



MIDWEST CITY
MEETING AGENDAS FOR
January 10, 2017

STAFF BRIEFING

City Hall, Midwest City Council Conference Room, 100 N. Midwest Boulevard

January 10, 2017 – 6:00 PM

Special Assistance requests – tcoplen@midwestcityok.org or 739-1002. (Please provide no less than 24 hours' notice) Special assistance request during a meeting call 739-1388.

DISCUSSION.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the agendas for the City Council, Municipal Authority, Hospital Authority, and Economic Development Commission for January 10, 2017.



CITY COUNCIL AGENDA



CITY OF MIDWEST CITY COUNCIL AGENDA

City Hall, Midwest City Council Chambers, 100 N. Midwest Boulevard

January 10, 2017 – 7:00 PM

Special Assistance requests – tcoplen@midwestcityok.org or 739-1002. (Please provide no less than 24 hours' notice) Special assistance request during a meeting call 739-1388.

A. **CALL TO ORDER.**

B. **OPENING BUSINESS.**

- Invocation - Public Works Director, Vaughn Sullivan
- Pledge of Allegiance - JROTC Cadet Xavier Freeman
- Community-related Announcements
- Proclamations for Telstar Boys & Girls Club

C. **CONSENT AGENDA.** These items are placed on the Consent Agenda so that the City Council, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Council members, or members of the audience wish to discuss an item, that item will be removed and heard in regular order.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of December 13, 2016, and the special meeting of December 20, 2016, as submitted. (City Clerk - S. Hancock)
2. Discussion and consideration of electing Rick Dawkins, Ward 3 Councilmember, as vice-mayor for the remainder of his term ending April 9, 2018. (City Manager - G. Henson)
3. Discussion and consideration of accepting the City Manager's Report for the month of November, 2016. (Finance - C. Barron)
4. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2016-2017, increase: Grants Fund, revenue/Intergovernmental (41) \$4,944; expenses/Sanitation (41) \$4,944. Reimbursed Projects Fund, revenue/Miscellaneous (37) \$648; expenses/Housing (37) \$648. Street & Alley Fund, expenses/Street (09) \$3,274. Fleet Fund, expenses/Fleet (25) \$12,100. General Gov't Sales Tax Fund, expenses/General Gov't (14) \$21,594. (Finance - C. Barron)
5. Discussion and consideration of entering into an agreement with Shoaid Nazir for translation services, and to establish the terms and conditions under which those companies will provide interpreting services upon the City's request as required by the Americans with Disabilities Act. (Community Development - B. Harless)

6. Discussion and consideration of accepting various easements from John L. Gravitt across certain parcels of property located within the corporate boundaries of Midwest City in the Northeast Quarter (NE/4) of Section Twenty Six (26), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at the 2200 block of N. Douglas Blvd. (Community Development - P. Menefee)
7. Discussion and consideration of the acceptance of and making a matter of record Permit No. SL000055161035 from the State Department of Environmental Quality for the Soldier Creek Industrial Park Sewer Line Extension Project, Midwest City, Oklahoma. (Community Development - P. Menefee)
8. Discussion and consideration of the acceptance of and making a matter of record Permit No. SL000055160960 from the State Department of Environmental Quality for the Sundance Addition, Section 5 Sewer Line Extension Project, Midwest City, Oklahoma. (Community Development - P. Menefee)
9. Discussion and consideration of accepting maintenance bonds from Jordan Contractors, Inc. in the amount of \$1,853.60. (Community Development - P. Menefee)
10. Discussion and consideration of accepting maintenance bonds from Control Fire Systems Company in the amount of \$2,411.40. (Community Development - P. Menefee)
11. Discussion and consideration of accepting maintenance bonds from Davidson Concrete and Construction Inc. in the amount of \$6,743.00. (Community Development - P. Menefee)
12. Discussion and consideration of 1) acceptance of an Oklahoma County Community Support grant in the amount of \$14,000 for the Mid Del Group Home Sheltered Workshop; 2) approving and entering into an agreement of Community Support with the Board of County Commissioners of Oklahoma County which establishes the terms and conditions of the grant; and 3) authorization of the Mayor and/or City Manager to enter into the necessary or appropriate contracts/agreements to implement the grant. (Grants Management - T. Craft)
13. Discussion and consideration of 1) acceptance of a 2016-17 Oklahoma County Emergency Utility Assistance grant in the amount of \$11,000 for the implementation of an Emergency Utility Assistance Program; 2) approving and entering into a contract with the Board of County Commissioners of Oklahoma County which establishes the terms and conditions of the grant; and 3) authorization of the Mayor and/or City Manager to enter into the necessary contracts/agreements to implement the grant. (Grants Management - T. Craft)
14. Discussion and consideration of approving and awarding a bid to QuikService Steel Company in the amount of the current market value on date of delivery less .15 per pound, based on the American Metal Market publication, for the sale of spent shell casings for recycling, which was declared as surplus at the December 13, 2016 Council meeting. (Police - B. Clabes)

D. DISCUSSION ITEMS.

1. Discussion and consideration of appointing Susan Eads to replace Daniel McClure Jr as the Ward 1 Councilmember, due to Councilmember McClure's resignation, for the remainder of his unexpired term ending April 9, 2018. (City Manager - G. Henson)
2. (PC – 1891) Public hearing with discussion and consideration of approval of the Replat of Lot 2 Block 8 of The Orchard Addition, described as a part of the NW/4 of Section 12, T11N, R2W. (Community Development - B. Harless)
3. (PC-1890) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential to C-3, Community Commercial, and a resolution to amend a portion of the Comprehensive Plan from Low-Density Residential to OR, Office Retail, for the property described as lot 28 of block 2 of the Replat of the Atkinson Heights addition, located at 229 West Fairchild. (Community Development - B. Harless)
4. (CA-75) Public hearing with discussion and consideration of an appeal to Section 9-394(e) of the Municipal Code which states that freestanding signs shall be brought into compliance with the ordinance at the time any modifications or repairs are made to the sign located at 9900 SE 15th St. (Community Development - B. Harless)
5. Discussion and consideration of a resolution declaring the intent of the City Council of the City of Midwest City, Oklahoma, to consider the designation of a portion of the city as a "Statutory Reinvestment Area" and to consider creation of a related "Tax Increment District" pursuant to Oklahoma law; creating the Midwest City Local Development Act Review Committee ("the Review Committee"); determining membership of the Review Committee; designating the manner and term of appointment of Committee members; providing for meetings of the Review Committee; establishing officers; determining voting rights and quorum; directing the Review Committee to consider proposed project plans and to make any findings and recommendations required by law; directing the Midwest City Planning Commission to consider the proposed project plans and make any recommendations as required by law; and containing other provisions relating thereto. (Economic Development - R. Coleman)
6. Discussion and consideration of appointing a City Council member to serve as Chairman of the Local Development Act Review Committee. (Economic Development - R. Coleman)
7. Discussion and consideration of appointing a planning commissioner to serve on the Local Development Act Review Committee. (Economic Development -R. Coleman)
8. Discussion and consideration of passing and approving an ordinance as required by Article IV, Section 4 of the Midwest City Charter declaring one (1) 2015 BMW Motorcycle Vin #3503, which has a value of more than \$10,000, surplus and authorizing its disposal; and providing for repealer and severability. (City Manager - T. Lyon)

E. NEW BUSINESS/PUBLIC DISCUSSION.

F. EXECUTIVE SESSION.

- [1.](#) Discussion and consideration of (1) entering into executive session, as allowed under 25 O.S., § 307(B)(4), to discuss Robert Broyles Workers Compensation Case No. MWC14-659, and (2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session (City Manager - T. Lyon).
- [2.](#) Discussion and consideration of (1) entering into executive session, as allowed under 25 O.S., § 307(B)(4), to discuss Bailey, et al v. City of Midwest City, Case No. CJ-2013-5630, and (2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session. (City Manager - T. Lyon)

G. FURTHER INFORMATION.

- [1.](#) Minutes of the December 6, 2016 Planning Commission meeting. (Community Development - B. Harless)

H. ADJOURNMENT.



CONSENT AGENDA



Notice of regular staff briefings for the Midwest City Council was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 24 hours in advance of this meeting.

MINUTES OF THE REGULAR STAFF BRIEFING FOR MIDWEST CITY COUNCIL

December 13, 2017 – 6:00 p.m.

This regular meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Mayor Matt Dukes; Councilmembers Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, and Jeff Moore; and City Clerk Sara Hancock. Absent: Christine Allen.

Mayor Dukes called the meeting to order at 6:01 p.m.

DISCUSSION. Clarification of agenda items, handouts, and presentation of new or additional information for items on the City Council agenda for December 13, 2016. City Manager Guy Henson, Daniel McClure and Captain Jonathan Goforth made community-related announcements. Staff briefed the councilmembers on various items on the agenda, and the councilmembers sought clarification and discussed individual agenda items with staff.

Mayor Dukes closed the meeting at 6:42 p.m.

ATTEST:

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

Notice of regular Midwest City Council meetings was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 24 hours in advance of the meeting.

MINUTES OF THE REGULAR MIDWEST CITY COUNCIL MEETING

December 13, 2016 – 7:00 p.m.

This regular meeting was held in the Midwest City Council Chambers at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Mayor Matt Dukes; Councilmembers Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, Christine Allen, and Jeff Moore; and City Clerk Sara Hancock. Absent: none. Mayor Dukes called the meeting to order at 7:05 p.m.

Opening Business. The meeting opened with the invocation by Public Works Director Vaughn Sullivan, followed by the Pledge of Allegiance led by JROTC Cadet Patrick Donahue. Mayor Dukes and City Manager Guy Henson made community-related comments and announcements.

Consent Agenda. Motion was made by Dawkins, seconded by McClure, to approve the items on the Consent Agenda, as submitted, except for item three.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of November 22, 2016, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2016-2017, increase: Street & Alley Fund, expenses/Street (09) \$21,564. Grants Fund, revenue/Intergovernmental (21) \$15,000; expenses/Transfers Out (21) \$15,000. Emergency Operations Fund, revenue/Transfers In (00) \$15,000.
3. **Discussion and consideration of approving a medical disability retirement with the Oklahoma Municipal Retirement Fund (OMRF) for Robert Broyles effective December 14, 2016.** Motion was made by McClure, seconded by Dawkins, to approve the retirement and change the effective date to January 10, 2017. Voting aye: McClure, Dawkins, Byrne, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.
4. Discussion and Consideration of entering into a twenty-five year contract with the U.S. Bureau of Reclamation (BOR) and the Central Oklahoma Master Conservancy District (COMCD) providing for Midwest City's participation in the Central Oklahoma Master Conservancy District which governs the City's use of water from Lake Thunderbird.
5. Discussion and consideration of approving and entering into a Data Center Hardware Maintenance Agreement from 12/11/2016 to 06/30/17 with Ardent Support Technologies, LLC in the amount of \$7,729.00 for post warranty maintenance of the Storage Area Network and consent to the assignment of Ardent Support Technologies, LLC to Park Place Technologies, LLC.
6. Discussion and consideration of approving a change order to the ImageNet Consulting contract for the Laserfiche HR implementation increasing the annual maintenance by \$600.00.

7. Discussion and consideration of awarding the bid for the Reed Center carpet project and entering into a contract with Bryan's Flooring to remove and dispose of the existing carpet and padding and installing new padding and carpet in the corridors and common space of the Reed Center for a total project cost in the amount of \$204,420.
8. Discussion and Consideration of approving a resolution establishing: 100% of all fees and taxes for 9-1-1 emergency telephone service to be collected by ACOG for the period January 1, 2017 through June 30, 2017.
9. Discussion and consideration of awarding and entering into a contract with CXT Incorporated for the purchase and on-site installation of a new prefabricated flame retardant restroom to be erected near the tennis courts in Joe Barnes Regional Park with a base bid of \$49,130, with option two (2), auto motion controlled faucets in the amount of \$950.00 and option four (4), ADA exterior water fountain in the amount of \$3,410.00, for the total award amount of \$53,490.00.
10. Discussion and consideration of allowing the Midwest City Chamber of Commerce to use City-owned light poles at various locations within Midwest City for banners to publicize the 75th Anniversary of Midwest City and Tinker Air Force Base.
11. Discussion and consideration of awarding the bid and entering into a contract with Watchguard Video for one or more L.E. (Law Enforcement) body-worn cameras in the total amount of \$1,195.00 for each, which fully integrates with the current in-car camera system.
12. Discussion and consideration of 1) declaring six (6) in-car cameras model DV-1 surplus, and authorizing disposal of six (6) by trade-in to Watchguard Video, and 2) awarding the bid to and entering into a contract with Watchguard video for one or more new model 4RE in-car camera systems for fiscal year 2016-2017 in the amount of \$4,995.00 per unit, less the trade-in amount.
13. Discussion and consideration of accepting maintenance bonds from Mid-South Contracting L.L.C. in the amount of \$3,075.50.
14. Discussion and consideration of accepting maintenance bonds from H&H Plumbing and Utilities, Inc. in the amounts of \$32,553.20 and \$25,431.60, respectively.
15. Discussion and consideration of authorizing entering into a project agreement for Federal-aid Project Number STP-155D(866)SG, State Job Number 28523(04), with the Oklahoma Department of Transportation to receive federal funds in the amount of \$475,000.00 to construct a Midwest City monument along I-40 at Hudiburg Drive, resurface the southern I-40 access road, and curb and gutter Short Street.
16. Discussion and consideration of authorizing and entering into a Supplemental and Modification Agreement to the Original Engineering Contract for Federal-aid Railroad Project Number RRCS-255B(405)CS, State Job Number 32589(07), with the Oklahoma Department of Transportation in the total reduced supplemental amount of -\$67,265 to reconstruct and signalize the railroad crossing located on Westminster Road, between N.E. 10th Street and N.E. 23rd Street, with Midwest City contributing an additional \$428.

17. Discussion and consideration of authorizing and entering into a Supplemental and Modification Agreement to the Original Engineering Contract for Federal-aid Railroad Project Number RRCS-255B(406)CS, State Job Number 32589(08), with the Oklahoma Department of Transportation in the total reduced supplemental amount of -\$273,828 to reconstruct and signalize the railroad crossing located on NE 10th Street between Sooner Road and Air Depot Boulevard, with Midwest City contributing an additional \$806.
18. Discussion and consideration of authorizing and entering into a Supplemental and Modification Agreement to the Original Engineering Contract for Federal-aid Railroad Project Number RRCS-255N(410)CS, State Job Number 32589(23), with the Oklahoma Department of Transportation in the total reduced supplemental amount of -\$150,872 to reconstruct and signalize the railroad crossing located on Douglas Boulevard, between N.E. 10th Street and N.E. 23rd Street, with Midwest City contributing an additional \$428.
19. Discussion and consideration of authorizing and entering into a Supplemental and Modification Agreement to the Original Engineering Contract for Federal-aid Railroad Project Number RRCS-255B(411)CS, State Job Number 32589(24), with the Oklahoma Department of Transportation in the total reduced supplemental amount of -\$106,352 to reconstruct and signalize the railroad crossing located on Midwest Boulevard, between N.E. 10th Street and N.E. 23rd Street, with Midwest City contributing an additional \$806.
20. Discussion and consideration of authorizing and entering into a Supplemental and Modification Agreement to the Original Engineering Contract for Federal-aid Railroad Project Number RRCS-255N(407)CS, State Job Number 32589(09), with the Oklahoma Department of Transportation in the total reduced supplemental amount of -\$130,124 to reconstruct and signalize the railroad crossing located on Sooner Road between Reno Avenue and NE 10th Street, with Midwest City contributing an additional \$806.
21. Discussion and consideration of providing further funding to Federal-aid Project Number STP-155B(614)AG, State Job Number 24364(04), widening S.E. 15th Street from Lynn Fry Boulevard to Anderson Road, to the Oklahoma Department of Transportation in the amount of \$69,120.69.
22. Discussion and consideration of authorizing a resolution and entering into a right-of-way, public utility, and encroachment agreement for Federal-aid/State-aid Project Number 12-8854(004), State Job Number 28854(04)(05)(06), with the Oklahoma Department of Transportation to construct the new I-40 overpass at Sooner Road.
23. Discussion and consideration of approving the use of funds from in the Capital Improvement Account (157), "Projects to be Approved by the Council" in the amount of \$36,248.58 for franchise utility costs associated with the I-40 overpass at Sooner Road.
24. Discussion and consideration of entering into and approving an Agreement for Professional Engineering Services with Garver, LLC in the amount of \$89,300 for the preparation of engineered construction plans for the relocation of the City's existing water lines located at Sooner Road and Interstate 40.

25. Discussion and consideration of 1) declaring various computer equipment obsolete items of city property on the attached list surplus; and 2) authorizing their disposal by public auction or sealed bid.
26. Discussion and consideration of declaring brass spent shell casings for recycling as surplus and authorizing disposal by sealed bid.

Voting aye: McClure, Dawkins, Byrne, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.

Discussion Items.

1. **Discussion and consideration of forming and appointing councilmembers to a Council committee to study and make recommendations on retiree health insurance.** Motion was made by McClure, seconded by Reed, to form the committee and appoint Byrne, Dawkins, and Dukes as members. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.
2. **Discussion and consideration of forming and appointing councilmembers to a Council committee to review capital projects for needs of the City.** Motion was made by McClure, seconded by Dawkins, to form the committee and appoint Allen, Moore, and Dukes as members. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.

New Business/Public Discussion.

There was no new business or public discussion.

Executive Session.

1. **Discussion and consideration of 1) entering into executive session as allowed under 25 O.S. § 307 (B)(1), to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of the City Manager; and 2) in open session, taking action as appropriate based on the discussion in executive session.** Motion was made by Reed, seconded by Byrne, to recess the meeting. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried. Mayor Dukes recessed the meeting at 7:17 p.m.

Mayor Dukes reconvened the meeting in open session at 7:52 p.m.

Motion was made by Reed, seconded by McClure, to go into executive session. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried. The councilmembers went into executive session at 7:52 p.m.

Mayor Dukes reconvened the meeting in open session at 9:20 p.m.

Motion was made by McClure, seconded by Reed, to give the City Manager a satisfactory evaluation for 2016. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.

Adjournment. There being no further business, Mayor Dukes adjourned the meeting at 9:20 p.m.

MATTHEW D. DUKES, II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

Notice of this special Midwest City Council meeting was filed with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 48 hours in advance of the meeting.

MINUTES OF THE SPECIAL MIDWEST CITY COUNCIL MEETING

December 20, 2016 – 11:30 a.m.

This special meeting was held in the Midwest City Council Conference Room at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Mayor Matt Dukes; Councilmembers Pat Byrne, Rick Dawkins, Sean Reed, and Christine Allen; and Acting City Clerk Guy Henson. Absent: Daniel McClure Jr. and Jeff Moore.

Mayor Dukes called the meeting to order at 11:30 a.m.

Executive Session.

Motion was made by Dawkins, seconded by Reed, to go into both executive sessions. Voting aye: Byrne, Dawkins, Reed, Allen, and Mayor Dukes. Nay: none. Absent: McClure and Moore. Motion carried. The councilmembers went into both executive sessions at 11:30 a.m.

- 1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(10), to confer on 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 the City; and 2) in open session, authorizing the general manager/administrator to take action based on the discussion in executive session.**
- 2. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), to discuss the purchase or appraisal of real property; and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.**

At 11:32 a.m., Mayor Dukes also called the Special Hospital Authority meeting to order. After City Manager, Guy Henson, read all four of the executive sessions the Council/Authority proceeded.

Mayor Dukes reconvened this meeting in open session at 1:20 p.m. One motion for all four of the executive sessions was made by Dawkins, seconded by Allen, to authorize the general manager/administrator to take action as discussed in executive session. Voting aye: Byrne, Dawkins, Reed, Allen, and Mayor Dukes. Nay: none. Absent: McClure and Moore. Motion carried.

Adjournment. There being no further business, Mayor Dukes adjourned the meeting at 1:20 p.m.

MATTHEW D. DUKES, II, Mayor

ATTEST:

GUY HENSON, Acting City Clerk



City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1204

TO: Honorable Mayor and Council

FROM: J. Guy Henson, City Manager

DATE: January 10, 2017

SUBJECT: Discussion and consideration of electing Rick Dawkins, Ward 3
Councilmember, as vice-mayor for the remainder of his term ending April 9,
2018.

Daniel McClure Jr. served as vice-mayor until his resignation on January 1, 2017. The Mayor is recommending Rick to serve the unexpired term. Action on this item is at the Council's action.

J. GUY HENSON
City Manager



***THE CITY OF
MIDWEST CITY***
Finance Department

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Christy Barron, Finance Director
DATE: January 10, 2017
SUBJECT: Discussion and consideration of accepting the City Manager's Report for the month of November, 2016.

The funds in November that experienced a significant change in fund balance from the November report are as follows:

Utilities Capital Outlay (189) decreased due to the payment to CNG Solutions, LLC for:
CNG fueling station <\$563,242>

MWC Water Department (191) decreased because of the quarterly payment to:
Central Oklahoma Master Conservancy <\$261,205>

John Conrad Regional Golf (197) had an operational loss of \$14,664 in November.

MWC Hospital Authority (425) activities for November:

Compounded Principal:

(9010)-unrealized gain on investment	\$1,416,987
(9010)-legal settlement	\$1,106,749

Discretionary:

(9050)-unrealized gain on investment	\$166,839
(9050)-payment for SE 15 th /Sooner development	<\$453,094>

In Lieu of/ROR/Misc:

(9060)-in lieu of tax revenue	\$965,723
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This item is at Council's discretion.

