



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 January, 2012, 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 JANUARY 5, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
 - 5.2 PRESENTATION BY MR. JOHN LITTLE, MANAGER OF COMMUNITY AFFAIRS, FROM OKLAHOMA GAS & ELECTRIC COMPANY.

6. HEARINGS.

6.1 NONE.

7. COMMUNITY DEVELOPMENT.

7.1 NONE.

8. ADMINISTRATION.

8.1 APPROVE A RESOLUTION AMENDING THE 2011-2012 CAPITAL IMPROVEMENT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$130,384.00 TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS FOR THE CAPITAL IMPROVEMENT DEPARTMENT.

BACKGROUND: This is a companion to Items 8.2, 8.3, and 8.4. The appropriated amounts for the 2011-2012 Capital Improvement Fund in the Capital Improvement Department must be increased to support the Renaissance change orders for Cherokee Builders in the amount of \$28,471.00, W.L. McNatt in the amount of \$25,704.00 and \$58,709.00, and Marshall Environmental for asbestos abatement in the amount of \$17,500.00. The additional funds are available from the fund balance in the Capital Improvement Fund.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

8.2 APPROVE CHANGE ORDER NO. 1 WITH CHEROKEE BUILDERS, INC., TULSA, OKLAHOMA, FOR BID PACKAGE #1-2B; SITE UTILITIES FOR THE RENAISSANCE PROJECT, M-1109E.

BACKGROUND: This is a companion to Item 8.1. Cherokee Builders, Inc. was awarded Bid Package #1-2B to relocate the sanitary sewer line and place other utilities, including storm pipe, sanitary sewer pipe, and water pipe for a contract amount of \$280,780.00. This change order will provide for changes in the work as follows:

1. Reduce the change order amount by \$13,824.00 for the storm sewer that was not installed across the existing restaurant site at the southeast corner of the construction site.

2. Increase the change order amount by \$3,656.00 to replace the plastic water and fire line pipe with ductile iron pipe.
3. Increase the change order amount by \$5,695.00 to add a manhole to reconnect a new eighteen inch (18") storm drain found during excavation.
4. Increase the change order by \$32,944.00 to add meter vaults, meter assemblies, and gate valves to the scope of work. This change order assigns this scope of work to Cherokee Builders, Inc., originally intended to be provided by the Construction Manager at Risk.

The total amount of Change Order No. 1 is \$28,471.00, resulting in a revised contract amount of \$309,251.00.

PRESENTER: Bob Meyers, Program Manager, Carter & Associates.

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

RECOMMENDATION: Approve Change Order No. 1 with Cherokee Builders, Inc. in the amount of \$28,471.00.

8.3 APPROVE CHANGE ORDER NO. 1 WITH W.L. MCNATT AND COMPANY, OKLAHOMA CITY, OKLAHOMA, FOR CONVENTION HALL RENOVATION, M-1109F.

BACKGROUND: This is a companion to Item 8.1. W. L. McNatt and Company was awarded the Convention Hall Renovation project for a contract amount of \$7,082,000.00. During the process of demolition an unforeseen condition was discovered; second level walls previously scheduled for removal are, in fact, load bearing walls. This change order is prepared to place additional supports to allow for the wall removal.

An extension in contract time has been negotiated in the amount of fourteen (14) days to cover the change work.

PRESENTER: Bob Myers, Program Manager, Carter & Associates.

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

RECOMMENDATION: Approve Change Order No. 1 with W. L. McNatt & Company in the amount of \$25,704.00.

8.4 APPROVE CHANGE ORDER NO. 2 WITH W.L. MCNATT AND COMPANY, OKLAHOMA CITY, OKLAHOMA, FOR THE CONVENTION HALL RENOVATION, M-1109F.

BACKGROUND: This is a companion to Item 8.1. Demolition at Convention Hall has revealed variations in the center court floor and the surrounding floors. The recommended solution is to bring up the lower floors to match. This change order is presented to provide for placement of a cement leveling pad on the surrounding floors, and to add the additional steel to support the flooring above basement areas in the amount of \$58,709.00.

This change order will bring the total contract amount to \$7,166,413.00.

An extension in contract time has been negotiated in the amount of thirty-one (31) days to complete the additional floor paving.

PRESENTER: Bob Myers, Program Manager, Carter & Associates.

