



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 6th day of November, 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 RESCHEDULED REGULAR MEETING OF OCTOBER 29, 2012.
5. AWARDS, PRESENTATIONS, AND ORGANIZATIONAL BUSINESS.
 - 5.1 PRESENT PET AVAILABLE FOR ADOPTION AT THE CITY ANIMAL SHELTER.
 - 5.2 4RKIDS PRESENTATION.
 - 5.3 PARKS AND RECREATION PRESENTATION.
 - 5.4 CONSIDER APPOINTMENTS TO THE AVIATION ADVISORY BOARD.

BACKGROUND: Two (2) vacancies exist on the Aviation Advisory Board due to excessive absences of two (2) members. These vacancies shall be filled by any interested citizen of Enid. The successful applicants will fill unexpired terms to March 1, 2015. Applications are attached for your consideration.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Applications and ballot.

RECOMMENDATION: Consider appointments.

PRESENTER: Joan Riley, Assistant City Manager.

5.5 CONSIDER APPOINTMENT 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.

Two (2) County vacancies currently exist on the MAPC. On September 17, 2012, the Board of County Commissioners met and appointed Mr. Jim Strate, Jr. to fill one (1) of the existing vacancies on the Commission for a term of four (4) years. The second vacancy will be filled at a later date.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Notice of appointment by the Garfield County Commissioners.

RECOMMENDATION: Consider appointment.

PRESENTER: Joan Riley, Assistant City Manager.

5.6 CONSIDER APPOINTMENT TO THE ENID REGIONAL DEVELOPMENT ALLIANCE.

BACKGROUND: Members of the Board of Commissioners serve on various advisory boards. A vacancy exists on the Enid Regional Development Alliance (ERDA) due to the resignation of Commissioner Todd Ging. Commissioners Janzen, Stuber, and Wilson have expressed interest serving on this board.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Ballot.

RECOMMENDATION: Consider appointment.

PRESENTER: Joan Riley, Assistant City Manager.

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 a companion to Items 8.1, 9.1, and 15.1. This is the second of two (2) required public hearings 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. The first public hearing was held at the rescheduled regular Commission meeting on October 29, 2012.

An ordinance will be considered in Item 8.1 to approve the utilization of apportioned tax revenues authorized by statewide vote adopting Article 10, Section 6C of the Oklahoma Constitution and implemented by the Local Development Act, 62 O.S. § 850, et seq.; approve and adopt the Oakwood Mall Economic Development Project Plan and express intent to carry out the project plan; ratify and confirm the actions, recommendations and findings of the Review Committee and the Enid Metropolitan Area Planning Commission; create and establish Increment District No. 5, City of Enid; designate and adopt the increment district boundaries and the project area boundaries; adopt certain findings; reserve to the City of Enid, Oklahoma, the authority to make minor amendments to the project plan; authorize the Mayor and Board of Commissioners of the City of Enid, Oklahoma, to carry out and administer the project plan; establish a tax apportionment fund; authorize directions for prospective apportionment of tax increments; declare apportionments funds to be funds of the City and limit the pledge of apportioned increments to increments actually apportioned by the City; authorize the Mayor and Board of Commissioners of the City of Enid, Oklahoma, or a public trust designated thereby, to implement the project plan utilizing apportioned tax increments to pay or reimburse project costs directly and/or issue bonds or notes, if feasible and desirable, to pay project costs and to retire said bonds or notes from apportioned tax increments; provide for severability; and declare an emergency.

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 NONE.

8. ADMINISTRATION.

8.1 CONSIDER AN ORDINANCE APPROVING AND ADOPTING THE OAKWOOD MALL ECONOMIC DEVELOPMENT PROJECT PLAN, AND CREATING AND ESTABLISHING THE CITY OF ENID'S TAX INCREMENT FINANCING DISTRICT NO. 5, AND OTHER PROVISIONS RELATED THERETO, PURSUANT TO THE CONSTITUTION OF THE STATE OF OKLAHOMA AND THE LOCAL DEVELOPMENT ACT.

