



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

---

BOARD OF COMMISSIONERS

---

**NOTICE OF SPECIAL 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 special session at 5:00 p.m. on the 19<sup>th</sup> day of June, 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 SPECIAL MEETING**

1. CALL TO ORDER/ROLL CALL.
2. INVOCATION.
3. FLAG SALUTE.
4. CONSIDER APPROVAL OF MINUTES OF REGULAR MEETING OF JUNE 5, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
  - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
  - 5.2 EMPLOYEE RECOGNITION.

**5.3 CONSIDER APPOINTMENTS TO THE SPECIAL SALES TAX OVERSIGHT COMMITTEE.**

**BACKGROUND:** Terms for the Ward 4 and at-large representatives on this committee have expired. Members of this committee are appointed by the commissioner from the respective ward, and the at-large appointment is made by the Mayor. These appointments will be made by Commissioner Ritchie and Mayor Shewey. Terms will expire March 1, 2015.

**ATTACHMENTS:** None.

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

**5.4 CONSIDER APPOINTMENTS TO THE METROPOLITAN AREA PLANNING COMMISSION.**

**BACKGROUND:** The Metropolitan Area Planning Commission (MAPC) is comprised of ten (10) members, four (4) of whom are appointed by the Board of County Commissioners and cannot be residents of any incorporated city or town.

On May 21, 2012, the Board of County Commissioners reappointed Mr. David Burford, Mr. David Keck, Mr. Marvin Kusik, and Mr. Richard Wuerflein to serve as the County's representatives to this commission. If approved, these terms will expire March 1, 2016.

**ATTACHMENTS:** Notices of appointments by the Garfield County Commissioners.

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

**6. HEARINGS.**

**6.1 NONE.**

**7. COMMUNITY DEVELOPMENT.**

**7.1 APPROVE THE HISTORIC PRESERVATION PLAN.**

**BACKGROUND:** The Historic Preservation Plan was prepared by Leider & Associates of Stillwater, Oklahoma, and funded with Certified Local Government (CLG) Funds with a 40% match of City Funds. The Historic Preservation Commission approved the plan that consists of a Preservation History of Enid, Goals & Objectives, Supporting Documents, and the Historic Preservation Commission's Policies.

**2011-2012 BUDGETED ITEM:** A 40% match was paid by the City of Enid in 2009.

**FUNDING SOURCE:** General Fund.

**ATTACHMENTS:** Historic Preservation Plan.

**RECOMMENDATION:** Approve the Historic Preservation Plan.

**PRESENTER:** Whitney Box, Assistant City Planner.

**7.2 CONSIDER REDUCING THE SPEED LIMIT ON CHEROKEE STREET BETWEEN WASHINGTON AND JEFFERSON STREET.**

**BACKGROUND:** On March 8, 2012, the YMCA submitted a request to reduce the speed limit from 30 miles per hour (MPH) to 10 or 15 MPH, and place flashing lights for a pedestrian crossing in the 300 and 400 blocks of West Cherokee. The estimated cost of the crossing is \$19,200.00, and would be similar to those at St. Mary's Regional Medical Center and Integris Bass Hospital. However, these crossings were installed by the City of Enid and funded by the hospitals.

This area has a high volume of foot traffic, and public parking is situated between one-way traffic streets. After review, the Police Department recommended a 20 MPH speed limit, Traffic Control recommended 15 MPH with possible rumble strips installed, and the Engineering Department recommended a 20 MPH speed limit, with the request that all traffic calming devices installed be the responsibility of the YMCA.

**OPTIONS:**

- OPTION A: Reduce the speed limit to 20 MPH.
- OPTION B: Reduce the speed limit to 15 MPH.
- OPTION C: Provide no change to the speed limit.

**OPTION A:**

- **ADVANTAGES:** A 20 MPH speed limit would slow traffic similar to that in school zones.
- **DISADVANTAGES:** None identified.

**OPTION B:**

- **ADVANTAGES:** Traffic would be slower than the school zone speed limits.
- **DISADVANTAGES:** None.

**OPTION C:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Permits traffic to travel 30 MPH in a congested parking area.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Not applicable.

**ADVISORY COMMISSION ACTION:** The Metropolitan Area Planning Commission voted unanimously to recommend a 15 MPH speed limit for the 300 and 400 blocks of West Cherokee at its May 21, 2012, regular meeting.

**ATTACHMENTS:** Location Map.

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

**8. ADMINISTRATION.**

**8.1 CONSIDER AN EMERGENCY RESOLUTION INCREASING THE 2011-2012 CAPITAL IMPROVEMENT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$46,880.00 TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS FOR THE CAPITAL IMPROVEMENT DEPARTMENT.**

**BACKGROUND:** This is a companion to Items 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, Change Order No. 2 in the amount of \$58,709.00, and Change Order No. 3 in the amount of \$53,079.00 for a revised total contract amount of \$7,219,492.00.

