



City of Enid
401 W. Owen K Garriott
P.O. Box 1768
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 July 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. CONSIDER APPROVAL OF MINUTES OF REGULAR MEETING OF JUNE 21, 2011, AND SPECIAL MEETINGS OF JUNE 21 AND JUNE 30, 2011.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
 - 5.2 PRESENTATION ON CARLAND EAST SIDE DEVELOPMENT.
 - 5.3 EMPLOYEE SERVICE PRESENTATIONS.

6. HEARINGS.

6.1 CONDUCT A HEARING ON THE DENIAL OF SOLICITOR LICENSES TO PINNACLE SECURITY, L.L.C. AND SALESPERSON/REGIONAL MANAGER CLINTON J. CUSHING.

BACKGROUND: This is a companion to Item 8.6 On June 17, 2011, Pinnacle Security, L.L.C. (Pinnacle) and its regional manager applied for solicitor licenses with the City of Enid. A background check revealed the following:

1. Pinnacle has an “F” rating with the Better Business Bureau (BBB) and has maintained that rating for more than a year.
2. There have been over twelve hundred (1,200) complaints filed against Pinnacle with the BBB, including, but not limited to, complaints for unauthorized bank drafts/credit card charges, dishonest sales practices, failure to honor a contract or agreement, defective products, improper collection practices, deceptive sales practices, failure to honor warranties, misrepresentation, high pressure sales tactics, and failure to honor promised refund or exchange.
3. Government action has been taken against Pinnacle on seven (7) different occasions, the most recent being on May 3, 2011. Violations include: Operating without proper permits and licenses, unprofessional conduct, unlawful sales of equipment, making untrue and/or misleading statements, hiring unlicensed agents, claiming false sponsorship and affiliations, making false statements, alteration of documents, and deceptive tactics.
4. Thirty-five (35) judgments and/or liens have been filed against Pinnacle. The most recent occurrence was filed on June 17, 2011.
5. The applicants failed to provide local references as required.

The applications were denied by the Enid Police Department, and pursuant to Section 3-11-12 of the Enid Municipal Code, 2003, Pinnacle appealed.

PRESENTER: Andrea Springer.

ATTACHMENTS: None.

RECOMMENDATION: Conduct hearing.

7. COMMUNITY DEVELOPMENT.

7.1 NONE.

8. ADMINISTRATION.

8.1 APPROVE RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE 2010 SAFE ROUTES TO SCHOOL PROJECT, SRS-124D(143)ST, STATE JOB 28470(11)ST, AT LONG FELLOW JUNIOR HIGH SCHOOL.

BACKGROUND: On October 22, 2009 a grant application for Enid's second Safe Routes to School project was authorized for submission to construct a pedestrian crossing and safe loading zone at Longfellow Junior High School.

PRESENTER: Andrie Winters.

ATTACHMENTS: Resolution. Contract is on file in the Office of the City Clerk.

RECOMMENDATION: Approve.

8.2 AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2003, AMENDING TITLE 1, ENTITLED "ADMINISTRATION," CHAPTER 11, ENTITLED "MUNICIPAL COURT," SECTIONS 1-11-1 THROUGH 1-11-22.

BACKGROUND: This ordinance will amend Title 1, Chapter 11, Sections 1-11-1 through 1-11-22 of the Enid Municipal Code, 2003. The amendment clarifies language, corrects grammar, and capitalizes proper nouns throughout. It deletes unused and unnecessary definitions, adds a General Procedure section, removes the fine schedule, requires Court Costs and Fees in every case handled by the Court Clerks, increases Court Costs, amends the statutory Bail Bond Fee to remove the remittance to the Sheriff's Jail Fund, and requires remittance to a fund used to pay for the housing of prisoners. This ordinance adds statutory Bureau of Narcotics Drug Education Fee, statutory CLEET fee, statutory AFIS Fee, statutory Forensic Science Fee, statutory Alcohol Related Offense Fee, statutory Administrative Fee, requires minimum wage credit to fines for performance of community service or other remedial action, requires defendants to pay for the costs of incarceration, prohibits the Court from waiving costs of incarceration entirely, and provides for the reduction of costs of incarceration and the allocation of costs collected. It also, permits the City to collect costs of incarceration by means prescribed by law, adds a provision for credit for imprisonment and enforcement by imprisonment of amounts owed, and provides for repealer, savings clause, severability, and codification.