BACKGROUND: This is a companion to Items 6.1, 9.1, and 15.1.

OPTIONS:

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

OPTION A:

- **ADVANTAGES:** Promotes redevelopment of Oakwood Mall and encourages new business growth in Enid.
- **DISADVANTAGES:** None.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Discourages business growth, and increases loss of revenue from retail development.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Ordinance.

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

8.2 CONSIDER A RESOLUTION AMENDING THE 2012-2013 CAPITAL IMPROVEMENT FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$549,706.00 TO INCREASE THE 2012-2013 APPROPRIATED AMOUNTS FOR THE CAPITAL IMPROVEMENT DEPARTMENT.

BACKGROUND: This is a companion to Items 8.3 and 12.1. Key Construction, LLC, was awarded the Renaissance Event Center construction project for a contract amount of \$17,444,444.00. Four (4) change orders have been approved, totaling \$174,698.00 for a total contract amount of \$17,619,142.00 with a completion date of April 1, 2013.

This Resolution will appropriate funds to support Change Order No. 5 in the add amount of \$549,706.00. Global Spectrum requested this change order to add permanent concert rigging tube steel members and reinforcement of roof joists for additional concert equipment.

The revised contract amount will be \$18,168,848.00, and 60 calendar days will be added to the contract for an estimated completion date of May 31, 2013.

The restricted 1% sales tax fund for capital projects and the Renaissance line of credit is available to provide the funding.

OPTIONS:

- **OPTION A:** Approve the Resolution to support Change Order No. 5.
- **OPTION B:** Do not approve the Resolution, and do not support Change Order No. 5.

OPTION A:

- **ADVANTAGES:** Expands use of the facility with additional hoisting capacity.
- **DISADVANTAGES:** None.

OPTION B:

- ADVANTAGES: None.
- DISADVANTAGES: Limits facility's potential.

2012-2013 BUDGETED ITEM: No. This appropriates funds in the Capital Improvement Fund.

FUNDING SOURCE: Enid Municipal Authority.

ATTACHMENTS: Resolution.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

8.3 CONSIDER CHANGE ORDER NO. 5 WITH KEY CONSTRUCTION OKLAHOMA, LLC, TULSA, OKLAHOMA, FOR THE NEW EVENT CENTER, M-1109E.

BACKGROUND: This is a companion to Items 8.2 and 12.1.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: 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 in the amount of \$549,706.00, and add 60 calendar days to the project.

PRESENTER: Bob Myers, Program Manager, Carter and Associates, Inc.

8.4 CONSIDER A RESOLUTION AUTHORIZING AND DIRECTING THE CHIEF FINANCIAL OFFICER OF THE CITY OF ENID TO DRAW \$10,000,000.00 ON THE \$12,000,000.00 DOLLAR LINE OF CREDIT PREVIOUSLY AUTHORIZED BY THE CITY OF ENID AND THE ENID MUNICIPAL AUTHORITY ON NOVEMBER 30, 2011, AND UTILIZE TO PAY EXISTING AND FUTURE OBLIGATIONS DIRECTLY RELATED TO THE RENAISSANCE DOWNTOWN PROJECT.

BACKGROUND: This is a companion to Item 12.2. The City of Enid Commission and the Enid Municipal Authority trustees passed a resolution authorizing indebtedness not-to-exceed \$12,000,000.00 on November 30, 2011, for the Renaissance project. The City and Authority have until December 31, 2012, to draw funds on this line of credit. \$10,000,000.00 is requested to be drawn to pay for existing and future obligations directly related to the Renaissance Project in downtown Enid.

OPTIONS:

- OPTION A: Approve the Resolution, and draw \$10,000,000.00 to pay for existing and future obligations directly related to the Renaissance Project in downtown Enid.
- OPTION B: Do not approve the Resolution, and do not draw funds at this time.