This Resolution will appropriate \$46,880.00 to support Change Order No. 4 to address the following seven (7) items:

1. Relocate steel bracing on the north side of elevator shaft to avoid conflict with masonry and shaft area.  
Added cost: \$6,120.00.
2. Provide and install beam at second floor restroom where existing structure inadequate to support floor above.  
Added cost: \$969.00.
3. Provide and install one (1) elevator hoist beam and seven (7) divider beams not included in original design due to elevator supplier requirements.  
Added cost: \$8,862.00.
4. Place concrete support for new doorways, as demolition revealed that the existing support was inadequate.  
Added cost: \$1,689.00.
5. Infill existing openings uncovered during demolition with Concrete Masonry Unit.  
Added cost: \$3,525.00.
6. Provide and install structural steel supports at new roof openings.  
Added cost: \$23,291.00.
7. Add new City of Enid logo to building way-finding signage.  
Added cost: \$2,424.00.

The contract time will increase (10) days due to work in the main ballroom area, and the new substantial completion date will be October 10, 2012.

**OPTIONS:**

- OPTION A: Approve the Resolution to support Change Order No. 4.
- OPTION B: Do not approve the Resolution, and do not approve Change Order No. 4.

**OPTION A:**

- ADVANTAGES: Provides funding for unforeseen events and allows continuation of construction.
- DISADVANTAGES: None.

**OPTION B:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Will not complete the general conditions, meet the original timeline, or pay for the essential steel supports necessary for the elevator shaft and new roof openings.

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

**FUNDING SOURCE:** Enid Municipal Authority.

**ATTACHMENTS:** Resolution.

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

**8.2 APPROVE CHANGE ORDER NO. 4 WITH W.L. MCNATT AND COMPANY, OKLAHOMA CITY, OKLAHOMA, FOR CONVENTION HALL RENOVATION, M-1109F.**

**BACKGROUND:** This is a companion to Items 8.1 and 12.1. Change Order No. 4 will add \$46,880.00 to the contract for a total amount of \$7,266,372.00.

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

**FUNDING SOURCE:** Capital Improvement Fund.

**ATTACHMENTS:** None. Change Order No. 4 is on file in the Office of the City Clerk.

**RECOMMENDATION:** Approve Change Order No. 4 in the amount of \$46,880.00.

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

**8.3 CONSIDERATION AND POSSIBLE ACTION WITH RESPECT TO A RESOLUTION APPROVING ACTION TAKEN BY THE ENID MUNICIPAL AUTHORITY AUTHORIZING ISSUANCE, SALE AND DELIVERY OF A PROMISSORY NOTE OF THE AUTHORITY TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING A SUBORDINATE LIEN SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF ENID, OKLAHOMA AND THE ENID MUNICIPAL AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; RATIFYING AND CONFIRMING A LEASE AGREEMENT, AS AMENDED, WHEREBY THE CITY OF ENID LEASED ITS WATER, SANITARY SEWER, AND SOLID WASTE COLLECTION AND DISPOSAL SYSTEMS TO THE ENID MUNICIPAL**

**AUTHORITY; DECLARING AN EMERGENCY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

**BACKGROUND:** This is a companion to Items 8.4, 8.5, 8.6, 12.2, and 12.3. This Resolution will provide a low cost loan, already approved by the Oklahoma Water Resources Board (OWRB), for a total of \$6,080,000.00 to finance two (2) elevated water storage tanks.

One (1) elevated water storage tank (tank) was originally appropriated for \$2,850,000.00. Item 8.5 will consider transferring \$2,283,500.00 from the Enid Municipal Authority (EMA) and appropriate the Water Capital Improvement Fund Water Capital Improvement Department to fund a second tank.

Item 8.4 will award a contract to construct a 750,000 gallon water tank with a booster pump station, and Item 8.5 will award a contract to construct a 1,000,000 gallon water tank. Both will provide additional capacity to the water distribution system, supply fire flows to the southern part of town, and reduce pumping costs.

**OPTIONS:**

- OPTION A: Approve the Resolution to authorize debt to construct the tanks.
- OPTION B: Do not approve the Resolution to authorize debt to construct the tanks.

**OPTION A:**

- **ADVANTAGES:** Both tanks will be purchased with low cost financing through OWRB. Bids received were substantially less than the Engineer's estimate, and cash will be retained to support other capital projects that cannot be funded with the low cost OWRB loan.
- **DISADVANTAGES:** An additional appropriation will be required for the second tank that was not budgeted, and payments will be made over the life of the loan as determined by the Commission.

**OPTION B:**

- **ADVANTAGES:** Available cash will be used to build one (1) tank according to the budgeted amount, the debt will not increase, and the second tank will be deferred to the future.

- **DISADVANTAGES:** The low cost OWRB loan will not be used to build both tanks, nor will the second tank be built at this time. In the future, this project will likely compete with other capital projects for funding, and the low contract award is not guaranteed.

**2011-2012 BUDGETED ITEM:** One (1) tank is currently budgeted in the Capital Improvement Fund.

**FUNDING SOURCE:** Enid Municipal Authority.

**ATTACHMENTS:** Resolution.

**PRESENTERS:** Allan Brooks, The Public Finance Law Group, PLLC, Jon Wolff, Municipal Finance Services, and Jerald Gilbert, Chief Financial Officer.