PRESENTER: Andrea Springer.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Approve ordinance.

8.3 AWARD A CONTRACT TO CUMMINS CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE 2011 STREET RESURFACING PROGRAM PROJECT, NO. R-1102A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: Bids were received for the 2011 Street Resurfacing Program on June 22, 2011. This contract is for the asphalt resurfacing of the following streets:

- Broadway from Grant Street to Van Buren Street
- Willow Road from Garland Road to Oakwood Road
- Richland Avenue from Cleveland Street to Van Buren Street
- Taylor Street from Norman Road to Richland Avenue
- Breckinridge Road from 42nd Street to 66th Street
- 10th Street from Rupe Avenue to one-half mile North
- Heritage Trail from Double Tree to Willow Road

One bid was submitted by Cummins Construction Co. for \$1,596,582.26. This bid includes \$4,600.00 for Alternate No. 1, which provides a 3-year warranty. It also includes \$65,000.00 for Alternate No. 2, which allows for Tru-Pave paving mat on Broadway. Work will begin in August and is scheduled to be completed by December 2011.

Broadway, Willow Road, Breckinridge Road, and 10th Street will be funded from the Street Improvement Fund in the amount of \$1,145,388.75. Heritage Trail, Richland Avenue, and Taylor Street will be funded from the Street and Alley Fund in the amount of \$451,193.51.

PRESENTER: Tom Cossin.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract to Cummins Construction Co. in the amount of \$1,596,582.26 for the base bid and Alternates No. 1 and No. 2. Authorize the Mayor to execute all contract documents after review by the City Attorney.

8.4 ACCEPT THE 2011 SANITARY SEWER CHEMICAL ROOT CONTROL PROJECT (S-1103A).

BACKGROUND: This project provides for the chemical treatment of sanitary sewer lines to eliminate and prevent root growth.

Duke's Root Control, Inc. has completed this project, treating 204,253 linear feet of sanitary sewer lines. The final contract amount was \$179,314.96, and a three-year maintenance bond was included.

Funding for this project was from the Sanitary Sewer Capital Improvement Fund.

PRESENTER: Tom Cossin.

ATTACHMENTS: None.

RECOMMENDATION: Accept project.

8.5 RESOLUTION SUPPORTING CONTINUED PARTICIPATION IN THE MAIN STREET PROGRAM.

BACKGROUND: This resolution affirms the City of Enid's continued support and participation in the Enid Main Street Program.

PRESENTER: Chris Bauer.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

8.6 CONSIDER APPEAL OF THE DENIAL OF SOLICITOR LICENSES TO PINNACLE SECURITY, L.L.C. AND SALESPERSON/REGIONAL MANAGER CLINTON J. CUSHING.

BACKGROUND: This is a companion to Item 6.1. In order to protect the public, Section 3-11-5 of the Enid Municipal Code, 2003, states that a solicitor's license shall be denied if the applicant's character and business responsibility are found to be unsatisfactory. The applications for the Solicitor Licenses were denied for Pinnacle Security, L.L.C. and Clinton J. Cushing. Pursuant to Section 3-11-12 of the Enid Municipal Code, 2003, Pinnacle Security, L.L.C. appealed, and a hearing was set before the Mayor and Board of Commissioners. The Mayor and Board of Commissioners may deny or grant solicitor licenses to the applicants.

PRESENTER: Andrea Springer.

ATTACHMENTS: None.

RECOMMENDATION: Deny Solicitor Licenses to Pinnacle Security, L.L.C. and Clinton J. Cushing.

9. CONSENT.

- 9.1 APPROVE LOCAL PROGRAM FUNDING CONTRACTS FOR PEGASYS, ENID ARTS AND SCIENCE FOUNDATION D/B/A/ LEONARDO'S, METROPOLITAN AREA HUMAN SERVICE COMMISSION, YOUTH AND FAMILY SERVICES OF NORTH CENTRAL OKLAHOMA, MAIN STREET ENID, ENID JOINT RECREATION TRIAD, AND BOOKER T. WASHINGTON, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER EXECUTION BY THE LOCAL PROGRAM.