OPTION A:

- **ADVANTAGES:** Provides reimbursement of spent funds and future funding for obligations related to the Renaissance Project in downtown Enid.
- **DISADVANTAGES:** Must pay off debt within ten (10) years.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** Funds already spent and/or appropriated to pay existing and future obligations for the Renaissance Project will unnecessarily reduce fund balances. Additionally, the City would be unable to take advantage of the low interest rate.

2012-2013 BUDGETED ITEM: No.

FUNDING SOURCE: Enid Municipal Authority \$12,000,000.00 sales tax revenue note.

ATTACHMENTS: Resolution.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

8.5 CONSIDER A RESOLUTION GIVING NOTICE OF THE REGULAR GENERAL MUNICIPAL ELECTION AND POTENTIAL RUN-OFF ELECTION TO BE HELD IN THE CITY OF ENID, OKLAHOMA, FOR THE YEAR 2013.

BACKGROUND: Pursuant to 26 Okla. Stat. § 13-102 and 11 Okla. Stat. § 16-101, this Resolution gives notice of the 2013 Municipal Elections to the Garfield County Election Board and the citizens of the City of Enid. In accordance with State Law, the Regular General Municipal Election shall be held on February 12, 2013; and if necessary, a Run-Off Election shall be held on April 2, 2013. The offices to be filled are Ward 3, Ward 4, and Ward 6 commissioners. The filing period for these offices is from 8:00 a.m. on December 3, 2012, through 5:00 p.m. on December 5, 2012.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve the Resolution.

PRESENTER: Andrea Springer, City Attorney.

8.6 APPROVE CHANGE ORDER NO. 6 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. Five (5) change orders have been issued to date, in the amount of \$757,089.04 for a revised total contract amount of \$34,235,089.04.

Change Order No. 6 in the amount of \$235,014.91 will provide for the following:

1. Additional contract services for 77 contract days due to the delay of startup on the new facility required by the Oklahoma Department of Environmental Quality (ODEQ) discharge permit.
Added cost: \$207,726.96.
2. Change in Administration Building exterior finish to a sandblast and rubbed finish.
Added cost: \$27,370.10 (This same amount was deducted from Jacobs Engineering's contract due to design errors).
3. Addition of walkway to outlet control gate valve and 12 contract days necessary to improve operational efficiency of the facility.
Added cost: \$29,399.33.
4. Changes in intercom, fire control alarm, and additional erosion protection.
Added cost: \$17,289.07.
5. Additional services to change hardware and programming to coordinate with the existing computer control systems.
Added cost: \$9,892.62.
6. Change in entrance and pavement to improve drainage and access. Added cost: \$11,234.96.
7. Additional work at existing plant due to unknown pipe connection that was found and plugged.
Added cost: \$16,656.35.
8. Delete Turf & Grasses.
Deduct: \$84,554.48.

This change order sets a completion date for all work of November 11, 2012, which comprises a 39 day extension. A final change order will be presented at closeout to adjust actual costs based on supporting documents and any damages due.

The revised contract amount is \$34,470,103.95. The total of all change orders, including Change Order No. 6, is 2.9 % of the original contract amount.

OPTIONS:

- OPTION A: Approve Change Order No. 6.
- OPTION B: Do not approve Change Order No. 6.

OPTION A:

- ADVANTAGES: Completes construction while remaining below the allotted change order amount.
- DISADVANTAGES: None.

OPTION B:

- **ADVANTAGES:** None.
- **DISADVANTAGES:** The Oklahoma Water Resources Board will not provide reimbursements to the City of Enid without approval of the contract extension.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Sanitary Sewer Capital Improvement Fund.

ATTACHMENTS: None. Change Order No. 6 is on file in the Office of the City Clerk.

RECOMMENDATION: Approve Change Order No. 6 with Wynn Construction.

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

8.7 CONSIDER APPOINTING MIKE STUBER, WARD 2 COMMISSIONER, AS CHAIRMAN OF THE TAX INCREMENT FINANCE COMMITTEE NO. 6.

BACKGROUND: The City Commission passed a Resolution on October 29, 2012, approving 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.

This item will consider appointment of Mike Stuber, Ward 2 Commissioner, as Chairman of the Tax Increment Finance Committee No. 6.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: None.