Christy Barron
Finance Director

City of Midwest City
Financial Summary by Fund
for Period Ending November, 2016
(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6-30-16 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
9	GENERAL GOVERNMENT SALES TAX	1,760,794	-	1,930,025	208,628	(377,859)	(169,231)	1,760,794
10	GENERAL	4,638,389	(138,982)	4,671,897	15,276,063	(15,448,553)	(172,489)	4,499,408
11	CAPITAL OUTLAY RESERVE	900,544	-	893,700	6,844	-	6,844	900,544
13	STREET AND ALLEY FUND	675,071	-	1,775,423	258,157	(1,358,509)	(1,100,352)	675,071
14	TECHNOLOGY FUND	441,149	-	478,156	152,151	(189,158)	(37,007)	441,149
15	STREET LIGHT FEE	186,078	-	-	186,078	-	186,078	186,078
16	REIMBURSED PROJECTS	793,161	(184,121)	624,306	96,791	(112,057)	(15,266)	609,039
17	29TH & DOUGLAS PROPERTY	5,500,000	(181,059)	5,318,941	51,812	(51,812)	-	5,318,941
20	MWC POLICE DEPARTMENT	1,466,020	-	1,544,048	5,132,034	(5,210,062)	(78,028)	1,466,020
21	POLICE CAPITALIZATION	890,994	-	949,578	182,258	(240,843)	(58,584)	890,994
25	JUVENILE FUND	32,684	-	73,081	30,437	(70,835)	(40,398)	32,684
30	POLICE STATE SEIZURES	45,869	-	42,161	4,251	(544)	3,707	45,869
31	SPECIAL POLICE PROJECTS	51,980	-	48,259	6,306	(2,585)	3,721	51,980
33	POLICE FEDERAL PROJECTS	77,047	-	86,596	408	(9,957)	(9,549)	77,047
34	POLICE LAB FEE FUND	18,468	-	16,457	5,133	(3,123)	2,011	18,468
35	EMPLOYEE ACTIVITY FUND	17,416	-	17,714	916	(1,214)	(298)	17,416
36	JAIL	147,140	-	148,697	36,857	(38,415)	(1,558)	147,140
37	POLICE IMPOUND FEE	167,354	-	163,034	26,921	(22,601)	4,320	167,354
40	MWC FIRE DEPARTMENT	1,057,840	(4)	1,181,744	4,158,752	(4,282,660)	(123,908)	1,057,836
41	FIRE CAPITALIZATION	635,945	-	528,049	233,988	(126,093)	107,895	635,945
45	MWC WELCOME CENTER	360,932	(129)	348,868	91,785	(79,850)	11,935	360,803
46	CONV / VISITORS BUREAU	225,727	-	192,433	149,756	(116,461)	33,294	225,727
50	DRAINAGE TAX FUND	177,614	-	180,165	1,774	(4,325)	(2,551)	177,614
60	CAPITAL DRAINAGE IMP	453,675	-	417,629	190,669	(154,623)	36,046	453,675
61	STORM WATER QUALITY	906,932	-	918,411	318,797	(330,276)	(11,479)	906,932
65	STREET TAX FUND	1,132,313	-	1,231,886	184,697	(284,270)	(99,573)	1,132,313
70	EMERGENCY OPER FUND	641,726	-	658,058	167,244	(183,577)	(16,332)	641,726
75	PUBLIC WORKS ADMIN	314,243	-	283,928	407,309	(376,994)	30,315	314,243
80	INTERSERVICE FUND	136,108	-	183,485	876,732	(924,109)	(47,376)	136,108
81	SURPLUS PROPERTY	310,824	(237,220)	68,994	20,763	(16,153)	4,610	73,604
115	ACTIVITY FUND	275,222	-	269,707	64,301	(58,787)	5,515	275,222
123	PARK & RECREATION	648,411	-	552,750	227,281	(131,621)	95,660	648,411
141	COMM. DEV. BLOCK GRANT	15,155	-	15,156	193,528	(193,528)	-	15,156
142	GRANTS/HOUSING ACTIVITIES	170,945	(1,110)	188,674	30,452	(49,291)	(18,839)	169,835
143	GRANT FUNDS	124,451	(64,451)	60,000	68,032	(68,032)	-	60,000

City of Midwest City
Financial Summary by Fund
for Period Ending November, 2016
(Unaudited)

Fund Number	Fund Description	Assets	Liabilities	6-30-16 Fund Balance	Revenues	Expenditures	Gain or (Loss)	Fund Balance
157	CAPITAL IMPROVEMENTS	2,932,205	-	2,961,479	187,370	(216,644)	(29,274)	2,932,205
172	CAP. WATER IMP-WALKER	465,372	(18,694)	467,204	231,022	(251,548)	(20,526)	446,678
178	CONST LOAN PAYMENT REV	2,141,120	(7,551)	1,944,719	367,661	(178,811)	188,851	2,133,570
184	SEWER BACKUP FUND	81,357	-	81,039	619	(302)	318	81,357
186	SEWER CONSTRUCTION	3,225,545	(175,000)	3,101,034	631,503	(681,991)	(50,488)	3,050,545
187	UTILITY SERVICES	468,172	(924)	440,330	498,520	(471,600)	26,919	467,249
188	CAP. SEWER IMP.-STROTH	155,811	-	42,973	168,428	(55,590)	112,838	155,811
189	UTILITIES CAPITAL OUTLAY	1,120,801	(120,407)	1,575,337	82,035	(656,979)	(574,944)	1,000,394
190	MWC SANITATION DEPARTMENT	2,319,890	-	2,070,994	2,441,755	(2,192,858)	248,897	2,319,890
191	MWC WATER DEPARTMENT	796,136	-	559,333	2,910,702	(2,673,899)	236,803	796,136
192	MWC SEWER DEPARTMENT	1,233,051	-	1,130,962	2,260,363	(2,158,274)	102,089	1,233,051
193	MWC UTILITIES AUTHORITY	941,489	-	950,944	7,292	(16,746)	(9,455)	941,489
194	DOWNTOWN REDEVELOPMENT	3,922,686	(6,953)	3,749,062	568,451	(401,780)	166,671	3,915,733
195	HOTEL/CONFERENCE CENTER	692,993	(1,342,133)	(722,478)	2,369,292	(2,295,955)	73,337	(649,141)
196	HOTEL 4% FF&E	1,079,006	-	1,070,438	104,772	(96,203)	8,569	1,079,006
197	JOHN CONRAD REGIONAL GOLF	131,416	(1,683)	159,995	509,661	(539,923)	(30,262)	129,734
201	URBAN RENEWAL AUTHORITY	63,102	-	62,623	480	-	480	63,102
202	RISK MANAGEMENT	2,956,193	(37)	3,253,684	904,338	(1,201,866)	(297,528)	2,956,156
220	ANIMALS BEST FRIEND	82,661	-	74,490	9,697	(1,526)	8,171	82,661
225	HOTEL MOTEL FUND	-	-	-	264,515	(264,515)	-	-
230	CUSTOMER DEPOSITS	1,377,870	(1,377,870)	-	10,726	(10,726)	-	-
235	MUNICIPAL COURT	89,289	(89,289)	-	703	(703)	-	-
240	L & H BENEFITS	1,574,165	(43,450)	1,661,156	2,873,625	(3,004,066)	(130,441)	1,530,715
250	CAPITAL IMP REV BOND	4,470,677	(60,493,123)	(57,570,731)	6,091,089	(4,542,805)	1,548,284	(56,022,446)
269	2002 G.O. STREET BOND	713,660	-	3,064,713	11,964	(2,363,017)	(2,351,053)	713,660
310	DISASTER RELIEF	1,378,184	(185,239)	1,283,551	112,309	(202,915)	(90,607)	1,192,945
340	REVENUE BOND SINKING FUND	-	-	-	2,265,766	(2,265,766)	-	-
350	G. O. DEBT SERVICES	1,353,757	-	1,363,245	61,508	(70,997)	(9,489)	1,353,757
351	TAX INCREMENT FINANCING	-	(63,444)	(62,340)	-	(1,104)	(1,104)	(63,444)
425-9010	MWC HOSP AUTH-COMP PRINCIPAL	76,675,965	(9,791,562)	64,496,585	4,171,891	(1,784,073)	2,387,819	66,884,404
425-9020	MWC HOSP AUTH-LOAN RESERVE	2,879,957	(379,957)	2,500,000	23,276	(23,276)	-	2,500,000
425-9050	MWC HOSP AUTH-DISCRETIONARY	8,229,202	(10,540)	8,983,537	1,973,945	(2,738,821)	(764,876)	8,218,661
425-9060	MWC HOSP IN LIEU OF/ROR/MISC	1,428,948	(154,711)	3,700,541	1,921,637	(4,347,939)	(2,426,303)	1,274,239
	TOTAL	150,378,902	(75,069,642)	78,456,432	63,084,823	(66,231,993)	(3,147,170)	75,309,262



The City of MIDWEST CITY

100 N. MIDWEST BLVD * MIDWEST CITY, OKLAHOMA 73110
(405) 739-1245 * FAX (405) 739-1247 * TDD (405) 739-1359

Memorandum

TO: Honorable Mayor and Council

FROM: Christy Barron, Finance Director

DATE: January 10, 2017

Subject: Discussion and consideration of supplemental budget adjustments to the following funds for FY 2016-2017, increase: Grants Fund, revenue/Intergovernmental (41) \$4,944; expenses/Sanitation (41) \$4,944. Reimbursed Projects Fund, revenue/Miscellaneous (37) \$648; expenses/Housing (37) \$648. Street & Alley Fund, expenses/Street (09) \$3,274. Fleet Fund, expenses/Fleet (25) \$12,100. General Gov't Sales Tax Fund, expenses/General Gov't (14) \$21,594.

The first supplement is needed to increase budget for ACOG CNG Fueling Station Grant and transfer out of grant proceeds to actual amount received from grant. The second supplement is needed to budget contributions received for Autumn House Christmas Bags Project and associated expenses. The third supplement is needed to increase budget to cover modification of original federal aid railroad projects engineering contracts. The fourth supplement is needed to correct budget for Fleet Department allowances to amount estimated for fiscal year 2016-2017. The fifth supplement is needed to budget annual Laserfiche software maintenance expense for General Fund departments.

Christy Barron
Finance Director

SUPPLEMENTS
January 10, 2017

Fund GRANTS (143)		BUDGET AMENDMENT FORM Fiscal Year 2016-2017			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
41	Intergovernmental	4,944			
41	Sanitation			4,944	
		<u>4,944</u>	<u>0</u>	<u>4,944</u>	<u>0</u>
Explanation: Increase budget for ACOG CNG Fueling Station Grant and transfer out of grant proceeds to Utilities Capital Outlay Fund to actual amount received from grant.					

Fund REIMBURSED PROJECTS (016)		BUDGET AMENDMENT FORM Fiscal Year 2016-2017			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
37	Miscellaneous	648			
37	Housing			648	
		<u>648</u>	<u>0</u>	<u>648</u>	<u>0</u>
Explanation: Budget contributions received for Autumn House Christmas Bags Project and associated expenses.					

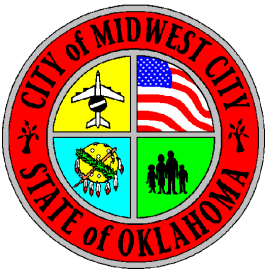
Fund STREET & ALLEY (013)		BUDGET AMENDMENT FORM Fiscal Year 2016-2017			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
09	Street			3,274	
		<u>0</u>	<u>0</u>	<u>3,274</u>	<u>0</u>
Explanation: Increase budget to cover modification of original engineering contracts for federal aid railroad projects as approved by Council on December 13, 2016. Funding to come from fund balance.					

Fund FLEET (080)		BUDGET AMENDMENT FORM Fiscal Year 2016-2017			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
25	Fleet			12,100	
		<u>0</u>	<u>0</u>	<u>12,100</u>	<u>0</u>
Explanation: Correct budget for Fleet Department allowances to meet estimated expenses to end of fiscal year. Funding to come from fund balance.					

SUPPLEMENTS

January 10, 2017

Fund GENERAL GOV'T SALES TAX (009)		BUDGET AMENDMENT FORM Fiscal Year 2016-2017			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
14	General Gov't			21,594	
		<u>0</u>	<u>0</u>	<u>21,594</u>	<u>0</u>
Explanation: Budget annual Laserfiche software maintenance for General Fund departments. Funding to come from fund balance.					



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 10, 2017

Subject: Discussion and consideration of entering into an agreement with Shoaid Nazir for translation services, and to establish the terms and conditions under which those companies will provide interpreting services upon the City's request as required by the Americans with Disabilities Act.

The Americans With Disabilities Act requires that the City provide reasonable accommodation to people with disabilities. These agreements, copies of which are attached for your review, will allow the City to request an interpreter with 48 hours' notice. These contracted services will be available to all City departments who receive a request for an interpreter.

Billy Harless, AICP
Community Development Director

CA

24 HOURS TRANSLATOR SERVICES

This Agreement is entered into this ____ day of _____, 2016 by and between 24 HOURS TRANSLATOR SERVICES., of 4000 N BARTEL RD, OKLAHOMA CITY, OK 73121 and _____ (Your company name, hereafter referred to as "Company") of _____ (address) in consideration of the mutual promises made herein.

Services.

Translate full sentences quickly and accurately. Highly skilled translator with a command of ENGLISH, HINDI, URDU, PUNJABI, HINDKO. Proofread and edit written materials. Excellent communication and interpersonal skills including cultural awareness and sensitivities. Translating legal documents. Bookkeeping in multiple languages and ability to review other translations. Rewrite manuals and create glossaries.

Payment Terms/Compensation

Regular Rates

8:00 AM-5:00 PM, (Monday – Friday)
\$30.00 per hour, \$50.00 booking fee

After hour rate

5:00 PM-8:00 AM, (Monday – Friday) or weekends and holidays
\$40.00 per hour, \$60.00 booking fee

Legal Regular Rates

8:00 AM-5:00 PM, Monday – Friday
\$50.00 per hour, \$70.00 booking fee

Legal After hour rate

5:00 PM-8:00 AM, Monday – Friday, or weekends and holidays
\$60.00 per hour, \$80.00 booking fee

Each booking fee includes up to 1.5 hours of interpreting services. A booking fee will be charged on all assignments, per interpreter. The appropriate hourly rate will be billed for any time booked over 1.5 hours, per interpreter.

All assignments booked less than 48 business hours (Monday – Friday, 8:00am to 5:00pm) in advance will be billed an additional \$25.00 administrative fee (e.g. an appointment at 2:00pm for Monday would have to be scheduled by 2:00pm on the previous Thursday).

All assignments urgent in nature, requested the same day as needed service, will be billed an additional \$50 administrative fee.

Booked time is defined as the entire block of time that the Company is requesting an interpreter, at the appropriate rates. The booked time includes hours an interpreter has been requested, and travel time if necessary.

Cancellation Policy

Company agrees to pay the full amount of scheduled time if an assignment is cancelled with less than 48 business hours (Monday – Friday, 8:00am to 5:00pm) notice. The assignment must be cancelled within normal business hours or the full amount of the booked time plus administrative fees, per interpreter, will be charged. The Company will be charged as a cancellation for any adjustment to the requested interpreting times made with less than 48 business hours' notice, and the new times will be treated as a new assignment with all the associated fees. If the interpreter arrives at the assignment and the client is a no-show or the interpreter finds the assignment has been cancelled upon arrival, the entire booked fee plus interpreter's mileage and travel expenses will be charged.

Mileage and Travel Time

Company agrees to pay interpreters for travel time for assignments which require travel over 100 miles round trip. The time will be added to the total booked time of the assignment, therefore the entire block of time (requested assignment time plus travel time) will still be charged if services are cancelled with less than 48 hours notice. The Company will be billed

for the appropriate hourly fee in addition to the actual mileage driven.

Actual mileage will be charged for each assignment, per interpreter. Mileage is based on the Internal Revenue Service Standard Mileage rate. Additionally, travel expenses such as tolls and parking will also be charged.

Quantity of Interpreters

Assignments over 1.5 hours may require two interpreters working together as a team, due to the physical and logistical demands of the work. The Company will be billed for both interpreters for their entire booked time and expenses. My Interpreter will use professional judgment whether a team of interpreters are needed.

Billing

24 Hour Translator Services agrees to submit an invoice no later than 2 weeks after the services have been provided.

Company shall remit payment to SHOAIB NAZIR within thirty (30) days of receipt of billing statement.

To facilitate payment, 24 HOUR TRANSLATOR SERVICE agrees to execute and update, as applicable, any necessary tax forms to Company before payment is to be made.

Workers Compensation

24 HOURS TRANSLATOR SERVICE recognizes that it is an independent contractor and therefore Company will not withhold any federal, state, or other taxes from any payments due under this contract. **24 HOUR TRANSLATOR SERVICE** understands that payment of any and all taxes on monies earned through this Agreement are solely the responsibility of **24 HOUR TRANSLATOR SERVICE**., and Company's payment of funds under this Agreement will be reported to the Internal Revenue Service by Company if required by IRS Code and/or Regulation, via Form 1099.

General Provisions

Any notices to given under this Agreement may be effected either by personal delivery or by mail, registered or certified, postage prepaid with return receipt requested. Notices delivered personally shall be deemed communicated as of the date of actual receipt; mailed notices shall be deemed communicated as of three (3) days after the date postmarked.

This Agreement supersedes any and all other agreements, whether oral or in writing, between the parties hereto with respect to the performance of services by 24 HOUR TRANSLATOR

SERVICE for Company. The Agreement represents the full Agreement between the parties. Any modification of this Agreement will be effective only if it is in writing and signed by both parties. The Agreement shall be deemed to be drafted by both parties, should not be interpreted strictly for or against either party, and shall be construed in accordance with the laws of the State of Oklahoma. Any claim to enforce or interpret this Agreement shall be brought in any court with competent jurisdiction in Oklahoma County, Oklahoma.

Business Representative Signature

Date

Print name and title

 SHUAIB NAZIR

24 HOURS TRANSLATOR SERVICE Signature

10-31-16

Date



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

ENGINEERING DIVISION
Patrick Menefee, City Engineer
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

Billy Harless, Community Development Director
Patrick Menefee, P.E., City Engineer

TO: Honorable Mayor and City Council

FROM: Patrick Menefee, P.E., City Engineer

DATE: January 10, 2017

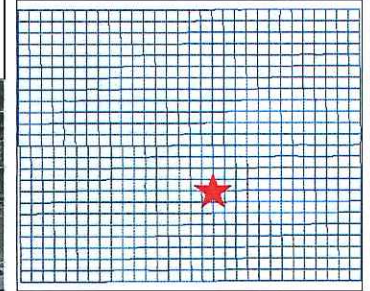
SUBJECT: Discussion and consideration of accepting various grants of Permanent Easement from John L. Gravitt across certain parcels of land located within the corporate boundaries of Midwest City in the Northeast Quarter (NE/4) of Section Twenty Six (26), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at the 2200 block of N. Douglas Blvd. (Community Development - P. Menefee)

The easements are needed for sanitary sewer and waterline improvements in connection with the Ustorage OK project in the 2200 block of North Douglas Boulevard.

Staff recommends approval.

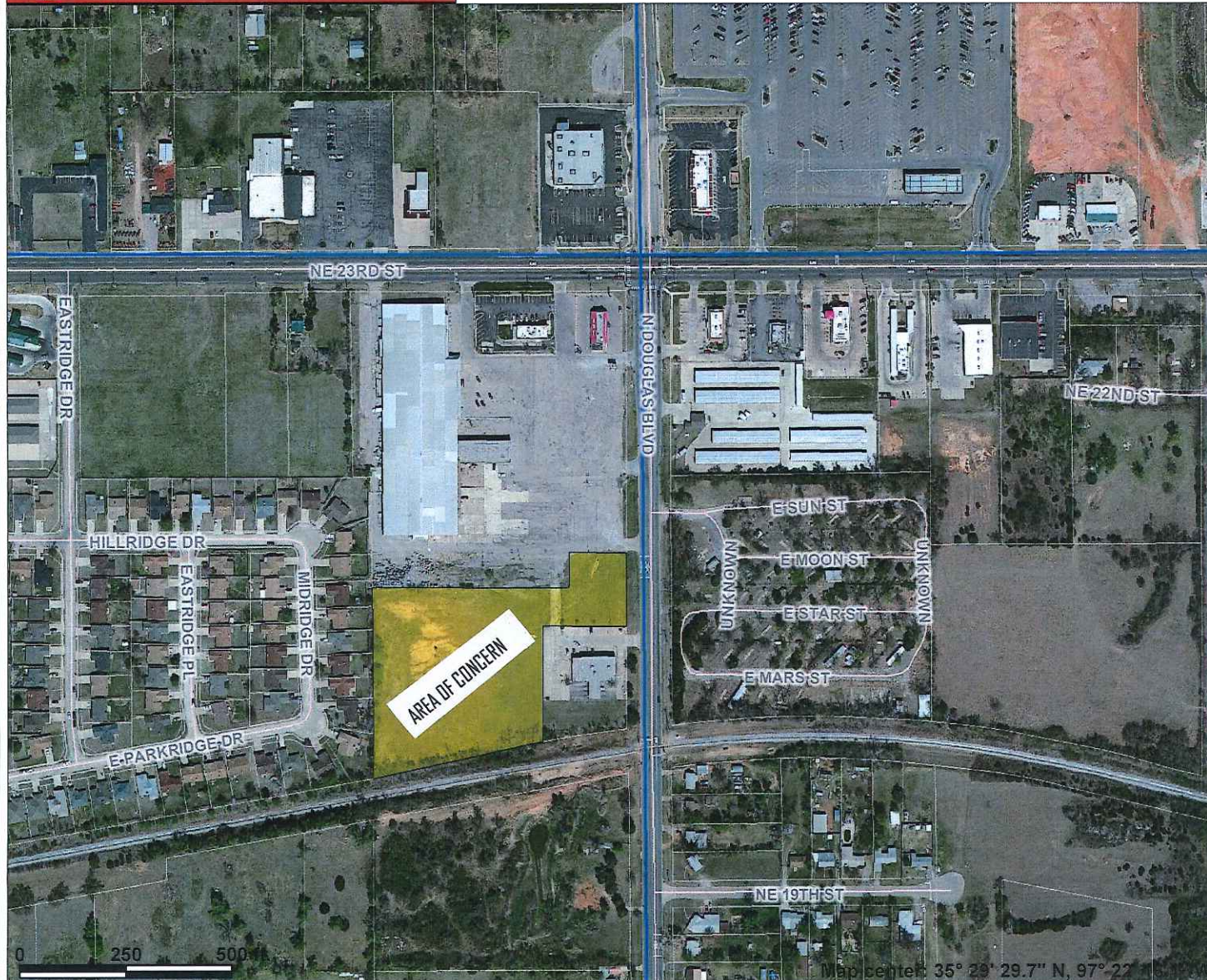
Patrick Menefee, P.E.
City Engineer

Attachments



Legend

- Sections
- Streets
- Parcels
- North Canadian River
- Rivers & Creeks
- Lakes
- Aerials (flown Feb 28th - March 23rd, 2011)
- County Background



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



Scale: 1:4,354



Project:
Parcel No.

Exhibit "A"

LEGAL DESCRIPTION

ustorageok.com
N.E. 23rd Street and Douglas Boulevard
City of Midwest City, Oklahoma County, Oklahoma

15 foot Utility Easement No. 1 for Waterline

December 22, 2016

A tract of land lying in the Northeast Quarter (NE/4) of Section TWENTY-SIX (26), Township TWELVE (12) North, Range TWO (2) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter (NE/4);

THENCE South 00°29'44" East, along the East line of said Northeast Quarter (NE/4), a distance of 786.51 feet;

THENCE South 89°53'45" West, along the extended South line and along the South line of the 20 foot wide Easement for waterline and utilities in favor of the City of Midwest City recorded in Book 5026, Page 778, filed in the offices of the County Clerk of Oklahoma County, Oklahoma, a distance of 645.00 feet to the **POINT OF BEGINNING**;

THENCE South 00°29'44" East, parallel with and 15.00 feet from the East line of EASTRIDGE ADDITION, an addition to the City of Midwest City, according to the plat recorded at Book 50 Plats, Page 31, filed in the offices of the County Clerk of Oklahoma County, Oklahoma, a distance of 230.37 feet;

THENCE South 89°30'16" West, a distance of 15.00 feet to said East line of EASTRIDGE ADDITION;

THENCE North 00°29'44" West (platted North 0°47'05 West), along said East line of EASTRIDGE ADDITION, a distance of 230.47 feet to said South line of the City of Midwest City Easement;

THENCE North 89°53'45" East, along said South line, a distance of 15.00 feet to the **POINT OF BEGINNING**.

Said tract of land containing 3,456 square feet or 0.0793 acres, more or less.

The basis of bearing for the above-described tract of land is the East line of said Northeast Quarter (NE/4) having a record bearing of South 00°29'44" East.