BACKGROUND: In accordance with Okla. Const. Art. 10, §§ 14 and 17, the Mayor and Board of Commissioners of the City of Enid found that the above local programs met and served a proper public purpose and made appropriations for the local programs in the City of Enid's Fiscal Year 2011-2012 budget. The City of Enid desires to set forth the terms and conditions with which each local program shall comply in order to receive funding.

Funding Amounts:

- PEGASYS - \$185,000 plus \$67,000 for equipment
- Booker T. Washington - \$10,000
- Enid Joint Recreation Triad - \$25,000
- Enid Metropolitan Area Human Service Commission - \$7,000
- Youth & Family Services - \$7,000
- Main Street Enid - \$37,000 plus \$8,000 for corner node improvements
- Leonardo's - \$25,000

PRESENTER: Andrea Springer.

ATTACHMENTS: 2011 contracts between the City of Enid and the local programs listed above.

RECOMMENDATION: Approve contracts.

- 9.2 CONSIDERATION AND DENIAL OF TORT CLAIMS OF JOHN AND DIANE PADFIELD AND STEVE AND DOTTIE KERNS.

BACKGROUND: On May 24, 2011 John and Diane Padfield submitted a tort claim for damage to Diane Padfield's 2006 Dodge Caravan. She claimed the damage occurred on May 18, 2011 as a result of a City trash truck coming into contact with her vehicle. The City of Enid forwarded the claim to its insurer, Oklahoma Municipal Assurance Group (OMAG). OMAG investigated the claim, and found no negligence on the part of the City of Enid. OMAG recommended the denial of the tort claim.

On May 4, 2011 Steve and Dottie Kerns submitted a tort claim for damage to their home at 4101 Oakcrest. They claimed the work being

done by City of Enid staff and/or contractors caused sewage to back up into their home. The City forwarded the claim to its insurer, Oklahoma Municipal Assurance Group (OMAG). OMAG investigated the claim, and found no proof of negligence on the part of the City of Enid. OMAG recommended denial of the tort claim.

PRESENTER: Andrea Springer.

ATTACHMENTS: None. Letters are on file in the Office of the City Clerk.

RECOMMENDATION: Deny payment of the tort claims.

9.3 REJECT ANY AND ALL BIDS FOR THE PURCHASE OF POLICE DIGITAL TICKET WRITERS.

BACKGROUND: The City of Enid recently solicited bids for Police digital ticket writers. Two bids were received from Brazos Technology and Saltus Technologies. Due to unclear specifications, it was difficult to select the lowest responsible bid. Details need to be clarified in the areas regarding the size of the ticket printout, whether the ticket printed double-sided, and warranty requirements. As a result, it would be in the best interest of the City of Enid to reject the bids, revise the specifications, and re-bid in the near future.

PRESENTER: Bryan Skaggs.

ATTACHMENTS: Bids are on file in Office of the City Clerk.

RECOMMENDATION: Reject any and all bids for Police digital ticket writers.

9.4 EXECUTE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY FOR STREAM MONITORING.

BACKGROUND: This is an annual renewal of the United States Department of the Interior Geological Survey (U.S.G.S.) agreement to contribute operating costs for a stream monitoring station on Skeleton Creek.

The cost of operating the station is estimated at \$15,600.00. The U.S.G.S. agrees to provide \$6,500.00, but requires a local government match. This item is presented to approve the agreement with the U.S.G.S. to continue the stream monitoring station, and authorize payment of the local share of \$9,100.00. This agreement covers the time period from July 1, 2011 to June 30, 2012.

Koch Nitrogen Company receives the benefit of the monitoring station, and has agreed to pay the local share cost to the City of Enid.

PRESENTER: Tom Cossin.

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

RECOMMENDATION: Approve.

9.5 CHANGE ORDER NO. 3 AND PROJECT ACCEPTANCE FOR THE 2010 ARTERIAL STREET RESURFACING PROGRAM, R-1002A.

BACKGROUND: Cummins Construction Co. was contracted to resurface the following streets:

- Independence Avenue from Chestnut Avenue to Willow Road
- Maine Street from 16th Street to Oklahoma Avenue
- Oxford Avenue from Willow Road to Van Buren Street
- Garland Road from Garriott Road to Chestnut Avenue
- Unruh Drive from Purdue Avenue to one-half mile north
- Norman Road from Cleveland Street to Van Buren Street