RECOMMENDATION: Appoint Mike Stuber, Ward 2 Commissioner, as Chairman of the Tax Increment Finance Committee No. 6.

PRESENTER: Eric Benson, City Manager.

9. CONSENT.

9.1 APPROVE AND EXECUTE AN AGREEMENT FOR TAX INCREMENT FINANCE COUNSEL SERVICES WITH THE PUBLIC FINANCE LAW GROUP, PLLC, WITH RESPECT TO THE ESTABLISHMENT OF INCREMENT DISTRICT NO. 5, CITY OF ENID (OAKWOOD MALL ECONOMIC DEVELOPMENT PROJECT PLAN).

BACKGROUND: This is a companion to Item 6.1, 8.1, and 15.1. Costs are explained in the attachment.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Agreement for Tax Increment Finance Counsel Services.

RECOMMENDATION: Approve and execute agreement.

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

9.2 APPROVE AND EXECUTE AN AGREEMENT FOR TAX INCREMENT FINANCE COUNSEL SERVICES WITH THE PUBLIC FINANCE LAW GROUP, PLLC, WITH RESPECT TO THE PROPOSED ESTABLISHMENT OF INCREMENT DISTRICT NO. 6, CITY OF ENID (NORTHSTAR AGRI INDUSTRIES ECONOMIC DEVELOPMENT PROJECT PLAN).

BACKGROUND: The City of Enid Mayor and Board of Commissioners passed a Resolution on October 29, 2012, declaring the intent to consider approval of the Northstar Agri Industries canola processing plant project, and approved the creation of a tax increment financing district to be utilized as an incentive to encourage the company to locate in Enid. This agreement provides for professional services from The Public Finance Law Group, PLLC. Costs are explained in the attachment.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

ATTACHMENTS: Agreement for Tax Increment Finance Counsel Services.

RECOMMENDATION: Approve and execute agreement.

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

9.3 AWARD AND EXECUTE THE PURCHASE OF THREE (3) 3/4 TON REGULAR CAB 4 X 4 PICKUP TRUCKS FOR THE PUBLIC WORKS DIVISION.

BACKGROUND: This is a companion to Item 12.3. Nine (9) 3/4 ton regular cab 4 x 4 pickup trucks were budgeted in the 2012-2013 budget. Three (3) are budgeted from the General Fund Capital Replacement Program, and six (6) are budgeted in the Enid Municipal Authority Capital Replacement Program.

To capitalize a \$500.00 savings per vehicle, all nine (9) trucks, totaling \$216,731.25, will be purchased in compliance with State Contract Number, SW035, from Vance Country Ford for Ford F-250 regular cab trucks. These vehicles will replace trucks with more than 100,000 miles or are older than 20 years.

This item will execute the purchase of three (3) trucks budgeted from the General Fund in the amount of \$72,243.75. Item 12.1 will execute the purchase from the Enid Municipal Authority in the amount of \$144,487.50.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: General Fund Capital Replacement Program.

ATTACHMENTS: Vance Country Ford Bid.

RECOMMENDATION: Award and execute the purchase from Vance Country Ford in the amount of \$72,243.75.

PRESENTER: Jim McClain, Director of Public Works.

9.4 ACCEPT A 20 FOOT WIDE UTILITY EASEMENT AND A 25 FOOT WIDE UTILITY AND DRAINAGE EASEMENT FROM BOBSFARM, INC.

BACKGROUND: This item will accept a 20 foot utility easement to place a waterline extension to service part of Lot 3, Bobsfarm 8th Addition, and accept a 25 foot utility and drainage easement for the same development. These easements are part of the requirement for Site Plan approval of County Inn & Suites and are provided at no cost to the City of Enid.

2012-2013 BUDGETED ITEM: Not applicable.

FUNDING SOURCE: Not applicable.

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

RECOMMENDATION: Accept easements.

