



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

BOARD OF COMMISSIONERS

NOTICE OF RESCHEDULED 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 rescheduled regular session at 6:30 p.m. on the 29th day of October, 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 RESCHEDULED REGULAR MEETING

1. CALL TO ORDER/ROLL CALL.
2. INVOCATION.
3. FLAG SALUTE.
4. CONSIDER APPROVAL OF MINUTES OF REGULAR MEETING OF OCTOBER 2, 2012, AND SPECIAL MEETING OF OCTOBER 10, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
 - 5.2 RUSSIAN DELEGATION PRESENTATION.
 - 5.3 CONVENTION HALL ART PLANS.
 - 5.4 CHANNEL AND CREEK CLEANING UPDATES.
 - 5.5 THIRD QUARTER WORKERS' COMPENSATION UPDATE.
 - 5.6 FISCAL YEAR 2012 AMERICANS WITH DISABILITIES ACT IMPROVEMENTS REPORT.
6. HEARINGS.

6.1 CONDUCT A PUBLIC HEARING REGARDING THE PROPOSED CREATION OF INCREMENT DISTRICT NO. 5, CITY OF ENID AND THE OAKWOOD MALL ECONOMIC DEVELOPMENT PROJECT PLAN.

BACKGROUND: This is the first public hearing for the Oakwood Mall Tax Increment Finance District No. 5 (TIF). The TIF Review Committee and the Metropolitan Area Planning Commission (MAPC) recommended approval of the TIF. A second public hearing and consideration of the TIF Ordinance will be presented at the City Commission meeting on November 6, 2012.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: None.

RECOMMENDATION: Conduct hearing.

PRESENTER: Nate Ellis, The Public Finance Law Group, PLLC.

7. COMMUNITY DEVELOPMENT.

7.1 CONSIDER FINAL PLATS FOR THE CVS ENID ADDITION.

BACKGROUND: Preliminary and final plats for the CVS Enid Addition have been proposed. The plat of one (1) lot will be for the new CVS Pharmacy, containing an estimated 1.372 acres and zoned "C-3" General Commercial District.

City staff has reviewed the preliminary plat for compliance with all the provisions of Title 12 Chapter 4, The Preliminary Plat of the City of Enid Subdivision Regulations, and the final plat for compliance with all the provisions of Title 12 Chapter 5, Final Plat. The developer has met all provisions of the review process for the preliminary plat and final plat.

Approval is recommended contingent upon the submittal of the Federal Emergency Management Agency (FEMA) approved Conditional Letter of Map Revision (CLOMR).

OPTIONS

- OPTION A: Approve the final plat.
- OPTION B: Do not approve the final plat.

OPTION A:

- **ADVANTAGES:** Allows the applicant to finalize improvement plans for the development of the property.
- **DISADVANTAGES:** None.

OPTION B:

- **ADVANTAGES:** Limits the maximum potential use of the property per its current zoning.

- **DISADVANTAGES:** None.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Location Map, Final Plat.

PRESENTER: Chris Bauer, Planning Administrator.

8. ADMINISTRATION.

- 8.1 CONSIDER A RESOLUTION DECLARING THE INTENT TO CONSIDER APPROVAL OF A PROJECT AND CREATION OF A TAX INCREMENT DISTRICT UNDER THE LOCAL DEVELOPMENT ACT; DIRECTING PREPARATION OF A PROJECT PLAN; APPOINTING A REVIEW COMMITTEE; DIRECTING THE REVIEW COMMITTEE TO MAKE FINDINGS AS TO ELIGIBILITY AND FINANCIAL IMPACT, IF ANY, ON TAXING JURISDICTIONS WITHIN THE DISTRICT; DIRECTING THE REVIEW COMMITTEE TO MAKE A RECOMMENDATION WITH RESPECT TO THE PROPOSED PROJECT PLAN; DIRECTING THE PLANNING COMMISSION TO MAKE A RECOMMENDATION WITH RESPECT TO THE PROPOSED PROJECT PLAN; AND CONTAINING OTHER PROVISIONS RELATING THERETO.**

BACKGROUND: The Enid Regional Development Alliance (ERDA) has been conversing with a value added agriculture company that is considering constructing a processing plant in Enid. This Resolution will declare the intent to consider approval of a project and creation of a tax increment financing district (TIF) under the local development act. This TIF will be utilized as an incentive to encourage the company to locate in Enid.