Change Order No. 1 added the following streets:

- Cleveland Street from Purdue Avenue to one-half mile north
- Kansas Avenue from Cleveland Street to Quincy Street
- Colorado Avenue from Cleveland Street to Quincy Street
- Quincy Street from Purdue Avenue to Colorado Avenue

Change Order No. 2 added the following streets:

- Imo Road from Garriott Road to one-half mile north
- Grant Street from Oxford Avenue to Purdue Avenue
- Lincoln Street from Oxford Avenue to Purdue Avenue
- Ritchie Avenue from Oakwood Road to Rupe Avenue
- Steele Avenue from Leona Mitchell Blvd. to 3rd Street
- 3rd Street from Moore Avenue to Steele Avenue
- Driftwood from Oakwood Road to one-half mile west

The original contract amount was \$1,469,061.38. Change Orders No. 1 and No. 2 added a cost of \$813,712.79. Change Order No. 3 will reduce the final contract amount by \$13,703.41. The total contract amount is \$2,269,070.76 and includes a three (3) year warranty. The project was funded from the Street Improvement Fund and the Street and Alley Fund.

PRESENTER: Tom Cossin.

ATTACHMENTS: None. Change Order No. 3 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 3 and accept project.

9.6 CHANGE ORDER NO. 1 FOR THE 2011 LOCAL STREET PROGRAM, R-1101A, CONTRACT NO. 2.

BACKGROUND: This change order is presented to reconstruct one block of Heritage Trail from Cleveland Street to Double Tree. This surface of the block will be reconstructed with full-depth concrete, and is presented as an addition to the existing contract with Cummins Construction Company.

In addition, this change order provides for extending the State Avenue construction project to include the intersection at Independence Avenue. The total change order amount is \$93,947.13, and results in a final contract amount of \$1,209,729.78.

Funding is from the Street and Alley Fund.

PRESENTER: Tom Cossin.

ATTACHMENTS: None. Change Order No. 1 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 1 in the amount of \$93,947.13.

9.7 CHANGE ORDER NO. 1 AND ACCEPTANCE OF THE PUMP ADDITION TO WATER PLANT NO. 1 PROJECT, W-1109A.

BACKGROUND: This project installed a 200 HP pump and motor Water Plant No. 1 in order to meet an increase in demand. The pipe on the suction side of the pump was not in alignment, and field adjustments were necessary. This change order provides the additional piping replacement.

This change order increases the contract amount by \$739.24. The total contract amount is \$55,229.24, and includes a three (3) year maintenance bond.

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

PRESENTER: Tom Cossin.

ATTACHMENTS: None. Change Order No. 1 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 1 in the amount of \$739.24 and accept the project.

9.8 ACCEPTANCE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) SANITARY SEWER LINE CONSTRUCTION PERMIT FOR THE EVENT CENTER, AS PART OF THE RENAISSANCE PROJECT, S-1112A.

BACKGROUND: The Oklahoma Department of Environmental Quality (ODEQ) approved a permit to construct 284 linear feet of 10-inch PVC sanitary sewer line and appurtenances to serve the Event Center and downtown property. The permit will be recorded as permanent record upon acceptance of Permit No. SL000024110415 by the Commission.

PRESENTER: Tom Cossin.

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

RECOMMENDATION: Accept permit.

9.9 AWARD AND AUTHORIZE THE PURCHASE OF A NEW JOHN DEERE TRACTOR AND FLEX-WING ROTARY CUTTER FOR ENID WOODRING REGIONAL AIRPORT.

BACKGROUND: Funding for a new tractor and flex-wing rotary cutter was included in the Airport's Fiscal Year 2011-2012 budget. A John Deere 5101E Limited Utility Tractor and a John Deere CX15 Flex-Wing Rotary Cutter were selected from the State Contract SW190, Grounds Equipment, from P&K Equipment of Enid. The cost of the tractor is \$43,368.72, and the cost of the Flex-Wing is \$15,682.59. The total cost is \$59,061.31.

PRESENTER: Dan Ohnesorge.

ATTACHMENTS: None.

RECOMMENDATION: Award and authorize the purchase of the John Deere Tractor and Flex-Wing Rotary Cutter in the total amount of \$59,061.31.

