



City of Enid
401 W. Owen K Garriott
1768 P.O. Box
Enid, Oklahoma 73702
580-234-0400

BOARD OF COMMISSIONERS

NOTICE OF REGULAR MEETING

Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, and the Trustees of the Enid Economic Development 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, and the Trustees of the Enid Economic Development Authority, a Public Trust, will meet in regular session at 6:30 p.m. on the 19th day of April 2011, 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 -

MAYOR AND BOARD OF COMMISSIONERS REGULAR MEETING

1. CALL TO ORDER/ROLL CALL.
2. INVOCATION.
3. FLAG SALUTE.
4. MINUTES OF REGULAR MEETING OF APRIL 5, 2011.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
 - 5.2 APPOINTMENTS TO THE POLICE CIVIL SERVICE COMMISSION, LIBRARY BOARD, CDBG FUNDING COMMISSION, ADA ACCESS BOARD, AND DR. MARTIN LUTHER KING, JR. HOLIDAY COMMISSION.

BACKGROUND: The City Clerk has advertised for vacancies on the above boards and commissions. The following appointments are to be considered:

- **POLICE CIVIL SERVICE COMMISSION:** One vacancy to be filled by a member of the Enid Police Department who shall act as Secretary to the Commission. Capt. Bryan Skaggs is the incumbent and only applicant for this position, and would like to be considered for reappointment. Due to Charter restrictions, members of the Police Civil Service Commission cannot succeed themselves. However, Capt. Skaggs was appointed to fill an unexpired term and is eligible for reappointment. A copy of Capt. Skaggs's application is attached for your consideration.
- **LIBRARY BOARD:** Two vacancies to be filled by any interested citizen of Enid. Ms. Kristina Donaldson and Mr. Robert Fries are incumbents to this board. Ms. Donaldson would like to be considered for reappointment and Mr. Fries would not. A ballot is attached for your consideration.
- **CDBG FUNDING COMMISSION:** Two vacancies to be filled by any interested citizen of Enid. Mr. Troy Enmeier and Ms. Lorie Legere are incumbents to this commission and would like to be considered for reappointment. Copies of Mr. Enmeier's and Ms. Legere's applications are attached for your consideration. There are no other applicants for these vacancies.
- **ADA ACCESS BOARD:** One vacancy to be filled by a person with disabilities residing in Garfield County. Ms. DeLisa Ging was initially appointed to serve a two-year term on this board. She is the only applicant for this position and has expressed an interest in being considered for reappointment. This appointment will be for three years.
- **DR. MARTIN LUTHER KING, JR. HOLIDAY COMMISSION:** Three vacancies to be filled as follows:

One vacancy to be filled by a member of the NAACP. The NAACP has requested that Mr. Wilbert Kearney continue to serve as its representative on the commission. A letter of recommendation is attached.

One vacancy to be filled by a representative of the Southern Heights Community Organization. This organization has requested that Mr. Derwin Norwood continue to serve as its representative on the commission. A letter of recommendation is attached.

One vacancy to be filled by a representative of the Public Library of Enid and Garfield County. Library Director Michele Mears has requested that employee Katie Carmack be appointed to serve as

the Library's representative on the commission. A copy of Ms. Mears' letter of recommendation is attached.

ATTACHMENTS: Applications and ballots.

PRESENTER: Joan Riley.

RECOMMENDATION: Consider appointments.

6. HEARINGS.

6.1 NONE.

7. COMMUNITY DEVELOPMENT.

7.1 NONE.

8. ADMINISTRATION.

8.1 A RESOLUTION AMENDING THE 2010-2011 CAPITAL IMPROVEMENT DEPARTMENT BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$650,000.00 FOR THE CITY OF ENID MASTER TRAIL PLAN.

BACKGROUND: This is a companion Item to 8.2. An additional \$650,000 is needed to complete phases 1 and 2 of the City of Enid Master Trail Plan. This item will increase the Capital Improvement Department budget by \$650,000.00.

