staff.

**Staff Information Source:** Jacob Foos, City Manager.

**Background:** Due to the COVID-19 pandemic staff is requesting direction from the City Council on how to address the continued construction work on Package A for the water system improvements. At this time, we are able to isolate East of Front Street, without affecting River Oaks, Sherwood Forest, etc. and depending on the work being done we can isolate off even smaller sections to limit the impact of the outage.

Oklahoma City is the only community that was identified at this time to officially stop all water line projects that could cause service disruptions.

Staff's recommendation at this time is to continue construction but to limit planned water outages to not exceed four hours in a day, and to take an extremely cautious approach to limit unplanned outages.

**Council Pillar:** Reliable Infrastructure.

**Financial Impact:** N/A.

**Attachment:** Recommendation from Cowan Group Engineering.

**Recommended Action:** Direction from the City Council on how to proceed.

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## Eufaula Water Projects

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**Ryan Mahaffey** <rmahaffey@cowangroup.co>

Wed, Mar 25, 2020 at 9:26 AM

To: Jacob Foos <cm@cityofeufaulaok.com>, Jeb Jones <jeb.jones@cityofeufaulaok.com>, Brandy Parks <brandy@cowangroup.co>

Jacob,

I have discussed this with others here and we only have one other city that has been putting an order in place for something like this. That is Oklahoma City.

It is in our opinion that what you propose is the best way forward. Keep moving on construction with well communicated construction efforts and shutdowns kept to a minimum and if needed kept to less than 4 hours. There is a lot of construction that can happen without the shutoff of water.

Below is the ordinance from OKC:

Oklahoma City put a memorandum out as follows:

Due to the State of Emergency declared by the Mayor, all water line construction activities that require water service to residents to be temporarily shut off are to be postponed at this time until further notice. Construction activities may continue that do not interrupt service for residents.

Again, interruption of water service to residents is not authorized.

I apologize for the inconvenience that this may cause. If there is any questions or clarification needed, please contact your Project Manager.

Thank You,

Ryan Mahaffey

**Ryan Mahaffey, P.E.**

Project Manager

O: 918.949.6171

C: 405.714.5520

*CONFIDENTIALITY NOTE: The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, transmission, dissemination or other use of this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender immediately.*

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