



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 1st day of May, 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 17, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
 - 5.2 ADOPT A PET PRESENTATION.
6. HEARINGS.

6.1 CONDUCT A HEARING TO CLOSE A PORTION OF THE PUBLIC UTILITY EASEMENT LYING IN THE SOUTHEAST QUARTER (SE/4), SECTION SEVEN (7), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SIX (6) WEST OF THE INDIAN MERIDIAN, GARFIELD COUNTY, OKLAHOMA.

BACKGROUND: This is a companion to Items 8.1 and 9.1. The Renaissance Project required the relocation of specific utilities to construct the Event Center. Since relocation has been completed, it is requested to close a formerly used portion of the utility easement situated in Block 32, Original Townsite of Enid, which is no longer needed.

The Metropolitan Area Planning Commission (MAPC) reviewed this request at its meeting on April 16, 2012, and voted unanimously to approve closing.

Pursuant to Section 7-1-4 of the Enid Municipal Code, 2003, all utility companies and property owners within three hundred feet (300') of the portion of the alley to be closed have been notified of this hearing.

ATTACHMENTS: Location Map.

RECOMMENDATION: Conduct a hearing.

PRESENTER: Tom Cossin, Project Engineer.

7. COMMUNITY DEVELOPMENT.

7.1 NONE.

8. ADMINISTRATION.

8.1 CONSIDER AN ORDINANCE TO CLOSE A PORTION OF THE UTILITY EASEMENT LYING IN THE SOUTHEAST QUARTER (SE/4), SECTION SEVEN (7), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SIX (6) WEST OF THE INDIAN MERIDIAN, GARFIELD COUNTY, OKLAHOMA.

BACKGROUND: This is a companion to Items 6.1 and 9.1.

OPTIONS:

- OPTION A: Adopt Ordinance.
- OPTION B: Do not adopt Ordinance.

OPTION A:

- **ADVANTAGES:** Allows for proper coordination for development of the Renaissance project.

- **DISADVANTAGES:** None.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Results in an unnecessary restriction on the title.

2011-2012 BUDGETED ITEM: Does not apply.

FUNDING SOURCE: Does not apply.

ATTACHMENTS: Location map. Ordinance is on file in the Office of the City Clerk.

PRESENTER: Robert Hitt, Director of Engineering Services.

8.2 CONSIDER APPROVAL OF CHANGE ORDER NO. 1 TO REHABILITATE THE TAXIWAY AND APRONS AT ENID WOODRING REGIONAL AIRPORT; OKLAHOMA AERONAUTICS COMMISSION, PROJECT WDG-12-S.

BACKGROUND: This project will replace portions of deteriorated concrete aprons on the north and south sides of the 32 series hangars, as well as locations on the north-south taxiway to the west of those same hangars. The contract was awarded to Contech of Broken Arrow at a cost of \$533,298.70. The Oklahoma Aeronautics Commission (OAC) is providing a grant of \$445,000.00 to assist with funding.

Change Order No. 1 will repair additional deteriorated concrete areas not identified in the original contract for \$9,103.50. This must be compensated by the City of Enid, as it falls outside the OAC agreements.

OPTIONS:

- **OPTION A:** Approve Change Order No. 1 at a cost of \$9,103.50.
- **OPTION B:** Deny Change Order No. 1.

OPTION A:

- **ADVANTAGES:** Repairs deteriorated areas at a reasonable cost.

- **DISADVANTAGES:** The City of Enid must pay \$9,103.50.

OPTION B:

- **ADVANTAGES:** \$9,103.50 will not be spent at this time.
- **DISADVANTAGES:** Delays the needed repairs, possibly resulting in higher costs at a later date.

2011-2012 BUDGETED ITEM: Yes.

FUNDING SOURCE: Airport Fund.

ATTACHMENTS: Change Order No. 1.

PRESENTER: Dan Ohnesorge, Woodring Regional Airport Director.

8.3 CONSIDER AN ORDINANCE REPLACING THE CITY OF ENID, OKLAHOMA, FLOOD DAMAGE PREVENTION ORDINANCE TO COMPLY WITH FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REQUIREMENTS.