**8.4 CONSIDER AN EMERGENCY RESOLUTION AMENDING THE 2011-2012 WATER CAPITAL IMPROVEMENT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$2,283,500.00 TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS FOR THE CAPITAL IMPROVEMENT DEPARTMENT.**

**BACKGROUND:** This is a companion to Items 8.3, 8.5, 8.6, 12.2, and 12.3.

**2011-2012 BUDGETED ITEM:** One (1) tank is currently budgeted in the Capital Improvement Fund.

**FUNDING SOURCE:** Enid Municipal Authority.

**ATTACHMENTS:** Resolution.

**RECOMMENDATION:** Approve the Resolution with emergency.

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

**8.5 AWARD A CONTRACT TO LANDMARK STRUCTURES I, L.P., FORT WORTH, TEXAS, FOR ENID MEADOWLAKE ELEVATED WATER STORAGE TANK AND PUMP STATION, W-0820A, PENDING APPROVAL BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ), AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This is a companion to Items 8.3, 8.4, 12.2, and 12.3.

Three (3) bids were received (shown low to high):



- |                                |                |
|--------------------------------|----------------|
| 1. Landmark Structures I, L.P. | \$2,412,000.00 |
| 2. CB&I                        | \$2,415,000.00 |
| 3. Caldwell Tanks, Inc.        | \$2,663,000.00 |

Landmark Structures I, L.P. submitted the lowest, responsible bid in the amount of \$2,372,000.00 and includes a two (2) year additional warranty for \$40,000.00. The total contract amount is \$2,412,000.00.

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

**FUNDING SOURCE:** Capital Improvement Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to Landmark Structures I, L.P. in the amount of \$2,412,000.00 pending approval of award by ODEQ, and authorize the Mayor to execute all contract documents after review by the City Attorney.

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

**8.6 AWARD A CONTRACT TO CB&I, PLAINFIELD, ILLINOIS, FOR ENID EAST CHESTNUT ELEVATED WATER STORAGE TANK, W-0821A, PENDING APPROVAL BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ), AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This is a companion to Items 8.3, 8.4, 12.2, and 12.3.

Three (3) bids were received (shown low to high):

- |                                |                |
|--------------------------------|----------------|
| 1. CB&I                        | \$2,371,500.00 |
| 2. Caldwell Tanks, Inc.        | \$2,443,000.00 |
| 3. Landmark Structures I, L.P. | \$2,456,000.00 |

CB&I submitted the lowest, responsible bid in the amount of \$2,365,500.00, and has a two (2) year additional warranty for \$6,000.00. The total contract amount is \$2,371,500.00.

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

**FUNDING SOURCE:** Capital Improvement Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to CB&I in the amount of \$2,371,500.00 pending approval by ODEQ, and authorize the Mayor to execute all contract documents after review by the City Attorney.

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

- 8.7 **CONSIDER A RESOLUTION ADOPTING AND APPROPRIATING THE 2012-2013 FISCAL BUDGET FOR THE CITY OF ENID, OKLAHOMA; THE FISCAL YEAR 2012-2013 FINANCIAL PLANS FOR ENID PUBLIC TRANSPORTATION AND VANCE DEVELOPMENT AUTHORITIES; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO MAKE FUND TRANSFERS AS PROVIDED IN THE MUNICIPAL BUDGET ACT; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO INVEST THE CITY'S FUNDS AS PROVIDED IN OKLAHOMA STATUTE TITLE 62 SECTION 348.1; AND DECLARING AN EMERGENCY.**

**BACKGROUND:** This is a companion to Items 12.4 and 15.1. The proposed 2012-2013 City of Enid budget and Fiscal Year 2012-2013 financial plans for Enid Public Transportation and Vance Development authorities were delivered to the Commission on May 14, 2012, and presented during the study session and regular session on May 15, 2012, and regular session on June 5, 2012.

The Resolution will formally adopt and appropriate the 2012-2013 operating and capital budgets for the City of Enid, and approve the Fiscal Year 2012-2013 financial plans for Enid Public Transportation and Vance Development authorities.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Not applicable.

**ATTACHMENTS:** Resolution. The budget is available to view on the City of Enid website or in the Office of the City Clerk.

**RECOMMENDATION:** Approve with emergency.

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

- 8.8 **CONSIDER AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2003, AMENDING TITLE 5, ENTITLED "PUBLIC SAFETY," CHAPTER 2, ENTITLED "COMPOSITION OF DEPARTMENT," TO CAPITALIZE PROPER NOUNS, TO ADD ONE SPECIALTIES OFFICER WITH A RANK OF ASSISTANT MECHANIC, AND TO REVISE THE OFFENSE CLASSIFICATION AND OTHER LANGUAGE REGARDING BURN BAN VIOLATIONS;**

**PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY, AND CODIFICATION.**

**BACKGROUND:** This Ordinance will allow the Fire Department to increase its staffing levels to hire an Assistant Mechanic as part of the reorganization of the Mechanic Division Department. It will also revise language in the Code by removing the classification of the offense as a “Class B” to language that clearly states that a violation of a fire ban or restriction punishable by criminal prosecution will receive a monetary fine up to \$500.00.

**OPTIONS:**

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

**OPTION A:**

- **ADVANTAGES:** An additional employee will increase efficiency and effectiveness to better serve the citizens of Enid. A change in the language will provide better clarification to readers.
- **DISADVANTAGES:** Additional staff will increase personnel costs for the Fire Department.

