



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 15<sup>th</sup> 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 MAY 1, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
  - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
  - 5.2 PRESENT DONATION FROM ADM MILLING FOR THE TRAILHEAD PROJECT.
6. HEARINGS.

6.1 NONE.

7. COMMUNITY DEVELOPMENT.

7.1 NONE.

8. ADMINISTRATION.

8.1 DISCUSS AND TAKE ACTION ON THE FISCAL YEAR 2012-2013 CITY OF ENID BUDGET.

**BACKGROUND:** This is a companion to Items 12.1 and 15.1. City charter requires the City Manager to prepare and submit an annual budget, State law requires submission thirty (30) days prior to the new fiscal year (FY).

The budget process began in March, and the 2012-2013 budget draft was sent to Commissioners via email on May 11, 2012, and discussed during the study session on May 15, 2012.

A public hearing, required by State law, will be conducted at the Commission Meeting on June 5, 2012, and be advertised five (5) days prior. The comments will be considered in the final revision, and presented for approval at the Commission Meeting on June 19, 2012.

**2011-2012 BUDGETED ITEM:** No. Discussion is about future 2012-2013 budget.

**FUNDING SOURCE:** Sales taxes and utility fees.

**ATTACHMENTS:** None.

**PRESENTER:** Jerald Gilbert, Chief Financial Officer.

8.2 CONSIDER AN ORDINANCE AMENDING THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE TO COMPLY WITH FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REQUIREMENTS.

**BACKGROUND:** The Flood Damage Prevention Ordinance promotes public health, safety, and general welfare to minimize public and private losses due to flood conditions in specific areas. It applies 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.

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 diagrams that are based on the existing maps adjusted for new contour information and updated base data elevation. It will continue the requirement for flood protection to one foot (1') above base elevation.

Also, a new Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) have been completed and is 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.

**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 affected residents to acquire flood insurance.
- **DISADVANTAGES:** None.

**OPTION B:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Unable to participate in NFIP, creating hardships for citizens 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:** Robert Hitt, Director of Engineering Services.

**8.3 CONSIDER A RESOLUTION AMENDING THE 2011-2012 CHEROKEE STRIP CONFERENCE CENTER FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$23,000.00 FOR THE CHEROKEE STRIP CONFERENCE CENTER DEPARTMENT TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS.**

**BACKGROUND:** Additional appropriations are necessary for event scheduling software for Convention Hall and the Event Center. This software can be installed immediately to manage the Cherokee Strip Conference Center echoing similar use at all Global Spectrum managed facilities. The remainder of the furniture, fixtures, and equipment will be provided in the 2012-2013 budgets. There are sufficient funds available in the fund balance.

**OPTIONS:**

- OPTION A: Approve the Resolution, and appropriate funds to purchase software.
- OPTION B: Deny the Resolution, and do not appropriate funds.

**OPTION A:**

- ADVANTAGES: Increases appropriations to purchase event scheduling software in advance of the Convention Hall opening in November of 2012.
- DISADVANTAGES: None.

**OPTION B:**

- ADVANTAGES: None.
- DISADVANTAGES: Critical updates to Convention Hall scheduling capabilities will not be utilized.

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

**FUNDING SOURCE:** Cherokee Strip Conference Center Fund.

**ATTACHMENTS:** Resolution.

**PRESENTER:** Jerald Gilbert, Chief Financial Officer.

**8.4 CONSIDER A RESOLUTION AMENDING THE 2011-2012 CHEROKEE STRIP CONFERENCE CENTER FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$180,000.00 FOR THE CHEROKEE STRIP CONFERENCE CENTER DEPARTMENT TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS.**

**BACKGROUND:** Hotel taxes are trending 58% higher than budgeted, thus, appropriations are necessary to account for the predicted excess. The budget was based on \$820,000.00 in hotel tax, and is projected to be \$1,300,000.00 (an estimated increase of \$480,000.00) resulting in additional county tax payments of \$180,000.00 with the remainder available for use as directed by ordinance in the Conference Center Fund, and is available to compensate additional appropriations and budgeting in FY 2012-2013.