Prepared by Durham Surveying, Inc.
Damon K. Durham, PLS No. 1521

Exhibit 'B'

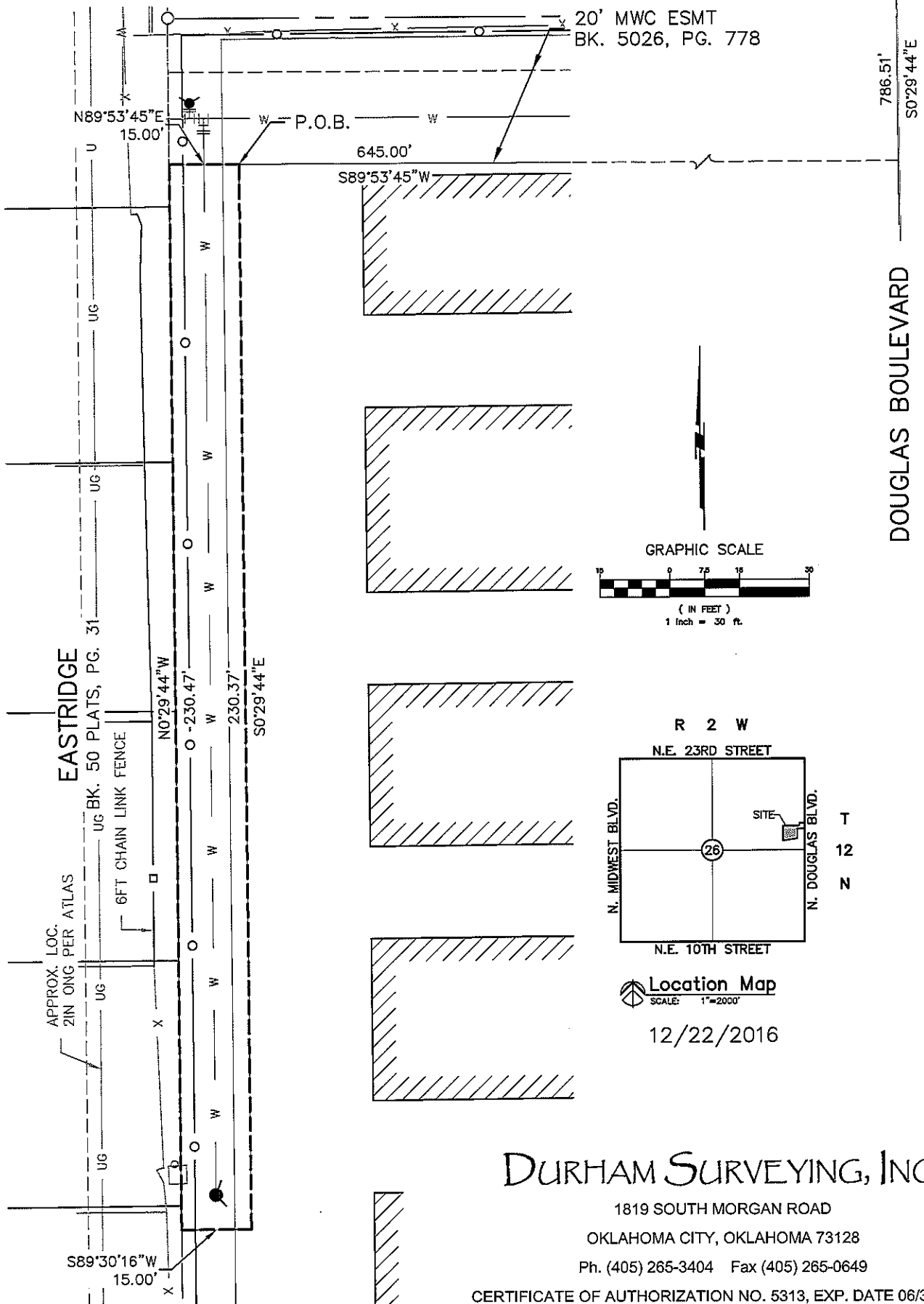
ustorage.com

15' UTILITY EASEMENT
WATERLINE

NE 23RD STREET & DOUGLAS BOULEVARD
PART OF SECTION 26, T12N, R2W, I.M.
CITY OF MIDWEST CITY, OKLAHOMA CO., OKLAHOMA

N.E. 23RD STREET

P.O.C.
NE COR., NE/4
SECTION 26
T12N, R2W, I.M.
FOUND BRASS CAP



DURHAM SURVEYING, INC.

1819 SOUTH MORGAN ROAD

OKLAHOMA CITY, OKLAHOMA 73128

Ph. (405) 265-3404 Fax (405) 265-0649

CERTIFICATE OF AUTHORIZATION NO. 5313, EXP. DATE 06/30/2018

RETURN TO CITY CLERK
100 N. Midwest Boulevard
Midwest City, OK 73110

Project:
Parcel No.

GRANT OF PERMANENT EASEMENT

KNOW ALL BY THESE PRESENTS:

That John L. Gravitt (grantor),
of Oklahoma County, Oklahoma, for good and valuable
consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey
unto the City of Midwest City, a municipal corporation, a permanent easement across, over and under the
following described lots, tracts or parcels of land situated in Oklahoma County, State of Oklahoma, to-wit:

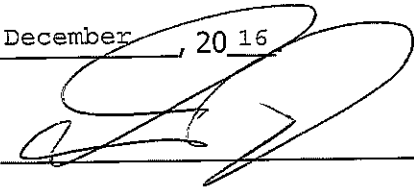
See Exhibit "A" & "B"

This easement is granted for the purpose of enabling the City of Midwest City, its officers, agents,
contractors and employees to go upon, layout, construct, change, and/or build improvement(s) upon the
above-described lots, parcels or tracts of land and includes the permanent right of ingress and egress for
employees, tools and equipment of the City of Midwest City, its officers, agents, contractors and employees.

The consideration herein covers any and all kinds and character of damages or injury that may be
sustained directly or indirectly to any lands owned by the Grantor by reason of the construction and
maintenance of such improvements.

Grantor hereby covenants and warrants that at the time of the delivery of this easement that the
above-described real estate and premises are free of all liens and claims whatsoever, except N/A
and that they will, so long as this easement is in full force and effect, defend the same unto the City of
Midwest City against all claiming to the contrary.

WITNESS the hands of the parties this 22 day of December, 2016

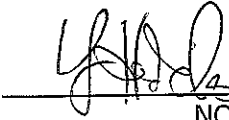
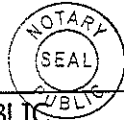


STATE OF Oklahoma)
)ss.
COUNTY OF Oklahoma)

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 22
day of December, 2016, personally appeared
 , to me known to be the identical person(s) who executed the within and foregoing instrument and
acknowledged to me that executed the same as a free and voluntary act and deed for the uses and
purposes herein set forth.

WITNESS, my hand and seal this 22 day of December, 2016.

My Commission expires: 1-10-2020

NOTARY PUBLIC

LINDSAY HENDRICKS
Notary Public in and for
State of Oklahoma
16000272
My Commission Expires Jan 10, 2020

Approved by City Attorney _____ Date: _____

Approved by City Council _____ Date: _____

Exhibit "A"

LEGAL DESCRIPTION

ustorageok.com
N.E. 23rd Street and Douglas Boulevard
City of Midwest City, Oklahoma County, Oklahoma

15 foot Utility Easement No. 2 for Waterline

December 22, 2016

A tract of land lying in the Northeast Quarter (NE/4) of Section TWENTY-SIX (26), Township TWELVE (12) North, Range TWO (2) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter (NE/4);

THENCE South 00°29'44" East, along the East line of said Northeast Quarter (NE/4), a distance of 786.51 feet;

THENCE South 89°53'45" West, along the extended South line and along the South line of the 20 foot wide Easement for waterline and utilities in favor of the City of Midwest City recorded in Book 5026, Page 778, filed in the offices of the County Clerk of Oklahoma County, Oklahoma, a distance of 181.90 feet to the **POINT OF BEGINNING**;

THENCE South 00°29'44" East, a distance of 48.20 feet;

THENCE South 89°30'16" West, a distance of 88.07 feet;

THENCE South 00°29'44" East, a distance of 22.68 feet;

THENCE South 89°30'16" West, a distance of 15.00 feet;

THENCE North 00°29'44" West, a distance of 37.68 feet;

THENCE North 89°30'16" East, a distance of 88.07 feet;

THENCE North 00°29'44" West, a distance of 33.30 feet to said South line of the City of Midwest City Easement;

THENCE North 89°53'45" East, along said South line, a distance of 15.00 feet to the **POINT OF BEGINNING**.

Said tract of land containing 2,385 square feet or 0.0548 acres, more or less.

The basis of bearing for the above-described tract of land is the East line of said Northeast Quarter (NE/4) having a record bearing of South 00°29'44" East.

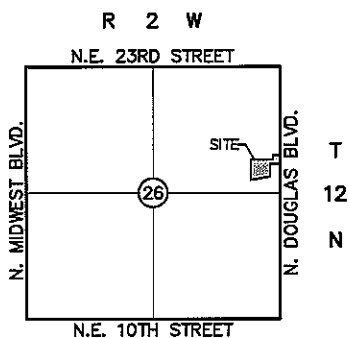
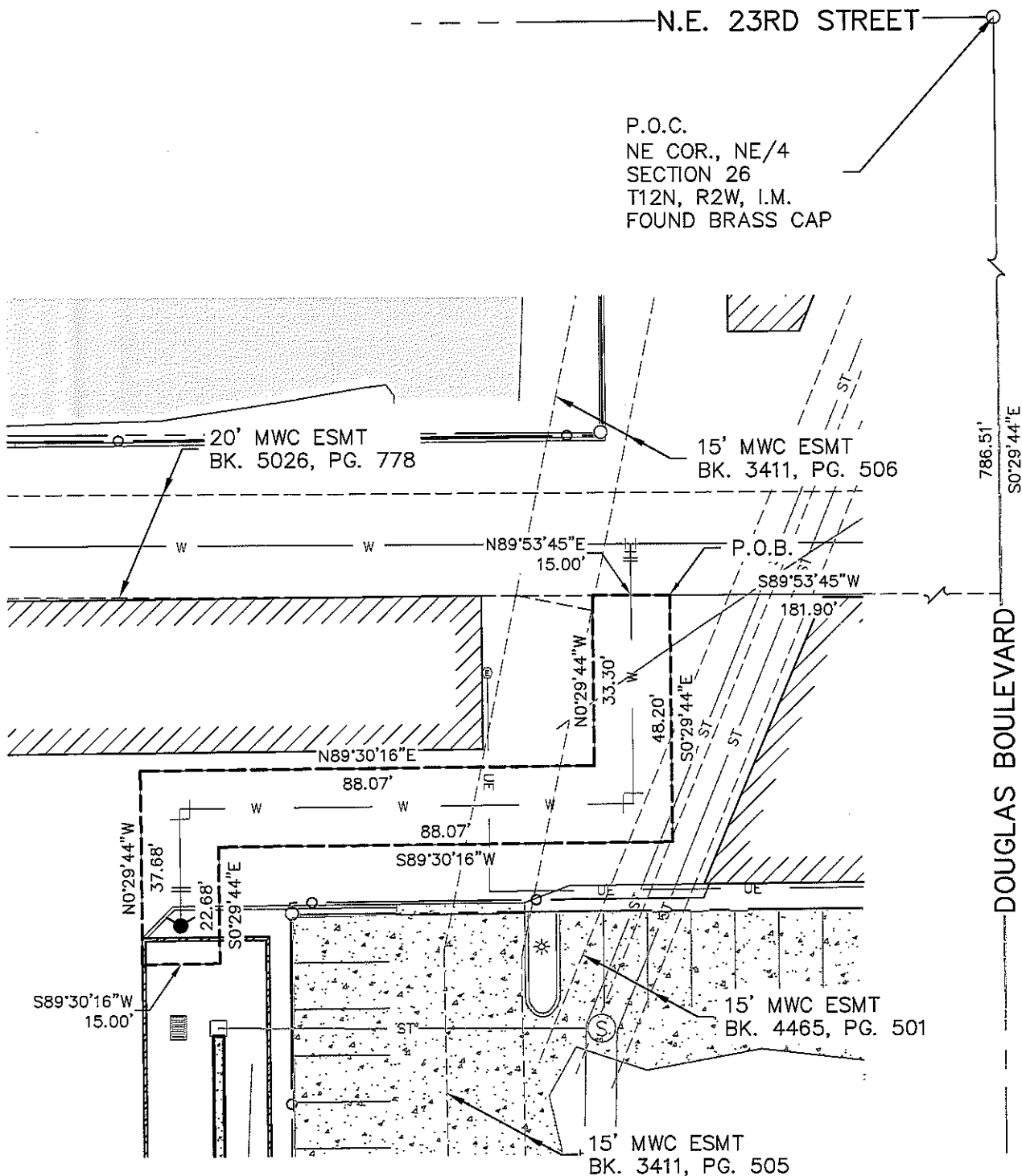
Prepared by Durham Surveying, Inc.
Damon K. Durham, PLS No. 1521

Exhibit 'B'

ustorage.com

15' UTILITY EASEMENT
WATERLINE

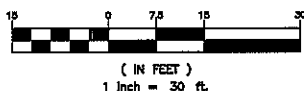
NE 23RD STREET & DOUGLAS BOULEVARD
PART OF SECTION 26, T12N, R2W, I.M.
CITY OF MIDWEST CITY, OKLAHOMA CO., OKLAHOMA



Location Map
SCALE: 1"=2000'

12/22/2016

GRAPHIC SCALE



DURHAM SURVEYING, INC.

1819 SOUTH MORGAN ROAD

OKLAHOMA CITY, OKLAHOMA 73128

Ph. (405) 265-3404 Fax (405) 265-0649

CERTIFICATE OF AUTHORIZATION NO. 5313, EXP. DATE 06/30/2018

Project:
Parcel No.

KNOW ALL BY THESE PRESENTS:

That John L. Gravitt (grantor),
of Oklahoma County, Oklahoma, for good and valuable
consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey
unto the City of Midwest City, a municipal corporation, a permanent easement across, over and under the
following described lots, tracts or parcels of land situated in Oklahoma County, State of Oklahoma, to-wit:

See Exhibit "A" & "B"

This easement is granted for the purpose of enabling the City of Midwest City, its officers, agents, contractors and employees to go upon, layout, construct, change, and/or build improvement(s) upon the above-described lots, parcels or tracts of land and includes the permanent right of ingress and egress for employees, tools and equipment of the City of Midwest City, its officers, agents, contractors and employees.

The consideration herein covers any and all kinds and character of damages or injury that may be sustained directly or indirectly to any lands owned by the Grantor by reason of the construction and maintenance of such improvements.

Grantor hereby covenants and warrants that at the time of the delivery of this easement that the above-described real estate and premises are free of all liens and claims whatsoever, except N/A and that they will, so long as this easement is in full force and effect, defend the same unto the City of Midwest City against all claiming to the contrary.

WITNESS the hands of the parties this 22 day of December, 2016

STATE OF Oklahoma)
)ss.
COUNTY OF Oklahoma)

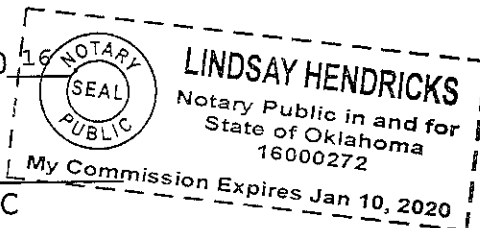
Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 22 day of December, 2016, personally appeared _____, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that _____ executed the same as a free and voluntary act and deed for the uses and purposes herein set forth.

WITNESS, my hand and seal this 22 day of December, 201

My Commission expires: 1.10.2020

NOTAR

NOTARY PUBLIC



Approved by City Attorney _____ Date: _____

Approved by City Council _____ Date: _____

Exhibit "A"

LEGAL DESCRIPTION

ustorageok.com
N.E. 23rd Street and Douglas Boulevard
City of Midwest City, Oklahoma County, Oklahoma

15 foot Utility Easement for Sanitary Sewer

December 22, 2016

A tract of land lying in the Northeast Quarter (NE/4) of Section TWENTY-SIX (26), Township TWELVE (12) North, Range TWO (2) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter (NE/4);

THENCE South 00°29'44" East, along the East line of said Northeast Quarter (NE/4), a distance of 669.75 feet;

THENCE South 89°53'01" West, a distance of 67.90 feet to the **POINT OF BEGINNING**;

THENCE South 20°23'49" East, a distance of 23.20 feet to the West line of the 27 foot wide Right of Way Grant for street and roadway purposes in favor of the City of Midwest City recorded in Book 3963, Page 15, filed in the offices of the County Clerk of Oklahoma County, Oklahoma;

THENCE South 00°29'44" East, along said West line, a distance of 44.07 feet;

THENCE North 20°23'49" West, a distance of 54.39 feet;

THENCE South 89°29'22" West, a distance of 28.48 feet;

THENCE North 00°06'59" West, a distance of 15.00 feet;

THENCE North 89°53'01" East, a distance of 39.00 feet to the **POINT OF BEGINNING**.

Said tract of land containing 1,084 square feet or 0.0249 acres, more or less.

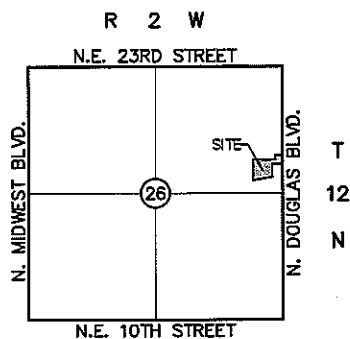
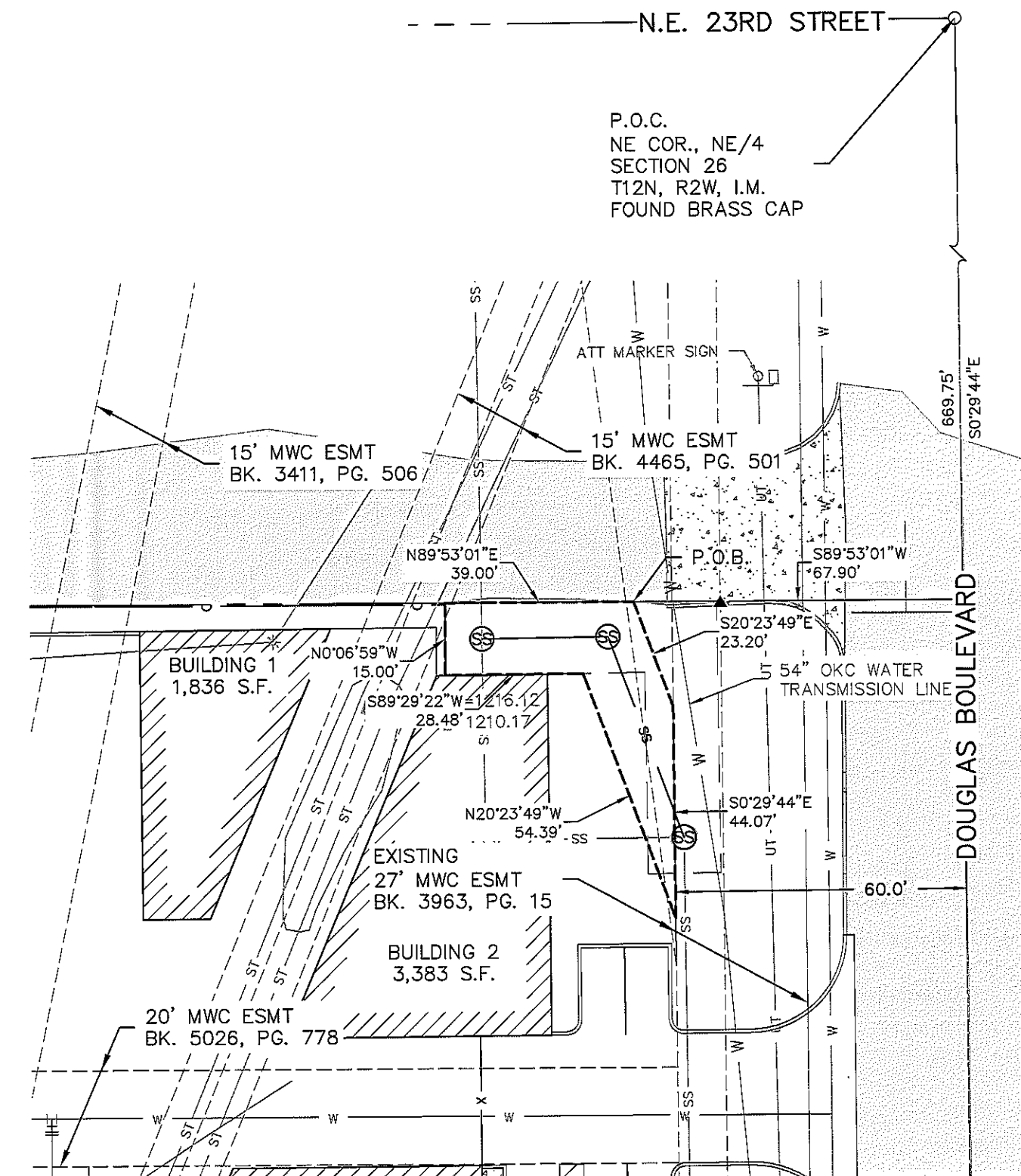
The basis of bearing for the above-described tract of land is the East line of said Northeast Quarter (NE/4) having a record bearing of South 00°29'44" East.

Exhibit 'B'

ustorage.com

15' UTILITY EASEMENT
SANITARY SEWER

NE 23RD STREET & DOUGLAS BOULEVARD
PART OF SECTION 26, T12N, R2W, I.M.
CITY OF MIDWEST CITY, OKLAHOMA CO., OKLAHOMA



Location Map
SCALE: 1"=2000'

12/22/2016

GRAPHIC SCALE



DURHAM SURVEYING, INC.

1819 SOUTH MORGAN ROAD

OKLAHOMA CITY, OKLAHOMA 73128

Ph. (405) 265-3404 Fax (405) 265-0649

CERTIFICATE OF AUTHORIZATION NO. 5313, EXP. DATE 06/30/2018



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

Billy Harless, Community Development Director
Patrick Menefee, P.E., City Engineer

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and Council

From: Patrick Menefee, P.E., City Engineer

Date: January 10th, 2017

Subject: Discussion and consideration of the acceptance of and making a matter of record Permit No. SL000055161035 from the State Department of Environmental Quality for the Soldier Creek Industrial Park Sewer Line Extension Project, Midwest City, Oklahoma.

Permit No. SL000055161035 is for the construction of 1720 L.F. of eight inch (8") sewer line to serve the Soldier Creek Industrial Park, Midwest City, Oklahoma.

Staff recommends acceptance as this is consistent with past policy

Patrick Menefee, P.E.
City Engineer



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

December 08, 2016

Mr. J. Guy Henson, City Manager
City of Midwest City
100 N. Midwest Blvd.
Midwest City, Oklahoma 73110

Re: Permit No. SL000055161035
Soldier Creek Industrial Park
Facility No. S-20541

Dear Mr. Henson:

Enclosed is Permit No. SL000055161035 for the construction of 1720 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances to serve the Soldier Creek Industrial Park, Oklahoma County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on December 08, 2016. Any deviations from the approved plans and specifications affecting capacity, flow or operation of units must be approved, in writing, by the Department before changes are made.

Receipt of this permit should be noted in the minutes of the next regular meeting of the City of Midwest City, after which it should be made a matter of permanent record.

We are returning one (1) set of the approved plans to you, one (1) set to your engineer and retaining one (1) set for our files.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Walker", is written over a horizontal line.

Robert Walker
Construction Permit Section
Water Quality Division

RBWHH/RC/ag

Enclosure

c: Bruce Vande Lune, Regional Manager, DEQ
OKLAHOMA CITY DEQ OFFICE
Brandon Bundy, PE, City of Midwest City





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT No. SL000055161035

SEWER LINES

FACILITY No. S-20541

PERMIT TO CONSTRUCT

December 08, 2016

Pursuant to O.S. 27A 2-6-304, the City of Midwest City is hereby granted this Tier I Permit to construct 1720 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances to serve the Soldier Creek Industrial Park, located in Section 27, T-12-N, R-2-W, I.M./C.M., Oklahoma County, Oklahoma, in accordance with the plans approved December 08, 2016.