**OPTION B:**

- **ADVANTAGES:** Costs will not be increased.
- **DISADVANTAGES:** The Fire Department will continue to be understaffed, and readers may be confused by the current language.

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

**FUNDING SOURCE:** Fire Department Fund.

**ATTACHMENTS:** Ordinance.

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

- 8.9 CONSIDER APPROVING CHANGE ORDER NO. 2 TO REHABILITATE THE TAXIWAY AND APRONS AT ENID WOODRING REGIONAL AIRPORT, OKLAHOMA AERONAUTICS COMMISSION PROJECT WDG-12-S.**

**BACKGROUND:** This project is replacing portions of deteriorated concrete aprons on the north and south sides of the 32 series hangars, and locations on the north-south taxiway to the west of those same hangars. The contract was awarded to Contech, Inc., Broken Arrow, Oklahoma, at a cost of \$533,298.70. The Oklahoma Aeronautics Commission (OAC) provided a grant of \$445,000.00 to fund the project.

During excavation of the north-south taxiway, two (2) areas of sub-grade were found to be saturated and unstable. Aeration and drying efforts proved unsuccessful, and the Engineer determined the soil was clay with moderate shrink/swell potential. Change Order No. 2 will pre-treat the areas with hydrated lime prior to soil cement stabilization to reduce the soil's shrink/swell potential and to stabilize the sub-grade.

Change Order No. 2 will add \$4,490.76 to the contract, and must be compensated by the City of Enid as it falls outside the OAC agreements. The revised total contract amount will be \$546,892.96.

**OPTIONS:**

- OPTION A: Approve Change Order No. 2.
- OPTION B: Do not approve Change Order No. 2.

**OPTION A:**

- ADVANTAGES: Ensures that the new taxiway will resist fracturing for a time.
- DISADVANTAGES: Costs the City of Enid \$4,490.76.

**OPTION B:**

- ADVANTAGES: \$4,490.76 may be applied other projects.
- DISADVANTAGES: The new taxiway will continue to fracture and deteriorate at a faster rate.

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

**FUNDING SOURCE:** Airport Fund.

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

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

**8.10 CONSIDER A CONTRACT TO CONSTRUCT PHASE III OF THE PEDESTRIAN TRAIL PROJECT, M-1201A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This project will construct Phase III of the Pedestrian Trail Project, which will extend the ten (10) foot wide concrete trail from Parkway Street to Washington Street by 4,200 feet.

Two (2) bids were received (shown low to high):

1. Continental Construction	\$502,800.97
Contract time:	145 calendar days
2. Tom Hudson Paving, Inc.	\$558,783.69
Contract time:	290 calendar days

Continental Construction is currently under contract to complete Phase I and Phase II of the Pedestrian Trail Project, and is within its contract time. However, both phases were delayed approximately two (2) months due to a dispute between Continental Construction and its sub-contractor.

**OPTIONS:**

- **OPTION A:** Award a contract to Continental Construction in the amount of \$502,800.097.
- **OPTION B:** Award a contract to Tom Hudson Paving, Inc. in the amount of \$558,783.69.

**OPTION A:**

- **ADVANTAGES:** Initial cost saving of \$55,982.72.
- **DISADVANTAGES:** The majority of Phase I and Phase II were completed by sub-contractors, and work may be delayed if there is a sub-contractor dispute.

**OPTION B:**

- **ADVANTAGES:** Known to provide quality work with limited sub-contractor agreements.
- **DISADVANTAGES:** Higher construction cost and longer completion time.

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

**FUNDING SOURCE:** Capital Improvement Fund.

**ATTACHMENTS:** Canvass of Bids.

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

**8.11 CONSIDER A CONTRACT TO CONSTRUCT PHASE IV OF THE PEDESTRIAN TRAIL PROJECT, M-1201B, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This contract will construct Phase IV of the Pedestrian Trail Project. The ten (10) foot trail, located near Meadows Point Apartments, will be extended approximately 2,600 feet north on Cleveland Street to Garriott Road. Alternate No. 1 will extend the trail from Meadows Point Apartments approximately 490 feet south to connect the existing trail.

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

1. Continental Construction, Edmond, Oklahoma, submitted a Base Bid of \$275,859.44, and Alternate No. 1 bid of \$30,200.00 with 120 calendar days to complete the project.
2. C-P Integrated Services, Inc., Oklahoma City, Oklahoma, submitted a Base Bid of \$307,873.25, and an Alternate No. 1 bid of \$40,084.62 with 105 calendar days to complete the project. This firm is not post-qualified for trail work.
3. Tom Hudson Paving, Inc., Guthrie, Oklahoma, submitted a Base Bid of \$297,975.95, and Alternate No. 1 bid of \$64,496.32 with 180 calendar days to complete the project.
4. JDC Contracting, Enid, Oklahoma, submitted a Base Bid of \$374,966.28, and Alternate No. 1 bid of \$36,247.27 with 200 calendar days to complete the project.

Continental Construction is currently under contract to complete Phase I and Phase II, and is within its contract time. However, both phases were delayed approximately two (2) months due to a dispute between Continental Construction and its sub-contractor.

**OPTIONS:**

- **OPTION A:** Award a contract to Continental Construction in the amount of \$306,059.44 for both the Base Bid and Alternate No.1.
- **OPTION B:** Reject all bids, and authorize the project to be rebid.