OPTIONS:

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

OPTION A:

- **ADVANTAGES:** Supports value added agricultural business, and increases jobs and investment in Enid.
- **DISADVANTAGES:** None.

OPTION B:

- **ADVANTAGES:** May affect the company's decision to locate in Enid, and discourages job growth.
- **DISADVANTAGES:**

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Resolution.

PRESENTER: Nate Ellis, The Public Finance Law Group, PLLC.

- 8.2 **CONSIDER AN ORDINANCE CLOSING TO THE PUBLIC A PORTION OF A 20 FOOT WIDE ALLEY ADJACENT TO LOTS 4-14 IN BLOCK 12, WEATHERLY'S SIXTH ADDITION; AND A STORM SEWER UTILITY EASEMENT IN LOTS 5, 9, 10, AND 11 IN BLOCK 12, WEATHERLY'S SIXTH ADDITION, LYING IN THE SOUTHWEST QUARTER (SW/4) OF SECTION 7, TOWNSHIP 22 NORTH, RANGE 6 WEST OF THE INDIAN MERIDIAN, GARFIELD COUNTY, OKLAHOMA.**

BACKGROUND: A public hearing was conducted, and a Resolution was approved on August 7, 2012, supporting the closing of the public easements mentioned above.

The redevelopment of the north east corner of Van Buren and Owen K. Garriott Road for a 13,225 square foot pharmacy requires the relocation of storm water and sanitary sewer lines along with the closing of the previous easements. Improvement plans have been filed for the relocation of the affected utilities. This ordinance is presented to close a portion of the alley and storm sewer easement after relocation of utilities.

OPTIONS:

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

OPTION A:

- **ADVANTAGES:** Redevelops the corner, encouraging new business and land use enhancement at this major intersection.
- **DISADVANTAGES:** Requires non-standard alignment of utilities.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Prevents redevelopment of this corner.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

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

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

9. **CONSENT.**

- 9.1 **APPROVE AND EXECUTE CONTRACTS FOR SERVICES BETWEEN THE CITY OF ENID COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND 4RKIDS FOUNDATION; BOOKER T. WASHINGTON COMMUNITY CENTER (BTW); JUNIOR WELFARE LEAGUE OF ENID (JWL); SANDBOX LEARNING CENTER; ENID PUBLIC TRANSPORTATION AUTHORITY (EPTA); YOUNG WOMEN'S CHRISTIAN ASSOCIATION (YWCA); CHRISTMAS IN ACTION (CIA); AND COMMUNITY DEVELOPMENT SUPPORT ASSOCIATION (CDSA) TO ADMINISTER THE B-12-40-0006 GRANT FUNDED ACTIVITIES.**

BACKGROUND: The City of Enid, as an entitlement community for receipt of CDBG funding, received a 2012 allocation of \$405,210.00 with an additional amount of \$10,000.00 from reallocated funds for a total of \$415,210.00. Of these allocations, \$39,000.00 was appropriated to 4Rkids to assist with the completion of the Miracle League Ball Field at ABC Park; \$20,055.32 to JWL for facility rehabilitation including Code and Americans with Disabilities Act (ADA) upgrades; \$10,000.00 to Sandbox Learning Center for facility rehabilitation including restroom upgrades and installation of a concrete ramp to the rear exit of the facility; \$5,000.00 to EPTA for bus passes; \$8,403.28 to YWCA to purchase appliances for the shelter; \$30,000.00 to CIA to assist with emergency repairs and barrier removal including roof and porch replacements; \$60,000.00 to CDSA to assist with emergency repairs, barrier removal and delivery of HOME activities; and \$1,958.00 to BTW to rehabilitate a restroom at the youth center, and \$13,042.00 to provide after school tutoring.

Funding was approved for each activity by the City Commission on April 17, 2012, as part of the Fiscal Year 2012 CDBG funding process. These agencies and the funded activities further the goals of the City of Enid as submitted in the five (5) year consolidated plan to address decent housing, redevelopment activities, and assist in the enhancement of public/social service activities.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Housing and Urban Development/CDBG.

ATTACHMENTS: Contracts are on file in the Office of the City Clerk.

RECOMMENDATION: Approve and execute contracts.

