



City of Enid
401 W. Owen K. Garriott Road
Enid, Oklahoma 73701
580-234-0400

BOARD OF TRUSTEES

NOTICE OF SPECIAL MEETING

The Trustees of the Enid Economic Development Authority, a Public Trust, and the Trustees of the Enid Public Transportation Authority, a Public Trust

Notice is hereby given that the Trustees of the Enid Economic Development Authority, a Public Trust, and the Trustees of the Enid Public Transportation Authority, a Public Trust, will meet in special session at 5:30 p.m. on the 30th day of August, 2017, in the Council Chambers of the City Administration Building, located at 401 W. Owen K. Garriott Road in said city, and the agenda for said meeting is as follows:

- AGENDA -

ENID ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING

1. CALL TO ORDER/ROLL CALL.
2. APPROVE EXTENSION OF CLOSING DATE IN MASTER DEVELOPMENT AGREEMENT (MDA) BETWEEN ENID ECONOMIC DEVELOPMENT AUTHORITY (EEDA) AND ENID BWP, LLC.
3. ADJOURN TO CONVENE AS THE ENID PUBLIC TRANSPORTATION AUTHORITY.
4. ENID PUBLIC TRANSPORTATION AUTHORITY SPECIAL MEETING.
 1. CONSIDER A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE AGREEMENT BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) AND THE ENID PUBLIC TRANSPORTATION AUTHORITY, FOR PUBLIC TRANSIT REVOLVING FUNDS.
5. ADJOURN.

City Commission Special Meeting

2.

Meeting Date: 08/30/2017

Submitted By: Kristin Martin, Executive Assistant

SUBJECT:

APPROVE EXTENSION OF CLOSING DATE IN MASTER DEVELOPMENT AGREEMENT (MDA) BETWEEN ENID ECONOMIC DEVELOPMENT AUTHORITY (EEDA) AND ENID BWP, LLC.

BACKGROUND:

This Agreement between the EEDA and Enid BWP, LLC, an Oklahoma limited liability company, amends the Master Development Agreement between the parties dated February 23, 2017. The Master Development Agreement provides condition precedents for both the EEDA and the Developer to complete prior to said transfer pursuant to §3.03 and §3.02 respectively. The Closing Date of August 31, 2017, found in the Master Development Agreement in Sections 3.02, 3.03 and 11.02 is hereby extended sixty days to October 30, 2017.

RECOMMENDATION:

Approve extension.

PRESENTER:

Jerald R Gilbert, City Manager
Carol Lahman, Interim City Attorney

Attachments

Agreement

EXTENSION OF CLOSING DATE IN MASTER DEVELOPMENT AGREEMENT

This Agreement between the Enid Economic Development Authority, an Oklahoma Public Trust, (“EEDA”) and Enid BWP, LLC, an Oklahoma limited liability company, (“Developer”) amends the Master Development Agreement between the parties dated February 23, 2017 (the “Master Development Agreement”). Capitalized terms used but not defined herein shall have the meanings ascribed thereto in the Master Development Agreement.

RECITALS

WHEREAS, the Master Development Agreement provides a closing date of August 31, 2017 at which time the transfer of the Development Property is to occur; and

WHEREAS, the Master Development Agreement provides condition precedents for both the EEDA and the Developer to complete prior to said transfer pursuant to §3.03 and §3.02 respectively; and

WHEREAS, the conditions precedent will not be satisfied prior to August 31, 2017 and the parties desire to extend such date, and

NOW, THEREFORE, in consideration of the mutual promises and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

The Closing Date of August 31, 2017, found in the Master Development Agreement in Sections 3.02, 3.03 and 11.02 is hereby extended sixty days to October 30, 2017.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed on the 30 day of August, 2017.

EEDA:

**ENID ECONOMIC DEVELOPMENT
AUTHORITY, an Oklahoma public trust**

By: _____
William E. Shewey, Chairman

DEVELOPER:

**ENID BWP, LLC an Oklahoma limited
liability company**

By: _____
Dr. Atul Patel, Manager

City Commission Special Meeting

4.1.

Meeting Date: 08/30/2017

Submitted By: Kristin Martin, Executive Assistant

SUBJECT:

CONSIDER A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE AGREEMENT BETWEEN THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) AND THE ENID PUBLIC TRANSPORTATION AUTHORITY, FOR PUBLIC TRANSIT REVOLVING FUNDS.

BACKGROUND:

This resolution will authorize an agreement with the ODOT to accept Public Transit Revolving Fund financial assistance for the purpose of maintaining the rural public transit system in the City of Enid.

RECOMMENDATION:

Consider resolution.

PRESENTER:

Mary Beth Williams, General Manager EPTA

Attachments

Resolution

RESOLUTION

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT), TRANSIT PROGRAMS DIVISION, FOR PUBLIC TRANSIT REVOLVING FUNDS.

WHEREAS, the Oklahoma Department of Transportation, (hereinafter referred to as the "Department", is providing funds under the ODOT Public Transit Revolving Fund grant; and,

WHEREAS, the Enid Public Transportation Authority, (hereinafter referred to as "EPTA"), seeks to receive financial assistance pursuant to the ODOT Public Transit Revolving Fund; and,

WHEREAS, after the EPTA makes application under the grant, the EPTA will be required to execute a contract to receive the grant funds pursuant to the ODOT Public Transit Revolving Fund; and,

WHEREAS, the contract will impose certain obligations upon EPTA in accordance with the provisions of Chapter of 53 of Title 49 of the United States Code;

NOW, THEREFORE, BE IT RESOLVED BY THE ENID PUBLIC TRANSPORTATION AUTHORITY:

1. Mary Beth Williams, General Manager for the Enid Public Transportation Authority, is authorized to:
 - a. Submit a grant application for financial assistance for the purpose of operating a rural transit system in the City of Enid, Oklahoma from the Department along with any and all documentation necessary to include :
 - the description of the transportation services provided;
 - a proposed budget justification;
 - the EPTA independent audit report;
 - Certification of Vehicle Revenue Miles Claimed;
 - EPTA's Certification of Services to the Elderly and Disabled;
 - EPTA's Certification of Availability to the General Public;
 - EPTA's Worker's Compensation Insurance Certificate; and
 - EPTA's Liability Insurance Certification.
 - b. Furnish such additional information as the Department or the Federal Transit Administration may require in connection with the application.

PASSED AND APPROVED this 30th day of August, 2017.

Enid Public Transportation Authority

William E. Shewey, Chairman

ATTEST:

Alissa Lack, City Clerk

Approved as to Forma and Legality:

Carol Lahman, Interim City Attorney