By acceptance of this permit, the permittee agrees to operate and maintain the facilities in accordance with the "Oklahoma Pollutant Discharge Elimination System Standards - OPDES" (OAC 252:606) rules and to comply with the state certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 2) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 3) That no significant information necessary for a proper evaluation of the project has been omitted or no invalid information has been presented in applying for the permit.
- 4) That wherever water and sewer lines are constructed with spacing of 10 feet or less, sanitary protection will be provided in accordance with OAC 252:656-5-4(c)(3) of the standards for Water Pollution Control Facility Construction.
- 5) That tests will be conducted as necessary to insure that the construction of the sewer lines will prevent excessive infiltration and that the leakage will not exceed 10 gallons per inch of pipe diameter per mile per day.
- 6) That the Oklahoma Department of Environmental Quality shall be kept informed of occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT No. SL000055161035

SEWER LINES

FACILITY No. S-20541

PERMIT TO CONSTRUCT

- 7) That the permittee will take steps to assure that the connection of house services to the sewers is done in such a manner that the functioning of the sewers will not be impaired and that earth and ground water will be excluded from the sewers when the connection is completed.
- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.
- 9) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- 10) The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- 11) That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. 2-6-201 *et. seq.* For information or a copy of the GENERAL PERMIT (OKR10) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- 12) That all manholes shall be constructed in accordance with the standards for Water Pollution Control Facility Construction (OAC 252:656-5-3), as adopted by the Oklahoma Department of Environmental Quality.
- 13) That when it is impossible to obtain proper horizontal and vertical separation as stipulated in Water Pollution Control Facility Construction OAC 252:656-5-4(c)(1) and OAC 252:656-5-4(c)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested using the ASTM air test procedure with no detectable leakage prior to backfilling, in accordance with the standards for Water Pollution Control Facility Construction OAC 252:656-5-4(c)(3).





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT No. SL000055161035

SEWER LINES

FACILITY No. S-20541

PERMIT TO CONSTRUCT

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.

A handwritten signature in black ink, appearing to read "Rocky Chen", is written over a horizontal line.

Rocky Chen, P.E., Engineering Manager, Construction Permit Section
Water Quality Division





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

Billy Harless, Community Development Director
Patrick Menefee, P.E., City Engineer

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and Council

From: Patrick Menefee, P.E., City Engineer

Date: January 10th, 2017

Subject: Discussion and consideration of the acceptance of and making a matter of record Permit No. SL000055160960 from the State Department of Environmental Quality for the Sundance Addition, Section 5 Sewer Line Extension Project, Midwest City, Oklahoma.

Permit No. SL000055160960 is for the construction of 1228 L.F. of eight inch (8") sewer line to serve Sundance Addition, Section 5, Midwest City, Oklahoma.

Staff recommends acceptance as this is consistent with past policy

Patrick Menefee, P.E.
City Engineer



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

November 23, 2016

Mr. J. Guy Henson, City Manager
City of Midwest City
100 N. Midwest Blvd
Midwest City, Oklahoma 73110

Re: Permit No. SL000055160960
Sundance Addition Section 5
Facility No. S-20541

Dear Mr. Henson:

Enclosed is Permit No. SL000055160960 for the construction of 1,228 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances to serve the Sundance Addition Section 5, Oklahoma County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on November 23, 2016. Any deviations from the approved plans and specifications affecting capacity, flow or operation of units must be approved, in writing, by the Department before changes are made.

Receipt of this permit should be noted in the minutes of the next regular meeting of the City of Midwest City, after which it should be made a matter of permanent record.

We are returning one (1) set of the approved plans to you, one (1) set to your engineer and retaining one (1) set for our files.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Walker", is written over a horizontal line.

Robert Walker
Construction Permit Section
Water Quality Division

RBW/HA/RC/ag

Enclosure

c: Bruce Vande Lune, Regional Manager, DEQ
OKLAHOMA CITY DEQ OFFICE
Christopher D. Anderson, P.E., SMC Consulting Engineers, P. C.





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT No. SL000055160960

SEWER LINES

FACILITY No. S-20541

PERMIT TO CONSTRUCT

November 23, 2016

Pursuant to O.S. 27A 2-6-304, the City of Midwest City is hereby granted this Tier I Permit to construct 1,228 linear feet of eight (8) inch PVC sanitary sewer line and all appurtenances to serve the Sundance Addition Section 5, located in NE/4, of Section 9, T-11-N, R-1-W, I.M./C.M., Oklahoma County, Oklahoma, in accordance with the plans approved November 23, 2016.

By acceptance of this permit, the permittee agrees to operate and maintain the facilities in accordance with the "Oklahoma Pollutant Discharge Elimination System Standards - OPDES" (OAC 252:606) rules and to comply with the state certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 2) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 3) That no significant information necessary for a proper evaluation of the project has been omitted or no invalid information has been presented in applying for the permit.
- 4) That wherever water and sewer lines are constructed with spacing of 10 feet or less, sanitary protection will be provided in accordance with OAC 252:656-5-4(c)(3) of the standards for Water Pollution Control Facility Construction.
- 5) That tests will be conducted as necessary to insure that the construction of the sewer lines will prevent excessive infiltration and that the leakage will not exceed 10 gallons per inch of pipe diameter per mile per day.
- 6) That the Oklahoma Department of Environmental Quality shall be kept informed of occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT No. SL000055160960

SEWER LINES

FACILITY No. S-20541

PERMIT TO CONSTRUCT

- 7) That the permittee will take steps to assure that the connection of house services to the sewers is done in such a manner that the functioning of the sewers will not be impaired and that earth and ground water will be excluded from the sewers when the connection is completed.
- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.
- 9) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- 10) The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- 11) That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. 2-6-201 *et. seq.* For information or a copy of the GENERAL PERMIT (OKR10) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- 12) That all manholes shall be constructed in accordance with the standards for Water Pollution Control Facility Construction (OAC 252:656-5-3), as adopted by the Oklahoma Department of Environmental Quality.
- 13) That when it is impossible to obtain proper horizontal and vertical separation as stipulated in Water Pollution Control Facility Construction OAC 252:656-5-4(c)(1) and OAC 252:656-5-4(c)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested using the ASTM air test procedure with no detectable leakage prior to backfilling, in accordance with the standards for Water Pollution Control Facility Construction OAC 252:656-5-4(c)(3).





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT No. SL000055160960

SEWER LINES

FACILITY No. S-20541

PERMIT TO CONSTRUCT

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.

A handwritten signature in black ink, appearing to read "Rocky Chen", is written over a horizontal line.

Rocky Chen, P.E., Engineering Manager, Construction Permit Section
Water Quality Division





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

Billy Harless, Community Development Director
Patrick Menefee, P.E., City Engineer

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

TO : Honorable Mayor and City Council

FROM : Patrick Menefee, P.E., City Engineer

DATE : January 10th, 2017

SUBJECT : Discussion and consideration of accepting maintenance bonds from Jordan Contractors, Inc. in the amount of \$1853.60.

The one year maintenance bonds from Jordan Contractors, Inc. is for the water line improvements installed in conjunction with the new Barrett Place addition located at S.E. 3rd Street and Westminster Road.

Staff recommends acceptance as this is consistent with past policy.

Patrick Menefee, P.E.
City Engineer

Attachments

DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

MAINTENANCE BOND #87C003804

KNOW ALL BY THESE PRESENTS that we, Jordan Contractors, Inc.,
as Principal, and The Ohio Casualty Insurance Company,
as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation
in the state of Oklahoma, in the full and just sum of **One Thousand Eight Hundred Fifty Three & 60/100** dollars
(\$ 1,853.60), such sum being not less than ten percent (10%) of the total contract price to
construct or install Tapp MWC Main on Westminster & SE 3rd, Run 6" C-900 W. on SE 3rd (the
"Improvement"), for a period of One (1) years after acceptance of the Improvement by the
City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and
truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and
severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the
Principal and Perfect Piping, 3105 Long Dr., Newcastle, OK 73065, dated the 14th day of
April, 20 15, agreed to construct or install the Improvement in the city of
Midwest City and to maintain the Improvement against any failures due to defective materials or
workmanship during the Maintenance Period.

NOW, THEREFORE, if the Principal, during the Maintenance Period, shall maintain the Improvement
against any failures due to defective materials or workmanship, then this obligation shall be void;
otherwise it shall remain in full force and effect.

It is further agreed that if the Principal or the Surety shall fail to maintain the Improvement against any
failures due to defective materials or workmanship for the Maintenance Period, and at any time
repairs shall be necessary, that the cost of making the repairs shall be determined by the City Council
of the City of Midwest City, or some person or persons designated by them to ascertain the cost of
making the repairs. If, upon thirty (30) days notice, the Principal or the Surety do not make the repairs
or pay the amount necessary to make the repairs, the amount necessary to make the repairs shall be
due upon the expiration of thirty (30) days, and suit may be instituted to obtain the amount necessary
to make the repairs and shall be conclusive upon the parties as to the amount due on this bond to
make the repairs, and that the cost of all repairs shall be so determined from time to time during the
Maintenance Period, as the condition of the Improvement may require.

Signed, sealed and delivered this 30th day of April, 20 15.

ATTEST:

Sheila T. Jordan
Secretary Sheila T. Jordan

Jordan Contractors, Inc.
Principal

By Jimmy N. Jordan
Jimmy N. Jordan - President

The Ohio Casualty Insurance Company
Surety

ATTEST:

Lisa Sherman
Secretary Witness - Lisa Sherman

By Wendy Hollen
Wendy Hollen - Attorney-in-Fact

APPROVED as to form and legality this _____ day of _____, 20____.

City Attorney

ACCEPTED by the City Council of the City of Midwest City this _____ day of
_____, 20____.

City Clerk

Mayor

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6535724

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, John L. Birsner, of the City of Edmond, State of Oklahoma; Cody McNeill; Glenda L. Stark; John Rogers; Kyle D. Reser; Larry D. Bixler; Lisa Sherman; Mike Shannon; Rocky Moore; Todd Triplett; W. M. McNeill; Wendy Hollen

all of the city of Oklahoma City, state of OK each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 18th day of April, 2014

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA
COUNTY OF MONTGOMERY

On this 18th day of April, 2014, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 30th day of April, 2015

By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/30/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Agency of Mid America Inc 10009 S Penn, Building E PO Box 890300 Oklahoma City OK 73189	CONTACT NAME: Beverly McCool PHONE (A/C. No. Ext): (405) 691-0016 FAX (A/C. No.): (405) 691-0415 E-MAIL ADDRESS: bmccool@midamericainc.com
INSURED Jordan Contractors Inc 123 South Broadway Tecumseh OK 74873	INSURER(S) AFFORDING COVERAGE INSURER A Peerless Indemnity Ins Co 18333 INSURER B America First Insurance 12696 INSURER C Liberty Mutual Insurance Group INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER:2014 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			CBP8463429	7/1/2014	7/1/2015	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
A	AUTOMOBILE LIABILITY			BA8464229	7/1/2014	7/1/2015	PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> ANY AUTO						
	<input type="checkbox"/> ALL OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> HIRED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB			CU8464829	7/1/2014	7/1/2015	Uninsured motorist combined \$
	<input checked="" type="checkbox"/> EXCESS LIAB						EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 1,000,000
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WC8465229	7/1/2014	7/1/2015	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
C	Rented/Leased Equipment			IM8957242	7/1/2014	7/1/2015	E.L. DISEASE - POLICY LIMIT \$ 1,000,000
							LIMIT \$100,000
							DEDUCTIBLE \$1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Re: Barrett Water Line; 509 S Westminister

CERTIFICATE HOLDER City of Midwest City 100 N Midwest Boulevard Midwest City, OK 73110	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Mike McNeill/BM <i>Wm McNeill</i>
---	--

OWNER'S AFFIDAVIT OF ACCEPTANCE & CONTRACTOR'S LIEN WAIVER

PROJECT NAME: Barrett plat
PROJECT LOCATION: 509 Westminister MWC, OK 7330
TYPE OF CONSTRUCTION: Waterline

OWNER'S AFFIDAVIT OF ACCEPTANCE

I, the undersigned, hereby certify that the above construction was performed in an acceptable manner satisfactory to the owner of the above project and certify the cost of such project is \$ 23,536.00 less the City of Midwest City, Engineering Division Inspection Fees.

By Jennifer Barrett
OWNER



Date: 12/19/16

STATE OF Oklahoma
COUNTY OF Oklahoma)ss.

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 19th day of December, 2016, personally appeared Jennifer Barrett, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: 1-27-17

Gina May
NOTARY PUBLIC

CONTRACTOR'S LIEN WAIVER

This is to certify that all expenditures for labor and material for the construction of the above project has been paid. We, the undersigned, do here by waive and release all of our rights, claims and lien rights against this installation and improvements so constructed.

By [Signature]
CONTRACTOR



Date: 12-19-2016

STATE OF Oklahoma
COUNTY OF Oklahoma)ss.

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 19th day of December, 2016, personally appeared Terry Johnson, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: 1-27-17

Gina May
NOTARY PUBLIC

CITY OF MIDWEST CITY
*** CUSTOMER RECEIPT ***

Batch ID: SLOANAM 6/09/15 03 Receipt no: 188543

Type	SvcCd	Description	Amount
E5		ENGINEERING FEES	
	Qty	1.00	\$370.72

509 S WESTMINSTER

Trans number: 3289201

FEES / ENGINEERING 01000003771520

render detail

CC CREDIT CARD	\$370.72
----------------	----------

total tendered: \$370.72

total payment: \$370.72

Trans date: 6/09/15 Time: 12:05:38

THANK YOU FOR YOUR PAYMENT



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

Billy Harless, Community Development Director
Patrick Menefee, P.E., City Engineer

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

TO : Honorable Mayor and City Council

FROM : Patrick Menefee, P.E., City Engineer

DATE : January 10th, 2017

SUBJECT : Discussion and consideration of accepting maintenance bonds from Control Fire Systems Company in the amount of \$2411.40.

The one year maintenance bonds from Control Fire Systems Company is for the water line improvements installed in conjunction with the new Mid Del Youth and Family Center located at S.E. 17th Street and Westminster Road.

Staff recommends acceptance as this is consistent with past policy.

Patrick Menefee, P.E.
City Engineer

Attachments

DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

Bond #GR27463

MAINTENANCE BOND

KNOW ALL BY THESE PRESENTS that we, Control Fire Systems Company,
as Principal, and Granite Re, Inc.,
as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation
in the state of Oklahoma, in the full and just sum of Two Thousand Four Hundred Eleven & 40/100-- dollars
(\$ 2,411.40), such sum being not less than ten percent (10%) of the total contract price to
construct or install New 6" Fire Line and Fire Hydrant to Serve Mid Del Youth and Family Center (the
"Improvement"), for a period of One (1) years after acceptance of the Improvement by the
City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and
truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and
severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the
Principal and Oklahoma Underground LLC, dated the 13th day of
March, 20 14, agreed to construct or install the Improvement in the city of
Midwest City and to maintain the Improvement against any failures due to defective materials or
workmanship during the Maintenance Period.

NOW, THEREFORE, if the Principal, during the Maintenance Period, shall maintain the Improvement
against any failures due to defective materials or workmanship, then this obligation shall be void;
otherwise it shall remain in full force and effect.

It is further agreed that if the Principal or the Surety shall fail to maintain the Improvement against any
failures due to defective materials or workmanship for the Maintenance Period, and at any time
repairs shall be necessary, that the cost of making the repairs shall be determined by the City Council
of the City of Midwest City, or some person or persons designated by them to ascertain the cost of
making the repairs. If, upon thirty (30) days notice, the Principal or the Surety do not make the repairs
or pay the amount necessary to make the repairs, the amount necessary to make the repairs shall be
due upon the expiration of thirty (30) days, and suit may be instituted to obtain the amount necessary
to make the repairs and shall be conclusive upon the parties as to the amount due on this bond to
make the repairs, and that the cost of all repairs shall be so determined from time to time during the
Maintenance Period, as the condition of the Improvement may require.

Signed, sealed and delivered this 14th day of March, 20 14.

ATTEST:

Secretary

ATTEST:

Debbie Slack
Secretary

Control Fire Systems Company

Principal

By [Signature]

Granite Re, Inc.

Surety

By Vicki Wilson

APPROVED as to form and legality this _____ day of _____, 20 ____.

City Attorney

ACCEPTED by the City Council of the City of Midwest City this _____ day of
_____, 20 ____.

City Clerk

Mayor

GRANITE RE, INC.
GENERAL POWER OF ATTORNEY

Know all Men by these Presents:

That GRANITE RE, INC., a corporation organized and existing under the laws of the State of OKLAHOMA and having its principal office at the City of OKLAHOMA CITY in the State of OKLAHOMA does hereby constitute and appoint:

W.D. HOWELL JR., VICKI WILSON, R. BRIAN HOWELL, ROBERT JENSEN; AUSTIN K. GREENHAW; CLAYTON HOWELL its true and lawful Attorney-in-Fact(s) for the following purposes, to wit:


To sign its name as surety to, and to execute, seal and acknowledge any and all bonds, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said GRANITE RE, INC. a certified copy of which is hereto annexed and made a part of this Power of Attorney; and the said GRANITE RE, INC. through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said:

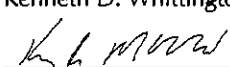
W.D. HOWELL JR., VICKI WILSON, R. BRIAN HOWELL, ROBERT JENSEN; AUSTIN K. GREENHAW; CLAYTON HOWELL may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said GRANITE RE, INC. has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its President and Secretary/Treasurer, this 3rd day of July, 2013.

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)





Kenneth D. Whittington, President


Kyle P. McDonald, Treasurer

On this 3rd day of July, 2013, before me personally came Kenneth D. Whittington, President of the GRANITE RE, INC. Company and Kyle P. McDonald, Secretary/Treasurer of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said, that they, the said Kenneth D. Whittington and Kyle P. McDonald were respectively the President and the Secretary/Treasurer of GRANITE RE, INC., the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal, that it was so fixed by order of the Board of Directors of said corporation, and that they signed their name thereto by like order as President and Secretary/Treasurer, respectively, of the Company.

My Commission Expires:
August 8, 2017
Commission #: 01013257





Notary Public

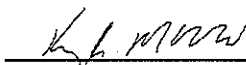
GRANITE RE, INC.
Certificate

THE UNDERSIGNED, being the duly elected and acting Secretary/Treasurer of Granite Re, Inc., an Oklahoma Corporation, HEREBY CERTIFIES that the following resolution is a true and correct excerpt from the July 15, 1987, minutes of the meeting of the Board of Directors of Granite Re, Inc. and that said Power of Attorney has not been revoked and is now in full force and effect.

"RESOLVED, that the President, any Vice President, the Secretary, and any Assistant Vice President shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the Company in the course of its business. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the Company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

IN WITNESS WHEREOF, the undersigned has subscribed this Certificate and affixed the corporate seal of the Corporation this
14th day of March, 20 14





Kyle P. McDonald, Secretary/Treasurer

Mid-Del Youth & Family Center
c/o Darla Cheek
RE: INSTALL FIRE LINE WITH HYDRANT

CONTRACT FOR SERVICES – 1725 S. Westminster, Midwest City

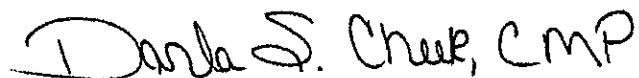
We propose to tap main on Westminster and run a 6" PVC line to fire hydrant that will set near concrete driveway approximately 50' east of building.

We will run a 2" line from hydrant and turn up in riser room inside building.

Bonding and permits will be included for this project.

Total Amount \$24,114.00

Thank you,
Tommy Carter



Contract Accepted by _____



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT -
ENGINEERING DIVISION

Billy Harless, Community Development Director
Patrick Menefee, P.E., City Engineer

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

TO : Honorable Mayor and City Council

FROM : Patrick Menefee, P.E., City Engineer

DATE : January 10th, 2017

SUBJECT : Discussion and consideration of accepting maintenance bonds from Davidson Concrete and Construction Inc. in the amount of \$6743.00.

The five year maintenance bonds from Davidson Concrete and Construction Inc. is for the paving improvements installed in conjunction with the new Red Oak development located at Orchard and Douglas Boulevard.

Staff recommends acceptance as this is consistent with past policy.

Patrick Menefee, P.E.
City Engineer

Attachments

DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

MAINTENANCE BOND

Bond #87C002008

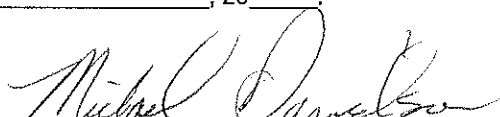
KNOW ALL BY THESE PRESENTS that we, Davidson Concrete & Construction Inc,
as Principal, and The Ohio Casualty Insurance Company,
as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation
in the state of Oklahoma, in the full and just sum of Six Thousand, Seven Hundred & Forty Three dollars
(\$ 6,743.00), such sum being not less than ten percent (10%) of the total contract price to
construct or install Concrete paving in Red Oak Development (the
"Improvement"), for a period of Five (5) years after acceptance of the Improvement by the
City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and
truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and
severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the
Principal and Strahorn Landscaping, dated the 19th day of
October, 2016, agreed to construct or install the Improvement in the city of
Midwest City and to maintain the Improvement against any failures due to defective materials or
workmanship during the Maintenance Period.

NOW, THEREFORE, if the Principal, during the Maintenance Period, shall maintain the Improvement
against any failures due to defective materials or workmanship, then this obligation shall be void;
otherwise it shall remain in full force and effect.

It is further agreed that if the Principal or the Surety shall fail to maintain the Improvement against any
failures due to defective materials or workmanship for the Maintenance Period, and at any time
repairs shall be necessary, that the cost of making the repairs shall be determined by the City Council
of the City of Midwest City, or some person or persons designated by them to ascertain the cost of
making the repairs. If, upon thirty (30) days notice, the Principal or the Surety do not make the repairs
or pay the amount necessary to make the repairs, the amount necessary to make the repairs shall be
due upon the expiration of thirty (30) days, and suit may be instituted to obtain the amount necessary
to make the repairs and shall be conclusive upon the parties as to the amount due on this bond to
make the repairs, and that the cost of all repairs shall be so determined from time to time during the
Maintenance Period, as the condition of the Improvement may require.

Signed, sealed and delivered this 21st day of October, 2016


Principal

ATTEST:

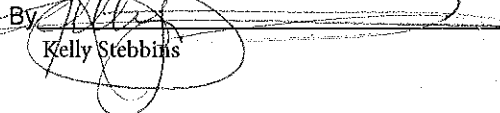
Secretary

By 
The Ohio Casualty Insurance Company

Surety

ATTEST:

Secretary

By 
Kelly Stebbins

APPROVED as to form and legality this _____ day of _____, 20____.

City Attorney

ACCEPTED by the City Council of the City of Midwest City this _____ day of
_____, 20____.