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

9.5 APPROVE CHANGE ORDER NO. 2, AND ACCEPT THE PROJECT WITH PARATHON CONSTRUCTION, LLC, EDMOND, OKLAHOMA, FOR THE WEST BROADWAY AMERICANS WITH DISABILITIES ACT RAMPS, PROJECT NO. R-1202B.

BACKGROUND: This project provided Americans with Disabilities Act (ADA) ramp improvements on West Broadway from Van Buren Street to Lincoln Street. The original contract amount was \$125,442.50, and included construction of 52 ADA ramps. Change Order No. 1 added \$26,510.25 for the Sidewalk Partnership Program, in which sidewalks were built for nine (9) residences, Security National Bank, and St. Mary's Hospital.

Change Order No. 2 is in the deduct amount of \$3,600.11 to adjust final contract quantities.

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

2012-2013 BUDGETED ITEM: Yes.

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

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

RECOMMENDATION: Approve Change Order No. 2, and accept the project.

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

9.6 ACCEPT AN EIGHT (8) FOOT WIDE UTILITY EASEMENT FROM LARRY HILL, TRUSTEE FOR THE TOBY PAUL TRUST, ACROSS A PORTION OF BLOCK 11 AND BLOCK 16 OF THE BEACHVIEW ADDITION, PROJECT NO. S-1210A.

BACKGROUND: This utility easement will allow placement of a future sewer line extension through the newly platted Block 15 of the Beachview Addition along Norman Road. It is a requirement that subdivisions provide for future utility extensions.

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 the utility easement.

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

9.7 ACCEPT THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY SANITARY SEWER LINE CONSTRUCTION PERMIT FOR BLOCK 15, BEACHVIEW ADDITION, S-1210A.

BACKGROUND: The Oklahoma Department of Environmental Quality (ODEQ) approved a permit to construct 836 linear feet of eight (8) inch PVC sanitary sewer line and appurtenances in the Beachview Addition along Norman Road and South Taylor Street. Upon required acceptance of ODEQ Permit No. SL000024120856, 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 Permit.

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

9.8 APPROVAL OF CLAIMS IN THE AMOUNT OF \$2,329,832.51.

ATTACHMENTS: List of claims.

10. RECESS TO CONVENE AS THE ENID MUNICIPAL AUTHORITY.

11. TRUSTEES OF THE ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12. ENID MUNICIPAL AUTHORITY REGULAR MEETING.

12.1 CONSIDER A RESOLUTION INCREASING THE 2012-2013 FISCAL FINANCIAL PLAN FOR THE ENID MUNICIPAL AUTHORITY IN THE AMOUNT OF \$549,706.00.

BACKGROUND: This is a companion to Items 8.2 and 8.3.

2012-2013 BUDGETED ITEM: No. This item increases the Enid Municipal Authority financial plan.

FUNDING SOURCE: Enid Municipal Authority.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve the Resolution.

PRESENTER: Jerald Gilbert, Chief Financial Officer

12.2 CONSIDER A RESOLUTION AUTHORIZING AND DIRECTING THE CHIEF FINANCIAL OFFICER OF THE CITY OF ENID TO DRAW \$10,000,000.00 ON THE \$12,000,000.00 LINE OF CREDIT PREVIOUSLY AUTHORIZED BY THE CITY OF ENID AND THE ENID MUNICIPAL AUTHORITY ON NOVEMBER 30, 2011, AND UTILIZE TO PAY EXISTING AND FUTURE OBLIGATIONS DIRECTLY RELATED TO THE RENAISSANCE DOWNTOWN PROJECT.

BACKGROUND: This is a companion to Item 8.4.

2012-2013 BUDGETED ITEM: No.

FUNDING SOURCE: Enid Municipal Authority \$12,000,000.00 sales tax revenue note.

ATTACHMENTS: Resolution.

RECOMMENDATION: Approve the Resolution.

PRESENTER: Jerald Gilbert, Chief Financial Officer.

12.3 AWARD AND EXECUTE THE PURCHASE OF SIX (6) 3/4 TON REGULAR CAB 4 X 4 PICKUP TRUCKS FOR THE PUBLIC WORKS DIVISION.

BACKGROUND: This is a companion to 9.3.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Enid Municipal Authority Capital Replacement Program.