**OPTION A:**

- **ADVANTAGES:** Submitted the lowest bid.
- **DISADVANTAGES:** Phase I and Phase II were performed by sub-contractors, and work may be delayed if there is a dispute.

**OPTION B:**

- **ADVANTAGES:** Allows for pre-qualifying bidders.
- **DISADVANTAGES:** Delays work on the trail.

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

**FUNDING SOURCE:** Capital Improvement Fund.

**ATTACHMENTS:** Canvass of Bids.

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

**8.12 CONSIDER A RESOLUTION AMENDING THE RULES FOR CONDUCTING MEETINGS OF THE CITY OF ENID COMMISSION, ENID MUNICIPAL AUTHORITY, AND ENID ECONOMIC DEVELOPMENT AUTHORITY.**

**BACKGROUND:** The rules for conducting meetings for the City Commission, Enid Municipal Authority and Enid Economic Development Authority were reviewed at the study session on June 5, 2012. A few amendments to the rules were suggested and have been incorporated into this Resolution. There are two (2) options regarding whether placing an item on the Agenda takes one (1) Commissioner or two (2) Commissioners.

**OPTIONS:**

- **OPTION A:** Adopt the Resolution amending the rules for the conduct of meetings to retain the requirement that two (2) Commissioners are required to place an item on the Agenda.

- **OPTION B:** Adopt the Resolution amending the rules for the conduct of meetings to allow an item to be placed on the Agenda by only one (1) Commissioner.
- **OPTION C:** Do not amend rules for the conduct of meetings.

**OPTION A:**

- **ADVANTAGES:** Preserves the Mayor’s authority by retaining the requirement that two (2) Commissioners are required to place an item on the Agenda.
- **DISADVANTAGES:** None.

**OPTION B:**

- **ADVANTAGES:** One (1) Commissioner is required to place an item on the agenda.
- **DISADVANTAGE:** The Mayor’s authority is undermined.

**OPTION C:**

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Errors in the original Resolution would remain, outdated rules would still apply, and the procedure for going into Executive Session would not exist.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Not applicable.

**ATTACHMENTS:** Two (2) versions of a Resolution amending the rules for conduct of meetings.

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

**8.13 APPROVE CHANGE ORDER NO. 2 WITH RICK LORENZ CONSTRUCTION, INC., ENID, OKLAHOMA, AND ACCEPT THE 2011 LOCAL STREET PROGRAM, R-1101A, CONTRACT NO. 1.**

**BACKGROUND:** This project reconstructed the following local streets:

- 7<sup>th</sup> Street from Maine to Broadway.



- Oak Street from 8<sup>th</sup> Street to 10<sup>th</sup> Street.
- Eucalyptus Avenue from 26<sup>th</sup> Street to 30<sup>th</sup> Street.
- 3<sup>rd</sup> Street from Elm Avenue to Pine Avenue.
- Lantern Lane loop at Heritage Trail.
- Appomattox from Shiloh to Harper's Ferry.
- Elm Avenue from Cleveland Street to Carlisle.
- McKinley Street from Broadway to Randolph Avenue.
- Edgewood Drive from Cleveland Street to Whippoorwill Lane

The original contract amount was \$951,594.17. Change Order No. 1 added \$32,155.00 for automatic doors at the Administration Building. Change Order No. 2 will deduct \$17,195.80 to adjust the contract amount to match quantities placed. The final contract amount will be \$966,553.37.

The contractor has completed all work, and this project has a three (3) year maintenance warranty.

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

**FUNDING SOURCE:** Street and Alley Fund.

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

**RECOMMENDATION:** Approve Change Order No. 2 in the deduct amount of \$17,195.80, and accept the project.

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

**8.14 CONSIDER AN EMERGENCY RESOLUTION AMENDING THE 2011-2012 AIRPORT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$112,000.00 FOR THE AVIATION AND JET FUEL COST OF GOODS SOLD TO INCREASE THE 2011-2012 APPROPRIATED AMOUNTS.**

**BACKGROUND:** Additional appropriations are necessary to account for increased airport aviation and jet fuel sales. The budget was increased at the May 15, 2012, Commission meeting to \$285,000.00 in aviation fuel sales and \$1,175,000.00 in jet fuel sales. However, sales are projected to be \$300,000.00 and \$1,300,000.00 respectively (an estimated increase of \$15,000.00 or 5.2% and \$125,000.00 or 10.6%), resulting in an additional cost of goods sold of approximately \$12,000.00 and \$100,000.00 respectively.

**OPTIONS:**

- OPTION A: Approve the Resolution.
- OPTION B: Do not approve the Resolution.

**OPTION A:**

- ADVANTAGES: Increases the appropriation to fund additional fuel cost of goods sold expenditures from increased fuel sales.
- DISADVANTAGES: None.

**OPTION B:**

- ADVANTAGES: Does not increase appropriation to fund additional fuel cost of goods sold expenditures from increased fuel sales.
- DISADVANTAGES: None.