City Clerk

Mayor

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7411552

American Fire and Casualty Company
The Ohio Casualty Insurance Company

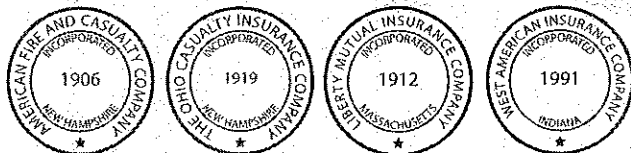
Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Carmon Jones; Chris Paine; D. Allen Paine; Kelly Stebbins; Pamela Wood; S. Lynn Power; Sabrina Alkire; Terri Hestand; Theresa L. Jurgensen; Tianna Rogers

all of the city of OKLAHOMA CITY, state of OK each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 5th day of July, 2016.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 5th day of July, 2016, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

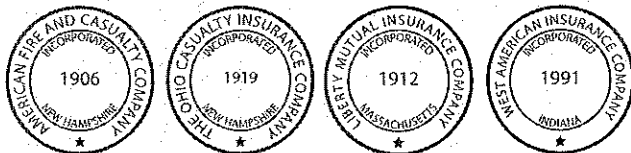
ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 21st day of October, 2016.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

To confirm the validity of this Power of Attorney call
1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

Not valid for mortgage, note, loan, letter of credit,
currency rate, interest rate or residual value guarantees.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/21/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cole, Paine & Carlin Insurance PO Box 18444 1140 NW 50th Street Oklahoma City OK 73154		CONTACT NAME: Kelly Stebbins PHONE (A/C, No, Ext): (405) 843-5678 FAX (A/C, No): (405) 843-5781 E-MAIL ADDRESS: kstebbins@cpcinsurance.com																						
INSURED Davidson Concrete and Construction, Inc. PO Box 438 Newalla OK 74857		<table border="1"><thead><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A:</td><td>Continental Insurance Co.</td><td>35289</td></tr><tr><td>INSURER B:</td><td>Continental Casualty Co.</td><td>20443</td></tr><tr><td>INSURER C:</td><td>National Fire Ins. Hartford</td><td>20478</td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></tbody></table>		INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Continental Insurance Co.	35289	INSURER B:	Continental Casualty Co.	20443	INSURER C:	National Fire Ins. Hartford	20478	INSURER D:			INSURER E:			INSURER F:		
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COVERAGES

CERTIFICATE NUMBER:16/17

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			6020311028 Blanket: Addtl Insd (ongoing & compl op's), Waiver of Subrogation, Primary & Non Contributory when req'd by written contract	9/1/2016	9/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS			6020311000 Blanket: Addtl Insd, Waiver of Subrogation, when req'd by written contract	9/1/2016	9/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			C6020311014 Follow form to: General, Auto & Employer's Liab	9/1/2016	9/1/2017	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC6020310994	9/1/2016	9/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Leased/Rented Equipment			C16080501029	9/1/2016	9/1/2017	Max per item/Aggregate 25,000/50,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Paving Contractor. Re; Red Oak Development

CERTIFICATE HOLDER**CANCELLATION**

City of Midwest City
100 N Midwest Blvd
Midwest City, OK 73110

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Karen Nester/STEBKE

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OWNER'S AFFIDAVIT OF ACCEPTANCE & CONTRACTOR'S LIEN WAIVER

PROJECT NAME: Red Oak Development
PROJECT LOCATION: 2317 S. Douglas Blvd, MWC, OK
TYPE OF CONSTRUCTION: Street

OWNER'S AFFIDAVIT OF ACCEPTANCE

I, the undersigned, hereby certify that the above construction was performed in an acceptable manner satisfactory to the owner of the above project and certify the cost of such project is \$ 71,702.00 less the City of Midwest City, Engineering Division Inspection Fees.

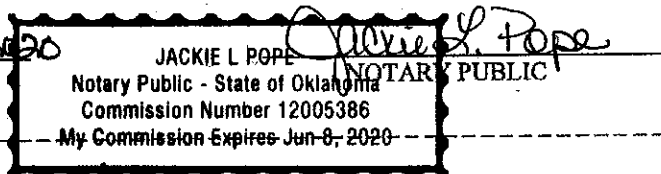
By Tom Strahorn
OWNER

Date: November 18, 2016

STATE OF OK)
)ss.
COUNTY OF Oklahoma

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 18 day of November, 2016, personally appeared Tom Strahorn, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: June 8, 2020



CONTRACTOR'S LIEN WAIVER

This is to certify that all expenditures for labor and material for the construction of the above project has been paid. We, the undersigned, do here by waive and release all of our rights, claims and lien rights against this installation and improvements so constructed.

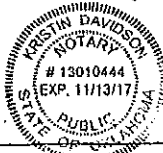
By Kelly Davidson
CONTRACTOR

Date: 11/16/17

STATE OF OK)
)ss.
COUNTY OF Cleveland

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 16 day of November, 2016, personally appeared Kelly Davidson, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: 11/13/17



Kristin Davidson
NOTARY PUBLIC

REVISED: August 15, 2006 JMD

CITY OF MIDWEST CITY
*** CUSTOMER RECEIPT ***

Batch ID: DIAZAM 10/21/16 03 Receipt no: 62356

Type	SvcCd	Description	Amount
E5		ENGINEERING FEES	
	Qty	1.00	\$1348.54

2% DAVIDSON CONCRETE

Trans number: 3589316
FEES / ENGINEERING 01000003771520

Tender detail

CK Ref#:	9391	\$1348.54
Total tendered:		\$1348.54
Total payment:		\$1348.54

Trans date: 10/21/16 Time: 12:10:11

THANK YOU FOR YOUR PAYMENT

Michael - 386-7802

Cell - 615-7801



Grants Management
100 N. Midwest Boulevard
Midwest City, OK 73110
405.739.1216

TO: Honorable Mayor and City Council

FROM: Terri L. Craft, Grants Manager

DATE: January 10, 2017

RE: Discussion and consideration of 1) acceptance of an Oklahoma County Community Support grant in the amount of \$14,000 for the Mid Del Group Home Sheltered Workshop; 2) approving and entering into an agreement of Community Support with the Board of County Commissioners of Oklahoma County which establishes the terms and conditions of the grant; and 3) authorization of the Mayor and/or City Manager to enter into the necessary or appropriate contracts/agreements to implement the grant.

The City of Midwest City has been awarded a 2016-17 Oklahoma County Support grant from the Oklahoma County Commissioners. Midwest City will act as fiscal agent for Mid Del Group Home, Inc., located at 1540 Republic Circle. Grant funds in the amount of \$14,000 will be used to support the sheltered workshop program by reimbursing transportation, food and activity expenses.

As fiscal agent, the City will establish and maintain an account for the contracted amounts, process invoices for payment, and invoice Oklahoma County for reimbursement, along with general oversight activities. Staff recommends approval.

Terri L. Craft
Grants Manager

Attachment

AGREEMENT OF COMMUNITY SUPPORT

Oklahoma County, Oklahoma

This agreement of Community Support (the "Agreement") is entered into between the Board of County Commissioners of Oklahoma County, a political subdivision organized and existing under the laws of the State of Oklahoma (the "County"), and City of Midwest City as fiscal agent for Mid Del Group Homes Sheltered Workshop (the "Center"), having a notice address of 100 N. Midwest Boulevard, Midwest City, Oklahoma 73110, attention Terri Craft.

WHEREAS, The County is authorized by Oklahoma Statutes to care for the poor (Title 56);

WHEREAS, The County has elected to fulfill this duty, in part, through the provision of services through agencies in the community; and

WHEREAS, The Center is currently providing a sheltered workshop for developmentally disabled adults and their families in Oklahoma County and is willing to continue offering such services within the constraints of its budget; and

WHEREAS, The County is desirous of contracting with the Center to provide aid to these adults and their families in Oklahoma County;

NOW, THEREFORE, BE IT RESOLVED, the Center and County do mutually agree as follows:

1. The Center agrees to furnish the following services for disabled adults in Oklahoma County as their resources permit:
 - a. Funds received by the Center under this agreement may be used for food, transportation expenses which include fuel, assistance with driver and health care coordinator salary cost, vehicle ADA compliance, repairs and maintenance, insurance, material and supplies cost for activities for the participants at the Mid Del Group Home Sheltered Workshop.
 - b. The Center understands and agrees that funds from this agreement may not be used to the direct aid of persons who are not eligible for aid under this agreement.
2. In consideration for these services, County agrees to pay up to an amount not to exceed a total of \$14,000 (Fourteen Thousand Dollars) for the contract period upon receipt of monthly claims, authorized and approved by the County. Monthly claims are to be sent to:

Terry Bolden
Oklahoma County Social Services
7401 Northeast 23rd Street
Oklahoma City, OK 73141

3. The Center agrees that the monies received pursuant to this agreement will be used solely for the purposes outlined in paragraph #1.
4. The parties agree that this agreement will become effective December 5, 2016 as executed by the County, and will terminate on June 30, 2017, provided that either party may terminate this agreement on thirty (30) days' written notice to the other party. Further, the County may terminate this agreement at any time by written notice to the Center if the Center fails to perform its obligations under paragraph #1 above, as determined by the County in the County's sole and absolute discretion.
5. The Center will not impose any fees for services rendered and paid for under the terms of this agreement. Under this agreement, no person shall be excluded from participation, be denied benefits, or be subject to discrimination on the grounds of race, creed, color, sex, age, national origin, religion, or handicap.

6. The County has the right, at all reasonable times, to inspect, investigate, or otherwise evaluate the services performed pursuant to this contract. The Center further agrees to provide the County with monthly detailed reports of services rendered pursuant to this contract, including the number of people served. This report is to accompany the monthly claim as referenced in paragraph 2 of this agreement.
7. The Center shall perform services under this agreement as an independent contractor and accepts all liabilities and damages resulting from its performance hereunder. The Center agrees to indemnify and hold County harmless and free of any and all liabilities arising from any act of omission or commission by them with respect to this agreement. The Center agrees to maintain general liability insurance in an amount sufficient to satisfy any claims which might arise under the Oklahoma Governmental Tort Claims Act (51 O.S. 151 et seq.), which is a minimum of One Hundred Seventy Five Thousand Dollars (\$175,000.00) per claimant per single act, accident, or occurrence and One-Million Dollars (\$1,000,000.00) per single occurrence or accident. The Center agrees to attach a copy of a certificate of insurance to this contract upon its execution.
8. No official or employee of Oklahoma County shall receive any share of the agreement or benefits that may arise there from and no official or employee of County shall serve as officers of the Center.

WITNESS THEREOF, the County and the Center have executed this Agreement.

APPROVED this _____ day of _____, 20____.

City of Midwest City
for Mid Del Group Home Sheltered Workshop

By: _____
Matthew D. Dukes, II, Mayor

Date: _____

By: _____
Christi Jernigan, Director
Oklahoma County
Social Services

**Board of County Commissioners
Oklahoma County, Oklahoma**

Chairman

Attest:

County Clerk

Approved this _____ day of _____, 20____, as to form and legality.

Assistant District Attorney



Grants Management
100 N. Midwest Boulevard
Midwest City, OK 73110
405.739.1216

TO: Honorable Mayor and City Council

FROM: Terri L. Craft, Grants Manager

DATE: January 10, 2017

RE: Discussion and consideration of 1) acceptance of a 2016-17 Oklahoma County Emergency Utility Assistance grant in the amount of \$11,000 for the implementation of an Emergency Utility Assistance Program; 2) approving and entering into a contract with the Board of County Commissioners of Oklahoma County which establishes the terms and conditions of the grant; and 3) authorization of the Mayor and/or City Manager to enter into the necessary contracts/agreements to implement the grant.

For the past ten years, the City of Midwest City has received Emergency Utility Assistance grant funds from the Oklahoma County Commissioners as fiscal agent for Mission Mid-Del Inc., a faith-based organization providing emergency utility assistance to households in Oklahoma County at risk for homelessness.

As fiscal agent, the city will establish and maintain an account for the contract amount, will process invoices for payment, invoice Oklahoma County for reimbursement, and provide oversight and reporting activities. Staff recommends approval.

Terri L. Craft
Grants Manager

Attachment

CONTRACT
Between the Board of Oklahoma County Commissioners
on behalf of the Department of Oklahoma County Social Services
and
City of Midwest City
for the Emergency Utility Assistance Program

This agreement (the "Agreement") is entered into between the Board of County Commissioners of Oklahoma County, a political subdivision organized and existing under the laws of the State of Oklahoma (the "County"), and City of Midwest City, herein referred to as "the Center," having a notice address of 100 N. Midwest Blvd., Midwest City, OK 73110, attention Terri Craft.

WHEREAS, The County is authorized by Oklahoma Statutes to provide support for senior citizens and indigent persons pursuant to Title 19 and Title 56;

WHEREAS, The Center is currently providing services to seniors and/or indigent persons in Oklahoma County and is willing to continue offering such services within the constraints of its budget; and

WHEREAS, The County is desirous of contracting with the Center to provide aid in the form of utility assistance to seniors and indigent families in Oklahoma County;

NOW, THEREFORE, BE IT RESOLVED, the Center and County do mutually agree as follows:

1. The Center agrees to furnish the services described in Attachment A to senior citizens and / or indigent families in Oklahoma County as their scheduling and resources permit.
2. In consideration for the services described in Attachment A, County agrees to pay up to an amount not to exceed a total of \$11,000 for the contract period upon receipt of monthly claims, authorized and approved by the County. Monthly claims are to include copies of all bills paid under this grant for the time period invoiced. Invoices are to be sent to:

Terry L. Bolden
Oklahoma County Social Services
7401 Northeast 23rd Street
Oklahoma City, OK 73141

3. Monthly claims are to be accompanied by a report showing the number of people served for the time period invoiced, with amounts for deposits specifically identified. Payments for deposits require additional assurances that the deposit is the last remaining obstacle for a person to transition out of homelessness or prevent a person from becoming homeless.
4. The Center agrees that the monies received pursuant to this agreement will be used solely for the purposes outlined in paragraph #1.
5. Agreement to be effective December 5, 2016 and will terminate on June 30, 2017. Either party may terminate this agreement on thirty (30) days' written notice to the other party. Further the County may terminate this agreement at any time by written notice to the Center if the Center fails to perform its obligations under paragraph #1 above, as determined by the County in the County's sole and absolute discretion.
6. The Center will not impose any fees for services rendered and paid for under the terms of this agreement. Under this agreement, no person shall be excluded from participation, be denied

- benefits, or be subject to discrimination on the grounds of race, creed, color, sex, age, national origin, religion, or handicap. The Center shall provide the agreed upon services without regard to or for the recipients religious character or affiliation or require recipients participation in any religious activities.
7. The County has the right, at all reasonable times, to inspect, investigate, or otherwise evaluate the services performed pursuant to this contract.
 8. The Center shall perform services under this agreement as an independent contractor and accepts all liabilities and damages resulting from its performance hereunder. The Center agrees to indemnify and hold County harmless and free of any and all liabilities arising from any act of omission or commission by them with respect to this agreement. The Center agrees to maintain general liability insurance in an amount sufficient to satisfy any claims which might arise under the Oklahoma Governmental Tort Claims Act (51 O.S. 151 et seq.), which is a minimum of One Hundred Seventy Five Thousand Dollars (\$175,000.00) per claimant per single act, accident, or occurrence and One-Million Dollars (\$1,000,000.00) per single occurrence or accident. The Center agrees to attach a copy of a certificate of insurance to this contract upon its execution.
 9. No official or employee of Oklahoma County shall receive any share of the agreement or benefits that may arise there from and no official or employee of County shall serve as officers of the Center.
 10. This contract is null and void unless the Oklahoma County Clerk has encumbered the contract. Upon approval of this contract, a blanket purchase order number will be issued by Oklahoma County. It is expressly understood that the County is a subdivision of the State of Oklahoma and consequently may only contract pursuant to the procedures and within the limitation provided by Oklahoma law.

WITNESS THEREOF, the County and the Center have executed this Agreement.

APPROVED this _____ day of _____, 20__.

City of Midwest City

By: _____
Matthew D. Dukes, II, Mayor

Date: _____

**Director, Oklahoma County
Social Services**

**Board of County Commissioners
Oklahoma County, Oklahoma**

Chairman

Attest:

County Clerk

Approved this _____ day of _____, 20__, as to form and legality.

Assistant District Attorney

ATTACHMENT A

CONTRACT

**Between the Board of Oklahoma County Commissioners
on Behalf of the Department of Social Services
and
City of Midwest City
for the Emergency Utility Assistance Program**

This attachment, including this page and the preceding three (3) pages, provides the description of the scope of services as referenced in paragraph 1 of the contract between the Board of Oklahoma County Commissioners on behalf of the Department of Oklahoma County Social Services and City of Midwest City for the Emergency Utility Assistance Program. This attachment is part of the complete contract.

The Center understands and agrees to the following:

1. Assistance can be provided only for families or seniors whose places of residence are located in Oklahoma County and who are at risk of becoming homeless, and who can significantly benefit from assistance with payment of utility bills (gas, electricity, and water only, including propane gas). A “family” consists of at least one child (under 18) in residence with a parent, grandparent, or legal guardian. The term Senior is “Agency defined” as long as it’s not below the age of 50. Recipients must complete and sign an application (this can be an application the agency already uses as long as it provides appropriate information for determining eligibility). Recipients must be legal residents and must be making their own efforts toward self-sufficiency and responsible self-management. Payments are to be made directly to the utility company. Under no circumstance is payment to be provided to an individual. No fee can be charged to any individual for this assistance.
2. Payment may be made only for current residences located in Oklahoma County, or for deposits only under the specific condition that the utility deposit is one of the last remaining steps for a person to transition out of homelessness or prevent a person from becoming homeless. Payments are not to be made towards bills owed for previous residences.
3. For the services provided, no person shall be excluded from participation, be denied benefits, or be subject to discrimination on the grounds of race, creed, color, sex, age, national origin, religion, or handicap. No part of this funding can be used for any religious activity, and no requirement of religious activity can be mandated as a condition of receiving services through this funding.
4. Invoicing may occur on a monthly basis. Invoices must consist of a summary of number of people served, number of months paid, and total amount requested for reimbursement. The invoice must be accompanied by a report itemizing the list of people served and amounts paid, along with copies of utility bills paid. The invoice must contain a signed statement attesting to the accuracy of the information on the invoice and the accompanying report.
5. The period of agreement will end on June 30, 2017.



City of Midwest City Police Department

100 N. Midwest Boulevard

Midwest City, OK 73110

Office 405.739.1320

Fax 405.739.1398

Memorandum

TO: Honorable Mayor and Council

FROM: Brandon Clabes, Chief of Police

DATE: January 10, 2017

SUBJECT: Discussion and consideration of approving and awarding a bid to QuikService Steel Company in the amount of the current market value on date of delivery less .15 per pound, based on the American Metal Market publication, for the sale of spent shell casings for recycling, which was declared as surplus at the December 13, 2016 Council meeting.

On Thursday, December 29, 2016 at 2:00 p.m., the City of Midwest City opened bids for the sale of spent shell casings for recycling. Only one (1) bid was submitted which was from QuikService Steel Company in the amount of the current market value on date of delivery less .15 based on the American Metal Market publication (see attached example and specifications).

Staff recommends approval.

Brandon Clabes, Chief of Police

Attachments

Invitation for Sealed Bids

CITY OF MIDWEST CITY
100 N. MIDWEST BOULEVARD
MIDWEST CITY, OK 73110

Write legibly in ink or use typewriter. Please see instructions on next page.

Published in: **Midwest City Beacon**

Date Advertised: **Friday, December 16, 2016**

Bids must be in the Office of the City Clerk by no later than 2:00 p.m. on Thursday, December 29, 2016 at 2:00 p.m.

IMPORTANT: Bid envelope must indicate bid item enclosed and date of bid opening.

Description	Quantity	Unit Price	Total Net Price
To purchase for recycling spent shell casings			
Current market value on date of delivery less .15			
based on American Metal Market publication. (see attached example and specs)			

THE CITY OF MIDWEST CITY IS EXEMPT FROM PAYMENT OF OKLAHOMA SALES TAX AND FEDERAL EXCISE TAX.

I have examined the specifications and agree, provided I am awarded a contract within thirty (30) days from the date fixed for opening bids, to provide the above described items for the sum shown, in accordance with the terms set out in "Agreement by Bidder."

DELIVERY WILL BE MADE IN _____ DAYS OR LESS FROM DATE OF ORDER. DATED THIS _____ DAY OF _____, 20____.

FIRM QuikService Steel Co. BY Donald Brodmerkel

ADDRESS 1948 S.E 44th OKC, OK 73129 TITLE Scrap Manager

Accepted by the City Council this _____ day of _____, 20____.

Matthew D. Dukes II, Mayor

Sara Hancock, City Clerk

Approved as to form this _____ day of _____, 20____.

Philip W. Anderson, City Attorney

'Dec 27, 2016

QuikService Steel Company
1948 S. E. 44th St.
Oklahoma City, Ok. 73129

City of Midwest City
100 N. Midwest Blvd.
Midwest City, Ok. 73110

RE: BID ON SPENT SHELL CASINGS

With no specific weights or date(s) of delivery it is difficult to give a single price on the spent shell casings.

We propose the following pricing structure based on the American Metals Market publication. The AMM is a daily publication and any sale would be based on that specific date. (Copy provided with the payment)

FORMULA: AMM BRASS INGOT MAKERS' YELLOW BRASS SOLIDS (HIGH SIDE) LESS .15 PER POUND.
EXAMPLE FOR AMM ON DEC 26, 2016 (ATTACHED) (1.50-.15=1.35/LB)

This quote is for clean brass shells free of any aluminum or unspent (live rounds). We will purchase any **ALUMINUM** shells against the **AMM SHEET PRICE LESS .15 per POUND. (.56 -.15 =.41 /LB.)**

The next item would be your payment preference. We can pay in cash or by check. We would enter you in our account base, which would allow us to meet legal purchase requirements, as well as build a history of volumes and payments.

Please contact me, if there are any questions. (405.672.4557)

Sincerely,



Donald Brodmerkel
QuikService Steel Company

AMM NONFERROUS SCRAP PRICES

PRICES EFFECTIVE FRIDAY, DECEMBER 23, 2016

ESTIMATED DEALER BUYING PRICES, IN \$/LB. DELIVERED TO YARD. MONTREAL AND TORONTO PRICES ARE IN CANADIAN CURRENCY

COPPER (rev. 12/15/16)

	Atlanta	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Detroit	Houston	L.A.	N.Y.	Philly	P'burgh	S.F.	St. Louis	Montreal	Toronto
No. 1 heavy copper and wire	205-215	188-198	204-214	199-214	199-214	199-209	194-209	200-210	207-217	188-203	196-206	204-219	189-204	216-226	264-274	251-266
NO. 2 HEAVY COPPER AND WIRE	192-202	175-185	187-197	190-205	185-200	185-200	185-200	186-196	194-204	174-189	182-197	190-205	175-185	202-212	246-256	242-252
Light copper	172-187	165-175	167-177	170-185	170-185	165-175	170-185	169-179	168-178	164-179	162-177	165-180	152-162	185-195	226-236	213-228
RED BRASS SOLIDS	163-173	161-171	168-178	169-179	161-171	166-176	164-174	153-168	180-190	160-170	152-162	169-179	177-187	176-186	181-191	181-191
Red brass turnings, borings	148-158	126-136	113-123	144-154	136-146	126-136	144-154	123-133	141-151	141-151	142-152	139-149	135-145	164-174	131-141	131-141
Cocks and faucets	116-126	.....	126-136	132-142	119-129	119-129	144-154	123-133	141-151	141-151	142-152	139-149	135-145	164-174	131-141	131-141
Brass pipe	126-136	129-139	131-141	137-147	139-149	139-149	147-157	139-149	154-164	139-149	135-145	132-142	150-160	152-162	176-186	166-176
YELLOW BRASS SOLIDS	132-142	110-120	124-134	125-135	127-137	117-127	118-128	125-135	147-157	122-132	128-138	125-135	136-146	140-150	164-174	162-172
Mixed yellow brass turnings, borings	81-91	89-99	86-96	97-107	94-104	84-104	97-107	106-116	109-119	84-94	75-85	125-135	136-146	140-150	164-174	162-172
Yellow brass rod ends	131-141	129-139	131-141	127-137	134-144	129-139	127-137	142-152	137-147	134-144	130-140	132-142	143-153	155-165	184-194	184-194
Yellow brass rod turnings	126-136	119-129	121-131	122-132	134-144	124-134	127-137	134-144	144-154	134-144	130-140	132-142	143-153	155-165	184-194	184-194
70-30 brass clips	132-142	135-145	132-142	133-143	135-145	130-140	148-158	155-165	150-160	135-145	136-146	138-148	139-149	171-181	177-187	177-187
AUTO RADIATORS (UNSWEATED)	134-144	122-132	139-149	130-140	141-151	126-136	125-135	125-135	154-164	125-135	133-143	130-140	140-150	141-151	151-161	151-161
High-grade bronze gears	143-153	161-171	163-173	154-164	150-160	140-150	159-164	161-171	156-166	161-171	156-166	154-164	157-167	154-164	172-182	172-182
High-grade low lead bronze	133-143	.....	.....	149-159	140-150	135-145	134-144	141-151	146-156	131-141	126-136	139-149	142-152	149-159	175-185	175-185
Manganese bronze solids	123-133	136-146	133-143	129-139	145-155	135-145	134-144	141-151	146-156	131-141	126-136	139-149	142-152	149-159	175-185	175-185
Miscellaneous nickel-silver solids	128-138	136-146	138-148	134-144	125-135	140-150	129-139	151-161	141-151	141-151	136-146	144-154	137-147	149-159	175-185	175-185
Manganese bronze turnings	83-93	81-91	88-98	94-104	90-100	95-105	89-99	96-106	91-101	81-91	76-86	99-109	87-97	87-97	120-130	115-125

ALUMINUM (rev. 12/15/16)

	Atlanta	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Detroit	Houston	L.A.	N.Y.	Philly	P'burgh	S.F.	St. Louis	Montreal	Toronto
Segregated low copper clips	45-50	43-46	47-50	45-47	40-45	40-43	43-46	36-38	53-57	38-41	41-43	43-46	46-47	53-54	56-58	54-56
Mixed low copper clips	43-48	39-41	45-47	41-42	39-41	37-40	41-43	32-35	47-50	35-38	39-44	40-43	44-45	52-53	54-56	51-53
Mixed clips	40-42	40-41	45-47	39-43	39-42	38-40	39-44	33-36	49-53	35-38	36-41	41-44	44-45	51-53	53-54	49-51
Aluminum borings, turnings, clean and dry	23-28	23-26	19-24	23-28	21-26	20-25	25-30	16-21	29-34	19-24	19-24	23-28	23-25	32-37	28-32	26-30
Old aluminum, sheet and cast	39-44	38-40	41-42	42-47	40-45	38-41	39-44	37-38	49-52	34-37	38-41	42-47	41-43	45-47	47-49	47-49
Used beverage cans, clean and dry	44-47	34-36	37-38	40-45	39-44	37-39	36-40	42-47	47-49	44-46	43-46	40-45	39-42	49-51	40-42	40-42
Industrial castings	39-42	38-39	37-38	41-46	.....	39-44	43-48	36-37	.....	40-43	39-43	.....	.....	59-64	66-68	65-67
63S aluminum solids	51-53	53-54	53-54	51-56	.....	39-44	43-48	36-37	.....	40-43	39-43	.....	.....	49-51	47-49	47-49
75S aluminum clips	38-41	35-37	39-41	39-44	.....	35-40	43-48	33-34	57-60	.....	37-40	.....	48-51	47-51	50-52	48-50
75S borings, turnings, as is	25-28	.....	.....	36-41	.....	25-30	31-36	20-23	32-37	.....	25-28	.....	18-21	.....	33-35	31-33
Aluminum utensils	40-44	.....	40-41	30-34	.....	33-38	36-41	32-34	.....	35-38	.....	.....	.....	38-40	40-42	40-42
Painted aluminum siding	39-44	37-39	43-44	37-42	.....	37-42	38-43	34-37	47-50	.....	33-37	.....	38-40	47-50	50-52	48-50
Litho sheets	55-60	51-54	.....	48-53	.....	.....	48-53	48-52	56-61	.....	.....	.....	50-55	60-63	.....	.....