ATTACHMENTS: Vance Country Ford Bid.

RECOMMENDATION: Award and execute purchase from Vance Country Ford in the amount of \$144,487.50.

PRESENTER: Jim McClain, Director of Public Works.

12.4 AWARD AND EXECUTE THE PURCHASE OF A ONE (1) TON REGULAR CAB 4 X 4 TRUCK FOR THE PUBLIC WORKS DIVISION.

BACKGROUND: A one (1) ton regular cab 4 x 4 truck was budgeted in the 2012-2013 budget. A quote in the amount of \$24,159.00 was received from Bill Knight Ford Fleet and Commercial Center for a Ford F-350 4 X 4 Regular cab truck, and is in compliance with State Contract Number SW035. This vehicle will be used to haul grit at the new Waste Water Reclamation Facility.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Enid Municipal Authority Capital Replacement Program.

ATTACHMENTS: Bill Knight Fleet and Commercial Center Quote.

RECOMMENDATION: Award and execute purchase from Bill Knight Fleet and Commercial Center in the amount of \$24,159.00.

PRESENTER: Jim McClain, Director of Public Works.

12.5 CONSIDER A CONTRACT WITH THE WILLIAM A. SLAVICK AND RAMONA J. SLAVICK REVOCABLE LIVING TRUST, DATED OCTOBER 31, 2001, TO ACQUIRE WATER RIGHTS, W-1304A.

BACKGROUND: Investing in water rights is essential to support demand as Enid continues to develop. Three (3) test wells were drilled to determine the quality and quantity of water in a 440 acre tract of land owned by William A. Slavick and Ramona J. Slavick Revocable Living Trust, dated October 31, 2001. Two (2) of the three (3) test wells produced considerable quality and quantity water.

This acreage is located in Cleo Springs Well Field in the Northeast Quarter (NE/4), and North half of the Southeast quarter (N/2 SE/4) of Section 34, the West Half of the Northwest Quarter (W/2 NW/4), the West Half of Southwest Quarter (W/2 SW/4) and Northeast Quarter of Southwest Quarter (NE/4 SW/4) of Section 35, all in Township 23 North and Range 13 West.

This item is presented to consider approval of a contract to acquire water rights in this tract of land in the amount of \$220,000.00. The proposed price is based on past purchases, being \$500.00 per acre.

2012-2013 BUDGETED ITEM: Yes.

FUNDING SOURCE: Water Capital Improvement Fund.

ATTACHMENTS: Contract is on file in the Office of the City Clerk.

RECOMMENDATION: Approve contract to acquire water rights.

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

12.6 APPROVAL OF CLAIMS IN THE AMOUNT OF \$140,383.86.

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 APPROVE AND EXECUTE AN AGREEMENT FOR BOND COUNSEL SERVICES WITH THE PUBLIC FINANCE LAW GROUP, PLLC, AND AN AGREEMENT FOR FINANCIAL ADVISORY SERVICES WITH MUNICIPAL FINANCE SERVICES, INC., WITH RESPECT TO THE ISSUANCE OF TAX INCREMENT REVENUE BONDS OR NOTES IN CONNECTION WITH THE IMPLEMENTATION OF INCREMENT DISTRICT NO. 5, CITY OF ENID (OAKWOOD MALL ECONOMIC DEVELOPMENT PROJECT PLAN)

BACKGROUND: This is a companion to Items 6.1, 8.1 and 9.1. Costs are explained in the attachment.

2012-2013 BUDGETED ITEM: No.

FUNDING SOURCE: Pooled cash to be reimbursed through TIF proceeds at a later date.

ATTACHMENTS: Agreement for Tax Increment Finance Counsel Services, and agreement with Municipal Finance Services, Inc.

RECOMMENDATION: Approve and execute agreements.

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

15.2 APPROVAL OF CLAIMS IN THE AMOUNT OF \$10,500.00.

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.

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.