ATTACHMENTS: None. Change Order No. 2 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 2 with W. L. McNatt & Company in the amount of \$58,709.00.

8.5 REMOVE FROM THE TABLE AND CONSIDER AN ORDINANCE ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL EXISTING BUILDING CODE, THE 2009 INTERNATIONAL RESIDENTIAL CODE, THE 2009 INTERNATIONAL MECHANICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 2009 INTERNATIONAL FIRE CODE AND THE 2009 LIFE SAFETY CODE NFPA 101, AND PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

BACKGROUND: This Item was tabled at the Commission meeting on December 13, 2011. Because this ordinance amends the Zoning Code, the City of Enid was required to hold one (1) public hearing. The City of Enid held two (2) public hearings and took written public comments. This ordinance will adopt the 2009 International Building Code, excluding appendices, and including all amendments made to it by the State of Oklahoma Uniform Building Code Commission. The adoption of the 2009 International Building Code, or a code with stricter requirements, is required by Oklahoma State Law. This ordinance will also adopt the 2009 International Existing Building Code, the 2009 International Residential Code, excluding appendices, the 2009

International Mechanical Code, the 2009 International Fuel Gas Code, the 2009 International Plumbing Code, the 2009 International Property Maintenance Code, the 2009 International Fire Code, and the 2009 Life Safety Code, NFPA 101. This ordinance specifically exempts one (1) and two (2) family dwellings from the sprinkling requirement found in the 2009 International Codes.

PRESENTER: Andrea Springer, City Attorney.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Remove from the table and consider Ordinance.

8.6 CONSIDER AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, AMENDING TITLE 11, ENTITLED “ZONING,” CHAPTER 12, ENTITLED “PARKING SPACE REQUIREMENTS,” AND PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

BACKGROUND: Because this ordinance amends the Zoning Code, the City of Enid was required to hold one (1) public hearing. The City of Enid held three (3) public hearings and took written public comments. This ordinance will amend Title 11, Chapter 12 of the Enid Municipal Code, 2003. The amendment amends the definition of “Parking Space” in Section 11-12-1 to allow for larger parking spaces; clarifies language in Section 11-12-2, and would require compliance with the ordinance whenever a principle use, building or structure is changed, erected or enlarged; clarifies in Section 11-12-3 that physically disabled parking is required and directs readers to Section 11-12-4 for the requirements; and in Section 11-12-4, requires that parking spaces, driveways, and approaches to parking spaces and driveways be hard surfaced to prevent the raising of dust, and provides a list of approved materials, extends the three hundred foot (300 ft) rule for parking in the C4 Central Business District to 1/4 mile and provides for a public hearing and Commission approval should more than half of a business’ parking spaces be more than 1/8 of a mile from the business, and requires that physically disabled parking comply with the Americans with Disabilities Act and any other applicable Federal, State or Local law, as those laws may be amended from time to time.

PRESENTER: Andrea Springer, City Attorney.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Approve.

8.7 AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, AMENDING TITLE 11, ENTITLED “ZONING,” CHAPTER 13, ENTITLED “SIGN REGULATIONS,” AND PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

BACKGROUND: Because this ordinance amends the Zoning Code, the City of Enid was required to hold one (1) public hearing. The City of Enid held three (3) public hearings and took written comments. Some of the comments received, either through the public hearings or through written comment, have been incorporated into the ordinance. This ordinance amends the Enid Municipal Code, 2003, by: 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 increase the insurance coverage for all sign contractors; amending Title 11, entitled “Zoning,” Chapter 13, entitled “Sign Regulations,” Section 11-13-4, entitled “Permits and Inspections,” to amend the fee schedule and 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 thirty feet (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.

PRESENTER: Whitney Box, Assistant City Planner.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Approve.