9.10 CONSIDER A UTILITY RELOCATION AGREEMENT WITH OKLAHOMA NATURAL GAS COMPANY, IN ASSOCIATION WITH THE CONSTRUCTION OF HANGARS 307 AND 308 AT WOODRING REGIONAL AIRPORT, PROJECT A-1101A.

BACKGROUND: Oklahoma Natural Gas Company must relocate a gas line to support construction of Hangars 307 and 308 at Woodring Regional Airport. The gas line is on a dedicated easement, and relocation costs are the responsibility of the City of Enid. The estimated cost to the City

of Enid will be \$10,353.00. Funding for this item will come from the Airport Fund.

PRESENTER: Dan Ohnesorge.

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

RECOMMENDATION: Approve utility relocation agreement with Oklahoma Natural Gas Company.

9.11 EXECUTE COUNTY JAIL SERVICES AGREEMENT ANNUAL SERVICE PAYMENT ADJUSTMENT.

BACKGROUND: On April 4, 2005 the City of Enid and the Garfield County Criminal Justice Authority entered into a jail services agreement. The agreement stated that the County jail will accommodate City prisoners and provide for an annual negotiation to increase compensation to the County. The County did not request an increase in compensation for the 2011-2012 fiscal year. The City of Enid will pay \$108,000.00, and provide water and trash services to the Garfield County Detention Facility.

PRESENTER: Andrea Springer.

ATTACHMENTS: Agreement.

RECOMMENDATION: Execute Annual Service Payment Adjustment Agreement.

9.12 APPROVAL OF AMENDMENT NO. 7 TO OWNER-ENGINEER AGREEMENT, DATED SEPTEMBER 18, 2007 WITH COBB ENGINEERING, FOR AIRPORT IMPROVEMENT PROJECT, REHABILITATE TAXIWAY AND APRONS, OAC PROJECT, WDG 12-S.

BACKGROUND: This amendment is required to update the engineering consultant contract with Cobb Engineering Company. This project was introduced at the June 7, 2011 Council meeting, and involves replacing deteriorated concrete slabs for apron and taxiways surrounding the thirty-two (32) series hangars at Woodring Regional Airport. The City Council approved Amendment No. 6 to Cobb Engineering's ongoing contract at a maximum cost of \$32,300.00.

After conducting the field survey and preliminary design, the scope of the project was altered to include a larger area. Amendment No. 7 will include the field survey, engineering plans, specs, inspections, and testing at a cost not to exceed \$99,600.00. Amendment No. 7 will supersede Amendment No. 6.

The Oklahoma Aeronautics Commission (OAC) has been asked for grant assistance. The estimated cost for the project will be split between the OAC and the City of Enid. Sixty percent (60%) will be provided by the OAC, and forty percent (40%) will be provided by the City of Enid. Sufficient funds are available in the Airport Fund, and the estimated cost to the City of Enid will not exceed \$39,840.00.

PRESENTER: Dan Ohnesorge.

ATTACHMENTS: Amendment No. 7 to Contract.

RECOMMENDATION: Approve Amendment No. 7.

9.13 CONVEY SPECIAL WARRANTY DEED TO INDEPENDENT SCHOOL DISTRICT #57 OF GARFIELD COUNTY, OKLAHOMA, AND ACCEPT A SPECIAL WARRANTY DEED AND A QUITCLAIM DEED FROM INDEPENDENT SCHOOL DISTRICT #57 OF GARFIELD COUNTY.

BACKGROUND: In November, 2010 the Independent School District #57 of Garfield County, Oklahoma (Enid Public Schools) and the City of Enid entered into a Memorandum of Intent for the purpose of exchanging properties. This item will transfer the property, commonly known as the South Parking Lot of Plainsmen Field, to Enid Public Schools. It will also accept the conveyance of a Special Warranty Deed for the old Wilson School and a Quitclaim Deed for the property South of the Enid Fire Department Fire Station Number Four (4).

PRESENTER: Andrea Springer.

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

RECOMMENDATION: Convey Special Warranty Deed and Quitclaim Deed.

9.14 AWARD ANNUAL PURCHASE OF CRUSHER RUN ROCK THROUGH JUNE 30, 2012.

BACKGROUND: The City of Enid recently solicited bids for Crusher Run Rock. The bid proposal requested prices on various sizes of rock and sand through June 30, 2012. One bid was received by The Dolese Brothers Company, and their bid meets specifications.