PRESENTER: Stephanie Carr, CDBG Coordinator.

9.2 APPROVE AND EXECUTE A MEMORANDUM OF UNDERSTANDING FOR SERVICES BETWEEN THE CITY OF ENID COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND CODE ENFORCEMENT TO ADMINISTER THE B-12-40-0006 GRANT FUNDED ACTIVITIES.

BACKGROUND: As mentioned in Item 9.2, the City of Enid received a total 2012 allocation of \$415,210.00. Funding allocations were appropriated to the Code Enforcement Department in the amount of \$25,000.00 to assist with demolition of qualified households. Funding was approved for each activity by the City Commission on April 17, 2012, as part of the Fiscal Year 2012 CDBG funding process.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Housing and Urban Development (HUD)/CDBG.

ATTACHMENTS: Contracts are on file in the Office of the City Clerk.

RECOMMENDATION: Approve contract.

PRESENTER: Stephanie Carr, CDBG Coordinator.

9.3 AWARD AND EXECUTE A CONTRACT WITH JDi DATA CORPORATION, FORT LAUDERDALE, FLORIDA, FOR RISK MANAGEMENT INFORMATION SYSTEM (RMIS) SOFTWARE, AND AUTHORIZE THE MAYOR TO EXECUTE ALL CONTRACT DOCUMENTS.

BACKGROUND: The Workers' Compensation Program for the City of Enid is currently managed by the Risk Manager and administered by a Third Party Administrator (TPA). The annual contract cost for the TPA is \$28,000.00. The current contract expires December 31, 2012.

Other types of risks are tracked and managed by independent, homegrown database solutions, and the City of Enid is in need of a comprehensive software solution. In November 2011, Risk Management functions were consolidated within the Office of the City Attorney. In an effort to streamline operations and provide efficient recordkeeping, the Risk Manager oversees all general risks including Workers' Compensation, vehicle accidents, damage to private property by City personnel, and damage to City property by others. In June 2012, the Legal Department sought proposals for RMIS Software. Six (6) proposals were received, and JDi Data software was selected. The implementation costs for this software solution include on-site development and training, \$5,000.00; data conversion from existing claims systems, \$7,500.00; and an interface with the Human Resources and Accounting systems, not to exceed \$5,000.00. The maximum implementation cost is \$17,500.00. Recurring annual charges of \$15,000.00 include software license, support, maintenance, upgrades, continuing training, reporting enhances, and related consulting.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: General Fund.

ATTACHMENTS: Contract.

RECOMMENDATION: Award and execute contract with JDi Data Corporation in the amount not to exceed \$17,500.00 in implementation costs and \$15,000.00 annually.

PRESENTER: Chris Stein, Risk Manager.

9.4 APPROVE CHANGE ORDER NO. 1 WITH SCALE SOURCE, YUKON, OKLAHOMA, FOR THE INSTALLATION OF THE LANDFILL TRUCK SCALE.

BACKGROUND: Scale Source rented a larger crane to install the scale safely around the scale house and power lines. According to the contract, any extra equipment needed for installation will be paid by the City of Enid. Upon the approval of Change Order No. 1 in the amount of \$1,000.00, the installation of the scale will be complete for a total project cost of \$57,955.00

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.

PRESENTER: Robinson Camp, Deputy Director of Public Works.

9.5 ACCEPT A GRANT CONTRACT FOR 2012-2013 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO PROVIDE THE ENID POLICE DEPARTMENT (EPD) \$72,500.00 TO REDUCE ALCOHOL RELATED INJURY AND FATALITY COLLISIONS WITHIN THE CITY OF ENID.

BACKGROUND: The EPD is entering the 9th year of an ongoing project funded by the Oklahoma Highway Safety Office (OHSO) to reduce the number of alcohol related injury and fatality collisions through intensified traffic enforcement and education.

The OHSO has accepted the grant application submitted by the EPD and has obligated funds to the department totaling \$72,500.00. The funds will provide approximately 1,144 hours of overtime traffic enforcement shifts dedicated towards impaired driving enforcement, occupant protection, and unsafe driving. In addition, funds were allotted to host the Institute of Police Technology and Management (IMPT) to conduct its one week training course Investigation of Motorcycle Crashes. This includes travel costs to Enid from Florida, as well as tuition and materials. The course will encompass instruction topics such as: analyzing and interpreting the motorcycle crash scene; determining acceleration and deceleration characteristics of the motorcycle; analyzing and interpreting modes of instability and handling characteristics in motorcycles; interpreting operator factor; reviewing motorcycle tires, helmets and other equipment; and using a practical application of formulas.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Police Budget.