Funds are available in the Capital Improvement Fund balance.

PRESENTER: Jerald Gilbert.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

8.2 CONSIDER CONTRACT AWARDS FOR CONSTRUCTION OF PHASE I AND PHASE II OF THE ENID MASTER TRAIL SYSTEM, PROJECTS, M-1001A AND M-1001C, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This is a companion to Item 8.1. These projects are part of the City of Enid Master Trail Plan and work includes Phase I and Phase II of that plan.

Two bids were received on Phase I from Continental Construction and Cummins Construction. Three bids were received on Phase II from Continental Construction, Cummins Construction and Bass Construction.

The proposals consist of two pavement alternates, PC concrete and asphalt, four bridge alternates and two trailhead alternates.

Upon selecting a pavement alternate, the number of options will be reduced to eight (8) for each phase. After a pavement type is selected, the difference in the low-cost combination and the high-cost combination is \$31,200.00. Therefore, it is recommended that the final alternate selections be made based on Commission preference.

Funds were previously appropriated for Phase I for \$1,500,000. The combined cost of the premium alternates for Phases I and II range from \$1,702,140.71 to \$2,105,062.29. An appropriation was considered in Item 8.1 to award both Phases.

Funding is from the Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Canvass of bids.

RECOMMENDATION: Consider contract awards, and authorize the Mayor to execute the contract documents after review by the City Attorney.

- 8.3 CONSIDER AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2003, AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-1, ENTITLED "PURPOSE AND OBJECTIVES," TO INCLUDE ADDITIONAL OBJECTIVE; AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-2, ENTITLED "DEFINITIONS," TO AMEND AND ADD DEFINITIONS' AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-3, ENTITLED "BONDING AND LICENSING OF CONTRACTORS," TO CAPITALIZE PROPER NOUNS; AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-4, ENTITLED "PERMITS AND INSPECTIONS," TO REMOVE TYPES OF SIGNS FROM BEING CONDITIONALLY EXEMPT AND EXEMPT; AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-5, ENTITLED "GENERAL REGULATIONS FOR ALL SIGNS," TO AMEND AND ADD MAINTENANCE STANDARDS, UNSAFE SIGN STANDARDS, ABANDONMENT STANDARDS, ELECTRICAL CODE REQUIREMENTS, DISPLAY SURFACE AREA STANDARDS AND ADDITIONAL TYPES OF SIGNS TO THE PROHIBITED SIGNS LIST; AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-6, ENTITLED "REGULATIONS BY ZONING DISTRICT OR SPECIAL AREA," TO AMEND THE TYPES OF SIGNAGE ALLOWED IN A RESIDENTIAL ZONING DISTRICT, AGRICULTURAL DISTRICT AND THE DOWNTOWN DEVELOPMENT DISTRICT, TO REMOVE THE DOWNTOWN DESIGN GUIDELINES, TO**

AMEND THE RESTORATION CLAUSE OF DESTROYED SIGNS; AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-7, ENTITLED "SIZE, LOCATION AND OTHER RESTRICTIONS," TO CHANGE THE HEIGHT LIMIT OF FREE STANDING SIGNS TO 30', TO REMOVE SIGN DISPLAY RESTRICTIONS ON FREESTANDING SIGNS, TO ADD SPECIFIC REQUIREMENTS ON WALL SIGNS, ADD REGULATIONS TO GROUND SIGNS, WINDOW SIGNS, TEMPORARY SIGNS AND AUTOMATIC OR CHANGING SIGNS; AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-8, ENTITLED "ILLEGAL, NONCONFORMING AND UNUSED SIGNS," TO REMOVE DEFINITIONS, TO REMOVE THE NON-CONFORMING CLAUSE ON WIND RESISTANT OR "SWINGER" SIGNS, TO AMEND THE DESTRUCTION BY CALAMITY CLAUSE, TO REMOVE THE UNUSED (ABANDONED) SIGNS CLAUSE, TO ADD TO AND AMEND THE COMPLIANCE CLAUSE FOR PERMANENT SIGN, WIND RESISTANT AND TEMPORARY SIGN, DANGEROUS SIGN, PORTABLE SIGN AND WINDOW AND WALL SIGNS, TO AMEND THE REMOVAL BY THE CITY CLAUSE; AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 13, ENTITLED "SIGN REGULATIONS," SECTION 11-13-9, ENTITLED "REVIEW AND APPEAL," TO CAPITALIZE PROPER NOUNS; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