LEAD (rev. 12/15/16)

	Atlanta	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Detroit	Houston	L.A.	N.Y.	Philly	P'burgh	S.F.	St. Louis	Montreal	Toronto
HEAVY SOFT LEAD	40-45	48-51	47-52	46-51	.....	45-50	42-46	42-47	.....	42-47	44-49	.....	38-43	49-53	54-59	46-51
Mixed hard lead	38-41	.....	48-50	44-46	.....	46-50	43-47	43-47	.....	.....	.....	.....	39-43	48-52	51-52	.....
Un drained, whole old batteries	.....	.....	24-26	.....	.....	23-28	.....	.....	.....	20-22	.....	.....	39-43	48-52	51-52	.....
WHEEL WEIGHTS	30-34	28-30	35-39	23-27	.....	28-32	28-32	31-35	.....	23-27	29-32	25-29	22-26	.....	38-42	.....

ZINC (rev. 12/15/16)

	Atlanta	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Detroit	Houston	L.A.	N.Y.	Philly	P'burgh	S.F.	St. Louis	Montreal	Toronto
New zinc die cast	37-42	32-34	37-42	39-43	.....	.....	39-44	37-41	40-45	36-41	.....	.....	39-44	43-48	36-41	.....
OLD ZINC DIE CAST	31-36	33-35	36-41	32-37	.....	.....	32-37	36-40	41-46	35-40	.....	.....	37-42	40-45	35-40	.....
Old zinc scrap	31-36	33-35	33-35	32-37	.....	.....	32-37	36-38	36-41	35-40	.....	.....	36-41	40-45	32-37	36-41
Zinc die cast automotive grilles	.....	37-42	33-38	40-45	.....	.....	40-45	34-38	.....	.....	.....	.....	36-41	40-45	32-37	36-41

NICKEL (rev. 12/15/16)

	Atlanta	Boston	Buffalo	Chicago	Cincinnati	Cleveland	Detroit	Houston	L.A.	N.Y.	Philly	P'burgh	S.F.	St. Louis	Montreal	Toronto
New nickel clips and solids	410-460	385-435	385-435	410-460	410-460	410-460	410-460	410-460	385-435	410-460	410-460	410-460	385-435	385-435	385-435	385-435
Nickel turnings	350-400	325-375	325-375	350-400	350-400	350-400	350-400	350-400	.....	.....	.....	350-400	.....	.....	325-375	.....
New nickel-copper alloy (e.g., Monel®) clips and solids	230-280	200-250	200-250	230-280	230-280	230-280	230-280	230-280	200-250	230-280	230-280	230-280	200-250	200-250	.....	.....
Nickel-copper alloy (e.g., Monel®) turnings and shavings	215-245	185-215	185-215	215-245	215-245	215-245	215-245	215-245	185-215	215-245	215-245	215-245	185-215	.....	.....	.....
Nickel-copper alloy (e.g., Monel®) castings	225-255	205-235	205-235	225-255	225-255	225-255	225-255	225-255	205-235	.....	225-255	225-255	.....	205-235	.....	.....
Nickel-chrome-iron alloy (e.g., Inconel®) solids	285-310	255-280	255-280	285-310	285-310	285-310	285-310	285-310	255-280	285-310	285-310	285-310	255-280	255-280	255-280	255-280

Monel® and Inconel® are registered trademarks of Huntington Alloys Corp.

SCRAP

Estimated buying prices (carload lots, delivered buyers' works) in \$/lb except as otherwise noted.	SMELTERS' LEAD SCRAP Buying prices heavy soft lead (cwt), including delivery to smelter (rev. 12/13/16)	Turnings, clean and dry High grade Mixed grade (max. 5% Zn) Aluminum-copper radiators Nonferrous auto shred (90% alum.) * * Unmixed full truckload, "twitch" grade
BRASS MILL SCRAP	Scrap lead	54.00-56.00
No. 1 copper	Remelt lead	51.00-53.00
REFINERS' COPPER SCRAP	Whole batteries	114.00-119.00
No. 1 copper	Cable lead	61.00-63.00
No. 2 copper	SMELTERS' ZINC SCRAP (rev. 12/13/16)	DOMESTIC ALUMINUM PRODUCERS Buying prices for processed used aluminum cans in carload lots, f.o.b. shipping point (rev. 12/22/16)
BRASSINGOT MAKERS' SCRAP (rev. 12/23/16)	New zinc clippings	67.00-69.00
Copper	Old zinc (clean)	MILLS, SPECIALTY CONSUMERS' BUYING PRICES (rev. 12/22/16)
No. 1 bare bright	Galvanizers' dross	Segregated low copper alloy clips
No. 1	SECONDARY SMELTERS' ALUMINUM SCRAP	5052
No. 2	Buying prices delivered to Midwest smelters in full truckloads containing several grades (rev. 12/22/16)	3105
Light copper	Mixed low copper clips	Mixed low copper alloy clips
No. 1 comp. solids (rev. 12/21/16)	Mixed high copper clips	Painted siding
Comp., borings, turnings (rev. 12/21/16)	Mixed high zinc clips	
Radiators (rev. 12/21/16)	1-1-3 sows	
Yellow brass solids (rev. 12/21/16)	Siding, painted	
	Mixed clips	
	Old sheet	
	Old cast	

* Nominal for spot sales.

Scrap Prices Today
Nonferrous scrap price changes were made for
these cities: None



To become a price contributor see
"Metal Exchanges" page.

Prices are subject to the disclaimer appearing on the "Metal Exchanges" page.

DECEMBER 26, 2016

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DISCUSSION ITEMS





City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1204

MEMORANDUM

TO: Honorable Mayor and Council

FROM: J. Guy Henson, City Manager

DATE: January 10, 2017

SUBJECT: Discussion and consideration of appointing Susan Eads to replace Daniel McClure Jr as the Ward 1 Councilmember, due to Councilmember McClure's resignation, for the remainder of his unexpired term ending April 9, 2018.

Action is at the discretion of the Council.

J. Guy Henson, AICP
City Manager



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning Manager
COMPREHENSIVE PLANNING
Julie Shannon, Comprehensive Planner
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 10, 2017

Subject: (PC – 1891) Public hearing with discussion and consideration of approval of the Replat of Lot2 Block 8 of The Orchard Addition, described as a part of the NW/4 of Section 12, T11N, R2W.

Dates of Hearing: Planning Commission – December 6, 2016
City Council – January 10, 2016

Owner: Jeff Johnson, J Lou Properties LLC

Proposed Use: three (3) commercial lots

Size:

The area of request has a frontage along S. Douglas Blvd. of approximately 487.34 ft, and a depth of approximately 260.07 ft. containing an area of approximately 2.91 acres.

Development Proposed by Comprehensive Plan:

Area of Request – COMM, Commercial
North – OR, Office Retail
West – COMM, Commercial
South and East – HDR, High Density Residential

Zoning Districts:

Area of Request – SPUD, Simplified Planned Unit Development
North and East– PUD, Planned Unit Development
South – C-3, Community Commercial
West –I-2, Moderate Industrial

Land Use:

Area of Request – car wash, and two (2) multi-tenant commercial buildings
North – medical office
South and West – vacant
East – multi-family apartments

Municipal Code Citation:

38-21.1. Purpose

A Replat of all or a portion of a recorded Plat may be approved without vacation of the recorded Plat, if the Replat meets the following criteria:

The Replat is signed and acknowledged by the owners of the property being replatted; and

The Replat does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded plat.

History:

1. This area was rezoned to a Simplified Planned Unit Development in February of 2006.
2. The Final Plat of The Orchard was approved in March of 1984.
3. The Planning Commission recommended approval of this request.

Engineer's Comments:

Note: This application is a request to replat property that meets current engineering requirements. No new engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located on the west side of Douglas Boulevard in the street right-of-way adjacent to the west side of the area of request.

Extension of the water supply to serve this property is not required as outlined in Municipal Code 43-32.

Connection to the public water supply system for domestic service is a building permit requirement per Municipal Code 43-32 for all new buildings.

Sanitary Sewerage Collection and Disposal

A ten (10) inch public sewer main is located in an existing dedicated public utility easement that bisects the proposed lots from the south east to the north west.

Public sanitary sewer line improvements are not required with this application.

Connection to the public sanitary sewer system for service is a building permit requirement per Municipal Code 43-109 for all new buildings.

Streets and Sidewalks

Access to the area of request is available from Douglas Boulevard. Douglas Boulevard is classified as a primary arterial in the 2008 Comprehensive Plan. Douglas Boulevard is a five (5) lane, 65-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of one hundred and twenty feet (120) adjacent to the area of request and presently, Douglas Boulevard has one hundred and twenty (120) feet of right-of-way adjacent to and parallel to the west side of the area of request.

Right of way grants to the city are not required with this application.

Street improvements are not required with this application.

Sidewalk is located along the frontage of the area of request and is not required with this application.

The Trails Master Plan calls for a trail in the area of this proposed replat. The existing 186' channel easement is to be used for the trail in the future.

Drainage and Flood Control, Wetlands, and Sediment Control

Drainage across the area of request is via overland flow from the south west to the north east. Currently, the area of request is developed with a commercial complex.

The area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 12, 2009. Any and all future land disturbance activities or construction in the area of request is required to meet both local and FEMA requirements concerning floodplain development, including acquiring all necessary permits.

Drainage and detention improvements are not required with this application.

No identified wetlands are located on or abutting the area of request as shown on the Choctaw quadrangle of the 1989 National Wetlands Inventory map as prepared by the United States Department of the Interior Fish and Wildlife Service.

All future development on the proposed tracts must conform to the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Resolution 84-20 requires that developers install and maintain sediment and/or erosion controls in conjunction with their construction activities. Any proposed development must conform to the applicable requirements of Municipal Code Chapter 43, "Erosion Control." Sediment control plans must be submitted to and approved by the city before any land disturbance is done on-site. The developer is responsible for the cleanup of sediment and other debris from drainage pipes, ditches, streets and abutting properties as a result of his activities.

Easements and Right-of-Way

No additional rights-of-way and/or easements are required with this application.

Fire Marshal's Comments:

The fire department has reviewed this request to replat Lot 2, Block 8 of The Orchard Addition.

Staff Comments:

The Replat of Lot 2, Block 8 of The Orchard Addition will allow the owner to divide the existing lot into three lots. The owner has intentions of selling proposed lot 2A where the car wash is located. This replat will also allow the owner to sell lots 2B and 2C at a later date if desired.

All of the buildings shown on the plat are existing. The owner does not have any plans to add additional buildings to any lot in the future. The existing buildings on proposed lots 2A and 2B are just over 5' feet apart.

The site plan for the building on proposed lot 2B (which was built second) shows a 10' setback between the proposed building and the existing carwash, however, the building was built closer to the carwash and the building inspector at the time approved the footing for the building in its present location. The current Zoning Ordinance requires that commercial buildings that do not share a common wall be at least 5' from the property line. Due to the location of the existing buildings, the setback requirement in the Zoning Ordinance is not possible.

As noted earlier in this report, under the 2012 Subdivision Regulations existing plats may be reconfigured and a new lot created utilizing the replatting process. Since this area has been developed for many years there are no public improvements required.

Since this replat meets the subdivision regulations, staff recommends approval of the Replat of Lot 2 Block 8 of The Orchard Addition subject to these comments.

Action Required: Approve or reject the Replat of Lot 2, Block 8 of The Orchard Addition located on the property as noted herein, subject to the staff comments and found in the January 10, 2017 agenda packet and made a part of PC-1891 file.



Billy Harless, AICP
Community Development Director

KG

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That _____, on OKLAHOMA LIMITED LIABILITY COMPANY, hereby certifies that it is the owner of and the only persons, firm or corporation having any right, title, or interest in and to the land shown on the annexed plat of THE ORCHARD ADDITION, an addition to the City of Midwest City, being a part of the West Half (W/2), Section 12, Township 11 North, Range 2 West of the Indian Meridian in Oklahoma County, Oklahoma. That it has caused the same to be surveyed and platted into lots, blocks, streets and Easements as shown on said annexed plat, which said annexed plat, represents a correct survey of all property included therein under the name of THE ORCHARD ADDITION an addition to the City of Midwest City, Oklahoma County, Oklahoma.

The undersigned does hereby further certify that it is the owner of the land and the only company, corporation, partnership, person or entity having any right, title or interest in and to the land included in said annexed plat, except as set forth in the Bonded Abstractor's Certificate, and does hereby dedicate all streets and easements as shown on said annexed plat to the public for use as public streets, and drainage and utility easements for their heirs, executors~ administrators, successors, and assigns forever and shall cause the same to be released from all encumbrances so that title is clear. All common areas and private drainage easements including channels and detention ponds are the responsibility of the Homeowner's Association to maintain.

The Owner's Restrictive Covenants and Limitations for the development of this addition are set out on typewritten sheets of paper and will be subsequently filed separately.

In witness whereof the undersigned has caused this instrument to be executed on this _____ day of _____, 2016.

_____, L.L.C.

an OKLAHOMA LIMITED LIABILITY COMPANY

MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF OKLAHOMA)

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2016, personally appeared to me known to be the identical person who subscribed, as ' L.L.C., and duly acknowledged to me that he executed the same as the free and voluntary act and deed of himself and as the free and voluntary act and deed of said corporation.

BONDED ABSTRACTOR'S CERTIFICATE

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Oklahoma County and the State of Oklahoma, hereby certifies that the records of said county show that the title to the land shown on the annexed plat of THE ORCHARD ADDITION, an addition to the City of Midwest City, Oklahoma, is vested in _____, L.L.C., an OKLAHOMA LIMITED LIABILITY COMPANY, and on the _____ day of _____, 2016, there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, that the taxes are paid for the year of 2016 and prior years, that there are no outstanding tax sales certificates against said land and no tax deeds are issued to any person, that there are no liens, mortgages or other encumbrances of any kind against the land included in the annexed plat, except mortgages of record.

ATTEST

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this _____ day of _____, 2016.

By: _____
Assistant Secretary

By: _____
Vice President t

STATE OF OKLAHOMA)
) SS
COUNTY OF OKLAHOMA)

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2016, personally appeared _____ to me known to be the identical person who executed as vice president the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____

Notary Public

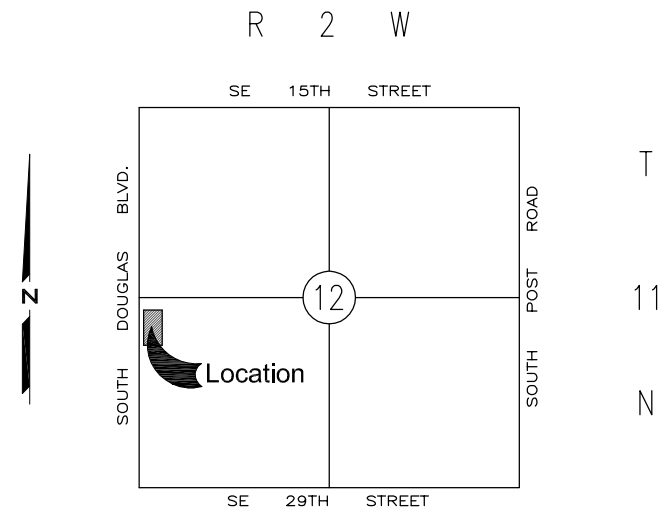
CERTIFICATE OF CITY CLERK

II, _____, City Clerk of Midwest City, Oklahoma, hereby certify that I have examined the records of said City and find that all deferred payments or unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the re-plat of LOT 2, BLOCK 8 THE ORCHARD ADDITION, an addition to the City of Midwest City, Oklahoma.

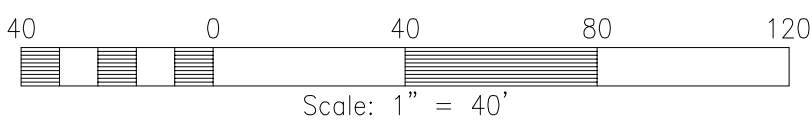
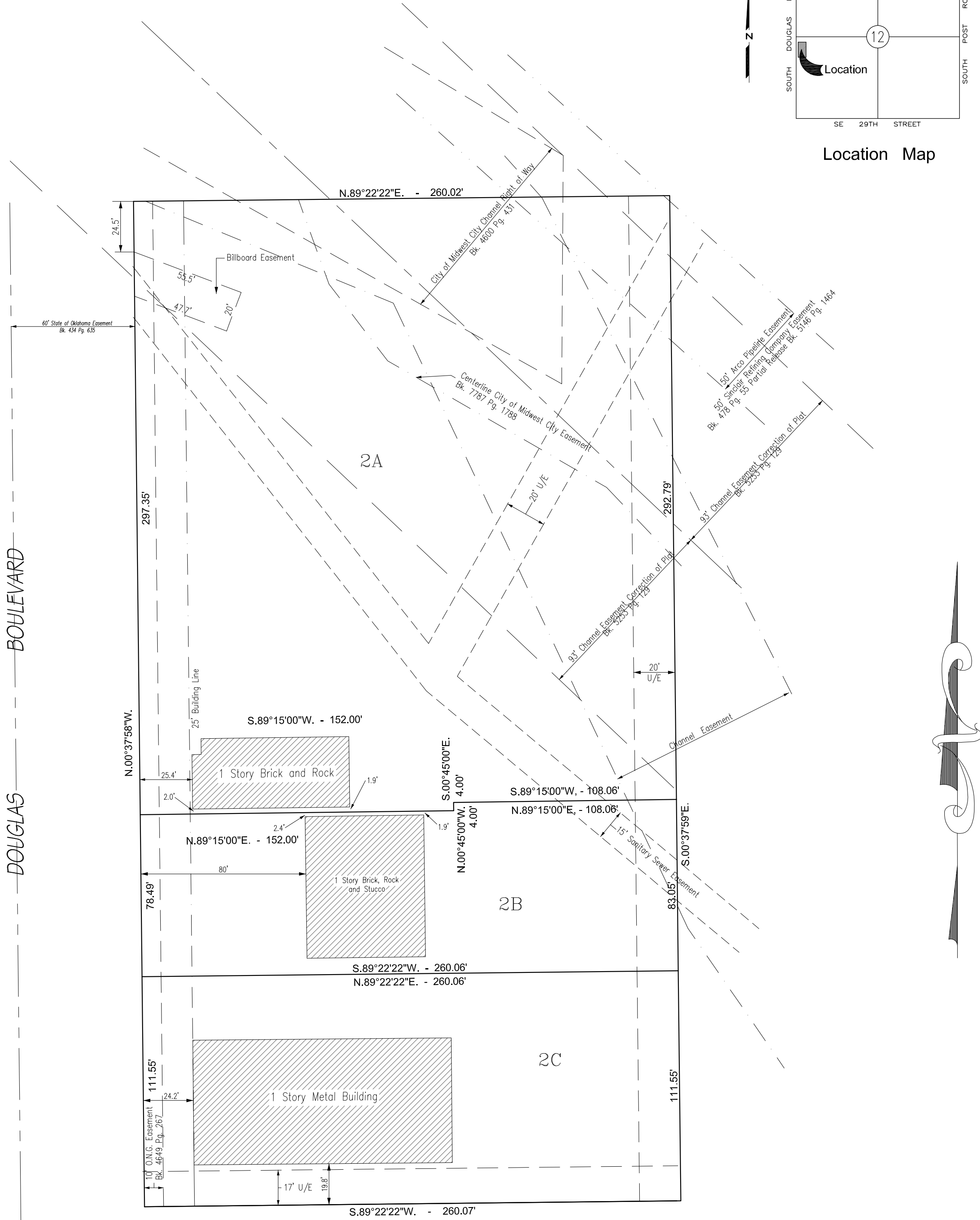
Signed by the City Clerk on this _____ day _____, 2016.

City Clerk

Replat of Lot 2 Block 8
The Orchard Addition
Midwest City, Oklahoma County, Oklahoma



Location Map



OWNER'S NOTARY SEAL	ABSTRACTOR'S SEAL	ABSTRACTOR'S NOTARY SEAL	SURVEYOR'S SEAL	SURVEYOR'S NOTARY SEAL	CITY SEAL	COUNTY TREASURER'S SEAL

The basis for the bearings shown on the annexed Replat, are based upon the West Line of the Southwest Quarter of Section 12, T. 11 N., R. 2 W., 1.M., Oklahoma County, Oklahoma, being a N.00°37'59\"W. bearing.

PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I, James S. Yager, do hereby certify that I am by Profession a Land Surveyor, and the re-plat of THE ORCHARD ADDITION, an addition to the City of Midwest City, Oklahoma, consisting of one (1) sheet, represents a survey made under my supervision on the 30th day of October, 2016.

