



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

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BOARD OF COMMISSIONERS

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**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 17<sup>th</sup> day of April, 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 APRIL 3, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
  - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
  - 5.2 RENAISSANCE PROJECT UPDATE.
  - 5.3 APPOINTMENTS TO THE POLICE CIVIL SERVICE COMMISSION, FIRE CIVIL SERVICE COMMISSION, LIBRARY BOARD, COMMUNITY DEVELOPMENT

**BLOCK GRANT COMMISSION, AND HISTORIC PRESERVATION COMMISSION.**

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

- **POLICE CIVIL SERVICE COMMISSION** - One (1) vacancy to be filled by any interested citizen of Enid. Mr. Geoff Helm is the incumbent for this position, but cannot succeed himself because of a Charter provision that states, “members of the Civil Service Commission shall be appointed for a term of five (5) years, and until their successors shall have been appointed and qualified.” This provision, however, would not prohibit Mr. Helm’s appointment at a later date. Applications and ballot are attached for your consideration.
- **FIRE CIVIL SERVICE COMMISSION** - One (1) vacancy to be filled by any interested citizen of Enid. Mr. Stephen DeVaughn is the incumbent for this position, but cannot succeed himself because of a Charter provision that states, “members of the Civil Service Commission shall be appointed for a term of six (6) years, and until their successors shall have been appointed and qualified.” This provision, however, would not prohibit Mr. DeVaughn’s appointment at a later date. Applications and ballot are attached for your consideration.
- **LIBRARY BOARD** - Two (2) vacancies to be filled by any interested citizen of the city of Enid. Ms. Vergie Pryor and Mr. Elvin Fox are incumbents for these vacancies and would like to be considered for reappointment. Applications and ballot are attached for your consideration.
- **COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION** - Two (2) vacancies to be filled by any interested citizen of the city of Enid. Mr. James Crabbs and Mr. John Hodgden are incumbents for these vacancies and would like to be considered for reappointment. Applications and ballot are attached for your consideration.
- **HISTORIC PRESERVATION COMMISSION** - One (1) vacancy to be filled by a member of the Metropolitan Area Planning Commission (MAPC). At its meeting of March 19, 2012, the MAPC voted unanimously to reappoint Mr. Aaron Brownlee to serve as its representative on the Commission.

**ATTACHMENTS:** Applications and ballots.

**PRESENTER:** Joan Riley, Assistant City Manager.

6. HEARINGS.

6.1 NONE.

7. COMMUNITY DEVELOPMENT.

7.1 CONSIDER AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, AMENDING TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC," CHAPTER 6, ENTITLED "PARKING REGULATIONS," AND PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY, AND CODIFICATION.

**BACKGROUND:** This item was presented to the Commission on March 20, 2012. Staff was directed to prepare an ordinance to consider an increase in fines.

This Ordinance amends the Enid Municipal Code, 2003, by: Amending Title 6, entitled "Motor Vehicles and Traffic," Chapter 6, entitled "Parking Regulations," Section 6-6-18, entitled "Parking in Restricted Areas," to increase the fine for violation; Amending Title 6, entitled "Motor Vehicles and Traffic," Chapter 6, entitled "Parking Regulations," Section 6-6-19, entitled "Metered Parking" to increase the fine for violation.

Various business owners and patrons of downtown establishments assert that controlled parking spaces are being abused by those willing to pay \$5.00 for all day use of the parking spaces. The current fine, established in 1994, has a fine of \$5.00 for Two (2) Hour Parking Violations, and a fine of \$2.00 for Metered Parking Violations.

**OPTIONS:**

- OPTION A: Approve the attached Parking Ordinance changes to increase parking fines to \$10.00 for both Two (2) Hour Parking Violations and Metered Parking Violations
- OPTION B: Approve the attached Parking Ordinance changes to increase parking fines to \$15.00 for both Two (2) Hour Parking Violations and Metered Parking Violations.
- OPTION C: Make no changes to the Parking Ordinance.

**OPTION A:**

- **ADVANTAGES:** An increase to \$10.00 in fines will deliver more flexibility for parking options by discouraging scofflaws, and inflicts less financial burden.
- **DISADVANTAGES:** Due to the smaller increase, the fines may have little or no impact on downtown patrons who continue to abuse parking privileges.