**OPTIONS:**

- **OPTION A:** Approve the Resolution, and appropriate the additional funds from increased hotel taxes.
- **OPTION B:** Deny the Resolution, and do not appropriate the additional funds from increased hotel taxes.

**OPTION A:**

- **ADVANTAGES:** Increases appropriation to pay additional hotel taxes to the County Expo Center and the Conference Center Fund from increased hotel taxes per the applicable ordinance.
- **DISADVANTAGES:** None.

**OPTION B:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** The City of Enid would be in violation of City Ordinance.

**2011-2012 BUDGETED ITEM:** No. See financial plan amendments above.

**FUNDING SOURCE:** Increased hotel taxes in Conference Center Fund.

**ATTACHMENTS:** None.

**PRESENTER:** Jerald Gilbert, Chief Financial Officer.

**8.5 CONSIDER A RESOLUTION AMENDING THE 2011-2012 GENERAL FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$2,264,000.00 TO THE SALES TAXES TRANSFERS DEPARTMENT TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS.**

**BACKGROUND:** Sales taxes have increased 10% over the last year, and appropriations are necessary to account for increased sales taxes and sales tax transfers. Of the 3.5% City sales tax, 1.5% is transferred to Enid Municipal Authority (1% Capital Improvement and Water Debt and .25% for School Bond Debt), Fire (.125%), and Police (.125%), and School Bond Debt (.25%) Funds).

The budget was based on \$26,410,000.00 in sales and use taxes, and is projected to be \$29,240,000.00 (an estimated increase of \$2,830,000.00 or 10%). This results in additional sales tax transfers of \$2,264,000.00 to the Enid Municipal Authority, Fire, and Police Funds.

**OPTIONS:**

- OPTION A: Approve the Resolution, and appropriate the additional funds from increased sales taxes.
- OPTION B: Deny the Resolution, and do not appropriate the additional funds from increased sales taxes.

**OPTION A:**

- ADVANTAGES: Increases appropriation for payment of additional sales tax transfers to the Enid Municipal Authority, Fire, and Police funds from increased sales taxes.
- DISADVANTAGES: None.

**OPTION B:**

- ADVANTAGES: None.
- DISADVANTAGES: The City would be in violation of City Ordinance.

**2011-2012 BUDGETED ITEM:** No. See financial plan amendments above.

**FUNDING SOURCE:** Increased sales taxes in the General Fund.

**ATTACHMENTS:** None.

**PRESENTER:** Jerald Gilbert, Chief Financial Officer.

**8.6 CONSIDER A RESOLUTION AMENDING THE 2011-2012 AIRPORT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$312,000.00 FOR AVIATION AND JET FUEL COST OF GOODS SOLD TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS.**

**BACKGROUND:** Sales of aviation gas and jet fuel have enjoyed healthy increases necessitating purchases of additional fuel stock. Further appropriations are required to account for this increase. The budget predicted \$220,000.00 in aviation fuel sales and \$850,000.00 in jet fuel sales. However, actual sales are projected to be \$285,000.00 and \$1,175,000.00 respectively (an estimated increase of \$65,000.00 or 29.5% and \$325,000.00 or 38.2%). This results in additional cost of goods sold expenditures in order to replenish fuel inventory.

**OPTIONS:**

- **OPTION A:** Approve the Resolution, and appropriate the additional funds for increased fuel sales.
- **OPTION B:** Deny the Resolution, and do not appropriate the additional funds from increased fuel sales.

**OPTION A:**

- **ADVANTAGES:** Increases the appropriation to provide additional inventory.
- **DISADVANTAGES:** None.

**OPTION B:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** The City of Enid would be in violation of City Ordinance.