BACKGROUND: The proposed ordinance, which was presented at the April 5th Study Session, will regulate any new on-premises signs within the city limits and will assist with the cleanup of sign clutter throughout the city. The proposed ordinance will limit the height of freestanding signs to 30', limit the total display area of all signage on a single site, prohibit balloon signs, vehicle signs and temporary signs with the exception of special events and regulate the type of signage in the Downtown Development District, residentially zoned areas and agriculturally zoned areas. The ordinance also amends the abandonment section, the destruction by calamity clause, and includes various grammar and punctuation changes.

PRESENTER: Whitney Box.

ATTACHMENT: Ordinance.

RECOMMENDATION: Approve.

8.4 AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH LARKIN GROUP, INC. FOR DESIGN OF CHAMPLIN POOL RENOVATIONS PROJECT, P-1102A.

BACKGROUND: Champlin Pool is in need of repairs, as well as upgrades to comply with state and federal requirements. The City of Enid sought proposals for professional engineering services for Phase I of the repairs.

Proposals were received from four (4) engineering firms. Through a staff review process, Larkin Group, Inc., of Kansas City, Missouri was selected as the firm best suited to provide these services. This firm has broad experience in the design of pool renovations.

An agreement for completing the design and other engineering services has been negotiated with Larkin Group, Inc., in an amount not to exceed \$41,065.00. The scope of services includes a capital improvement plan that will identify repair needs, deferred maintenance, safety concerns and deficiencies in applicable codes and regulations, a review of the plan with the City and the Oklahoma Department of Health, complete plans and specifications, cost estimate, assistance with bidding, and construction administration services.

Funding is from the Capital Improvement Fund.

PRESENTER: Jim McClain.

ATTACHMENTS: None. Agreement is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Agreement for Professional Engineering Services with Larkin Group, Inc. in an amount not to exceed \$41,065.00.

8.5 EXECUTE CONTRACT FOR PUBLIC SERVICES BETWEEN THE CITY OF ENID AND THE ENID METROPOLITAN AREA HUMAN SERVICE COMMISSION, INC.

BACKGROUND: The Enid Metropolitan Area Human Service Commission (“Metro Commission”) has provided public services within the City of Enid for over twenty-four (24) years. In accordance with Okla. Const. Art. 10, §§ 14 and 17, the Mayor and Board of Commissioners of the City of Enid found that the Metro Commission serves a proper public purpose. The City of Enid and the Metro Commission desire to set forth the terms and conditions with which Metro Commission shall comply in order to receive funding. The City of Enid will pay the Metro Commission \$7,000.00 in Fiscal Year 2010-2011 to provide the services set out in the contract.

PRESENTER: Andrea Springer.

ATTACHMENT: 2010 Contract between the City of Enid and the Metro Commission.

RECOMMENDATION: Execute contract.

8.6 A RESOLUTION AMENDING THE MEMBERSHIP OF THE MARTIN LUTHER KING, JR. HOLIDAY COMMISSION.

BACKGROUND: The City of Enid created the Martin Luther King, Jr. Holiday Commission in order to coordinate its efforts with other organizations to promote the ideals and goals which Martin Luther King, Jr. advocated. The Holiday Commission consists of seven members appointed by the Mayor and Board of Commissioners. The members are comprised of: A Commissioner from the Board of Commissioners, a representative from the Interracial Women's Club of Enid, a representative of NAACP, a representative from the Public Library, a representative from Pegasys, a representative from the Southern Heights Community Organization, and one at-large representative. Pegasys does not have the staffing to send a representative to every meeting of the commission and the commission has asked that the Pegasys representative be replaced with an additional at-large representative. This resolution would remove the representative from Pegasys and replace it with an at-large representative.