**OPTION B:**

- **ADVANTAGES:** A larger increase in the fine should urge patrons to reconsider abusing restricted parking areas.
- **DISADVANTAGES:** An increased financial burden may create resentment.

**OPTION C:**

- **ADVANTAGES:** The current fine amount is well known.
- **DISADVANTAGES:** The parking issue will continue, and perhaps be exacerbated.

**2012-2013 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Fines flow into the General Fund.

**ATTACHMENTS:** Amended Ordinance.

**PRESENTER:** Chris Bauer, Planning Administrator.

**7.2 CONSIDER A RESOLUTION ADOPTING THE FISCAL YEAR 2012 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS, AUTHORIZING THE MAYOR TO SUBMIT THE PLAN TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

**BACKGROUND:** The City of Enid, as an entitlement city for the receipt of CDBG funds, is required to submit an Annual Action Plan for expenditure of funds to the Department of Housing and Urban Development (HUD). The amount of CDBG funds available to the City of Enid is determined by a formula administered by HUD, and the Fiscal Year 2012 CDBG allocation is \$405,210.00. An additional \$10,000.00 is available from reallocated funds.

The CDBG Funding Committee produced funding recommendations on March 1, 2012. Notice of availability of the proposed plan was published on March 15, 2012. On April 3, 2012, a public hearing was held regarding the 2012 Action Plan, and verbal comments were received. With the Commission decision on April 17, 2012, the City Commission will allocate the funds.

**OPTIONS:**

- Option A: Accept the Funding Committee’s recommendations.
- Option B: Accept the City of Enid Staff’s recommendations.

**OPTION A:**

- **ADVANTAGES:** The Funding Committee has opportunity to hear presentations, read grant proposals, and research each project. The Funding Committee and Staff have similar recommendations (see attachments).
- **DISADVANTAGES:** The 24 Code of Federal Regulation 570.206 designates a twenty percent (20%) cap for administration costs. The Funding Committee’s recommendation to fund Booker T. Washington Community Center’s After School Tutoring Program cannot exceed the Staff recommendation of \$13,042.00.

**OPTION B:**

- **ADVANTAGES:** Staff has experience with HUD, as well as, proven ability to refine decisions and reasoning for funding each project. Staff ensures an acceptable, eligible allocation of funds considering priority, location, and the required ability to report and track allocations. Staff also monitors the number of beneficiaries to guarantee that each person served with CDBG funds is low-moderate income.

The City’s track record retains excellent standing by serving one-hundred percent (100%) low-moderate income individuals. Additionally, housing is a high priority of the Five Year Consolidated Plan. Therefore, Staff recommends an increase for Community Development Support Association (CDSA), as well as, executable funding for the Booker T. Washington Community Center (BTW) that does not exceed the administration cap enforced by federal regulation.

- **DISADVANTAGES:** None. The Mayor and Commissioners have the final approval of all content submitted in the Annual Action Plan.

**2012-2013 BUDGET ITEM:** Yes.

**FUNDING SOURCE:** The Department of Housing and Urban Development-Community Development Block Grant Funds.

**ATTACHMENTS:** Amended FY-2012 Recommended Funding Activities and 2012 Annual Action Plan Resolution. Form HUD-424 and 2012 Action Plan are available for review in the CDBG Department and the Office of the City Clerk.

**PRESENTER:** Stephanie Carr, CDBG Coordinator.

## 8. ADMINISTRATION.

### 8.1 CONSIDER A RESOLUTION INCREASING THE 2011-2012 FISCAL FINANCIAL PLAN FOR THE ENID MUNICIPAL AUTHORITY IN THE AMOUNT OF \$160,873.00.

**BACKGROUND:** This is a companion to Items 8.2, 8.3, 8.4, and 12.1. Funds must be transferred from the Enid Municipal Authority (EMA) Operations Department to the Capital Improvement Fund Capital Improvement Department to provide funding in the amount of \$107,794.00 for Event Center Change Orders No. 2 and No. 3. Also, \$53,079.00 must be transferred for Change Order No. 3 for the Convention Hall renovation. This item will increase the Enid Municipal Authority financial plan by \$160,873.00, and transfer it to the Capital Improvement Fund. The funds are available to increase the fiscal financial plan from the EMA Fund.