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

RECOMMENDATION: Accept grant contract.

PRESENTER: Lt. Mark Blodgett, Enid Police Department.

- 9.6 **APPROVE CHANGE ORDER NO. 1, AND ACCEPT THE PROJECT WITH HEMBREE AND HODGSON CONSTRUCTION, PONCA CITY, OKLAHOMA, FOR SAFE ROUTES TO SCHOOL INFRASTRUCTURE AT WALLER MIDDLE SCHOOL, PROJECT NO. M-0906A (FEDERAL PROJECT NO. SRS-155F(710)ST, STATE JOB NO. 26337(05)).**

BACKGROUND: This project replaced the existing sidewalk on the north side of Randolph Avenue from Cleveland Avenue to Waller Middle School. It was constructed in accordance with the Americans with Disabilities Act requirements, and a grant was accepted from the Oklahoma Department of Transportation's Safe Routes to School Program in the amount of \$98,842.34.

Change Order No. 1 decreases the contract amount by \$4,657.66 to balance as-built quantities for a revised total contract amount of \$98,842.34.

The project is complete and has three (3) year Maintenance Warranty.

2012-2013 BUDGETED ITEM: No.

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, and accept the project.

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

- 9.7 **APPROVE CHANGE ORDER NO. 1 WITH HENSON CONSTRUCTION COMPANY, ENID, OKLAHOMA, FOR THE ENID RANDOLPH WALKWAY RENOVATION, PROJECT NO. M-1110A.**

BACKGROUND: Change Order No. 1 will upgrade the paint requirement from industrial enamel to an epoxy paint system to improve the durability of the structural steel façade coating as shown in the contractor’s submittal.

Change Order No. 1 will add \$1,365.00 to the contract for a total revised amount of \$195,965.00.

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.

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

9.8 AUTHORIZE PAYMENT TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR CHANGE ORDERS NO. 3 AND 4 FOR THE WILLOW ROAD AND OAKWOOD ROAD INTERSECTION, ODOT PROJECT ID STP-124B (079) UR, PROJECT NO. R-0302.

BACKGROUND: This project was constructed under the supervision of the Local Government Division of ODOT, and Tom Hudson Paving, Edmond, Oklahoma, was the provided contractor.

This project was funded using Federal Highway funds capped at \$750,000.00. All additional costs were funded by the City of Enid. The original contract cost was \$1,725,040.94. Change Orders No. 1 and 2 added \$68,115.71 for a revised total contract amount of \$1,793,156.65.

Change Order No. 3 in the amount of \$77,446.35, and Change Order No. 4 in the amount of \$1,766.88 were approved by ODOT. The change orders included one (1) drainage structure, additional asphalt for tapers from the new five (5) lane pavement to the existing two (2) lane pavement, tactile warning devices at a commercial driveway, as well as adjusting City owned utilities to grade.

ODOT has invoiced the City of Enid for Change Orders No. 3 and 4 totaling \$79,213.23 for a revised total contract amount of \$1,872,369.88.

Approving the payment confirms the City of Enid’s commitment to reasonable convenience and safety for residents during construction, and supports partnership with ODOT.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Capital Improvement Fund.

ATTACHMENTS: None.

RECOMMENDATION: Authorize payment to ODOT for Change Orders No. 3 and 4 in the amount of \$79,213.23.

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

9.9 APPROVE CHANGE ORDER NO. 1 WITH RICK LORENZ CONSTRUCTION, INC., ENID, OKLAHOMA, AND ACCEPT THE ADMINISTRATION BUILDING PARKING LOTS, R-1208A.

BACKGROUND: This project reconstructed the Administration Building parking lots and built a new parking facility on the south side of State Avenue. The original contract with Rick Lorenz Construction, Inc. was \$379,495.15. Change Order No. 1 will add \$8,297.93 to fund additional work for a total revised contract amount of \$387,793.08.

This project is complete and has a three (3) year Maintenance Warranty.

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 amount of \$8,297.93, and accept the project.