PRESENTER: Whitney Box.

ATTACHMENT: Resolution.

RECOMMENDATION: Approve Resolution.

8.7 REMOVE FROM THE TABLE AMENDMENT II TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN TETRA TECH, INC. AND THE CITY OF ENID, RELATED TO THE ENID MASTER TRAIL PLAN.

BACKGROUND: This item was tabled at the April 5, 2011 Commission meeting. Tetra Tech was requested to provide an itemized breakdown of the costs for the additional services.

The original project design included bidding both phases of the work as one project; however, the Oklahoma Department of Transportation required the project be broken into two projects. Tetra Tech did not anticipate the additional work in the original contact and requested additional payment in the amount of \$24,061.76. Its request has been negotiated down to \$17,475.00 based on the amount of additional work performed. This amendment is prepared to cover the additional cost of splitting the project into two projects.

Tetra Tech has provided a letter explaining its position, list of additional work performed, and hourly cost breakdown as requested.

Funding is from the Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Itemized cost breakdown. Amendment II is on file in the office of the City Clerk.

RECOMMENDATION: Remove from the table and consider Amendment II in the amount of \$17,475.00.

- 8.8 **CONSIDER AND TAKE ACTION WITH RESPECT TO A RESOLUTION OF THE CITY OF ENID, OKLAHOMA (THE "CITY") EVIDENCING ITS OFFICIAL INTENT TO PURSUE NEW MARKET TAX CREDITS IN AN EFFORT TO SUBSIDIZE THE COSTS ASSOCIATED WITH THE ENID RENAISSANCE PROJECT; AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS; DECLARING AN EMERGENCY; AND CONTAINING OTHER PROVISIONS THERETO.**

BACKGROUND: This item will present a resolution to pursue a new tax credit in an effort to subsidize the costs that are associated with the Enid Renaissance Project.

PRESENTER: Allan Brooks.

ATTACHMENTS: Resolution.

RECOMMENDATION: Consider resolution.

- 8.9 **A RESOLUTION AMENDING THE 2010-2011 CAPITAL IMPROVEMENT DEPARTMENT BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$177,536.94 FOR OAKWOOD ROAD AND WILLOW ROAD INTERSECTION IMPROVEMENTS.**

BACKGROUND: This is a companion item to 9.6. The City of Enid is prepared to authorize the additional payment to Oklahoma Department of Transportation to complete intersection improvements at Oakwood Road and Willow Road. This item will increase the Capital Improvement Department budget by \$177,536.94.

Funds are available in the Capital Improvement Fund balance.

PRESENTER: Jerald Gilbert.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

9. CONSENT.

- 9.1 **ACCEPT A WARRANTY DEED FROM GERALD AND ALBA POPE FOR LOTS ELEVEN (11) THROUGH FOURTEEN (14), BLOCK NINE (9), KENNEDY'S 2ND ADDITION TO THE CITY OF ENID.**

BACKGROUND: The City of Enid is continuing drainage improvements throughout the City. This property was purchased for that purpose. The sellers were paid two thousand dollars (\$2,000.00) for these four (4) lots.

PRESENTER: Andrea Springer.

ATTACHMENT: None. Warranty deed is on file in the office of the City Clerk.

RECOMMENDATION: Accept warranty deed.

9.2 CONSIDERATION AND DENIAL OF TORT CLAIM OF STEVEN PETTY, ZELPHA SKAGGS AND NORMA BENNETT.

BACKGROUND: On January 18, 2011, Mr. Steven Petty submitted a tort claim in the amount of \$1,381.21 for damage to his home. He claimed the damage occurred as a result of a backup in the city sewer line. The City forwarded that claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation into the claim. After investigating, OMAG found no negligence on the part of the City. OMAG recommended that the City deny the tort claim.

