



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

BOARD OF COMMISSIONERS

NOTICE OF STUDY SESSION

Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, 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 Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, the Trustees of the Enid Economic Development Authority, a Public Trust, and the Enid Public Transportation Authority, a Public Trust will meet in regular session at 5:00 p.m. on the 4th day of December, 2018 in the Lower Level Conference Room 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 -

REGULAR STUDY SESSION AGENDA

1. **CALL TO ORDER/ROLL CALL.**
2. **AT THE COMMISSIONERS' REQUEST, DISCUSS ANY ITEM OF CONCERN ON THE REGULAR SESSION AGENDA OF DECEMBER 4, 2018.**
3. **DISCUSS ANALYSIS OF THE BENEFITS AND DIFFERENCES BETWEEN THE WATER INFRASTRUCTURE FINANCE INNOVATION ACT (WIFIA) FUNDING AND THE OKLAHOMA WATER RESOURCE BOARD FINANCIAL ASSISTANCE PROGRAM (OWRB FAP) FUNDING AS IT PERTAINS TO THE KAW LAKE WATER PROJECT.**
4. **AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2014, TITLE 11 "ZONING", CHAPTER 2 "ADMINISTRATION AND ENFORCEMENT", SECTION 11-2-2 "NOTICE OF CHANGES IN ZONING DISTRICT BOUNDARIES" TO CLARIFY PROCEDURES; AND AMENDING TITLE 12 "SUBDIVISIONS", CHAPTER 1 "GENERAL AND ADMINISTRATIVE PROVISIONS", SECTION 12-1-8 "VARIANCES", TO PROVIDE VARIANCES MUST BE APPROVED BY THE PLANNING COMMISSION BY A MAJORITY VOTE OF THE MEMBERS PRESENT; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.**
5. **DISCUSS CURRENT COMMERCIAL SIDEWALK REGULATIONS.**

6. ADJOURN.

Meeting Date: 12/04/2018

SUBJECT:

DISCUSS ANALYSIS OF THE BENEFITS AND DIFFERENCES BETWEEN THE WATER INFRASTRUCTURE FINANCE INNOVATION ACT (WIFIA) FUNDING AND THE OKLAHOMA WATER RESOURCE BOARD FINANCIAL ASSISTANCE PROGRAM (OWRB FAP) FUNDING AS IT PERTAINS TO THE KAW LAKE WATER PROJECT.

Attachments

Kaw Funding analysis WIFIA vs OWRB FAP

City of Enid - Kaw Water Project

Project Cost Estimate **315,000,000**

Funded or to be funded from	Avg. Interest Rate	
2018 OWRB FAP Loan	3.80%	44,400,000
2018 OWRB DWSRF Loan	2.99%	20,000,000
2019 WIFIA or OWRB FAP Loan		50,600,000
2019 or 2020 OWRB DWSRF Loan		200,000,000

2019 WIFIA Loan - \$51,100,000 (Estimated Close - August through October 2019)

	Current Market (3.22% Rate)	Hypothetical Increase (3.69% Rate)
Principal Payback	51,100,000	51,100,000
<i>Included in \$500,000 Increased Loan Amount</i>		
Application Fee	100,000	100,000
Rating Fees (Upfront)	37,000	37,000
WIFIA Credit Processing Fees - above and beyond local costs (Legal, Financial Professional and Engineer Costs) - Estimated at \$250K to \$500K	363,000	363,000
Total Financing Costs Over Term of Loan		
Interest	29,351,266	34,248,920
Rating Fee and WIFIA Loan Servicing Fee (Annual)	412,500	412,500
Total Costs	80,863,766	85,761,420

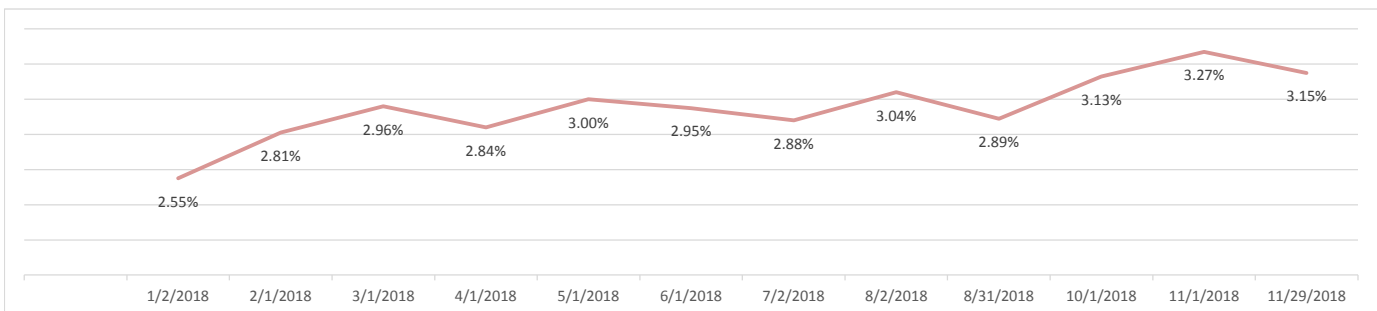
2019 OWRB FAP Loan - \$48,885,000 (Early as March 2019)

	Current Market (4.06% Rate)	Current Market (4.06% Rate)
Principal Payback	48,885,000	48,885,000
<i>Included in \$1,715,000 Decreased Loan Amount</i>		
Premium Generated from Bond Sale Applied to Project	2,026,697	2,026,697
OWRB Costs of Issuance	(311,697)	(311,697)
Total Financing Costs Over Term of Loan		
Interest	38,557,640	38,557,640
Less: Estimated Interest Earnings on Project Funds During Construction	(1,804,471)	(1,804,471)
Annual Trustee Fee	75,000	75,000
Total Costs	85,713,169	85,713,169