8.8 AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, AMENDING TITLE 11, ENTITLED "ZONING," CHAPTER 10, ENTITLED "SUPPLEMENTAL ZONES," ARTICLE B, ENTITLED "HP HISTORICAL PRESERVATION DISTRICT," AND PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

BACKGROUND: Because this ordinance amends the Zoning Code, the City of Enid was required to hold one (1) public hearing. The City of Enid held three (3) public hearings and took written public comments. No written or verbal comments were received. This ordinance amends the Enid Municipal Code, 2003, by: consider an ordinance amending the Enid Municipal Code 2003, amending Title 11, entitled "Zoning," Chapter 10, entitled "Supplemental Zones," Article B, entitled "HP Historical Preservation District," Section 11-10b-2, entitled "Definitions," to amend and add definitions; Section 11-10b-4, entitled "Historical Preservation Commission," to amend "Meeting and Rules," and "Duties"; Section 11-10b-13, entitled "Certificate of Appropriateness," to add provisions for certain certificates to be approved by the Planning Administrator and staff; providing for repealer, savings clause, severability and codification.

PRESENTER: Whitney Box, Assistant City Planner.

ATTACHMENTS: Ordinance.

RECOMMENDATION: Approve.

9. CONSENT.

9.1 ACCEPT AND APPROVE THE JUNE 30, 2011, INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF THE CITY OF ENID, OKLAHOMA, AND ITS RELATED AUTHORITIES.

BACKGROUND: This is a companion to Items 12.1 and 15.1. Ronald C. Cottrell, CPA, has completed the annual independent audit for the fiscal year ended June 30, 2011. Oklahoma law and various federal and state agencies for which the City of Enid receives grants, requires an annual

financial audit. The financial statements provide the users (Mayor, Commissioners, City Manager, Staff, Citizens, Bond Holders, Creditors, Regulators, etc.) with valuable information concerning the City of Enid's financial condition. The audit gives reasonable assurance to these users that the financial statements are correct.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Independent Auditor's Report and Financial Statements, Management's Discussion and Analysis, and the Single Audit Report are on file in the Office of the City Clerk. The Mayor and Commissioners have been provided a copy for review and approval.

RECOMMENDATION: Approve.

9.2 APPROVE AMENDMENT NO. 1 WITH MESHEK & ASSOCIATES, TULSA, OKLAHOMA, FOR THE CITY OF ENID'S PHASE III GEOGRAPHIC INFORMATION SYSTEM (GIS), G-1103A.

BACKGROUND: The Geographic Information System (GIS) program, approved by the Commission, set out a five (5) year plan to incorporate the major facilities of the City of Enid into a geographical digital based information system. This amendment covers the fourth (4) year phase, and will incorporate easement data, well field information, and storm sewer data with associated plans.

The supplementary work adds an amount not to exceed \$90,000.00 to the contract with Meshek & Associates. Upon approval of the agreement, Meshek will set up a kick-off meeting with City of Enid Staff.

Funding for this project is from the Engineering Department Fund.

PRESENTER: Robert Hitt, P.E., Director of Engineering Services.

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

RECOMMENDATION: Approve Amendment No. 1 with Meshek & Associates in the amount not to exceed \$90,000.00.

9.3 APPROVE CHANGE ORDER NO. 3 WITH D.C. BASS & SONS CONSTRUCTION COMPANY, ENID, OKLAHOMA, AND ACCEPT HOOVER PARK RESTROOM CONSTRUCTION, M-0901H.

BACKGROUND: The success of Hoover Park caused a significant increase in usage at the Splash Pad. When the Splash Pad was constructed, City

Staff agreed to bring forth necessary enhancements, including restrooms, as usage was confirmed. Usage was justified, and a restroom was constructed at Hoover Park.

The original contract amount with D.C. Bass & Sons Construction Company was \$64,535.00. There were two (2) previous change orders for an additional \$1,576.40.

On December 9, 2011, an inspection was conducted, and a punch list of items to complete was prepared. Completion of all punch list items was set for December 20, 2011, and the work was completed one day late on December 21, 2011. Change Order No. 3 deducts \$300.00 for one day of liquidated damages. There is a three (3) year Maintenance Bond on this project.

Funding for this project was from the Capital Improvement Fund.

PRESENTER: Robert Hitt, P.E., Director of Engineering Services.

ATTACHMENTS: Change Order No. 3 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 3 with D.C. Bass & Sons Construction Company, and accept the project.

9.4 APPROVE CHANGE ORDER NO. 2 WITH S.L. MADISON CONSTRUCTION, LLC, CRESCENT, OKLAHOMA, FOR BRIDGE EROSION CONTROL IMPROVEMENTS, PROJECT NO. R-1204A.