PRESENTER: Jerald Gilbert.

ATTACHMENTS: Bid is on file in the Office of the City Clerk.

RECOMMENDATION: Award annual purchase for Crusher Run Rock to Dolese Brothers Company through June 30, 2012.

9.15 AWARD THE PURCHASE OF READY MIX PORTLAND CEMENT CONCRETE THROUGH JUNE 30, 2012.

BACKGROUND: The City of Enid recently solicited bids for Ready-Mix Portland Cement Concrete. Specifications declared that the two lowest responsible bidders would be awarded the bid to ensure that one vendor is readily available as needed. Two bids were received: Enid Concrete Company, Inc. and Dolese Brothers Company. These bids meet the specifications. The bids are valid until June 30, 2012.

PRESENTER: Jerald Gilbert.

ATTACHMENTS: Bids are on file in the Office of the City Clerk.

RECOMMENDATION: Award annual purchase for Ready Mix Portland Cement Concrete to Enid Concrete Company, Inc. and Dolese Brothers Company through June 30, 2012.

9.16 GRANT A UTILITY EASEMENT TO OKLAHOMA GAS & ELECTRIC COMPANY (OG&E).

BACKGROUND: Future plans for the landfill include a second entry and scale. Utilities must be moved to prepare for this plan. This conveyance grants an easement at the landfill that is approximately sixteen (16) feet wide and one thousand one hundred and thirty-two (1,132) feet long. This will provide access for OG&E to install, construct, operate, maintain, and replace public utilities.

PRESENTER: Andrea Springer.

ATTACHMENTS: Utility Easement.

RECOMMENDATION: Grant Utility Easement.

9.17 CHANGE ORDER NO. 1 FOR THE MAINE ST. AND INDEPENDENCE AVENUE ADA RAMPS, R-1102C.

BACKGROUND: Hembree and Hodgson Construction, LLC. was contracted to construct Americans with Disability Act (ADA) ramps on East Maine Street and North Independence Avenue. These ramps were constructed in conjunction with the recently completed street resurfacing project.

The original contract amount was \$98,010.00, and the final contract amount is \$104,350.98. This change order is submitted to add \$6,340.98 to the contract. Additional funds are needed to cover the cost of field changes to replace deteriorated curb and gutter adjacent to ramps, and to extend ramps to eliminate unsafe pedestrian conditions.

This project is funded from the Street Improvement Fund.

PRESENTER: Tom Cossin.

ATTACHMENTS: None. Change Order No. 1 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 1.

9.18 CHANGE ORDER NO. 1 AND PROJECT ACCEPTANCE FOR THE WEST BROADWAY WATER LINE RELOCATION, PROJECT W-1113.

BACKGROUND: Goins Enterprises was contracted to construct a twelve inch (12”) water line on West Broadway from Van Buren Street to Buchanan Street. This line replaces a deteriorated six inch (6”) water main under Broadway pavement. The work was done in advance of the resurfacing of West Broadway scheduled for this fall.

The original contract amount was \$242,913.00, and the final contract amount is \$258,813.00. This change order adds \$15,900.00 to include additional valves, fittings, pipe and pavement repair, elimination of lead joints in adjacent existing pipes, and additional boring to preserve trees. In addition, there was a remobilization charge for an overnight shutdown at Van Buren Street due to an inability to shutdown the twelve inch (12”) line on Van Buren Street by 10:00 PM as scheduled. The work was re-scheduled to minimize the impact on restaurants, businesses, and residents.

This project was funded from the Street Improvement Fund.

PRESENTER: Tom Cossin.

ATTACHMENTS: None. Change Order No. 1 is on file in the Office of the City Clerk.

RECOMMENDATION: Approval Change Order No. 1 and accept project.

9.19 APPROVAL OF CLAIMS IN THE AMOUNT OF \$5,969,340.56.

ATTACHMENTS: 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 \$522,898.77.

ATTACHMENTS: List of claims.

RECOMMENDATION: Approve.

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 \$166,657.00.

ATTACHMENTS: 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 BOBSFARM, INC. V. CITY OF ENID, BERRY V. CITY OF ENID AND BERRY V. CITY OF ENID; 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)(4), "Confidential communications between its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest."

PRESENTER: Andrea Springer.

19. ADJOURN.