On March 21, 2011, Ms. Zelpha Skaggs submitted a tort claim in the amount of \$511.91 for damage to her 2001 Lincoln Town Car. She claimed the damage occurred as the result of striking rebar sticking out of the curb at approximately 2300 North Cleveland. The City forwarded that claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation into the claim. After investigating, OMAG found no negligence on the part of the City. OMAG recommended that the City deny the tort claim.

On April 5, 2011, Ms. Norma Bennett submitted a tort claim in an undetermined amount for damage to her window at 909 E. Cherokee. The damage occurred when the Enid Police Department served a search warrant and attempted to serve an arrest warrant for Ms. Bennett's son, Mr. Shawn Campbell, at that address. Under the Governmental Tort Claims Act, a City shall only be liable for its torts or the torts of its employees acting within the scope of their employment, subject to certain exceptions. 51 Okla. Stat. § 153. The Governmental Tort Claims Act specifically exempts and excepts cities from liability on certain claims. Exceptions applicable to this case: A City shall not be liable for the "[e]xecution or enforcement of the lawful orders of any court" or for "[e]ntry upon any property where that entry is expressly or implied authorized by law." 51 Okla. Stat. §155. There is no evidence here to show that the City or its employees displayed negligence or intentional misconduct. In fact, the Enid Police Department was operating pursuant

to two (2) warrants. Any damage occurring to the home becomes a liability of the owner.

PRESENTER: Andrea Springer.

ATTACHMENT: None. Letters are on file in the office of the City Clerk.

RECOMMENDATION: Deny payment of the tort claims.

9.3 AWARD A CONTRACT TO MONUMENT ROOFING SYSTEM FOR THE ADMINISTRATION BUILDING ROOFING PROJECT, M-1105A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This project will replace the existing modified bituminous roofing system on the Administration Building with a single-ply membrane system.

Six bids were received, with the lowest, responsible bid submitted by Monument Roofing System, Oklahoma City, Oklahoma, in the amount of \$108,515.00 for a 50-mil membrane, and \$115,788.00 for a 60-mil membrane. The 60-mil roofing option is recommended for award based on the additional protection and warranty that it provides.

The contract time for this project is thirty-five (35) calendar days.

Funding for this project is from the Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: None. Canvass of bids is on file in the Office of the City Clerk.

RECOMMENDATION: Award contract to Monument Roofing System in the amount of \$115,788.00, and authorize the Mayor to execute all contract documents after review by City Attorney.

9.4 AWARD A CONTRACT TO HERITAGE ROOFING SYSTEM OF ENID, FOR THE ENID SENIOR CENTER BUILDING ROOFING PROJECT, M-1106A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This project will replace the existing asphalt shingle roof on the Senior Center Annex with a new asphalt shingle roof system.

Six bids were received, with the lowest, responsible bid submitted by Heritage Roofing Systems of Enid, Enid, Oklahoma, in the amount of \$11,100.00.

The contract time for this project is thirty (30) calendar days.

Funding for this project is from the Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract to Heritage Roofing Systems of Enid in the amount of \$11,100.00, and authorize the Mayor to execute all contract documents after review by the City Attorney.

9.5 AUTHORIZE PAYMENT TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE GARRIOTT ROAD WIDENING PROJECT, PHASE III, R-0401.

BACKGROUND: ODOT has invoiced the City of Enid for \$114,871.72 for the balance of the City's share of the Garriott Road Widening Project, Phase III. The total cost of the project was \$5,527,925.60 with the city's share being \$132,944.72, of which \$18,073.00 has been paid to date.

Funds were previously encumbered in the amount of \$99,110.58 for the City's share of the project. After completion of an ODOT audit, the City's share increased by \$15,761.14. This item will authorize payment of the additional funds invoiced by ODOT.

Funding is from the Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: None.