I further certify that said re-plat complies with Requirements of Senate Bill 377, Section 518 as amended and that this plat of survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors; and that said Final Plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.

Date Signed: _____

James S. Yager, Licensed Professional
Land Surveyor Number 1006
CA Number 2778 Expires: 6-30-2017
1212 South Air Depot Number 19 Suite 102
Midwest City, Oklahoma 73110
Telephone: 405 - 737 - 3412

STATE OF OKLAHOMA)
JSS
COUNTY OF OKLAHOMA)

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2016, personally appeared James S. Yager to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for he uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: _____

Notary Public

COUNTY TREASURES'S CERTIFICATE

I, _____, do hereby certify that I am the duly elected, qualified and sworn County Treasurer of Oklahoma County, Oklahoma, that the tax records of said county show that all taxes for the year 2016 and prior years are paid on the annexed plat of THE ORCHARD ADDITION, an addition to the City of Midwest City, Oklahoma, and that the required statutory security has been deposited in the offices of the County Treasurer guaranteeing payment for the current year's taxes.

In witness whereof said County Treasurer has caused this instrument to be executed this _____ day of _____, 2016.

County Treasurer

CERTIFICATE OF PLANNING COMMISSION

II, _____, Director of the Planning Commission of the City of Midwest City, Oklahoma, hereby certify that the said Planning Commission duly approved the re-plat of Lot 2, Block 8 of the Orchard Addition, an addition to the City of Midwest City, Oklahoma, at a meeting on the _____ day of _____, 2016.

Director

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

BE IT HEREBY RESOLVED by the Council of the City of Midwest City, that the re-plat of THE ORCHARD ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma, is hereby approved and the dedications shown hereon are hereby approved and accepted.

ADOPTED by the Council of the City of Midwest City, this _____, day of _____, 2016.

APPROVED by the Mayor of the City of Midwest City, this _____, day of _____, 2016.

ATTEST

City Clerk

Mayor

LEGAL DESCRIPTION OF LOTS

Tract 2A

A part of Lot 2 in Block 8 of The Orchard Addition, an addition to Midwest City, Oklahoma County, Oklahoma, being more particularly described as follows: Beginning at the Northeast Corner of said Lot 2, thence S.00°37'59\"E., along the East Line of said Lot 2, a distance of 292.79 feet; thence S.89°15'00\"W., a distance of 108.06 feet; thence S.00°45'00\"E., a distance of 4.00 feet; thence S.89°15'00\"W., a distance of 152.00 feet to the West Line of said Lot 2; thence N.00°37'58\"W., along the West Line of said Lot 2, a distance of 297.55 feet to the Northwest Corner of said Lot 2; thence N.89°22'22\"E., along the North Line of said Lot 2, a distance of 260.02 feet to the point or place of beginning.

Tract 2B

A part of Lot 2 in Block 8 of The Orchard Addition, an addition to Midwest City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Northeast Corner of said Lot 2, thence S.00°37'59\"E., along the East Line of said Lot 2, a distance of 292.79 feet to THE POINT OF BEGINNING; thence continuing S.00°37'59\"E., along the East Line of said Lot 2, a distance of 83.05 feet; thence S.89°22'22\"W. and parallel with the South Line of said Lot 2, a distance of 260.06 feet to the West Line of said Lot 2; thence N.00°37'58\"W., along the West Line of said Lot 2, a distance of 78.49 feet; thence N.89°15'00\"E., a distance of 152.00 feet; thence N.00°45'00\"W., a distance of 4.00 feet; thence N.89°15'00\"E., a distance of 108.06 feet to the point or place of beginning.

Tract 2C

A part of Lot 2 in Block 8 of The Orchard Addition, an addition to Midwest City, Oklahoma County, Oklahoma, being more particularly described as follows:

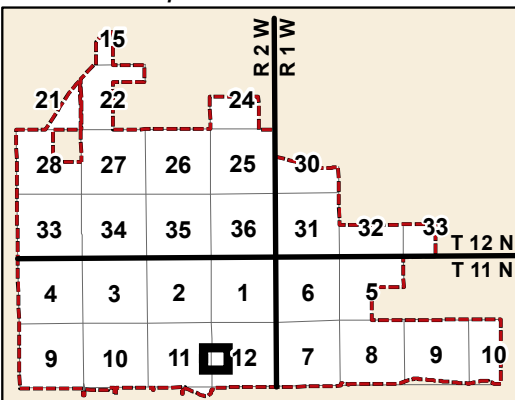
Commencing at the Northeast Corner of said Lot 2, thence S.00°37'59\"E., along the East Line of said Lot 2, a distance of 379.84 feet to THE POINT OF BEGINNING; thence continuing S.00°37'59\"E., along the East Line of said Lot 2, a distance of 111.85 feet to the Southeast Corner of said Lot 2; thence S.89°22'22\"W. along the South Line of said Lot 2, a distance of 260.07 feet to the Southwest Corner of said Lot 2; thence N.00°37'58\"W., along the West Line of said Lot 2 a distance of 111.55 feet; thence N.89°22'22\"E. and parallel with the South Line of said Lot 2, a distance of 260.06 feet to the point or place of beginning.

SHEET 1 OF 1

James S. Yager
Licensed Professional Land Surveyor
Certificate of Authorization Number 2778 Expires: 30 June 2017
1212 South Air Depot Number 19 Suite 102
Midwest City, Oklahoma 73110
Telephone: 405-737-3412/Fax: 405-737-4215



Locator Map



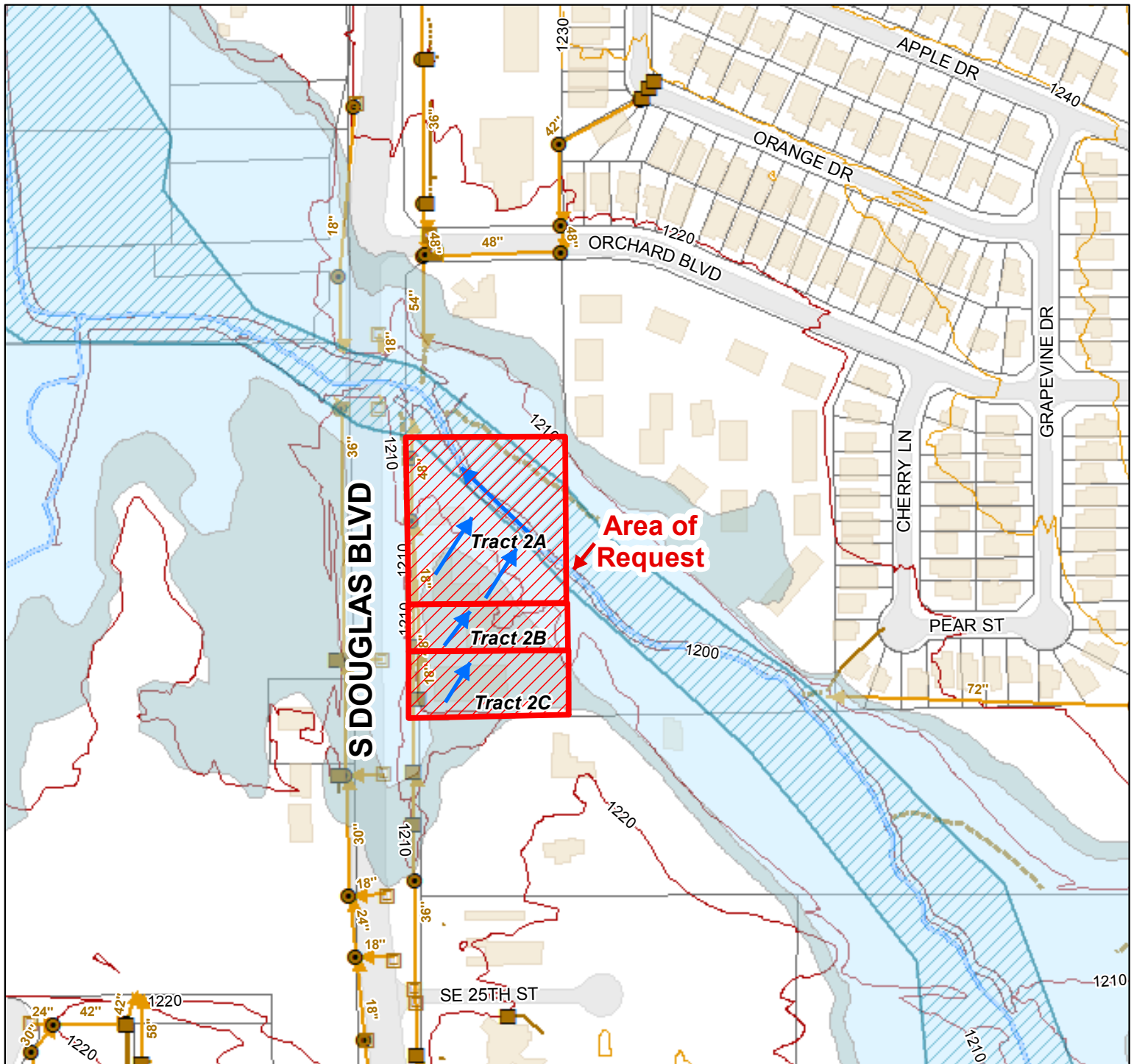
2015 DOP (AERIAL) VIEW FOR PC-1891 (SW/4, Sec. 12, T11N, R2W)



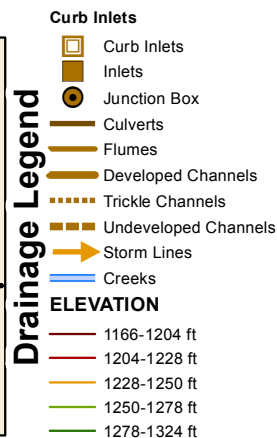
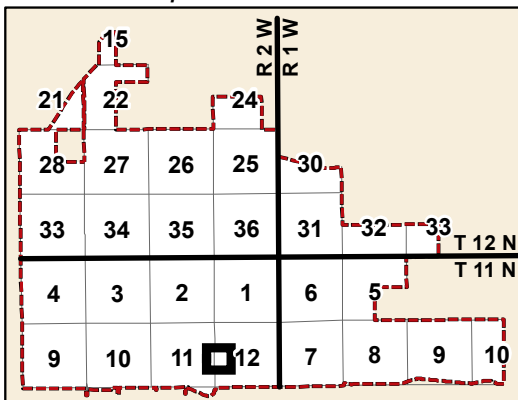
0 250 500 Feet

1 inch = 250 feet

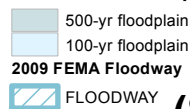
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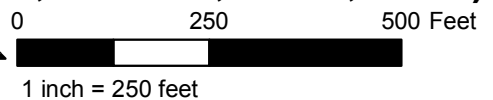
Locator Map



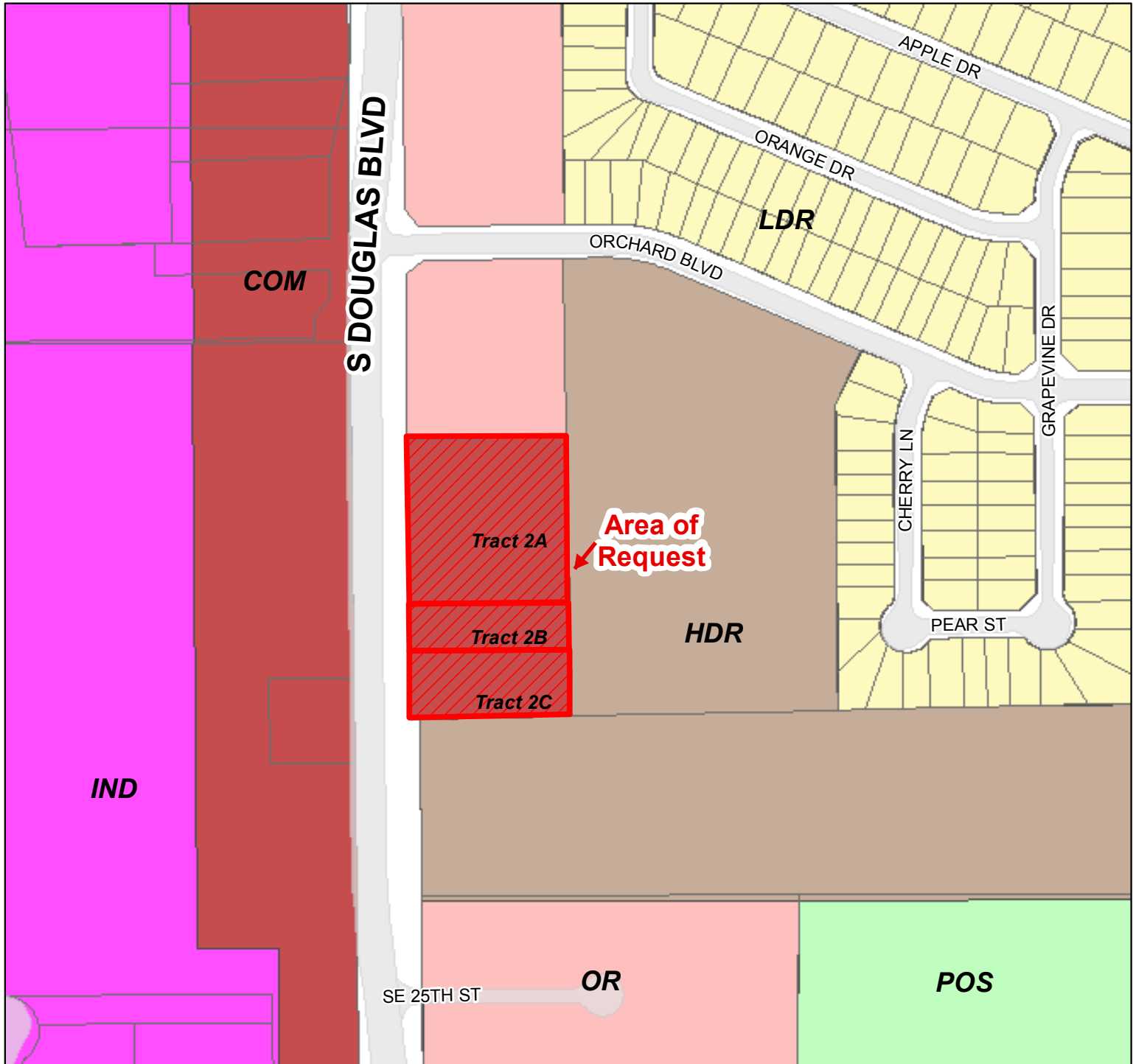
2009 FEMA Floodplains



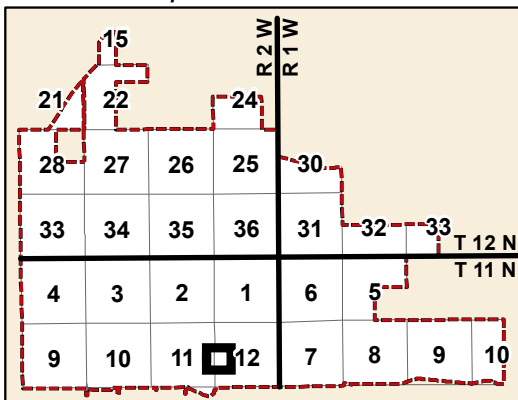
DRAINAGE LOCATION MAP FOR PC-1891 (SW/4, Sec. 12, T11N, R2W)



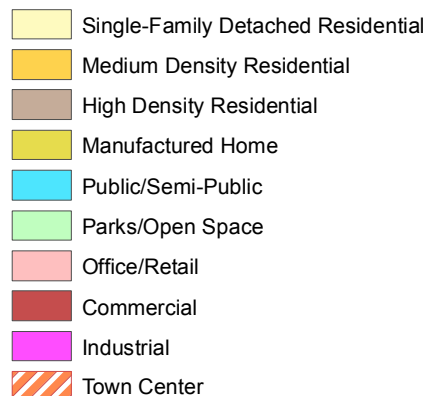
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Locator Map



Future Land Use Legend



FUTURE LAND USE MAP FOR PC-1891 (SW/4, Sec. 12, T11N, R2W)



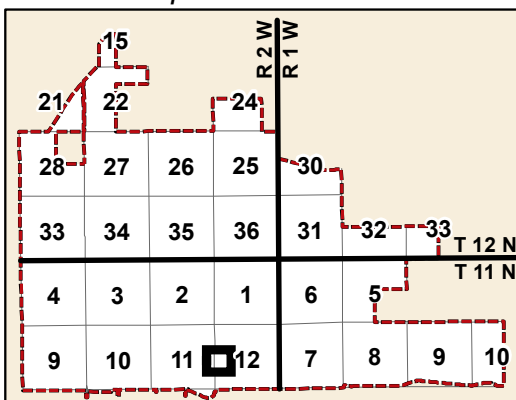
0 250 500 Feet

1 inch = 250 feet

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Locator Map



General Map Legend

- Area of Request
- Parcels with Addresses
- Buildings
- Edge of Pavement
- MWC City Limits

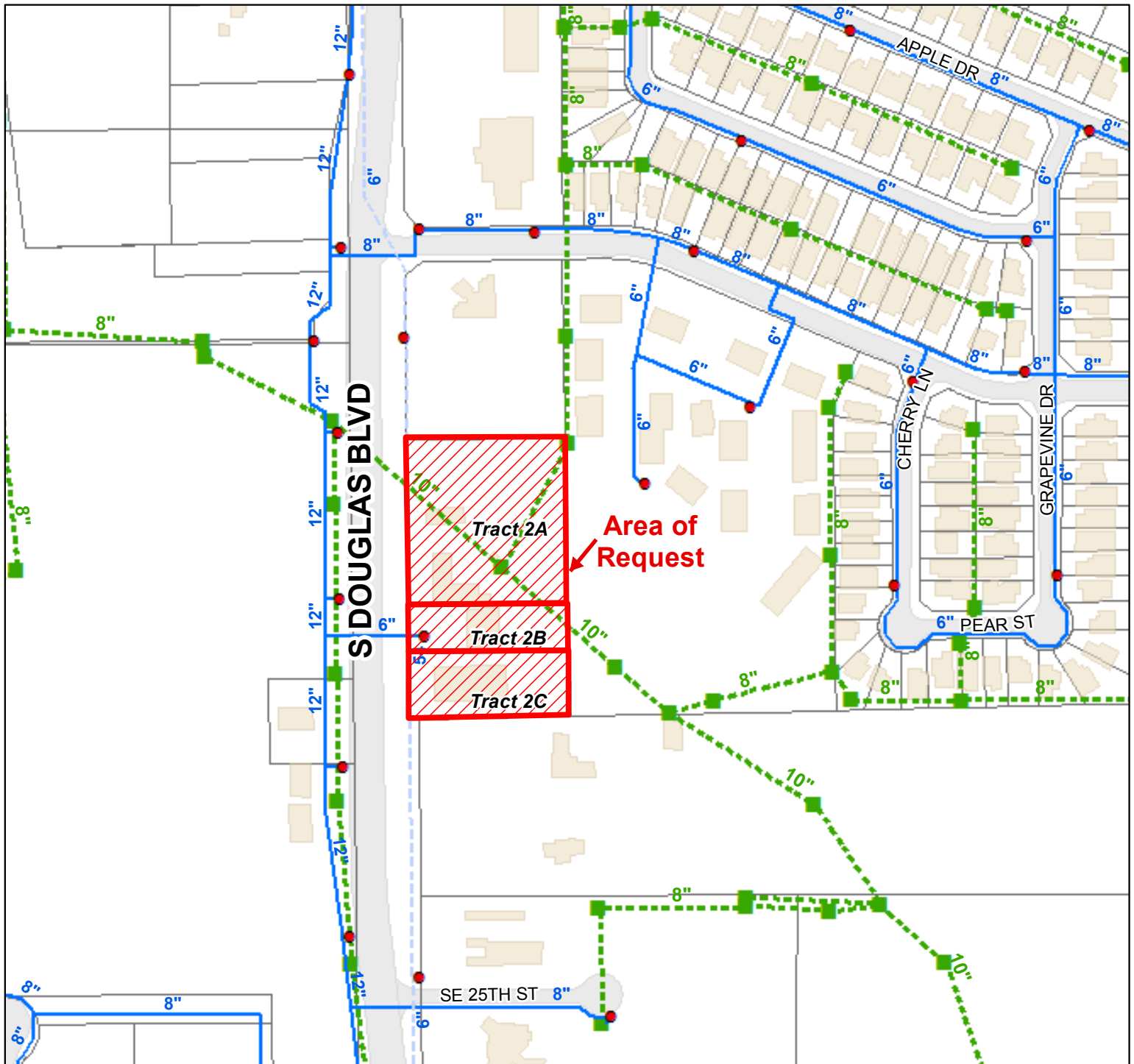
GENERAL MAP FOR PC-1891 (SW/4, Sec. 12, T11N, R2W)



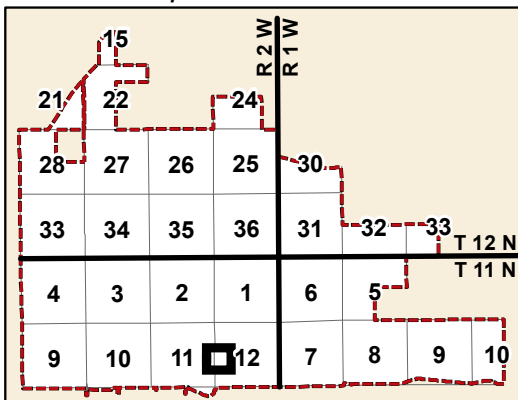
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Locator Map



Water/Sewer Legend

- Fire Hydrants
- Water Lines**
 - Distribution
 - Well
 - - - OKC Cross Country
 - - - Sooner Utilities
 - - - Thunderbird
 - - - Unknown
- Sewer Manholes
- - - Sewer Lines

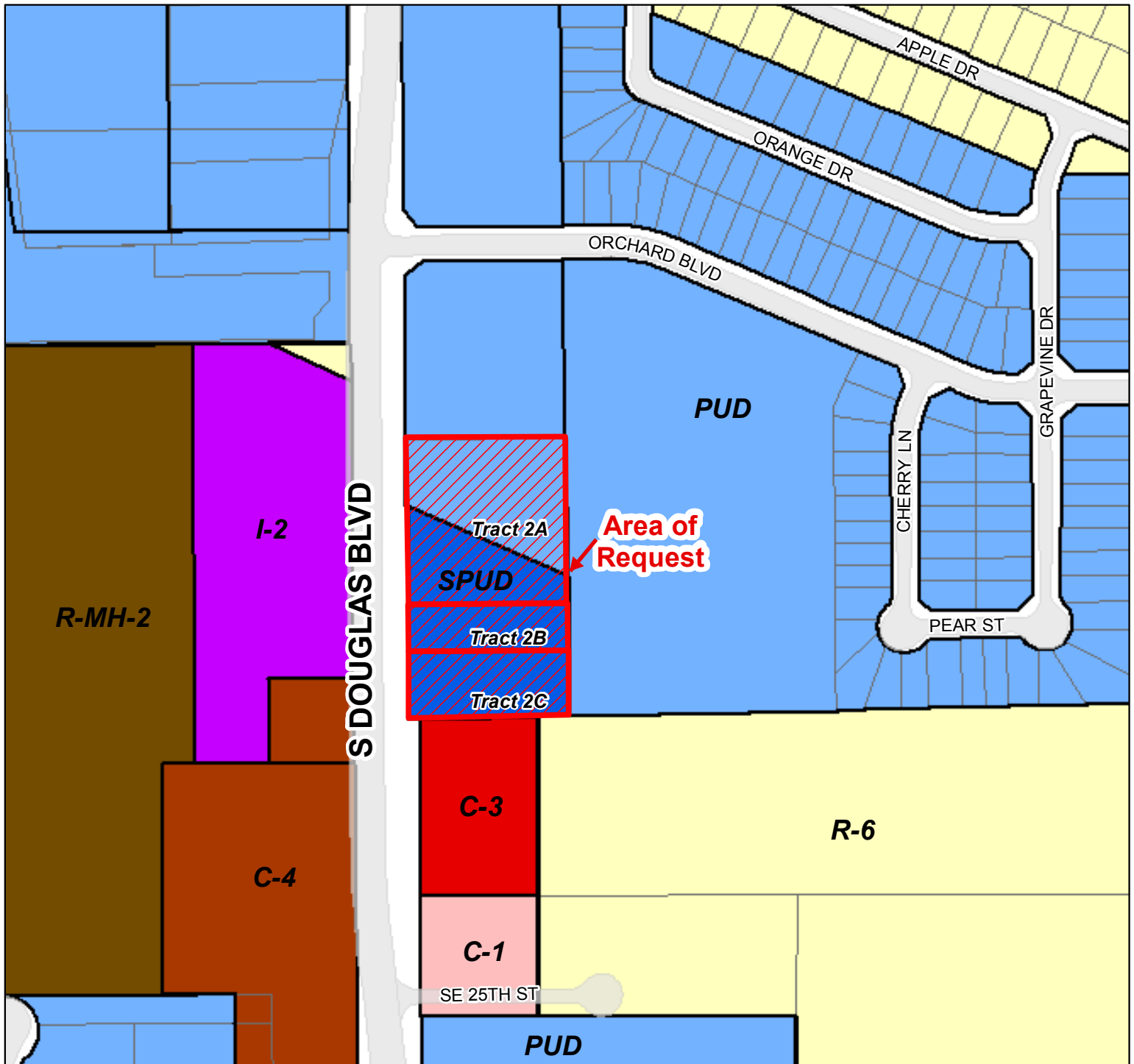
**WATER/SEWER LINE
LOCATION MAP FOR
PC-1891
(SW/4, Sec. 12, T11N, R2W)**