BACKGROUND: The purpose of this project is to construct additional erosion control on five (5) bridges throughout the City of Enid based on the bi-annual bridge inspection project. Change Order No. 1 added erosion control improvements to the channel and the reinforced concrete box (RCB) under Garriott Road in the East 2600 Block.

This change order will add erosion control improvements to the RCB and channel at the southeast corner of Broadway and 5th Street. The bridge and creek bank located at these areas are unstable and have eroded due to ground water emanating from underneath the United Grocery Store parking lot. S.L. Madison Construction will install a perforated PVC pipe encased in rock to allow the groundwater to drain into the creek. Rip rap will be placed at the end of the RCB and on both banks to prevent future erosion.

This change order adds \$27,396.29 to the current contract with S.L. Madison Construction, LLC, for a revised contract amount of \$127,468.14.

This project is funded from the Capital Improvement Fund.

PRESENTER: Robert Hitt, P.E., Director of Engineering Services.

ATTACHMENTS: None. Change Order No. 2 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 2.

9.5 APPROVE AMENDMENT NO. 3 WITH ENVIROTECH ENGINEERING & CONSULTING, INC., ENID, OKLAHOMA, AND ACCEPT INSPECTION SERVICES FOR THE ADVANCED WATER METERING INFRASTRUCTURE (AMI), PROJECT W-0915B.

BACKGROUND: The Advanced Water Metering Infrastructure (AMI) project replaced approximately nineteen thousand (19,000) water meters throughout the city of Enid, Oklahoma. This project has been completed.

Envirotech Engineering and Consulting, Inc. was contracted to assist with inspections for an amount not to exceed \$269,614.00. The work has been completed, and a savings of \$14,885.25 was obtained for the inspection cost. This item is presented to amend and reduce the contract amount by \$14,885.25 for a total revised contract amount of \$254,728.75.

This project was funded from the Water Capital Improvement Fund, and will be reimbursed by ODEQ loan proceeds.

PRESENTER: Robert Hitt, P.E., Director of Engineering Services.

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

RECOMMENDATION: Approve.

9.6 ACCEPT OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY WATER LINE CONSTRUCTION PERMIT FOR THE 9TH STREET WATERLINE RELOCATION, PROJECT NO. W-1201A.

BACKGROUND: A permit to construct five hundred forty-two linear feet (542 LF) of ten inch (10”) PVC waterline has been received from the

Oklahoma Department of Environmental Quality (ODEQ). Upon acceptance of Permit No. WL000024110813, it will be recorded as permanent record as required by ODEQ.

PRESENTER: Robert Hitt, P.E., Director of Engineering Services.

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

RECOMMENDATION: Accept permit.

9.7 APPROVE CHANGE ORDER NO. 1 WITH LUCKINBILL, INC., ENID, OKLAHOMA, AND ACCEPT THE ROOF RESTORATION AND COATINGS OF WATER TANKS, PROJECT W-1110A.

BACKGROUND: This project prevents further deterioration from water seepage through the roof of six (6) concrete water storage tanks. These tanks are located at Plant No. 1, Plant No. 2, Ames pump station, Ringwood pump station, and Cleo Springs pump station.

This change order adjusts for concrete maintenance to prepare tanks for surface coating. A unit price for repairs was established in the original bid with the knowledge that repair work could increase after structural cleaning of the surface. The square footage of the area to repair increased from nine thousand four hundred square feet (9,400 SF) to twenty-four thousand five hundred forty square feet (24,540 SF). The total area to repair was four percent (4%) of the surface.

This change order adds \$166,540.00 to the original contract amount of \$625,000.00, for a total revised contract amount of \$791,540.00. This amount is considerably less than the second lowest bidder by \$273,831.00.

Luckinbill, Inc. has completed all punch list items, and this project has a five (5) year Maintenance Bond.

This project was funded from the Water Capital Improvement Fund.

PRESENTER: Robert Hitt, P.E., Director of Engineering Services.

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

RECOMMENDATION: Approve Change Order No. 1 with Luckinbill, Inc. in the amount of \$166,540.00, and accept the project.

9.8 APPROVE CHANGE ORDER NO. 2 WITH HENSON CONSTRUCTION COMPANY, ENID, OKLAHOMA, FOR THE CONSTRUCTION OF HANGARS AND APRONS AT WOODRING REGIONAL AIRPORT, PROJECT A-1101A.