RECOMMENDATION: Authorize payment in the amount of \$15,761.14 to ODOT.

9.6 APPROVE PAYMENT TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE OAKWOOD ROAD AND WILLOW ROAD INTERSECTION IMPROVEMENT PROJECT, R-0302.

BACKGROUND: This is a companion to item 8.8. ODOT has invoiced the City of Enid for \$177,536.94 for the Oakwood Road and Willow Road Intersection Improvement Project. Bids were opened by ODOT in February 2011, with the low bid exceeding the estimate for this project. Total project costs, including construction management, is projected at \$1,725,040.94.

ODOT appropriated the maximum allowable federal share of \$750,000.00 for this project. The City of Enid is responsible for all costs over that amount. Based on bids received, the City's share is \$975,040.94, of which \$797,504.00 has been paid. This item will authorize an additional payment of \$177,536.94 to ODOT. Upon completion of the project, ODOT will conduct an audit and notify the City if any additional amount is owed.

Funding is from the Capital Improvement Program.

PRESENTER: Robert Hitt.

ATTACHMENTS: None.

RECOMMENDATION: Authorize payment to ODOT.

9.7 ACCEPT UTILITY RELOCATION WORK FOR THE WILLOW ROAD OVER SKELETON CREEK AND MARKET STREET OVER SKELETON CREEK PROJECTS, W-1003A AND S-1003A.

BACKGROUND: The contract with Luckinbill, Inc. consists of the relocation of water and sewer lines on Willow Road over Skeleton Creek and Market Street over Skeleton Creek. These relocations were done prior to bridge construction at these locations and have been completed, inspected, and the work is ready for Commission acceptance.

The final contract cost of \$189,181.00 was funded from the Capital Improvement Fund as part of the General Obligation Bond project.

PRESENTER: Robert Hitt.

ATTACHMENTS: None.

RECOMMENDATION: Accept work.

9.8 AWARD A CONTRACT TO J.S. HAREN COMPANY FOR THE WATER RECLAMATION FACILITY (WRF) AEROBIC DIGESTERS DECANT SYSTEM MODIFICATION, S-1105A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: Upon completion, this project will allow the removal of supernate (excess water) from the sludge digesters during the decant process, allowing for improved management of solids, and will improve operations.

Four (4) bids were received, with the lowest, responsible bid submitted by J.S. Haren Company, Athens, Tennessee, in the amount of \$66,000.00.

Funding is from the Sanitary Sewer Capital Improvement fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract to J.S. Haren Company in the amount of \$66,000.00 and authorize the Mayor to execute contract documents after review by the City Attorney.

9.9 AWARD A CONTRACT TO LUCKINBILL, INC., FOR WATER TANKS ROOF RESTORATION AND COATING, W-1110A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This project is to prevent further deterioration from water seepage through the roof of six (6) concrete water storage tanks.

Four (4) bids were received with the lowest, responsible bid submitted by Luckinbill, Inc., Enid, Oklahoma, in the amount of \$625,000.00.

The contract time for this project is 160 calendar days.

Funding for this project is from the Water Capital Improvement Fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract to Luckinbill, Inc., in the amount of \$625,000.00, and authorize the Mayor to execute contract documents after review by the City Attorney.

9.10 AWARD A CONTRACT TO GOINS ENTERPRISES, INC. FOR THE CONSTRUCTION OF THE WEST BROADWAY WATER LINE RELOCATION PROJECT, W-1113A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This project provides for the construction of a new 12” water line on West Broadway Avenue from Van Buren Street to Buchanan Street, replacing the deteriorated 6” water line that lies under the pavement. The new water line will be placed behind the curb for easier maintenance. Upon completion, this section of West Broadway Avenue will be resurfaced as part of the 2011 Arterial Street Resurfacing Program.

Four (4) bids were received, with the lowest, responsible bid submitted by Goins Enterprises, Inc., Joplin, Missouri, in the amount \$242,913.00.

