



City of Enid
401 W. Owen K
Garriott
P.O. Box 1768
Enid, Oklahoma 73
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 16th day of August 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 AUGUST 2, 2011.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
6. HEARINGS.
 - 6.1 NONE.
7. COMMUNITY DEVELOPMENT.
 - 7.1 NONE.
8. ADMINISTRATION.

8.1 APPROVE A REPORT FROM THE SPECIAL SALES TAX OVERSIGHT COMMITTEE.

BACKGROUND: On July 17, 2001 the Streets Sales Tax Oversight Committee was renamed as the Special Sales Tax Oversight Committee. The Committee's role includes: to insure proceeds for the sales tax for streets are spent in accordance with the ordinances governing the use of funds; to report to the Commission annually; and to oversee all special sales tax revenues, including the Public Safety Sales Tax for police and fire services.

The Special Sales Tax Oversight Committee has reviewed the expenditures from the Special Sales Tax funds, and found all expenditures have been made in accordance with the ordinances governing the use of such funds.

PRESENTER: Philip Clover.

ATTACHMENTS: 2011 Annual Report from the City of Enid Special Sales Tax Oversight Committee.

RECOMMENDATION: Approve.

9. CONSENT.

9.1 APPROVE REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

BACKGROUND: As an entitlement city for receipt of Community Development Block Grant (CDBG) funding, the City of Enid is required to perform an environmental assessment of proposed activities. This must be completed in order to receive approval from the U.S. Department of Housing and Urban Development (HUD) to release the 2011 CDBG allocation of \$518,801.00.

The assessment has been completed, and a Combined Public Notice of Finding of No Significant Impact on the Environment and Notice of Intent to Request the Release of Funds was published in the *Enid News and Eagle* on August 2, 2011. The comment period will end August 17, 2011. Any comments received will be included in the Environmental Review Record.

PRESENTER: Stephanie Carr.

ATTACHMENTS: HUD Form-7015.15, Request for Release of Funds and Certifications. The Environmental Review Record is on file in the CDBG Office.

RECOMMENDATION: Approve Request for Release of Funds and Certification.

9.2 AWARD CONTRACT FOR THE PURCHASE OF SEVEN USED 2009 FORD CROWN VICTORIA POLICE INTERCEPTOR SEDANS FROM THE MISSOURI HIGHWAY PATROL.

BACKGROUND: The Enid Police Department (EPD) solicited bids for the purchase of seven (7) used 2009 Ford Crown Victoria Police Interceptor Sedans, white in color with less than 55,000 miles.

Missouri Highway Patrol submitted a bid in the amount of \$14,750.00 per sedan and a total of \$103,250.00 for seven (7) sedans.

Joe Watts Auto submitted a bid in the amount of \$14,143.00 per sedan and a total cost of \$99,000.00 for seven (7) sedans.

The EPD has purchased many used police sedans from the Missouri Highway Patrol and the department has been satisfied with the quality and reliability of the vehicles purchased as well as the service provided.

Once the bids had been received, a notice was found on the Joe Watts Auto website stating some of its units may come with Rebuilt Oklahoma Titles. A Rebuilt Oklahoma Title is issued after it has had a salvage title and been repaired to roadworthy condition. There are many reasons a vehicle has a salvage title, including being wrecked, flooded, burnt, or had mechanical failure.

Joe Watts Auto did not state how many of the units bid would have rebuilt titles. However, the EPD feels it is their best interest to purchase units from the Missouri Highway Patrol even though each unit will cost \$600.00 more per unit. The EPD has received several years of satisfactory service and superior quality units from the Missouri Highway Patrol.

The funding for the purchase of these vehicles is from the Police Department's Vehicle Replacement Account.

PRESENTER: Lieutenant Scott L. Miller.

ATTACHMENTS: Canvass of Bids and Vendor List.

RECOMMENDATION: Award contract to the Missouri Highway Patrol in the amount of \$103,250.00.

9.3 AWARD CONTRACT FOR THE PURCHASE OF ONE USED 2009 CHEVROLET TAHOE POLICE PACKAGE FROM THE MISSOURI HIGHWAY PATROL.

BACKGROUND: The Enid Police Department has solicited bids to purchase one (1) 2009 Chevrolet Tahoe to replace the current K-9 unit that has high mileage and is limited on space for equipment. The unit must be white with less than 55,000 miles.

One bid was received from Missouri Highway Patrol in the amount of \$16,700.

The funding for the purchase of this vehicle is from the District Attorney's Revolving Fund.

ATTACHMENTS: Canvass of Bids and Vendor List.

RECOMMENDATION: Award contract to the Missouri Highway Patrol in the amount of \$16,700.00.

9.4 ACCEPT WATER (W-1013A), SANITARY SEWER (S-1005A), AND STREET (R-1007A) IMPROVEMENT PROJECTS IN SKYVIEW ESTATES ADDITION, BLOCKS TEN, ELEVEN, AND TWELVE.

BACKGROUND: These privately funded projects have been constructed in accordance with City standards, and record drawings, known as "as-builts," have been received.

A one (1) year maintenance period for each improvement will commence upon approval of this Item.

PRESENTER: Robert Hitt.

ATTACHMENTS: None.

RECOMMENDATION: Approve.