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

9.10 ACCEPT A FIFTEEN (15) FOOT WIDE UTILITY EASEMENT FROM RAVINDER RAO GUNIGANTI, AND ACCEPT THE GUNIGANTI OFFICE BUILDING WATERLINE EXTENSION IMPROVEMENT PROJECT, W-1115.

BACKGROUND: This item will accept a utility easement and a water main extension to service the area of the new Guniganti Office Building located at 1127 East Owen K. Garriott Road.

This privately funded project has been constructed in accordance with City standards, and as-builts have been received. A one (1) year Maintenance Warranty will begin upon approval.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

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

RECOMMENDATION: Accept utility easement and project.

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

9.11 ACCEPT THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) WATER LINE CONSTRUCTION PERMIT FOR THE GUNIGANTI OFFICE BUILDING WATER LINE CONSTRUCTION, W-1115A.

BACKGROUND: ODEQ approved a permit to construct 131 linear feet of eight (8) inch PVC water line and appurtenances on East Owen K Garriott Road from Greenbrier Nursing Home Drive to the Guniganti Office Building.

Upon required acceptance of Permit No. WL000024120706, it will be recorded as permanent record.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

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

RECOMMENDATION: Accept ODEQ Water Line Construction Permit.

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

9.12 APPROVE SCHOOL ZONES AND CROSSWALKS AROUND GARFIELD ELEMENTARY SCHOOL.

BACKGROUND: The Metropolitan Area Planning Commission (MAPC) received a request to place school zone signs on all streets bordering the new Garfield school, and evaluate the need for flashing lights and crosswalks. The bordering streets consist of Elm Avenue from Gore Street to 7th Street, Gore Street from Elm Avenue to Pine Avenue, Pine Avenue from Gore to 7th Street, and 7th Street from Pine Avenue to Elm Avenue. The school zones have been marked as provided by City Ordinance.

Traffic counts were taken on Elm Avenue, the only through street bordering the school. The results showed a traffic count of approximately 2,000 vehicles per day (VPD), with hourly counts of 152 VPD at 8:00 a.m. and 234 VPD at 3:00 p.m. Based on the (VPD) count, the MAPC supported the placement of flashing school zone signals on Elm Avenue. The lights are recommended to be placed approximately 140 feet east of the centerline of 7th Street and approximately 140 feet west of the centerline of Gore Street.

It is further recommended that crosswalks be painted and signed at all street intersections adjacent to the school. A location map is attached to show locations of school zones and cross walks, which will be coordinated with the school system to match school traffic patterns and sidewalks.

The cost of adding a flashing school zone light is estimated at \$12,000.00, and will be funded by the Capital Improvement Fund from savings from the Renaissance Street project. The cost of painting cross walks is approximately \$450.00 and will be funded by the Street and Alley Fund.

2012-2013 BUDGETED ITEM: No.

FUNDING SOURCE: Street Department.

ATTACHMENTS: Location Map.

RECOMMENDATION: Approve school zones bordering Garfield School, flashing school zone lights on Elm Avenue, and placement of marked cross walks.

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

9.13 APPROVE A SCHOOL ZONE WITH FLASHING LIGHTS ON WEST WILLOW ROAD AT PRAIRIE VIEW ELEMENTARY SCHOOL.

BACKGROUND: A written request was received from the school system's Project Manager, Carter and Associates, on September 7, 2012, to place a school zone with flashing lights at Prairie View Elementary on Willow Road east of the east property line of the school and west of the west property line.

The City of Enid's Street Department has installed the requested school zone signs and flashing lights for safety per City Ordinance. The request was also forwarded to the Metropolitan Area Planning Commission (MAPC) for additional review and recommend approval of the installation.

2012-2013 BUDGETED ITEM: No.

FUNDING SOURCE: Street Department.

ATTACHMENTS: Location Map.

RECOMMENDATION: Approve school zone with flashing lights on West Willow road at Prairie View Elementary School.