**2011-2012 BUDGETED ITEM:** No. See financial plan amendments above.

**FUNDING SOURCE:** Increased fuel sales in the Airport Fund.

**ATTACHMENTS:** None.

**PRESENTER:** Jerald Gilbert, Chief Financial Officer.

**8.7 CONSIDER RENEWING THE ADMINISTRATIVE SERVICES AGREEMENT WITH BLUECROSS BLUESHIELD OF OKLAHOMA FOR THIRD PARTY ADMINISTRATION OF THE CITY OF ENID'S SELF FUNDED EMPLOYEE HEALTH INSURANCE PLAN, HEALTH AND DENTAL, COBRA ADMINISTRATION, AND STOP LOSS COVERAGE.**

**BACKGROUND:** The City of Enid contracts with an outside service to provide a due diligence review of the self-funded employee health insurance program, third party administration services, and related costs. This review took place in 2009, and concluded that Blue Cross/Blue Shield is providing quality services within acceptable prices.

For Fiscal Year (FY) 2012-2013, the renewal cost for administrative services is \$46.51 per covered employee per month. The City of Enid purchases stop loss insurance to protect the Health Fund in the event that the City of Enid total claims exceed \$3,579,155.00 or individual claims in excess of \$150,000.00. Actuaries determine this amount based on the number of covered lives, claim loss history, market data, etc.

The renewal fee for both aggregate and individual stop loss is \$32.04 per month, per covered employee. The City also uses Blue Cross/Blue Shield's COBRA administration services at a cost of \$75.00 monthly for the administrative fee, and \$10.00 per notification event. The cost of providing these benefits is budgeted in the Health Fund, and off-set by employee premium contributions of approximately \$630,000.00 annually.

**OPTIONS:**

- **OPTION A:** Approve renewing the agreement with Blue Cross/Blue Shield as presented for FY 2012-2013.
- **OPTION B:** Deny renewing the agreement, and direct staff to solicit bids for Health Insurance renewals two (2) years prior to the scheduled due diligence review.

**OPTION A:**

- **ADVANTAGES:** There will be continuity of service with no gap or change in coverage for FY 2012-2013.
- **DISADVANTAGES:** A 4.7% increase will be absorbed in administration fees.

**OPTION B:**



- **ADVANTAGES:** A lower bid for the initial first year of coverage with a new company may be possible.
- **DISADVANTAGES:** Continuity is lost in the employee insurance coverage.

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

**FUNDING SOURCE:** Health Fund.

**ATTACHMENTS:** Benefit Program Application, COBRA Administration Services, and Exhibit to the Stop Loss Coverage Policy.

**PRESENTER:** Sonya Key, Director of Human Resources.

## 9. CONSENT.

### 9.1 APPROVE CHANGE ORDER NO. 1 WITH CIMARRON CONSTRUCTION COMPANY, OKLAHOMA CITY, OKLAHOMA, FOR THE EAST CHESTNUT AVENUE BRIDGE OVER SKELETON CREEK, R-1108A (G-14).

**BACKGROUND:** The bridge replacement program is designed to ensure appropriate structures while providing safe passage for emergency vehicles. This project was awarded to Cimarron Construction Company on October 4, 2011, for \$791,896.70.

Change Order No. 1 will add a twenty-four inch (24”) reinforced concrete pipe across 42<sup>nd</sup> Street, just north of Chestnut Avenue. This pipe will enhance drainage at this intersection, and comply with right-of-way agreements. The pipe was not included in the original plans, and will add \$8,764.00 to the contract.

In addition, to provide potential cost savings long term, cement kiln dust will be used in place of fly ash for base stabilization.

Change Order No. 1 will revise the total contract amount to \$800,660.70.

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

**FUNDING SOURCE:** General Obligation Bond Fund.

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

**RECOMMENDATION:** Approve Change Order No. 1 with Cimarron Construction Company in the amount of \$8,764.00.

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

**9.2 ACCEPT AMENDMENT NO. 3 WITH JACOBS ENGINEERING GROUP, INC., ST. LOUIS, MISSOURI, FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES OF THE WATER RECLAMATION FACILITY, S-0703A.**

**BACKGROUND:** Construction of the Water Reclamation Facility (WRF) requires construction management and inspection services, including onsite construction inspection, preparing as-built drawings, reviewing submittals and invoices, preparing Operations and Management Manuals, and conducting progress meetings for the length of the project.

The original contract with Jacobs Engineering was for design services in the amount of \$1,900,000.00. Amendment No. 1 added construction management and inspections services in the amount of \$700,000.00 for twenty-three (23) months, and Amendment No. 2 added design modifications. The current contract amount is \$2,600,000.00.