BACKGROUND: This Ordinance promotes public health, safety, and general welfare to minimize public and private losses due to flood conditions in specific areas. This Flood Damage Prevention Ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Enid, Oklahoma. The City of Enid participates in the National Flood Insurance Program (NFIP) and is required to implement floodplain management measures.

A new Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed, entitled, "The Flood Insurance Study for Garfield County, Oklahoma and Incorporated Areas," effective June 19, 2012, along with the accompanying Flood Insurance Rate Map (FIRM). The new map is digitally based and will be integrated into the City of Enid's GIS system.

Changes to the existing Ordinance include removal of unnecessary coastal regulations, establishing new base data elevations, and clarification of wording. The Ordinance will adopt new maps that are based on the existing maps adjusted for new contour information and new base data elevation. In addition, it will continue the requirement for flood protection to one foot (1') above base elevation.

OPTIONS:

- **OPTION A:** Adopt Ordinance.

- OPTION B: Do not adopt Ordinance.

OPTION A:

- **ADVANTAGES:** Provides ability to govern the Special Flood Hazard Areas (SFHA), and continue participation in the NFIP that protects life and property, and allows residents to acquire flood insurance.
- **DISADVANTAGES:** None.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Unable to participate in NFIP, which creates hardship on citizens when purchasing flood insurance for protection and ability to obtain mortgage loans.

2011-2012 BUDGETED ITEM: Does not apply.

FUNDING SOURCE: Does not apply.

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

PRESENTER: Tom Cossin, Project Engineer.

8.4 CONSIDER A CONTRACT FOR THE CONSTRUCTION OF THE SERVICE CENTER BUILDING 100 ROOF REPLACEMENT, M-0908B, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.

BACKGROUND: This project will remove existing roofing material, and install a Polyvinyl Chloride (PVC) membrane, new guttering, and down spouts at the main building of the Service Center. The roof area is approximately twelve thousand, three hundred square feet (12,300 SF).

When City Staff solicited bids, the specifications included the following:

- Base Bid included a fifty (50) mil thick membrane with a fifteen (15) year warranty.
- Alternate No. 1 included a sixty (60) mil membrane with a twenty (20) year warranty.
- Alternate No. 2 included an eighty (80) mil membrane with a twenty-five (25) year warranty.

Four (4) bids were received, (shown low to high):

1. American Roofing, Ponca City, Oklahoma, submitted a Base Bid of \$57,120.00 and Alternate No. 1 bid of \$61,600.00. The bid is non-responsive due to failure to provide the required number of calendar days to complete the work.
2. Lighty Construction, Edmond, Oklahoma, submitted a Base Bid of \$64,000.00 and Alternate No. 1 bid of \$68,000.00. The bid is non-responsive due to unbalanced bidding, as the roof removal and property bid time was not included.
3. Alva Roofing, Edmond, Oklahoma, submitted a Base Bid of \$102,414.00, an Alternate No. 1 bid of \$105,742.00, and an Alternate No. 2 bid of \$122,108.00 with forty-five (45) calendar days to complete the project.
4. Heritage Roofing Systems, Enid, Oklahoma, submitted a Base Bid of \$112,000.00, an Alternate No. 1 bid of \$115,200.00, and an Alternate No. 2 bid of \$118,500.00 with ninety (90) calendar days to complete the project.

Alva Roofing and Heritage Roofing Systems both submitted responsible bids. In addition to the total cost of the project, mil membranes, and contract time, the annualized cost was calculated. Annualized cost gives the approximate yearly value of the improvement, and is the total cost divided by the warranty period.

OPTIONS:

- OPTION A: Award a contract to Alva Roofing in the amount of \$102,414.00 for the Base Bid using 50 mil membrane and a contract time of 45 calendar days.
- OPTION B: Award a contract to Alva Roofing in the amount of \$105,742.00 for Alternate No. 1 using 60 mil membrane and a contract time of 45 calendar days.
- OPTION C: Award a contract to Heritage Roofing Systems in the amount of \$118,500.00 for Alternate No. 2 using 80 mil membrane and a contract time of 90 calendar days.