BACKGROUND: This project constructs two (2) hangars at Enid Woodring Regional Airport. The first project is a large hangar capable of sheltering several aircraft. The Oklahoma Strategic Military Commission (OSMC) is providing a total of \$333,000.00 in grant assistance to help fund the large hangar. It will be used regularly for military traffic. The second hangar will shelter two (2) medium size aircraft, filling a demand for hangar space at the Airport.

Change Order No. 2 is required to install a larger storm water junction box at the small hangar. Airport plans show the existing storm water pipe to be a twenty-four inch (24”) pipe. During excavation it was discovered that the pipe was, in fact, thirty-six inches (36”), requiring a larger junction box.

The original contract amount was \$756,000.00. The revised contract amount per Change Order No. 1 was \$762,361.00. Change Order No. 2 will add \$2,800.00 to the contract, for a new total revised contract amount of \$765,161.00. No additional calendar days will be added to the work schedule.

This project will be funded from the Airport Fund.

PRESENTER: Dan Ohnesorge, Woodring Regional Airport Director.

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

RECOMMENDATION: Approve.

9.9 CONSIDERATION AND DENIAL OF TORT CLAIM OF BILL PRESLEY AND PHYLLIS MORGAN.

BACKGROUND: On January 6, 2012, Mr. Presley submitted a tort claim in the amount of \$396.28 for damage to his 2009 Honda Odyssey. He claimed the damage occurred on December 30, 2011, as a result of the City of Enid grading asphalt earlier that day. He claims there was a chunk of asphalt in the road that he ran over, causing it to hit the passenger side of his vehicle, resulting in a deep scratch and denting the vehicle. The City Attorney investigated the claim and found there was no negligence on the part of the City of Enid.

On December 12, 2011, Phyllis Morgan submitted a tort claim for damage to her property located at 5115 East Market Avenue, Enid, OK 73701. She claims her creek bank was destroyed in two places, trees were removed without her permission, and the fence was cut. The City of Enid forwarded that claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation into the claim. OMAG recommended that the City of Enid deny the tort claim.

PRESENTER: Andrea Springer, City Attorney.

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

RECOMMENDATION: Deny payment of the tort claims.

9.10 APPROVAL OF CLAIMS IN THE AMOUNT OF \$2,922,947.83.

ATTACHMENTS: List of claims.

RECOMMENDATION: Approve.

10. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.

11. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12. ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12.1 ACCEPT AND APPROVE THE JUNE 30, 2011, INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF THE ENID MUNICIPAL AUTHORITY.

BACKGROUND: This is a companion to Items 9.1 and 15.1. Ronald C. Cottrell, CPA, has completed the annual independent audit for the fiscal year ended June 30, 2011. Oklahoma law requires an annual financial audit. The financial statements provide the users (Trustees, City Manager, Staff, Citizens, Bond Holders, Creditors, Regulators, etc.) with valuable information concerning the Authority's financial condition. The audit gives reasonable assurance to these users that the financial statements are correct.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Independent Auditor's Report and Financial Statements, Management's Discussion and Analysis, and the Single Audit Report are on file in the Office of the City Clerk. Each Trustee has been provided a copy for review and approval.

RECOMMENDATION: Approve.

12.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$747,398.37.

ATTACHMENTS: List of claims.

RECOMMENDATION: Approve.

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

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

15. ENID ECONOMIC DEVELOPMENT AUTHORITY REGULAR MEETING.

15.1 ACCEPT AND APPROVE THE JUNE 30, 2011, INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY.

BACKGROUND: This is a companion to Items 9.1 and 12.1. Ronald C. Cottrell, CPA, has completed the annual independent audit for the fiscal year ended June 30, 2011. Oklahoma law requires an annual financial audit of the Authority. The financial statements provide the users (Trustees, City Manager, Staff, Citizens, Bond Holders, Creditors, Regulators, etc.) with valuable information concerning the Authority's financial condition. The audit gives reasonable assurance to these users that the financial statements are correct.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

ATTACHMENTS: Independent Auditor's Report and Financial Statements, Management's Discussion and Analysis, and the Single Audit Report are on file in the Office of the City Clerk. Each Trustee has been provided a copy for review and approval.

RECOMMENDATION: Approve.

15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$406,338.59.

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 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.