9.5 CHANGE ORDER NO. 1 FOR THE CONCRETE BOX STRUCTURAL LINER DOWNTOWN RENAISSANCE PROJECT, NO. F-1114A.

BACKGROUND: The construction of the concrete box structural liner is a unique project for Enid, and has been contracted to Western Slope Utilities, LLC. To ensure that the City of Enid has the best protection on the new construction method, Owner's Protective Liability insurance is being required in addition to the contractor's general liability. This Change Order will cover the cost of this additional policy in the amount of \$2,300.00, for a total revised contract amount of 402,275.00.

PRESENTER: Robert Hitt.

ATTACHMENTS: Change Order No. 1 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve.

9.6 ACCEPT CHANGE ORDER NO. 2, AND APPROVE ADDITIONAL CALENDAR DAYS TO COMPLETE WORK FOR THE SANITARY SEWER POINT REPAIRS, PROJECT S-1101A.

BACKGROUND: The Oklahoma Department of Environmental Quality (ODEQ) has filed a Consent Order requiring the City of Enid to undertake significant increases in television inspection of the sanitary sewer lines from the 2011 plan. Luckinbill, Inc. is conducting the current television inspection for this project. As mandated by ODEQ, this change order will add 229,000 feet of television inspection at a cost of \$618,300.00. In addition, the Change Order adds \$131,700.00 for repairing sewer damage found by past inspections.

This Change Order will add \$750,000.00 of new work to the 2011 contract of \$669,178.50. The total contract amount is \$1,419,178.50.

Funding for this project is from the Sanitary Sewer Capital Improvement fund.

PRESENTER: Robert Hitt.

ATTACHMENTS: Sanitary Sewer Point Repair locations. Change Order No. 2 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve.

9.7 ACCEPTANCE OF THE PROFESSIONAL ENGINEERING CONSULTANTS ENGINEERING REPORT ON WATER TREATMENT PLANT NUMBER 1 PROCESS RENOVATION.

BACKGROUND: At the August 2, 2011 Study Session Professional Engineering Consultants (PEC) presented their report on the review and recommendations to improve Water Treatment Plant No. 1, a water processing and treatment facility. The report underscores a recommendation to change to on-site generation of the water treatment system for long term cost efficiencies and improved safety for workers and the community.

Upon acceptance by the Commission, the report will be submitted to Oklahoma Department of Environmental Quality (ODEQ) for approval, and PEC will move forward with final design.

PRESENTER: Robert Hitt.

ATTACHMENTS: The Engineering report is on file in the Office of the City Clerk.

RECOMMENDATION: Accept PEC Report.

9.8 CONSIDERATION AND DENIAL OF TORT CLAIMS OF ROBERT BELISLE AND ANN GOINS.

BACKGROUND: On June 2, 2011, Robert Belisle submitted a tort claim in the amount of \$1,341.52 for a backed up sewer at 1317 Cansler Drive. The City forwarded the claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation into the claim. After investigating, OMAG found no proof of negligence on the part of the City. OMAG recommended that the City of Enid deny the tort claim.

On May 4, 2011, Ann Goins submitted a tort claim in the amount of three \$389.00 for injuries allegedly sustained at the 100 Block of East Broadway. She submitted the claim because she fell and hit her face and mouth on a curb due to a hole in the street. The City forwarded the claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation into the claim. After investigating, OMAG found no proof of negligence on the part of the City of Enid. OMAG recommended that the City of Enid deny the tort claim.

PRESENTER: Andrea Springer.

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

RECOMMENDATION: Deny payment of the tort claims.

9.9 APPROVAL OF CLAIMS IN THE AMOUNT OF \$3,016,465.95.

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 \$162,231.53.

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 EXECUTE CONTRACT FOR ECONOMIC DEVELOPMENT SERVICES BETWEEN THE ENID ECONOMIC DEVELOPMENT AUTHORITY AND ENID REGIONAL DEVELOPMENT ALLIANCE, INC.

BACKGROUND: Enid Regional Development Alliance, Inc. (Alliance) is a non-profit corporation created for the purpose of increasing the quality and quantity of jobs in Enid and Garfield County. The Alliance facilitates new projects and/or investments in Enid and the surrounding areas. In accordance with Okla. Const. Art. 10, §§ 14 and 17, the Trustees of the Enid Economic Development Authority (EEDA) found that the Alliance serves a proper public purpose. The EEDA and the Alliance desire to set forth the terms and conditions with which the Alliance shall comply in order to receive funding. The EEDA will fund the Alliance in the amount of \$600,000.00 for Fiscal Year 2011-2012 to provide economic development services for Enid and Garfield County.

PRESENTER: Andrea Springer.

ATTACHMENTS: 2011 Contract between the EEDA and Enid Regional Development Alliance.

RECOMMENDATION: Approve.

- 15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$7,159.50.

ATTACHMENTS: List of Claims.

RECOMMENDATION: Approve.

- 16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.
- 17. PUBLIC DISCUSSION.
- 18. EXECUTIVE SESSION.
 - 18.1 CONSIDER CONVENING INTO EXECUTIVE SESSION TO DISCUSS THE PURCHASE AND/OR APPRAISAL OF REAL PROPERTY AND TO DISCUSS ECONOMIC DEVELOPMENT; 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)(3), to discuss “the purchase or appraisal of real property” and pursuant to 25 Okla. Stat. §307(C)(10), to discuss “matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate within their jurisdiction” because public disclosure would violate the confidentiality of the businesses involved.

19. ADJOURN.