#### **OPTIONS:**

- **OPTION A:** Increase the fiscal financial plan for EMA to allow for approval of Event Center Change Orders No. 2 and No. 3, and Convention Hall Change Order No. 3 for Renaissance improvements downtown.
- **OPTION B:** Do not increase funding, and do not approve the Change Orders for the Renaissance downtown project.

#### **OPTION A:**

- **ADVANTAGES:** Addresses outstanding funding issues.

- **DISADVANTAGES:** None.

**OPTION B:**

- **ADVANTAGES:** Additional funds are not required to complete the Event Center and renovate Convention Hall.
- **DISADVANTAGES:** The City of Enid will be unable to complete the General Conditions, meet the original timeline, or pay for the excavation of ruins found on the Renaissance site.

**2011-2012 BUDGETED ITEM:** No, the Resolution increases the budget and financial plans.

**FUNDING SOURCE:** EMA.

**ATTACHMENTS:** Resolution.

**PRESENTER:** Erin Crawford, Accounting Manager.

**8.2 APPROVE CHANGE ORDER NO. 2 WITH KEY CONSTRUCTION OKLAHOMA, LLC, TULSA, OKLAHOMA, FOR THE NEW EVENT CENTER, M-1109E.**

**BACKGROUND:** This is a companion to Items 8.1, 8.3, 8.4, and 12.1. Key Construction was awarded the Enid Renaissance Event Center construction project on October 11, 2011, for a contract amount of \$17,444,444.00.

On February 7, 2012, the Commission approved Change Order No. 1 to add the placement of conduits around the Event Center site, allowing for the relocation of AT&T, Suddenlink, and OG&E lines in the amount of \$44,981.00, for a total contract amount of \$17,489,425.00.

Change Order No. 2 addresses additional construction days requested and General Condition costs in the amount of \$31,440.00.

Since the beginning of construction of the New Event Center in December 2011, the building contractor has encountered three (3) significant delays that have impacted the original construction schedule and their contractual completion date, as per the following:

1. On December 12, 2011, the City of Enid issued a Notice to Proceed to Key Construction Company authorizing them to commence construction. However, due to rain in December and early January, the site grading contractor was not able to complete the

building pad until January 26, 2012. This resulted in a forty two (42) day delay until foundation excavations could begin.

2. During the foundation excavations on the north end of the building, significant amounts of debris and building foundations were discovered buried on site. The original buildings were demolished over twenty five (25) years ago, and debris was pushed into the basements of these structures and then covered. Site testing and inspections did not encounter these unknown conditions until foundation excavations commenced. The removal of these materials was performed under a time and material basis, which delayed the foundation completion by seven (7) days. The removal of debris is presented in Item 8.3 as Change Order No. 3.
3. On Friday, March 23, 2012, at 4:00 p.m., CST, The City issued a Stop Work Order due to the on-going Berry legal challenge. On Wednesday, March 28, 2012, the Stop Work Order was lifted, and the contractor was notified to resume construction activities. However, the contractor was not fully able to remobilize until Monday, April 2, 2012, resulting in a nine (9) day delay.

To minimize these delay claims, Carter and Associates has negotiated terms with the contractor and design team. A thirty-two (32) day time extension has been accepted, and the new completion date is April 1, 2013.

In addition, negotiations have reduced the proposed General Conditions cost from approximately \$60,000.00 to \$31,440.00, for a total contract amount of \$17,520,865.00.

**OPTIONS:**

- OPTION A: Approve Change Order No. 2, and grant the thirty-two (32) day time extension and the \$31,440.00 General Conditions cost.
- OPTION B: Deny Change Order No. 2, and do not grant the thirty-two (32) day time extension and General Conditions cost.

**OPTION A:**

- ADVANTAGES: Resolves the claims and establishes a new and agreeable final completion date, thus eliminating the potential for litigation.



- DISADVANTAGES: None.

**OPTION B:**

- ADVANTAGES: None.
- DISADVANTAGES: The City of Enid may be exposed to potential litigation, as well as substantial delays in construction.