Cost Variance (WIFIA vs. FAP Loan) 4,849,403 (48,251)

Change in Treasury Rate

Monthly Rates - US Treasury SLGS Based on 17 Year, Ten Month Term (Average Life of WIFIA Loan)



Meeting Date: 12/04/2018

SUBJECT:

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2014, TITLE 11 "ZONING", CHAPTER 2 "ADMINISTRATION AND ENFORCEMENT", SECTION 11-2-2 "NOTICE OF CHANGES IN ZONING DISTRICT BOUNDARIES" TO CLARIFY PROCEDURES; AND AMENDING TITLE 12 "SUBDIVISIONS", CHAPTER 1 "GENERAL AND ADMINISTRATIVE PROVISIONS", SECTION 12-1-8 "VARIANCES", TO PROVIDE VARIANCES MUST BE APPROVED BY THE PLANNING COMMISSION BY A MAJORITY VOTE OF THE MEMBERS PRESENT; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

Attachments

Ordinance

ORDINANCE NO. 2018-

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2014, TITLE 11 “ZONING”, CHAPTER 2 “ADMINISTRATION AND ENFORCEMENT”, SECTION 11-2-2 “NOTICE OF CHANGES IN ZONING DISTRICT BOUNDARIES” TO CLARIFY PROCEDURES; AND AMENDING TITLE 12 ‘SUBDIVISIONS’, CHAPTER 1 “GENERAL AND ADMINISTRATIVE PROVISIONS”, SECTION 12-1-8 “VARIANCES”, TO PROVIDE VARIANCES MUST BE APPROVED BY THE PLANNING COMMISSION BY A MAJORITY VOTE OF THE MEMBERS PRESENT; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA:

Section I: That Title 11, Chapter 2, Section 2-6C-1 of the Enid Municipal Code, 2014 is hereby amended to read as follows:

11-2-2: NOTICE OF CHANGES IN ZONING DISTRICT BOUNDARIES:

A. Notice Of Hearing Required; Publication: Whenever the metropolitan area planning commission of Enid and Garfield County, or any other planning commission acting as the planning commission for the city, files with the city clerk a recommended change in the boundaries of any zoning district, the city clerk is hereby authorized and directed to, without further action by the mayor and board of commissioners, cause to be published a notice of hearing before the mayor and board of commissioners, on said proposed change, and which notice shall be published in the official paper of the city for a period of at least fifteen (15) days prior to said hearing.

B. Time Of Hearing; Contents Of Notice: The city clerk shall fix the time of said hearing and publish notice of the hearing in the newspaper. ~~as the first regular meeting date of the mayor and board of commissioners at which said hearing can be had after the required number of days of publication, and which~~ The notice shall contain a description of the property to be considered for rezoning and the present district in which the property is located and the district to which the proposed change is to be made. (Ord. 80-29, 12-16-1980 as amended)

Section II: That Title 12, Chapter 1, Section 12-1-8 of the Enid Municipal Code, 2014 is hereby amended to read as follows:

12-1-8: VARIANCES:

A. Variances; Findings: The planning commission may recommend a variance from this title when, in its opinion, undue hardship may result from strict compliance. In recommending any

variance, the planning commission shall prescribe only conditions that it deems necessary to, or desirable for, the public interest. In making its findings, as required hereinbelow, the planning commission shall take into account the nature of proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the planning commission finds:

1. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of his land.
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.
4. That the modifications have been requested in writing by the subdivider stating the reasons for each modification and that the variance is approved by a majority ~~three-fourths (3/4)~~ vote of the ~~regular membership of the~~ planning commission present at the meeting when it is considered

B. Planned Unit Development (PUD); Findings: The planning commission may recommend a variance from this title in case of a plan for a planned unit development (PUD), which, in the judgment of the planning commission, provides adequate public space and includes provisions for efficient circulation, light and air and other needs. In making its findings, as required below, the planning commission shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. The planning commission shall find that:

1. The proposed project will constitute a desirable and stable community development; and
2. The proposed project will be in harmony with adjacent areas.

C. Application Requirements:

1. Generally: Application for any such variance shall be submitted in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the planning commission. The petition shall state fully the grounds for the application and all the facts relied upon by the petitioner.

2. Planned Unit Development: Application for any such variance shall be made in writing by the subdivider at the time when the preliminary plat is filed for the consideration of the planning commission, stating fully and clearly all facts relied upon by the petitioner and shall be supplemented with maps, plans or other additional data which may aid the planning commission in the analysis of the proposed project. The plans for such development shall include such

covenants, restrictions or other legal provisions necessary to guarantee the full achievement of the plan.

3. Patio Homes, Townhouses And/Or All Housing: Land zoned or proposed to be zoned for patio homes, townhouses and/or other all housing shall be platted to comply with city zoning regulations.

4. Mobile Home Parks And Mobile Home Neighborhoods: Plats for subdivisions intended for mobile home parks or mobile home neighborhoods shall comply with the requirements of title 9, chapter 12 of this code, and in case of conflict between said chapter 12 and this title, said title 9, chapter 12 of this code shall control. (Ord. 98-25, 9-1-1998)

Section III: Repealer. All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section IV: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section V: Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall, for any reason, be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Enid that this section of the Enid Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section VI: Codification. This ordinance shall be codified as Title 11, Chapter 2, Section 11-2-2 and Title 12, Chapter 1, Section 12-1-8 of the Enid Municipal Code, 2014.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this __ day of December, 2018.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney

City Commission Study Session

5.

Meeting Date: 12/04/2018

SUBJECT:

DISCUSS CURRENT COMMERCIAL SIDEWALK REGULATIONS.
