

## AMENDMENT NO. 2 TO THE TRUST INDENTURE

MUSKOGEE CITY-COUNTY ENHANCED 9-1-1 TRUST AUTHORITY

KNOW ALL MEN BY THESE PRESENTS that this **SECOND AMENDMENT TO THE TRUST INDENTURE** for the Muskogee City-County Enhanced 9-1-1 Trust Authority is executed this 14 day of Aug, 20 23.

**WHEREAS**, the Trust Indenture establishing the Trust was approved the 10<sup>th</sup> day of February 2009;

**WHEREAS**, the Trust Indenture was amended by the First Amendment dated July 10, 2010;

**WHEREAS**, the Oklahoma Legislature adopted SB 173 in 2022 (2022 OSL § 120) to change the law governing the awarding of contracts by public trusts;

**WHEREAS**, the Trustees of the Trustee have determined the Trust Indenture should be amended to reflect the change in law.

**NOW THEREFORE**, Article VII, Paragraph E of the Trust Indenture, as amended, is hereby amended to read as follows:

- E. The Trustee may contract for the furnishing of any services or the performance of any duties that the trustees deem necessary, proper or convenient to the execution of the purposes of this Trust, and shall pay for the same as they see fit to provide in such a contract; PROVIDED, that no transaction shall be completed without the approval of the majority of the Trustees. ~~Contracts for construction, labor, equipment, material or repairs in excess of \$25,000.00 shall be paid out for public bid in accordance with the applicable law and awarded to the lowest and best bidder.~~ Contracts shall be awarded in accordance with the applicable provisions of Title 60 of the Oklahoma Statutes.

(SIGNATURE PAGE FOLLOWS)

**IN WITNESS WHEREOF**, the Trustees have hereunto set their hands, executing this Second Amendment to the Trust Indenture this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**Laurel Havens**

\_\_\_\_\_  
**Tyler Evans**

\_\_\_\_\_  
**Carrie Wages**

\_\_\_\_\_  
**Kenny Payne**

\_\_\_\_\_  
**Nathan Parker**

\_\_\_\_\_  
**Jody Moore**

\_\_\_\_\_  
**Andy Simmons**

\_\_\_\_\_  
**Caleb Brewer**

\_\_\_\_\_  
**Johnny Teehee**

\_\_\_\_\_  
**Marlon Coleman**

\_\_\_\_\_  
**Mike Miller**

STATE OF OKLAHOMA        )  
  ) SS  
COUNTY OF MUSKOGEE    )

**SUBSCRIBED AND SWORN TO BEFORE ME**, a Notary Public, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**Notary Public**

(BENEFICIARY APPROVAL FOLLOWS)

**APPROVAL AND CONSENT OF CO-BENEFICIARY CITY OF MUSKOGEE**

The City of Muskogee, as co-beneficiary of the Muskogee City-Council Enhanced 9-1-1 Trust Authority, hereby expressly approves, consents, and agrees to the above and foregoing Second Amendment to the Trust Indenture this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**CITY OF MUSKOGEE, OKLAHOMA**

\_\_\_\_\_  
**Marlon Coleman, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Tammy Tracey, City Clerk**

**APPROVED AS TO FORM AND LEGALITY** this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

\_\_\_\_\_  
**Katrine Bodenhamer, City Attorney**

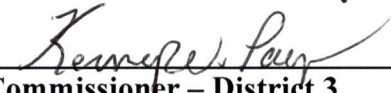
**APPROVAL AND CONSENT OF CO-BENEFICIARY BOARD OF COUNTY  
COMMISSIONERS OF MUSKOGEE COUNTY**

The Board of County Commissioners of Muskogee County, as co-beneficiary of the Muskogee City-Council Enhanced 9-1-1 Trust Authority, hereby expressly approves, consents, and agrees to the above and foregoing Second Amendment to the Trust Indenture this 14<sup>th</sup> day of Aug, 2023.

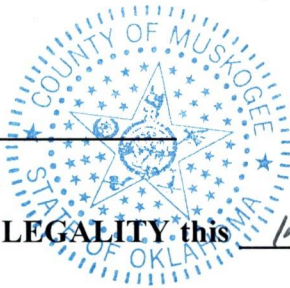
**BOARD OF COUNTY COMMISSIONERS OF  
MUSKOGEE COUNTY, OKLAHOMA**

  
\_\_\_\_\_  
Commissioner – District 1

  
\_\_\_\_\_  
Commissioner – District 2

  
\_\_\_\_\_  
Commissioner – District 3

ATTEST:  
  
\_\_\_\_\_  
Polly Irving, County Clerk



APPROVED AS TO FORM AND LEGALITY this 14<sup>th</sup> day of Aug, 2023.

  
\_\_\_\_\_  
John Tyler Hammons, General Counsel