**2011-2012 BUDGETED ITEM:** Yes.

**FUNDING SOURCE:** Capital Improvement Fund.

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

**PRESENTER:** Danny Jardine, Program Manager, Carter and Associates, Inc.

**8.3 APPROVE CHANGE ORDER NO. 3 WITH KEY CONSTRUCTION OKLAHOMA, LLC, TULSA, OKLAHOMA, FOR THE NEW EVENT CENTER, M-1109E.**

**BACKGROUND:** This is a companion to Items 8.1, 8.2, and 12.1. Change Order No. 3 addresses the unforeseen findings of buried debris during excavation for the foundations of the Event Center. The total cost to mitigate is \$76,354.00.

Upon acceptance of Change Order No. 3 in the amount of \$76,354.00, the revised total contract amount will be \$17,597,219.00.

**OPTIONS:**

- OPTION A: Approve Change Order No. 3 in the amount of \$76,354.00.
- OPTION B: Deny Change Order No. 3.

**OPTION A:**

- ADVANTAGES: Authorizes payment to the contractor for work that was performed under the time and material process.
- DISADVANTAGES: None.

**OPTION B:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** The City of Enid may be exposed to litigation.

**2011-2012 BUDGETED ITEM:** Yes.

**FUNDING SOURCE:** Capital Improvement Fund.

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

**PRESENTER:** Danny Jardine, Program Manager, Carter and Associates, Inc.

**8.4 APPROVE CHANGE ORDER NO. 3 WITH W.L. MCNATT AND COMPANY, OKLAHOMA CITY, OKLAHOMA, FOR THE CONVENTION HALL RENOVATION, M-1109F.**

**BACKGROUND:** This is a companion to Items 8.1, 8.2, and 12.1. W. L. McNatt and Company was awarded the Convention Hall Renovation project on October 11, 2011, for a contract amount of \$7,082,000.00. During the process of demolition, unforeseen conditions necessitated Change Order No. 1 in the amount of \$25,704.00, and Change Order No. 2 in the amount of \$58,709.00. Both were approved by the Commission on January 19, 2012. These prior Change Orders revised the total contract amount to \$7,166,413.00.

Change Order No. 3 addresses the following nine (9) items:

1. Add power and controls at overhead fire doors as required by Code. Add baseboard heaters to large second floor meeting room for temperature control.  
Added cost: \$7,216.00.
2. Remove existing seating necessary for corridor and storage room build out. Upon commencement of demolition, some previous seating conflicted with the mandated location of new floor and wall framing.  
Added cost: \$2,346.00.
3. Remove existing chase in the northeast corner of the building, discovered after removal of the concrete floor.  
Added cost: \$12,003.00.

4. Remove concrete slab along the west exterior wall over existing plumbing chase for removal of asbestos and backfill to support new slab.  
Added cost: \$6,902.00.
5. Provide additional steel supports at the north wall of corridor X107 opening. This wall is supported by an existing grade beam that was uncovered during demolition, but is insufficient for required structural integrity.  
Added cost: \$3,186.00.
6. Provide additional steel supports to replace the existing masonry column uncovered during demolition at the opening, adjacent to new freezer/cooler.  
Added cost: \$6,709.00.
7. Credit for deleting transformer and panel not required to serve new equipment.  
Credit amount: (\$2,894.00).
8. Provide framing, insulation, and sheetrock at basement windows for new electrical equipment installation.  
Added cost: \$908.00.
9. Remove lead painted wall per all applicable Federal and State requirements.  
Added cost: \$16,703.00.

Change Order No. 3, in the amount of \$53,079.00, will revise the total contract amount to \$7,219,492.00.

**OPTIONS:**

- OPTION A: Approve Change Order No. 3 in the amount of \$53,079.00.
- OPTION B: Deny Change Order No. 3.

**OPTION A:**

- ADVANTAGES: Allows for timely resolution of unforeseen conditions and continuation of construction.
- DISADVANTAGES: None.

**OPTION B:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Will reduce the quality or amount of renovation work necessitated by unforeseen conditions.