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

**FUNDING SOURCE:** Airport Fund.

**ATTACHMENTS:** Resolution.

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

**9. CONSENT.**

**9.1 AWARD AND EXECUTE THE PURCHASE OF SCALES FOR THE LANDFILL TO SCALE SOURCE, YUKON, OKLAHOMA.**

**BACKGROUND:** A set of scales was budgeted in the 2011-2012 budget from the Enid Municipal Authority (EMA) Capital Replacement Department. The scales will be used at the Landfill to enhance the speed of operation and improve safety when high volumes of traffic are forced onto Southgate Road. Four (4) bids were received from four (4) vendors. Scale Source submitted the lowest, responsive bid and meets all specifications.

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

1. Scale Source	\$56,955.00
2. Weigh-Tech	\$61,500.00
3. Emery Winslow Scale Co.	\$62,115.00
4. Salina Scale and Service, Inc.	\$66,994.00

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

**FUNDING SOURCE:** Enid Municipal Authority Capital Replacement Department.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to Scale Source in the amount of \$56,955.00.

**PRESENTER:** Robinson Camp, Assistant Director of Public Works.

- 9.2 **AWARD A CONTRACT TO S.L. MADISON CONSTRUCTION, LLC, CRESCENT, OKLAHOMA, FOR THE 42<sup>ND</sup> STREET AND MARKET AVENUE DRAINAGE IMPROVEMENT PROJECT, F-0905A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This project will lower the drainage ditches on 42<sup>nd</sup> Street and Market Avenue to improve drainage and reduce flooding.

Five (5) bids were received (shown low to high):

1. S.L. Madison Construction, LLC	\$77,886.02
2. C-P Integrated Services, Inc.	\$101,178.78
3. RRY Services, LLC	\$101,325.00
4. Nowak Construction Company, Inc.	\$157,162.00
5. Luckinbill, Inc.	\$161,712.00

S.L. Madison Construction, LLC, submitted the lowest, responsible bid, with a contract time of 120 calendar days.

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

**FUNDING SOURCE:** Stormwater Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to S.L. Madison Construction, LLC, in the amount of \$77,886.02, 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 **AWARD A CONTRACT TO S.L. MADISON CONSTRUCTION, LLC, CRESCENT, OKLAHOMA, FOR THE MEADOWLAKE GOLF COURSE**

**MAINTENANCE BUILDING DRAINAGE IMPROVEMENT PROJECT, F-1003A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This project will redirect storm water runoff from the Meadowlake Golf Course maintenance building north to the Boggy Creek channel using drainage pipe. The existing system routes runoff south across fairways through deteriorated pipe.

Three (3) bids were received (shown low to high):

- |                                     |             |
|-------------------------------------|-------------|
| 1. S.L. Madison Construction, LLC   | \$48,770.00 |
| 2. RRY Services, LLC                | \$86,136.00 |
| 3. Nowak Construction Company, Inc. | \$96,256.00 |

S.L. Madison Construction, LLC, submitted the lowest, responsible bid, with a contract time of 60 calendar days.

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

**FUNDING SOURCE:** Stormwater Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to S.L. Madison Construction, LLC, in the amount of \$48,770.00, and authorize the Mayor to execute all contract documents after review by the City Attorney.

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

**9.4 AWARD A CONTRACT TO S.L. MADISON CONSTRUCTION, LLC, CRESCENT, OKLAHOMA, FOR ROCK ISLAND DRAINAGE IMPROVEMENT, F-1005A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This project will install pipe to improve the drainage system and reduce flooding of commercial property from the 2600 Block of Rock Island Boulevard to Willow Road.

Five (5) bids were received (shown low to high):

- |                                      |              |
|--------------------------------------|--------------|
| 1. S.L, Madison Construction, LLC    | \$125,834.00 |
| 2. C-P Integrated Services, Inc.     | \$147,150.18 |
| 3. Matthew's Trenching Company, Inc. | \$158,336.00 |
| 4. Nowak Construction Company, Inc.  | \$175,830.00 |
| 5. Luckinbill, Inc.                  | \$176,696.00 |

S.L. Madison Construction, LLC, submitted the lowest, responsible bid, with a contract time of 140 calendar days.

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

**FUNDING SOURCE:** Stormwater Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to S.L. Madison Construction, LLC, in the amount of \$125,834.00, and authorize the Mayor to execute all contract documents after review by the City Attorney.

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

**9.5 APPROVE CHANGE ORDER NO. 1 WITH CONTINENTAL CONSTRUCTION, EDMOND, OKLAHOMA, FOR THE PEDESTRIAN TRAIL PHASE II PROJECT, M-1001C.**

**BACKGROUND:** Change Order No. 1 will relocate a portion of the new trail to accommodate the proposed plaza near Oakwood Road. Field inspections revealed that the proposed plaza is too close to Oakwood Road.

The original contract amount was \$668,164.80, and Change Order No. 1 will add \$4,226.25 for a revised total amount of \$672,391.05.

**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 to add \$4,226.25 to the project.

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

**9.6 APPROVE CHANGE ORDER NO. 1 WITH CONTINENTAL FLOORING COMPANY, SCOTTSDALE, ARIZONA, AND ACCEPT THE ADMINISTRATIVE BUILDING FLOOR RENOVATION (CARPET INSTALLATION) PROJECT, M-1107B.**

**BACKGROUND:** Continental Flooring Company installed approximately 13,200 square feet of carpet and appurtenances. This included installation of Vinyl Composition Tile (VCT), ceramic tile in selected storage areas, and 39 door kick plates.