Funding is from the Street Improvement Fund.

PRESENTER: Robert Hitt

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract in the amount of \$242,913.00 to Goins Enterprises, and authorize the Mayor to execute the contract documents after review by the City Attorney.

9.11 APPROVE THE PURCHASE OF A DOZER TO YELLOWHOUSE MACHINERY, CO.

BACKGROUND: A new dozer was budgeted in the Fiscal Year 2010-2011 budget. Two bids were received with the lowest, responsible bid submitted by Yellowhouse Machinery Co., Enid, Oklahoma, in the amount of \$114,565.00.

Funding is from the Capital Replacement Fund.

PRESENTER: Jim McClain.

ATTACHMENTS: Canvass of bids.

RECOMMENDATION: Award purchase dozer from Yellowhouse Machinery Co. in the amount of \$114,565.00.

9.12 REJECT BID RECEIVED FOR BID PACKAGE NO. 1-2B, SITE UTILITIES COMPLETE, OF THE ENID RENAISSANCE PROJECT, M-1109, AND AUTHORIZE STAFF TO READVERTISE FOR BIDS.

BACKGROUND: Bids for this project were solicited, with one (1) bid being received by Luckinbill Inc., Enid, Oklahoma in the amount of \$222,400.00. Carter Construction Co. and Flintco Constructive Solutions, Inc. compared Luckinbill Inc.'s bid with the scope of work required and do not believe the bid amount accurately represents the value of the scope of work. The bid received is significantly higher than Flintco Constructive Solutions, Inc.'s estimate.

PRESENTER: Chris Bauer.

ATTACHMENTS: Canvass of bids.

RECOMMENDATION: Reject bid and authorize staff to readvertise for bids.

9.13 APPROVAL OF CLAIMS IN THE AMOUNT OF \$4,608,902.97.

ATTACHMENT: List of claims.

RECOMMENDATION: Approve.

10. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.

-AGENDA-

11. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12. ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12.1 APPROVAL OF CLAIMS IN THE AMOUNT OF \$172,899.13.

ATTACHMENT: List of claims.

RECOMMENDATION: Approve.

12.2 RATIFY CONTRACT WITH WILLIAM C. AND TESSA L. MARTIN TO ACQUIRE WATER RIGHTS, W-1104A.

BACKGROUND: On April 5, 2011, a contract with William C. and Tessa L. Martin was approved by the Mayor and Board of Commissioners to acquire water rights in the N.W. 1/4 of Section Two, Township 22 North, Range 12 West, Major County.

This item will ratify that contract and enable the parties to close the sale.

PRESENTER: Robert Hitt.

ATTACHMENTS: None. Contract is on file in the office of the City Clerk.

RECOMMENDATION: Ratify contract.

13. ADJOURN TO CONVENE AS THE ENID ECONOMIC DEVELOPMENT AUTHORITY.

-AGENDA-

14. TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY REGULAR MEETING.

15. ENID ECONOMIC DEVELOPMENT AUTHORITY REGULAR MEETING.

15.1 APPROVAL OF CLAIMS IN THE AMOUNT OF \$71,929.50.

ATTACHMENT: List of Claims.

RECOMMENDATION: Approve.

16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.

17. PUBLIC DISCUSSION.

18. CONSIDER CONVENING INTO EXECUTIVE SESSION TO DISCUSS FOP AND AFSCME NEGOTIATIONS FOR FISCAL YEAR 2011-2013; AND TO RECONVENE INTO REGULAR SESSION TO TAKE ANY NECESSARY ACTION.

BACKGROUND: The City Attorney recommends the Mayor and Board of Commissioners go into Executive Session pursuant to 25 Okla. Stat. § 307(B)(2), discussing negotiations with employee groups, and 25 Okla. Stat. § 307(B)(4), attorney/client privilege to engage in confidential communications concerning these matters because disclosure would serve only to impair the ability of the public body to proceed appropriately.

19. ADJOURN.