**2011-2012 BUDGETED ITEM:** Yes.

**FUNDING SOURCE:** Capital Improvement Fund.

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

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

- 8.5 **CONSIDER A RESOLUTION TO EXPRESS THE CITY OF ENID'S SUPPORT FOR A \$5,800,000.00 RUNWAY 17-35 EXTENSION PROJECT AT THE ENID WOODRING REGIONAL AIRPORT, AND EXPRESS ITS APPRECIATION FOR THE GRANTS ALREADY COMMITTED BY THE OKLAHOMA AERONAUTICS COMMISSION (OAC), OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT), AND FEDERAL AVIATION ADMINISTRATION (FAA).**

**BACKGROUND:** This Resolution expresses the City of Enid's support for the proposed extension of runway 17-35 at Enid Woodring Regional Airport (Airport). Using published FAA guidance, designed to establish runway length requirements and applying documented civilian jet traffic counts, the Airport has identified a need for a runway length of at least seven thousand, one hundred feet (7,100'). Currently, Vance Air Force Base's (VAFB) T-6 trainer has unrestricted access to the Airport. However, the T-1 has access via waiver only, and the T-38 is currently prohibited. Extending the runway another nine hundred feet (900') to a total of eight thousand feet (8,000') would allow the T-38 and T-1 to operate without restrictions, as well as, provide an attractive safety margin for all airport traffic.

The total cost of this project is \$5,800,000.00. To assist with the funding, the Airport has acquired grant commitments of \$2,500,000.00 from the OAC, \$500,000.00 from ODOT, and \$450,000.00 from the FAA. There is also potential to receive grant funding from the Oklahoma Strategic Military Planning Commission (OSMPC).

**OPTIONS:**

- **OPTION A:** Approve the Resolution committing the City of Enid to support the project and expressing the City's appreciation to OAC, ODOT, and FAA for their grant commitments for this project.
- **OPTION B.** Deny the Resolution, and do not support the project.

**OPTION A:**

- **ADVANTAGES:** Publicly exhibits the City of Enid's support for the project in fulfilling a demonstrated need to extend the runway for corporate jet traffic, and acknowledges the need to provide partners at VAFB the opportunity for unrestricted access by all three (3) aircraft trainers to the airport.
- **DISADVANTAGES:** Funds could be used for other Capital Improvements.

**OPTION B:**

- **ADVANTAGES:** Defers the costs.
- **DISADVANTAGES:** Seriously jeopardizes the grants discussed above, along with future support for major projects.

**2011-2012 BUDGETED ITEM:** No.

**FUNDING SOURCE:** Not applicable.

**ATTACHMENTS:** Resolution.

**PRESENTER:** Dan Ohnesorge, Woodring Regional Airport Director.

**9. CONSENT.**

**9.1 CONSIDER AND DENY THE TORT CLAIM OF OKLAHOMA GAS AND ELECTRIC (OG&E).**

**BACKGROUND:** On March 27, 2012, OG&E submitted a tort claim for property damage in the amount of \$589.17. The claim alleged that OG&E West facilities were damaged while the City of Enid was installing new water lines in the area of 5 Monterey Drive, in Enid, Oklahoma. The City forwarded that claim to its insurer, Oklahoma Municipal Assurance Group (OMAG), which opened an investigation of the claim. OMAG found no liability on the City's part, and recommended denial of the claim.

**2011-2012 BUDGETED ITEM:** No.

**FUNDING SOURCE:** General Fund.

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

**RECOMMENDATION:** Deny the Tort Claim.

**PRESENTER:** Andrea Springer, City Attorney.

- 9.2 **AWARD A CONTRACT TO RICK LORENZ CONSTRUCTION, INC., ENID, OKLAHOMA, FOR THE CITY ADMINISTRATION BUILDING PARKING LOTS, PROJECT R-1208A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This project will replace the asphalt parking lots for the City Administration and Police Buildings with concrete pavement. Furthermore, forty-seven (47) additional parking spaces will be incorporated by constructing a new parking lot at the southwest corner of State Avenue and Adams Street.