Due to weather delays, Amendment No. 3 will extend these services for two (2) additional months in the amount of \$80,000.00 for a revised contract amount of \$2,680,000.00. Adjusted for the end of July 2012, it is important to maintain high level inspections at this time of project completion.

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

**FUNDING SOURCE:** Sanitary Sewer Capital Improvement Fund.

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

**RECOMMENDATION:** Accept Amendment No. 3 in the amount of \$80,000.00.

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

**9.3 APPROVE CHANGE ORDER NO. 5 WITH WYNN CONSTRUCTION COMPANY, OKLAHOMA CITY, OKLAHOMA, FOR CONSTRUCTION OF THE WATER RECLAMATION FACILITY, S-0703E.**

**BACKGROUND:** This project was awarded to Wynn Construction for \$33,478,000.00, a substantial savings from the estimated \$46,000,000.00. Work began in June 2010, allowing for \$2,900,000.00 in change orders. Four (4) change orders have been issued to date, in the amount of \$728,524.75, for a revised total contract amount of \$34,206,524.75.

This Change Order will provide the following:

1. Add twenty-two and one half (22.5) calendar days for lost time due to weather delays for a revised completion date of July 6, 2012.
2. Modifications to the security system to match the existing system for \$19,373.43.
3. Additional earthwork and riprap for the storm water discharge structure at Boggy Creek for \$9,190.86.

Change Order No. 5 totals \$28,564.29 for a revised total contract amount of \$34,235,089.04.

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

**FUNDING SOURCE:** Sanitary Sewer Capital Improvement Fund.

**ATTACHMENTS:** None. Change Order No. 5 is on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve Change Order No. 5 with Wynn Construction in the amount of \$28,564.29.

**PRESENTER:** PK Mathai, Jacobs Engineering, will be available for questions.

**9.4 ACCEPT THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY WATER LINE CONSTRUCTION PERMIT FOR SOUTH 42<sup>ND</sup> STREET WATER LINE CONSTRUCTION, W-1006A.**

**BACKGROUND:** The Oklahoma Department of Environmental Quality (ODEQ) approved a permit to construct three hundred forty linear feet (340 L.F.) of sixteen inch (16”) Polyvinyl Chloride (PVC) waterline, and three thousand fifty linear feet (3,050 L.F.) of twelve inch (12”) PVC water line and appurtenances on South 42<sup>nd</sup> Street from Market Avenue to the new Water Reclamation Facility (WRF). Upon required acceptance by the Commission, Permit No. WL000024120174 will be recorded as permanent record.

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

**RECOMMENDATION:** Accept ODEQ Permit.

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

**9.5 APPROVAL OF CLAIMS IN THE AMOUNT OF \$5,747,636.76.**

**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 DISCUSS AND TAKE ACTION ON THE FISCAL YEAR 2012-2013 ENID MUNICIPAL AUTHORITY FINANCIAL PLAN.**

**BACKGROUND:** This is a companion to Items 8.1 and 15.1. The City of Enid has prepared a draft financial plan for the Enid Municipal Authority (EMA), and is not subject to the state budget law.

**ATTACHMENTS:** None.

**RECOMMENDATION:** None.

**PRESENTER:** Jerald Gilbert, Chief Financial Officer.

**12.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$331,407.48.**

**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 DISCUSS AND TAKE ACTION ON THE FISCAL YEAR 2012-2013 ENID ECONOMIC DEVELOPMENT AUTHORITY FINANCIAL PLAN.**

**BACKGROUND:** This is a companion to Items 8.1 and 12.1. The City of Enid has prepared a draft financial plan for the Enid Economic Development Authority (EEDA), and is not subject to the state budget law.

**ATTACHMENTS:** None.

**RECOMMENDATION:** None.

**PRESENTER:** Jerald Gilbert, Chief Financial Officer.

**15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$14,086.00.**

**ATTACHMENTS:** List of Claims.

**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 O.S. § 307(B)(3), to discuss “the purchase or appraisal of real property” and pursuant to 25 O.S. § 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.**