OPTION A:

- ADVANTAGES: Provides the lowest initial cost and short completion

time.

- **DISADVANTAGES:** Offers the highest annualized cost at a rate of \$6,827.60 per year due to the shortest warranty period.

OPTION B:

- **ADVANTAGES:** Provides a longer warranty period and lower annualized cost of \$5,287.10 per year.
- **DISADVANTAGES:** Provides a shorter warranty period and higher annualized cost than option C.

OPTION C:

- **ADVANTAGES:** Provides the longest warranty period and lowest annualized cost at a rate of \$4,740.00.
- **DISADVANTAGES:** Proposes the highest initial cost and longest contract time.

2011-2012 BUDGETED ITEM: Yes.

FUNDING SOURCE: Capital Improvement Fund.

ATTACHMENTS: Canvass of Bids.

PRESENTER: Tom Cossin, Project Engineer.

- 8.5 APPROVE A RESOLUTION INCREASING THE 2011-2012 CAPITAL IMPROVEMENT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$76,010.00 TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS FOR THE CAPITAL IMPROVEMENT DEPARTMENT.**

BACKGROUND: This is a companion to Items 8.6 and 12.1. The City of Enid entered into a contract for professional services with Convergence Design, LLC, on February 1, 2011, for \$1,315,750.00. Amendment No. 1 was approved by the City Commission on June 21, 2011, and added architectural and engineering services for audio visual design, security system design, telecommunications system design, acoustical design, food service design, graphics, wayfinding, and landscape architecture for \$217,000.00.

Item 8.5 considers Amendment No. 2 in the amount of \$76,010.00 to ensure available parking within walking distance to the Event Center by

opening day on April 1, 2013. Architectural, civil, landscape, and lighting are included for approximately one thousand, one hundred (1,100) off-street parking spaces found on Attachment A.

In addition, Amendment No. 2 incorporates the design of new parking areas No. 1, 2, 3 and 4; a new retaining wall needed along the east side of parking area No. 2; reconfiguration of existing parking area No. 6; improvements to existing areas including restriping, accessibility, and lighting upgrades; landscaping and drip irrigation in specific areas, and a flood plain encroachment study for all new lots.

This Item is presented to transfer funds from the Enid Municipal Authority (EMA) Operations Department to the Capital Improvement Department in the amount of \$76,010.00 to support Amendment No. 2 with Convergence Design, LLC.

OPTIONS:

- OPTION A: Approve the Resolution, and increase the fiscal financial plan for EMA to consider Amendment No. 2.
- OPTION B: Deny the Resolution, and do not approve Amendment No. 2.

OPTION A:

- ADVANTAGES: Funds will be available to support Amendment No. 2, resulting in acquired parking spaces and necessary services on opening day of the Event Center.
- DISADVANTAGES: None.

OPTION B:

- ADVANTAGES: None.
- DISADVANTAGES: Funds will not be available to support Amendment No. 2, resulting in unavailable parking spaces and services that are necessary for the opening of the Event Center.

2011-2012 BUDGETED ITEM: No, the Resolution increases the budget.

FUNDING SOURCE: EMA.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

8.6 CONSIDER AMENDMENT NO. 2 WITH CONVERGENCE DESIGN, LLC, TO INCLUDE ADDITIONAL SERVICES IN THE AMOUNT OF \$76,010.00, PROJECT M-1109E.

BACKGROUND: This is a companion to Items 8.5 and 12.1.

OPTIONS:

- OPTION A: Approve Amendment No. 2.
- OPTION B: Deny Amendment No. 2.

OPTION A:

- **ADVANTAGES:** Provides necessary parking and services on opening day of the Event Center.
- **DISADVANTAGES:** None.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Sufficient parking spaces and services may not be available on opening day of the Event Center.

2011-12 BUDGETED ITEM: Yes.