Six (6) bids were received (shown low to high):

|                                   |              |
|-----------------------------------|--------------|
| 1. Rick Lorenz Construction, Inc. | \$379,495.15 |
| 2. A-Tech Paving                  | \$428,753.00 |
| 3. Cummins Construction Co.       | \$465,845.25 |
| 4. JDC Contracting                | \$485,247.01 |
| 5. Tom Hudson Paving              | \$485,581.52 |
| 6. Redlands Contracting           | \$571,201.41 |

The specifications state that the contractor shall be issued a Notice to Proceed no later than May 1, 2012, with one hundred fifty (150) calendar days to complete the project. Rick Lorenz Construction, Inc. submitted the lowest, responsible bid.

**2012-2013 BUDGETED ITEM:** Yes.

**FUNDING SOURCE:** Capital Improvement Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to Rick Lorenz Construction, Inc. in the amount of \$379,495.15, and authorize the Mayor to execute all contract documents after review by the City Attorney.

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

**9.3 AUTHORIZE A PURCHASE TO EMERGENCY FIRE EQUIPMENT, INC., MAYFIELD, KANSAS, TO FURNISH ONE (1) 325-GALLON POLY TANK GRASS RIG/BRUSH PUMPER BODY, AND 13,300 GVRW 4-DOOR 4X4 CREW CAB AND CHASSIS.**

**BACKGROUND:** The Mayor and Board of Commissioners appropriated \$85,000.00 in the 2011-2012 budget for the purchase of one (1) grass rig/brush pumper vehicle for the Enid Fire Department from Public Safety Sales Tax Receipts. The new grass rig will replace a twenty-six (26) year old apparatus, and supports the Long Range Capital Improvement Plan for the Enid Fire Department.

Specifications were written for this apparatus, approved by the Finance Director, and advertised to fifteen (15) vendors. Two (2) bids were received and opened on April 4, 2012. Both companies met all specifications. Emergency Fire Equipment, Inc. submitted the lowest, responsible bid.

Bids received (shown low to high):

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| 1. Emergency Fire Equipment, Inc. | \$77,452.00<br>Days to Deliver-160 |
| 2. Blanchat Manufacturing, Inc.   | \$89,473.00<br>Days to Deliver-100 |

**2011-2012 BUDGETED ITEM:** Yes.

**FUNDING SOURCE:** Fire Department Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to Emergency Fire Equipment, Inc. in the amount of \$77,452.00.

**PRESENTER:** Joe Jackson, Fire Chief.

**9.4 APPROVE CHANGE ORDER NO. 1 WITH COVINGTON TRUCKING COMPANY, INC., HUGO, OKLAHOMA, AND ACCEPT THE NORTH GOVERNMENT SPRINGS BANK PROTECTION, PROJECT NO. P-1211B.**

**BACKGROUND:** This project reduces the effects of erosion on the earthen banks of North Government Springs Lake. On February 23, 2012, the Commission awarded the purchase and delivery of two thousand, three hundred twenty-one tons (2,321 T) of twelve inch (12”) riprap to Covington Trucking Company. This was based on the State contract previously bid by the Oklahoma Department of Central Services for riprap and delivery to the site. The original contract amount was \$74,039.90.

Change Order No. 1 reduces the tons of riprap by one thousand five hundred forty and thirty-three hundredths tons (1,540.33 T), at a savings of \$49,136.53. The revised contract amount is \$24,903.37.

The contractor has completed all work, and the project is presented for acceptance. There is no warranty on this project.

**2012-2013 BUDGETED ITEM:** Yes.

**FUNDING SOURCE:** Capital Improvement Fund.

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

**RECOMMENDATION:** Approve Change Order No. 1 in the deduct amount of \$49,136.53, and accept the project.

**PRESENTER:** Jim McClain, Director of Public Works.

**9.5 CONSIDER APPROVAL TO PROCEED WITH THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (GRANT NO. 2012-H0762-OK-DD) AWARDED FROM THE BUREAU OF JUSTICE ASSISTANCE IN THE AMOUNT OF \$20,118.00.**

**BACKGROUND:** The Bureau of Justice Assistance (BJA) has approved a possible allocation of \$20,118.00 to the City of Enid and Garfield County. This grant requires the governing body of the municipality to approve the application for monies allocated and propose uses prior to the actual submission of the application. If awarded, these monies will be divided by a mutual agreement between the City of Enid Police Department (EPD) and the Garfield County Sheriff’s Office as required by BJA. The City of Enid will receive \$14,082.60, and Garfield County will receive \$6,035.40.