Change Order No. 1 will deduct \$595.00 from the original contract amount of \$49,664.00 to cover the costs of damaged furniture during carpet installation, for a revised total contract amount of \$49,069.00.

The contractor has completed all work for this project and has a three (3) year maintenance warranty.

**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.

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

**9.7 APPROVE CHANGE ORDER NO. 1 WITH JDC CONTRACTING, LLC, ENID, OKLAHOMA, AND ACCEPT THE ABC PARK SIDEWALKS PROJECT, P-1201A.**

**BACKGROUND:** This project provided Americans with Disabilities Act (ADA) sidewalk improvements to ABC Park including concrete slabs for stands and concrete mow strips for fencing. The original contract amount was \$49,343.50.

Change Order No. 1 placed additional concrete to repair the existing fencing foundation and gravel entrance drive for \$51.46. The revised total contract amount is \$49,397.97.

The contractor has completed all work, and this project has a three (3) year maintenance warranty.

**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 \$51.46, and accept the project.

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

**9.8 APPROVE CHANGE ORDER NO. 2 WITH THE CUMMINS CONSTRUCTION COMPANY, INC., ENID, OKLAHOMA, FOR THE 2011 LOCAL STREET PROGRAM PROJECT, R-1101A, CONTRACT NO. 2.**

**BACKGROUND:** Construction has been completed and was accepted by the Commission at the May 15, 2012, regular meeting.

Change Order No. 2 will deduct \$2,684.21 to adjust the contract amount to match quantities placed. The original contract amount was \$1,115,782.65. Change Order No. 1 added \$93,947.13 and Change Order No. 2 will revise the contract amount to \$1,207,045.57.

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

**FUNDING SOURCE:** Street and Alley Fund.

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

**RECOMMENDATION:** Approve Change Order No. 2 to deduct \$2,684.21.

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

**9.9 CONSIDER REJECTION OF BIDS ON THE WPC BELT PRESS ADDITION, PROJECT NO. S-1202A, AND AUTHORIZE STAFF TO REDISIGN AND REBID THE PROEJCT.**

**BACKGROUND:** This project will add two (2) meter belt filter presses, a new sludge conveying system, and relocate the polymer feed system in the sludge processing building at the existing Waste Water Pollution Control Plant.

Two (2) bids were received (shown low to high):

1. Wynn Construction Company, Inc.	\$834,689.30
2. Luckinbill, Inc.	\$1,058,310.00

Both bids exceeded the Engineer's estimate of \$669,209.50, and it is recommended that the bids be rejected and the project redesigned.

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

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

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Reject all bids, and authorize staff to redesign and rebid the project.

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

**9.10 AWARD A CONTRACT FOR THE RELOCATION OF DOWNTOWN WATERLINES, W-1205A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** This project will relocate the existing waterline on Independence and Grand Avenue from Garriott Road to Maine Street (eight blocks) to provide clearance for the reconstruction of streets.

Proposals included a Base Bid and Alternate No. 1. The Base Bid included waterline relocation on Grand Avenue from Garriott Road to Maine, and Independence from Maine Street to Oklahoma, to accommodate the bridge. Alternate No. 1 will place a new water line for the two (2) block area on Independence Avenue from Oklahoma to Garriott Road, which is not in service. However, this add alternate is not included in the award recommendation.

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

1. Matthew's Trenching Company, Inc., Oklahoma City, Oklahoma, submitted a Base Bid of \$669,010.00 and Alternate No. 1 bid of \$174,358.00.
2. Nowak Construction Company, Goddard, Kansas, submitted a Base Bid of \$894,605.75 and Alternate No. 1 bid of \$201,165.00.
3. Luckinbill, Inc., Enid, Oklahoma, submitted a Base Bid of \$962,415.00 and Alternate No. 1 bid of \$231,294.
4. Goins Enterprises, Joplin, Missouri, submitted a Base Bid of \$1,011,222.00 and Alternate No. 1 bid of \$271,652.00.

Matthew's Trenching Company, Inc. submitted the lowest, responsible bid, with a contract time of 120 calendar days.

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



**FUNDING SOURCE:** Water Capital Improvement Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to Matthew's Trenching Company, Inc. for \$669,010.00, and authorize the Mayor to execute all contract documents after review by the City Attorney.

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

**9.11 AWARD A CONTRACT TO D-BARCO, LLC, OKLAHOMA CITY, OKLAHOMA, FOR THE AMES WATER PUMP STATION PUMP REPLACEMENT, W-1206A, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS AFTER REVIEW BY THE CITY ATTORNEY.**

**BACKGROUND:** Two (2) pumps and motors were replaced at the Ames pump station in 2010. This project will replace a third pump and motor as part of the capital replacement plan to maintain full pumping capacity.

Three (3) bids were received (shown low to high):

1. D-Barco, LLC	\$81,934.00
2. J.S. Haren Company	\$109,000.00
3. Tribal Construction Company	\$119,000.00

D-Barco, LLC, submitted the lowest, responsible bid with a contract time of 120 calendar days.

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

**FUNDING SOURCE:** Water Capital Improvement Fund.

**ATTACHMENTS:** Canvass of Bids.

**RECOMMENDATION:** Award a contract to D-Barco, LLC in the amount of \$81,934.00, and authorize the Mayor to execute all contract documents after review by the City Attorney.