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

- 9.14 **APPROVE CHANGE ORDER NO. 1 WITH S.L. MADISON CONSTRUCTION, LLC, CRESCENT, OKLAHOMA, FOR AMERICANS WITH DISABILITIES ACT (ADA) IMPROVEMENTS AT MEADOWLAKE PARK SOUTH AND NORTHEAST RESTROOMS, P-1207A.**

BACKGROUND: It is necessary to upgrade the men's and women's restroom faucets at Meadowlake Park to comply with ADA requirements. Change Order No. 1 will replace four (4) faucets in the add amount of \$1,200.00. The contract time will increase by 26 days to include asbestos removal and faucet change. The total revised contract amount is \$57,858.00.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Capital Improvement Fund.

ATTACHMENTS: None. Change Order No. 2 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.

- 9.15 **APPROVE CHANGE ORDER NO. 1 WITH S.L. MADISON CONSTRUCTION, LLC, CRESCENT, OKLAHOMA, AND ACCEPT THE MEADOWLAKE GOLF COURSE MAINTENANCE BUILDING DRAINAGE IMPROVEMENT, PROJECT F-1003A.**

BACKGROUND: This project installed approximately 450 feet of storm pipe and inlets to redirect runoff from the Meadowlake Golf Course maintenance building, north to the Boggy Creek channel. The previous system routed runoff south across fairways and through deteriorated pipe.

Change Order No. 1, in the deduct amount of \$5,686.00, will adjust the contract to as-built quantities, and includes the elimination of a trench inlet and reduction in sod. The original contract amount was \$48,770.00, and the final contract amount is \$43,084.00.

This project is complete and has three (3) year Maintenance Warranty.

2012-2013 BUDGETED ITEM: No.

FUNDING SOURCE: Storm Water Fund.

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

RECOMMENDATION: Approve.

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

9.16 APPROVAL OF CLAIMS IN THE AMOUNT OF \$4,088,364.99.

ATTACHMENTS: List of claims.

10. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.

11. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY RESCHEDULED REGULAR MEETING.

12. ENID MUNICIPAL AUTHORITY RESCHEDULED REGULAR MEETING.

12.1 APPROVAL OF CLAIMS IN THE AMOUNT OF \$167,770.58.

ATTACHMENTS: List of claims.

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

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

15. ENID ECONOMIC DEVELOPMENT AUTHORITY RESCHEDULED REGULAR MEETING.

15.1 CONSIDER A RESOLUTION DECLARING DEFAULT BY STARTEK, INC., ENID, OKLAHOMA, AND AUTHORIZE AND DIRECT THE DIRECTOR OF FINANCE OF THE CITY OF ENID TO UTILIZE REMAINING FUNDS FOR THE PAYMENT OF DEBT SERVICE ON THE OBLIGATIONS OF THE ENID MUNICIPAL AUTHORITY.

BACKGROUND: The City of Enid passed Ordinance 99-38 on November 8, 1999, authorizing the levying of an additional one-fourth of one percent (1/4%) sales tax to raise 2.5 million dollars as an incentive to induce StarTek, Inc. to locate a facility in Enid. An election was held on January 11, 2000, wherein, the voters of the City of Enid approved the ordinance, and StarTek, Inc. located a facility in Enid, which operated for over ten (10) years.

On August 13, 2012, the City Attorney notified StarTek, Inc. that it had defaulted on its obligations under the Economic Services Agreement with the Enid Economic Development Authority. According to both the Economic Services Agreement and the Special Election Proclamation, any remaining funds after a default by StarTek, Inc. may be used for the payment of debt service on obligations of the Enid Municipal Authority. The governing body must pass this item by resolution to declare a default by StarTek, and authorize the use of the remaining funds for the payment of debt of the Enid Municipal Authority. The remaining balance of the StarTek, Inc. incentive fund is \$407,945.31.

OPTIONS:

- **OPTION A:** Approve the Resolution, and pay the remaining incentive on Enid Municipal Authority debt.
- **OPTION B:** Do not approve the Resolution, and pay the remaining incentive on Enid Municipal Authority debt.

OPTION A:

- **ADVANTAGES:** Complies with the Economic Services Agreement between the Enid Economic Development Authority and StarTek, Inc., and uses the remaining funds to pay off debt instead of using other cash available.
- **DISADVANTAGES:** None.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Requires the City to use other funds to pay existing Enid Municipal Authority debt instead of the defaulted funds.

2012-2013 BUDGETED ITEM: No.

FUNDING SOURCE: Enid Economic Development Authority.

ATTACHMENTS: Resolution.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$118,313.50.

ATTACHMENTS: List of Claims.

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