**ATTACHMENTS:** None. Grant Program Narrative & Budget Narrative for EPD allocation is on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve application and proceed with submission.

**PRESENTER:** Bryan Skaggs, Captain of Police.

**9.6 APPROVAL OF CLAIMS IN THE AMOUNT OF \$3,506,217.73.**

**ATTACHMENTS:** List of claims.

**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 CONSIDER A RESOLUTION INCREASING THE 2011-2012 FISCAL FINANCIAL PLAN FOR THE ENID MUNICIPAL AUTHORITY IN THE AMOUNT OF \$160,873.00.**

**BACKGROUND:** This is a companion to Items 8.1, 8.2, 8.3 and 8.4.

**OPTIONS:**

- **OPTION A:** Increase the fiscal financial plan for EMA to approve the Event Center Change Orders No. 2 and No. 3, and Convention Hall Change Order No. 3 for Renaissance improvements downtown.
- **OPTION B:** Do not increase funding, and do not approve the change orders for the Renaissance downtown project.

**OPTION A:**

- **ADVANTAGES:** Provides funding for unforeseen events, allowing the continuation of construction.
- **DISADVANTAGES:** Additional funds are required.

**OPTION B:**

- **ADVANTAGES:** Additional funds are not required.

- **DISADVANTAGES:** Will not complete the General Conditions, meet the original timeline, or pay for the excavation of debris/ruins on the Renaissance site.

**2011-2012 BUDGETED ITEM:** No, the Resolution increases the budget and financial plans.

**FUNDING SOURCE:** EMA.

**ATTACHMENTS:** Resolution.

**RECOMMENDATION:** Approve.

**PRESENTER:** Erin Crawford, Accounting Manager.

**12.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$97,706.99.**

**ATTACHMENTS:** List of claims.

- 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 CONSIDER AND TAKE POSSIBLE ACTION WITH RESPECT TO A BUSINESS UTILITY INCENTIVE PROGRAM.**

**BACKGROUND:** The Business Utility Incentive Program was presented at the regular study session on Tuesday April 3, 2012. This program provides a tool to encourage small and large businesses to move to, or expand in, Enid, Oklahoma.

This proposal will provide up to \$250.00 per month of a qualified business' City Utility bill for the first three (3) months of operation or as adjusted by the Commission. It will also waive the Utility Activation Fee of \$25.00, as well as, any initial deposit, up to \$130.00.

Qualified businesses are defined as any new business with two (2) or more full time employees, or an expanding business that is: (a) opening an additional location, (b) investing \$10,000.00 or more in new equipment or facility upgrades, or (c) increasing payroll by twenty-five percent (25%). The program's funding will be \$25,000.00 for each calendar year.

This is part of a larger incentive package from the Enid Regional Development Alliance (ERDA), Enid Chamber of Commerce, Enid Young Professionals, and Main Street Enid, which includes re-imbursments for items such as internet, gas, and electric expenses. The program application and approval process will be managed by the ERDA.

**OPTIONS:**

- OPTION A: Approve the Business Utility Incentive Program, and make the program retroactive to include the year 2011.
- OPTION B: Deny the approval of the Business Utility Incentive Program.

**OPTION A:**

- ADVANTAGES: The City of Enid’s participation encourages larger partnership between the ERDA and other organizations in Enid, which forms a joint effort to support business growth, and may facilitate an increase in sales tax revenue.
- DISADVANTAGES: None.

**OPTION B:**

- ADVANTAGES: None.
- DISADVANTAGES: Eliminates an opportunity to increase retail vitality.

**2011-2012 BUDGETED ITEM:** No.

**FUNDING SOURCE:** EEDA.

**ATTACHMENTS:** None.

**PRESENTER:** Jacob Foos, Safety Planning Assistant.

**15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$23,523.50.**

**ATTACHMENTS:** List of Claims.

**16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.**

**17. PUBLIC DISCUSSION.**

- 18. **CONSIDER CONVENING INTO EXECUTIVE SESSION 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(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.**