FUNDING SOURCE: EMA.

ATTACHMENTS: Letter from Convergence Design and Amendment No. 2.

PRESENTER: Chris Bauer, Planning Administrator.

9. CONSENT.

9.1 ACCEPT UTILITY EASEMENT AS PART OF THE CONSTRUCTION OF THE NEW EVENT CENTER.

BACKGROUND: This is a companion to Items 8.1 and 6.1.

2011-2012 BUDGETED ITEM: Does not apply.

ATTACHMENTS: Location map. Easement is on file in the Office of the City Clerk.

RECOMMENDATION: Accept utility easement.

PRESENTER: Tom Cossin, Project Engineer.

9.2 ACCEPT DRAINAGE EASEMENT AS PART OF THE FEDEX GROUND PACKAGE DISTRIBUTION CENTER SITE PLAN.

BACKGROUND: This easement provides a condition of site plan approval to expand an existing parking lot at 2902 South Van Buren Street. This easement encompasses a portion of the Special Flood Hazard Area (SFHA) as delineated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). It is the policy of the City of Enid to acquire drainage easements to maintain and keep open the flood plain drainage ways.

The easement is provided to the City of Enid at no cost.

2011-2012 BUDGETED ITEM: Does not apply.

ATTACHMENTS: Location map. Easement is on file in the Office of the City Clerk.

RECOMMENDATION: Accept drainage easement.

PRESENTER: Tom Cossin, Project Engineer.

9.3 APPROVE CHANGE ORDER NO. 1 WITH PARATHON CONSTRUCTION, LLC, EDMOND, OKLAHOMA, FOR THE WEST BROADWAY AMERICANS WITH DISABILITIES ACT (ADA) RAMP, PROJECT R-1202B, TO INCLUDE CONSTRUCTION OF SIDEWALKS FOR THE 2012 SIDEWALK REPAIR PARTNERSHIP PROGRAM, M-1203.

BACKGROUND: Parathon Construction, LLC, was the lowest of seven (7) bidders, and was awarded the West Broadway ADA Ramp Project on April 3, 2012. The 2012 Sidewalk Partnership Program encompasses sidewalk repairs primarily in the West Broadway area and Waverly Historical District.

Parathon Construction, LLC's, current contract prices are substantially lower than costs in previous Sidewalk Partnership Programs, allowing for

up to thirty percent (30%) savings to the City of Enid and to residents in 2012 program.

The original contract amount was \$125,422.50. Change Order No. 1 will add \$26,510.25 for a revised contract amount of \$151,932.75.

2011-2012 BUDGETED ITEM: Yes.

FUNDING SOURCE: Sidewalk Repair Partnership Program with fifty percent (50%) share cost paid by residents accepted into the 2012 program.

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

RECOMMENDATION: Approve Change Order No. 1.

PRESENTER: Tom Cossin, Project Engineer.

9.4 APPROVE CHANGE ORDER NO. 1 WITH SABRE COMMUNICATIONS CORPORATION, SIOUX CITY, IOWA, AND ACCEPT THE 300 FOOT COMMUNICATION TOWER, PROJECT W-0915C.

BACKGROUND: This project constructed a three hundred foot (300') guyed tower at the Service Center to provide public safety and Automated Meter Infrastructure (AMI) communication capabilities. Change Order No. 1 will deduct \$350.00 from the original contract of \$202,114.00 to eliminate the card access entry device that cannot be incorporated into the City of Enid's system at this time.

The contractor has completed the project for a final amount of \$201,764.00.

This project has a three (3) year maintenance warranty.

2011-2012 BUDGETED ITEM: Yes.

FUNDING SOURCE: EMA Capital Replacement, Fire Department, and Police Department 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 \$350.00 with Sabre Communications Corporation, and accept the project.

PRESENTER: Tom Cossin, Project Engineer.

- 9.5 **AWARD A CONTRACT TO NOWAK CONSTRUCTION COMPANY, GODDARD, KANSAS, FOR THE CONSTRUCTION OF THE 42ND STREET WATERLINE EXTENSION, W-1006A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

BACKGROUND: This project will provide an additional water source and required fire flows to the new Water Reclamation Facility (WRF), located south of Market Street along 42nd Street.