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

**9.12 CONSIDER AND DENY THE TORT CLAIM OF MARY MCCUMBER.**

**BACKGROUND:** On May 2, 2012, Mary McCumber submitted a tort claim for property damage in the amount of \$738.45. She claimed the damage occurred as a result of a backup in the main city sewer line. 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 that the City deny the claim.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Not applicable.

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

**RECOMMENDATION:** Deny the tort claim.

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

**9.13 APPROVAL OF CLAIMS IN THE AMOUNT OF \$4,384,244.60.**

**ATTACHMENTS:** List of claims.

**10. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.**

**11. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY SPECIAL MEETING.**

**12. ENID MUNICIPAL AUTHORITY SPECIAL MEETING.**

**12.1 CONSIDER AN EMERGENCY RESOLUTION INCREASING THE 2011-2012 FISCAL FINANCIAL PLAN FOR THE ENID MUNICIPAL AUTHORITY IN THE AMOUNT OF \$46,880.00.**

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

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Enid Municipal Authority.

**ATTACHMENTS:** Resolution.

**RECOMMENDATION:** Approve the Resolution with emergency.

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

**12.2 CONSIDERATION AND POSSIBLE ACTION WITH RESPECT A RESOLUTION APPROVING AND AUTHORIZING A DRINKING WATER SRF LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,080,000; APPROVING THE**

ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,080,000, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT FOR DRINKING WATER SRF LOAN; DESIGNATING A LOCAL TRUSTEE AND APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT; RATIFYING AND CONFIRMING A SUBORDINATE LIEN SALES TAX AGREEMENT BY AND BETWEEN THE CITY OF ENID, OKLAHOMA AND THE ENID MUNICIPAL AUTHORITY PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; RATIFYING AND CONFIRMING A LEASE AGREEMENT, AS AMENDED, WHEREBY THE CITY OF ENID, OKLAHOMA LEASED ITS WATER, SANITARY SEWER, AND SOLID WASTE COLLECTION AND DISPOSAL SYSTEMS TO THE ENID MUNICIPAL AUTHORITY; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

**BACKGROUND:** This is a companion to Items 8.3, 8.4, 8.5, 8.6, and 12.3.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Enid Municipal Authority.

**ATTACHMENTS:** Resolution.

**RECOMMENDATION:** Approve the Resolution.

**PRESENTERS:** Allan Brooks, The Public Finance Law Group, PLLC, Jon Wolff, Municipal Finance Services, and Jerald Gilbert, Chief Financial Officer.

**12.3 CONSIDER AN EMERGENCY RESOLUTION INCREASING THE 2011-2012 FISCAL FINANCIAL PLAN FOR THE ENID MUNICIPAL AUTHORITY IN THE AMOUNT OF \$2,283,500.00.**

**BACKGROUND:** This is a companion to Items 8.3, 8.4, 8.5, 8.6, and 12.2.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Enid Municipal Authority.

**ATTACHMENTS:** Resolution.

**RECOMMENDATION:** Approve the Resolution with emergency.

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

**12.4 CONSIDER APPROVING AND ADOPTING A RESOLUTION FOR THE PROPOSED FISCAL YEAR 2012-2013 ENID MUNICIPAL AUTHORITY FINANCIAL PLAN, WITH EMERGENCY.**

**BACKGROUND:** This is a companion to Items 8.7 and 15.1. Approval of this item will adopt the Fiscal Year 2012-2013 Enid Economic Development Authority financial plan.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Not applicable.

**ATTACHMENTS:** Resolution. The budget is available to view on the City of Enid website or in the Office of the City Clerk.

**RECOMMENDATION:** Approve and adopt the Resolution with emergency.

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

**12.5 APPROVAL OF CLAIMS IN THE AMOUNT OF \$806,557.63.**

**ATTACHMENTS:** List of claims.

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

**14. TRUSTEES OF THE ENID ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING.**

**15. ENID ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING.**

**15.1 CONSIDER APPROVING AND ADOPTING A RESOLUTION FOR THE PROPOSED FISCAL YEAR 2012-2013 ENID ECONOMIC DEVELOPMENT AUTHORITY FINANCIAL PLAN, WITH EMERGENCY.**

**BACKGROUND:** This is a companion to Items 8.7 and 12.4. Approval of this item will adopt the Fiscal Year 2012-2013 Enid Economic Development Authority financial plan.

**2011-2012 BUDGETED ITEM:** Not applicable.

**FUNDING SOURCE:** Not applicable.

**ATTACHMENTS:** Resolution. The budget is available to view on the City of Enid website or in the Office of the City Clerk.

**RECOMMENDATION:** Approve and adopt the Resolution with emergency.

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

**15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$74,007.87**

**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; TO PERFORM THE ANNUAL PERFORMANCE EVALUATION OF CITY ATTORNEY ANDREA SPRINGER AND CONSIDER RENEGOTIATING THE EMPLOYMENT CONTRACT WITH CITY ATTORNEY ANDREA SPRINGER; AND TO RECONVENE INTO SPECIAL 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; and pursuant to 25 O.S. § 307(B)(1), employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried employee.

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

**19. ADJOURN.**