Four (4) bids were received (shown low to high):

1. Nowak Construction Company	\$366,932.00
2. Luckinbill, Inc.	\$377,085.00
3. Tribal Construction Company	\$388,833.40
4. Goins Enterprises	\$408,010.00

Nowak Construction Company submitted the lowest, responsible bid. Alternate No. 1 will add a conduit along the same trench for fiber optics service to the new WRF at an additional cost of \$19,366.00 with a contract time of one hundred twenty (120) calendar days. The total contract amount is \$366,932.00

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Sanitary Sewer Capital Improvement Fund.

ATTACHMENTS: Canvass of Bids.

RECOMMENDATION: Award a contract to Nowak Construction Company in the amount of \$366,932.00, and authorize the Mayor to execute all contract documents after review by the City Attorney.

PRESENTER: Tom Cossin, Project Engineer.

- 9.6 **APPROVE CHANGE ORDER NO. 1 WITH RJR ENTERPRISES, INC., ROGERS, ARKANSAS FOR THE CHAMPION PARK SPLASH PAD, P-1203A.**

BACKGROUND: This project will construct a two thousand, eight hundred eighty square foot (2,880 SF) splash pad located at 9th Street and East Chestnut.

The original contract amount with alternates was \$257,884.50, allowing for Deduct Alternate No. 1 to reuse existing water features from Gore Park. Closer inspection of these features manifested two (2) broken spray cannon heads caused by environmental exposure. New rubber gaskets, stainless steel hardware, sandblasting, and powder coating are required. These repairs will add \$2,978.00 to the contract, but will be compensated by the contractor's warranty.

The City of Enid recommends removal of Launch Pod No. 1 to be replaced with the Waterbug No. 1, which has custom graphics that better fit the theme of the park. This exchange will add \$2,000.00 to the contract amount.

Change Order No. 1 totals \$4,978.00 for a revised contract amount of \$262,862.50.

2011-2012 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 amount of \$4,978.00.

PRESENTER: Tom Cossin, Project Engineer.

9.7 ACCEPT THE QUIT CLAIM DEED FROM JUDY K. AND RYLAND C. OLIVER FOR LOT 22, BLOCK 5, DAVIS PARK ADDITION, TO THE CITY OF ENID.

BACKGROUND: On April 5, 2012, Judy K. and Ryland C. Oliver conveyed by Quit Claim Deed the property described as Lot 22, Block 5, Davis Park Addition to the City of Enid, also known as 575 North 10th Street. This property will be acquired at no cost to the City of Enid.

ATTACHMENTS: Quit Claim Deed and Acceptance Certificate.

RECOMMENDATION: Accept the Quit Claim Deed.

PRESENTER: Andrea Springer, City Attorney.

9.8 APPROVAL OF CLAIMS IN THE AMOUNT OF \$1,550,659.28.

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 \$76,010.00.

BACKGROUND: This is a companion to Items 8.5 and 8.6.

OPTIONS:

- OPTION A: Increase the fiscal financial plan for EMA to approve Amendment No. 2.
- OPTION B: Deny the resolution, and do not approve Amendment No. 2.

OPTION A:

- ADVANTAGES: Address outstanding funding issues, and will ensure parking availability and services by April 1, 2013.
- DISADVANTAGES: None.

OPTION B:

- ADVANTAGES: None.
- DISADVANTAGES: Needed parking spaces may not be available by April 1, 2013.

2011-2012 BUDGETED ITEM: No, the Resolution increases the financial plan.

FUNDING SOURCE: EMA.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

- 12.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$42,653.06.

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 APPROVAL OF CLAIMS IN THE AMOUNT OF \$0.00.

ATTACHMENTS: List of Claims.

16. ADJOURN TO RECONVENE AS THE ENID CITY COMMISSION.
17. PUBLIC DISCUSSION.
18. ADJOURN.