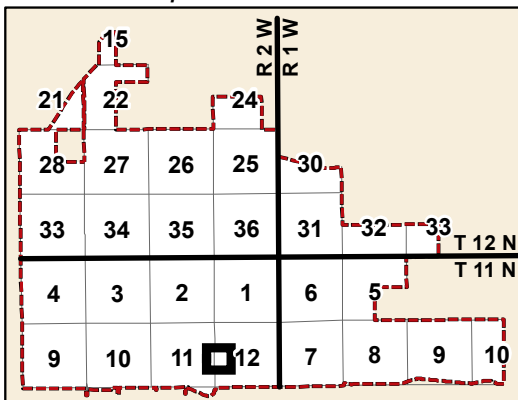
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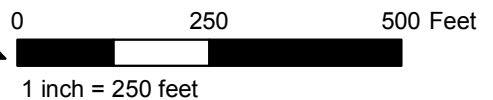
Locator Map



Current Zoning Legend

A-1	I-3	R-2F
A-1 SUP	O-1	R-MD
C-1	O-1 SUP	R-MD SUP
C-1 SUP	O-2	R-HD
C-2	O-2 SUP	R-HD SUP
C-3	R-6	R-MH-1
C-3 SUP	R-6 SUP	R-MH-2
C-4	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
I-2 SUP	R-35	HOS SUP

ZONING MAP FOR PC-1891 (SW/4, Sec. 12, T11N, R2W)



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The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Patrick Menefee, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning Manager
COMPREHENSIVE PLANNING
BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 10, 2017

Subject: (PC-1890) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential to C-3, Community Commercial, and a resolution to amend a portion of the Comprehensive Plan from Low-Density Residential to OR, Office Retail, for the property described as lot 28 of block 2 of the Replat of the Atkinson Heights addition, located at 229 West Fairchild.

Dates of Hearing: Planning Commission – December 6, 2016
City Council – January 10, 2017

Owner: 2320 S. Air Depot, LLC

Applicant: Robert S. Dillon

Owner: 2320 S. Air Depot LLC

Proposed Use: Office/Retail Business

Size:

The area of request has a frontage of approximately 51' along W Fairchild and a depth of approximately 135' containing an area of approximately 6,885 square feet, more or less.

Development Proposed by Comprehensive Plan:

Area of Request – Low-Density Residential (LDR)

East and West – Low-Density Residential (LDR)

North – Commercial (COMM)

South – Low-Density Residential (LDR)

Zoning Districts:

Area of Request – R-6, Single Family Residential

East – R-6, Single Family Residential

West – C-3, Community Commercial

North – C-3, Community Commercial

South – R-6, Single Family Residential

Land Use:

Area of Request – 1 single family residence
North– Commercial building
South –Single family residences
East – 1 Single family residence
West – 1 Single family residence

Municipal Code Citation:

2.20 Community Commercial

2.20.1. General Description

This commercial district is intended for the conduct of business activity which is located at the edge of residential areas but which serves a larger trade area than the immediately surrounding residential neighborhoods.

Business uses will most often be found in a wide variety of commercial structures, normally on individual sites with separate ingress, egress, and parking. Because of the varied uses permitted, it is important to be separated as much as possible visually and physically from any nearby residential areas and to limit the harmful effects of increased traffic, noise, and general nonresidential activity which will be generated.

Traffic generated by the uses permitted shall be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

History:

- 1.This property has been R-6, Single Family Detached Residential since the adoption of the 1985 zoning code.
- 2.The Planning Commission recommended approval of this request.

Staff Comments:

Engineer's report:

Water Supply and Distribution

A six (6) inch public water main is located on the south side of West Fairchild Drive in the street right-of-way adjacent to the south side of the area of request.

Extension of the water supply to serve this property is not required as outlined in Municipal Code 43-32.

Connection to the public water supply system for domestic service is a building permit requirement per Municipal Code 43-32 for all new buildings.

Sanitary Sewerage Collection and Disposal

A six (6) inch public sewer main is located in an existing dedicated public utility easement adjacent to and along the north side of the area of request.

Public sanitary sewer line improvements are not required with this application.

Connection to the public sanitary sewer system for service is a building permit requirement per Municipal Code 43-109 for all new buildings.

Streets and Sidewalks

Access to the area of request is available from West Fairchild Drive. West Fairchild Drive is classified as a local road in the 2008 Comprehensive Plan. West Fairchild Drive is a two (2) lane, 26-foot wide, curbed, asphalt concrete roadway. Current code requires a total street right-of-way width of fifty feet (50) adjacent to the area of request and presently, West Fairchild Drive has fifty (50) feet of right-of-way adjacent to and parallel to the south side of the area of request.

Right of way grants to the city are not required with this application.

Currently, there is not a sidewalk located along the frontage of the area of request. Sidewalk improvement plans are not required with this application, however, sidewalk improvement plans will be a requirement of any future permit application.

The improvement plans for a sidewalk must be prepared by a registered professional engineer and be submitted to staff for plan review and approval. The public improvements must be constructed and accepted by the city prior to any final approvals or a certificate of occupancy for any submitted permit

Drainage and Flood Control, Wetlands, and Sediment Control

Drainage across the area of request is via overland flow from the south east to the north west. Currently, the area of request is developed with a single family residence. None of the area of request is affected by flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 12, 2009.

Drainage and detention improvements are not required with this application, however, drainage and detention improvement plans will be a requirement of any building permit submitted for the area of request.

The improvement plans for the detention and any drainage improvements must be prepared by a registered professional engineer and be submitted to staff for plan review and approval. The improvements must be constructed and accepted by the city prior to any final approvals or certificate of occupancy for any submitted permit.

No identified wetlands are located on or abutting the area of request as shown on the Choctaw quadrangle of the 1989 National Wetlands Inventory map as prepared by the United States Department of the Interior Fish and Wildlife Service.

All future development on the proposed tracts must conform to the applicable requirements of Municipal Code Chapter 13, "Drainage and Flood Control."

Resolution 84-20 requires that developers install and maintain sediment and/or erosion controls in conjunction with their construction activities. Any proposed development must conform to the applicable requirements of Municipal Code Chapter 43, "Erosion Control." Sediment control plans must be submitted to and approved by the city before any land disturbance is done on-site. The developer is responsible for the cleanup of sediment and other debris from drainage pipes, ditches, streets and abutting properties as a result of his activities

Easements and Right-of-Way

No additional rights-of-way and/or easements are required with this application.

Fire Marshal's report:

The Fire Marshall has reviewed this rezoning request. An additional fire hydrant may be required at the time of the building permit application. All provisions of Chapter 15 of the Municipal Code must be met with the application of a building permit.

Plan Review Comments:

The area of request is currently the site of one single family residence. The applicant is the owner of the lot in the area of request, the three lots to the West as well as the lot to the north that contains a commercial strip center. The applicant intends to demolish the existing residence and build an office/retail building on the lot.

The three (3) lots to the west were zoned C-3, Community Commercial in December 2015. The required number of parking spaces for a new building on the area of request will depend on the size of the building. In addition to the required number of parking spaces for a new building, 18 additional spaces will need to be installed for the existing commercial building to the north that are currently located on lot 30. Connection from the area of request to the parcel to the north through the parking lot will be required.

Screening will be required along the east side of the area of request as the east side abuts a residential zoning district.

For all new buildings in Midwest City, a base landscaping of six (6) trees and twelve (12) shrubs is required. This requirement must be fulfilled prior to issuance of a Certificate of Occupancy.

Staff would recommend that future commercial development front onto S. Air Depot rather than Fairchild and that only one curbcut onto Fairchild be allowed.

With the development of Schlotzsky's to the south, commercial development to the north and the 3 lots to the West already zoned C-3, Community Commercial, as well as being located along S. Air Depot, staff recommends approval of this request.

Action Required:

Approve or reject the ordinance to redistrict to C-3, Community Commercial and the resolution to amend the Comprehensive Plan from LDR to OR for the properties as noted herein, subject to staff's comments as found in the January 10, 2017 agenda packet and made a part of PC-1890 file.



Billy Harless, AICP
Community Development Director

CA

1 **PC-1890**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO C-3, COMMUNITY COMMERCIAL, AND**
5 **DIRECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO RE-**
6 **LECT THE RECLASSIFICATION OF THE PROPERTY'S ZONING DISTRICT; AND**
7 **PROVIDING FOR REPEALER AND SEVERABILITY**

8 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

9 **ORDINANCE**

10 SECTION 1. That the zoning district of the following described property is hereby reclassified
11 to C-3, Community Commercial, subject to the conditions contained in the PC-1890 file, and that
12 the official Zoning District Map shall be amended to reflect the reclassification of the property's
13 zoning district as specified in this ordinance for the property described as:

14 Lot 28 of Block 2 of the Replat of the Atkinson Heights Addition, located at 229 W. Fairchild.

15 SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are here-
16 by repealed.

17 SECTION 3. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is
18 for any reason held to be invalid, such decision shall not affect the validity of the remaining por-
19 tions of the ordinance.

20 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
21 on the _____ day of _____, 2017.

22 THE CITY OF MIDWEST CITY, OKLA-
23 HOMA

24 _____
25 MATTHEW D. DUKES II, Mayor

26 ATTEST:

27 _____
28 SARA HANCOCK, City Clerk

29 APPROVED as to form and legality this _____ day of _____, 2017.

30 _____
31 PHILIP ANDERSON, City Attorney

RESOLUTION NO. 2017-_____

A RESOLUTION AMENDING THE 2008 COMPREHENSIVE PLAN MAP CLASSIFICATION FROM LDR, LOW DENSITY RESIDENTIAL TO OR, OFFICE/RETAIL, FOR THE PROPERTY DESCRIBED IN THIS RESOLUTION WITHIN THE CITY OF MIDWEST CITY, OKLAHOMA.

WHEREAS, the 2008 Comprehensive Plan Map of Midwest City, Oklahoma shows the following described property identified as LDR, Low Density Residential:

Lot 28 of Block 2 of the Replat of Atkinson Heights Subdivision, Oklahoma County, Oklahoma.

WHEREAS, it is the desire of the Midwest City Council to amend the classification of the referenced property to Office/Retail;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

That the classification of above described property located in Midwest City, Oklahoma is hereby changed to Commercial on the 2008 Comprehensive Plan Map.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2017.

CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

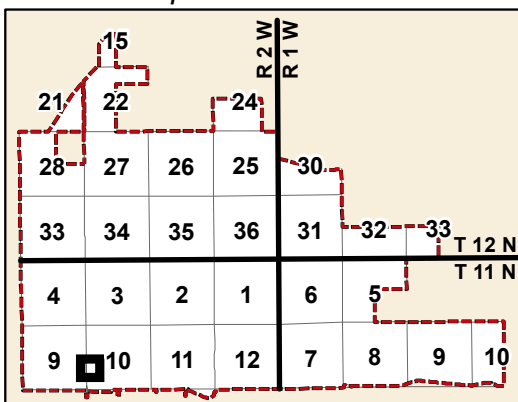
SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2017.

PHILIP ANDERSON, City Attorney



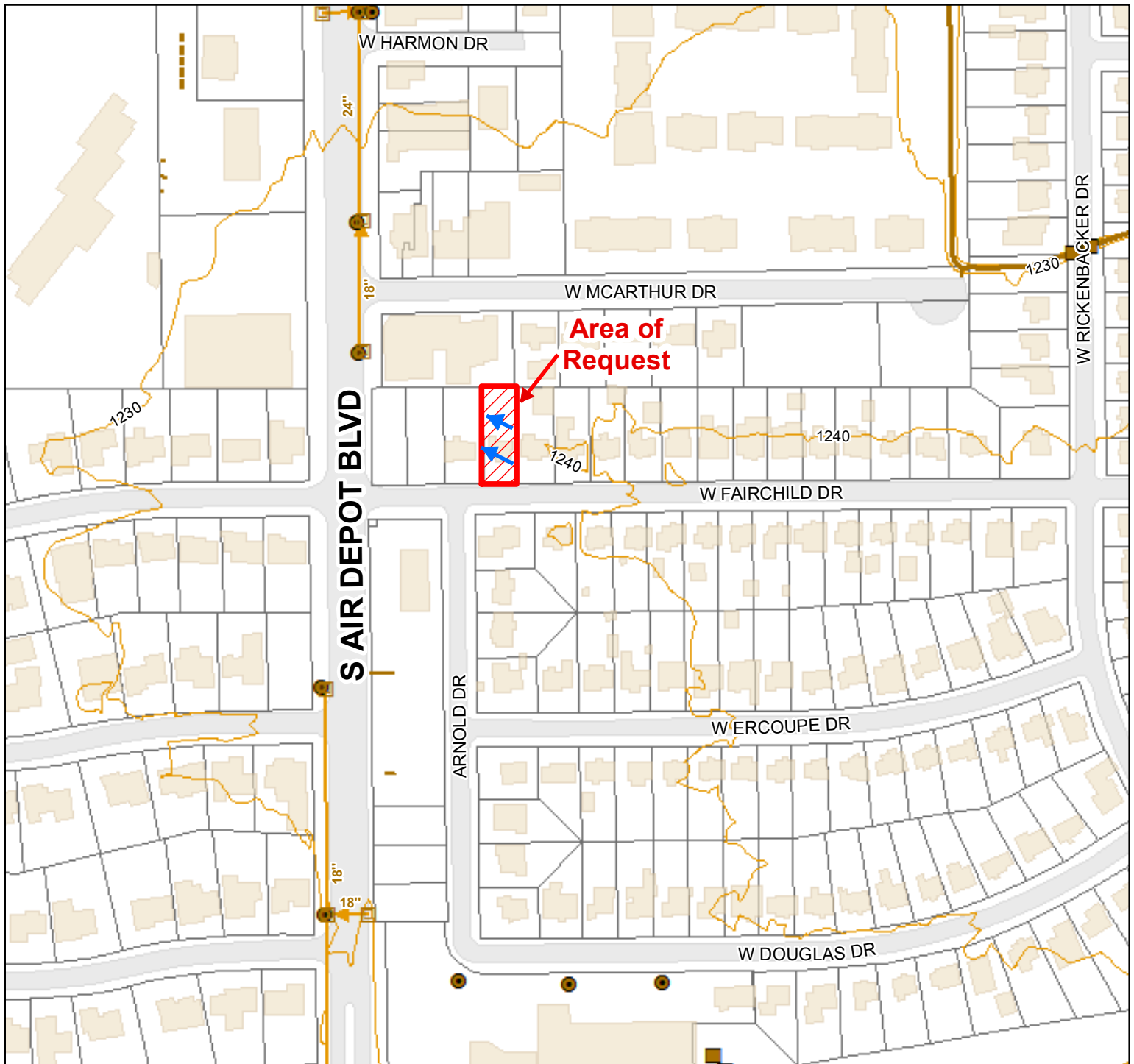
Locator Map



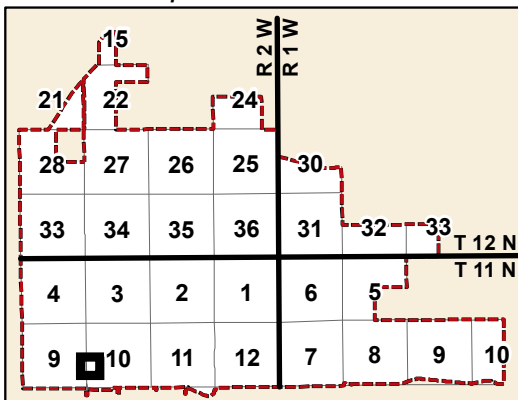
2015 DOP (AERIAL) VIEW FOR PC-1890 (SW/4, Sec. 10, T11N, R2W)



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Locator Map



- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

2009 FEMA Floodplains

- 500-yr floodplain
- 100-yr floodplain
- 2009 FEMA Floodway
- FLOODWAY

DRAINAGE LOCATION MAP FOR PC-1890

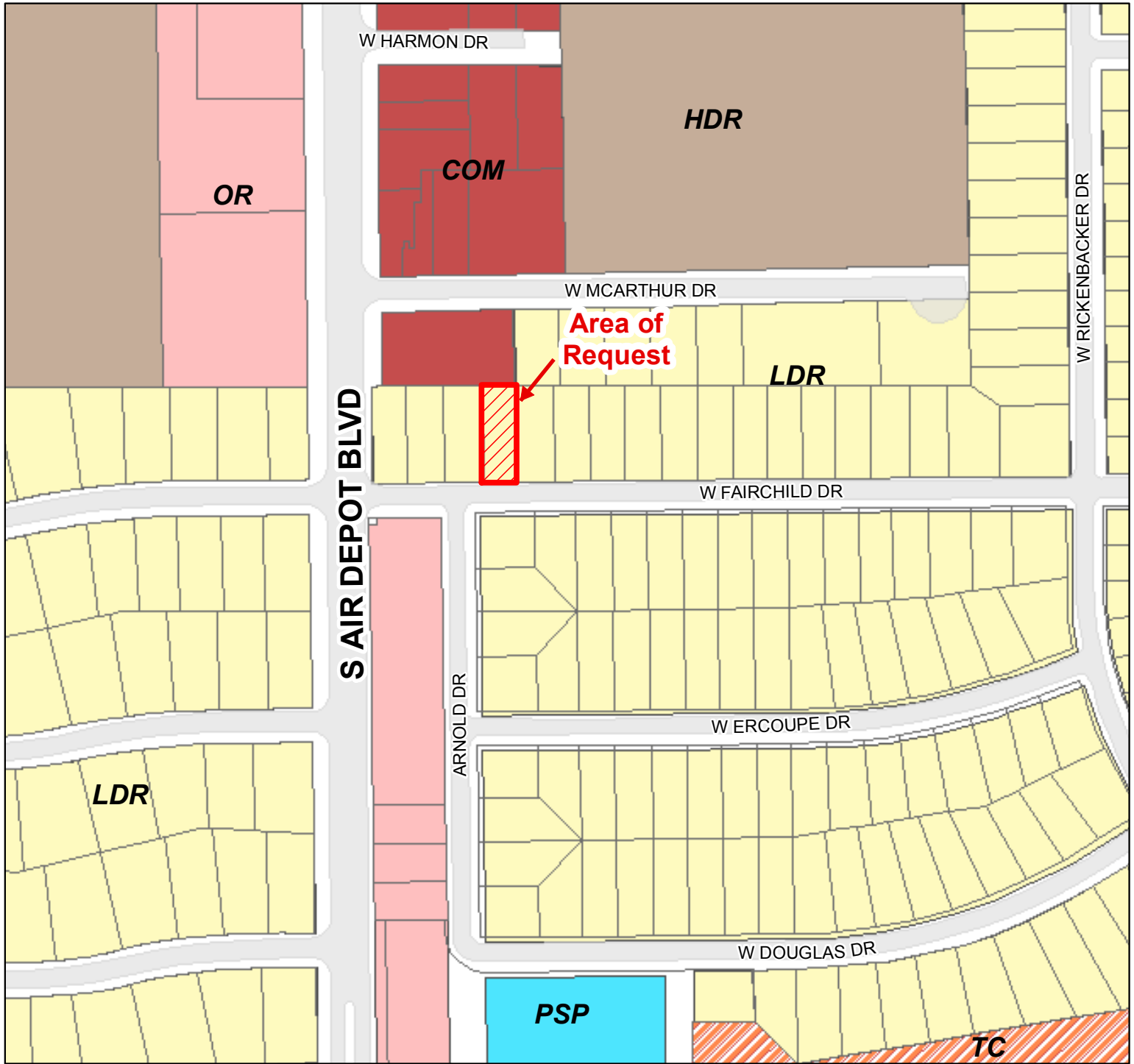
(SW/4, Sec. 10, T11N, R2W)



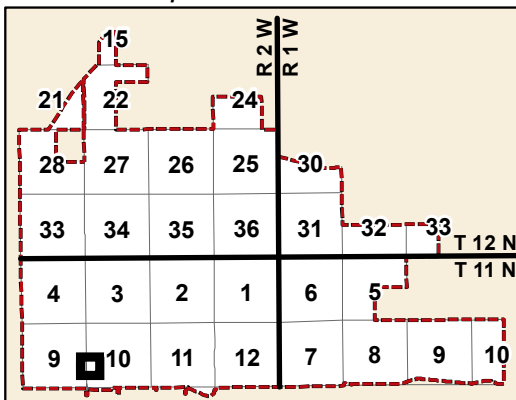
0 200 400 Feet

1 inch = 200 feet

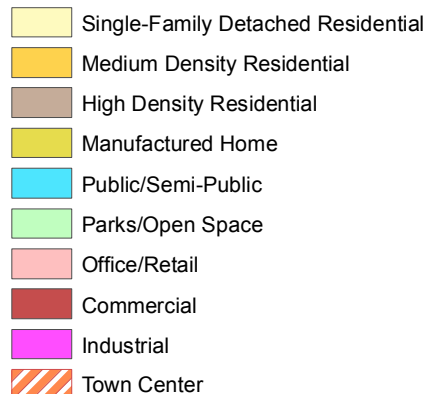
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Locator Map



Future Land Use Legend



FUTURE LAND USE MAP FOR PC-1890 (SW/4, Sec. 10, T11N, R2W)



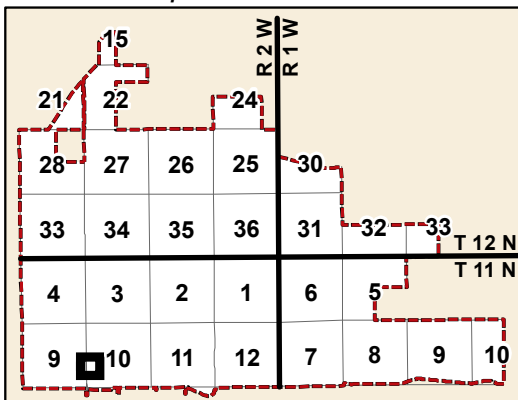
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


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Locator Map



General Map Legend

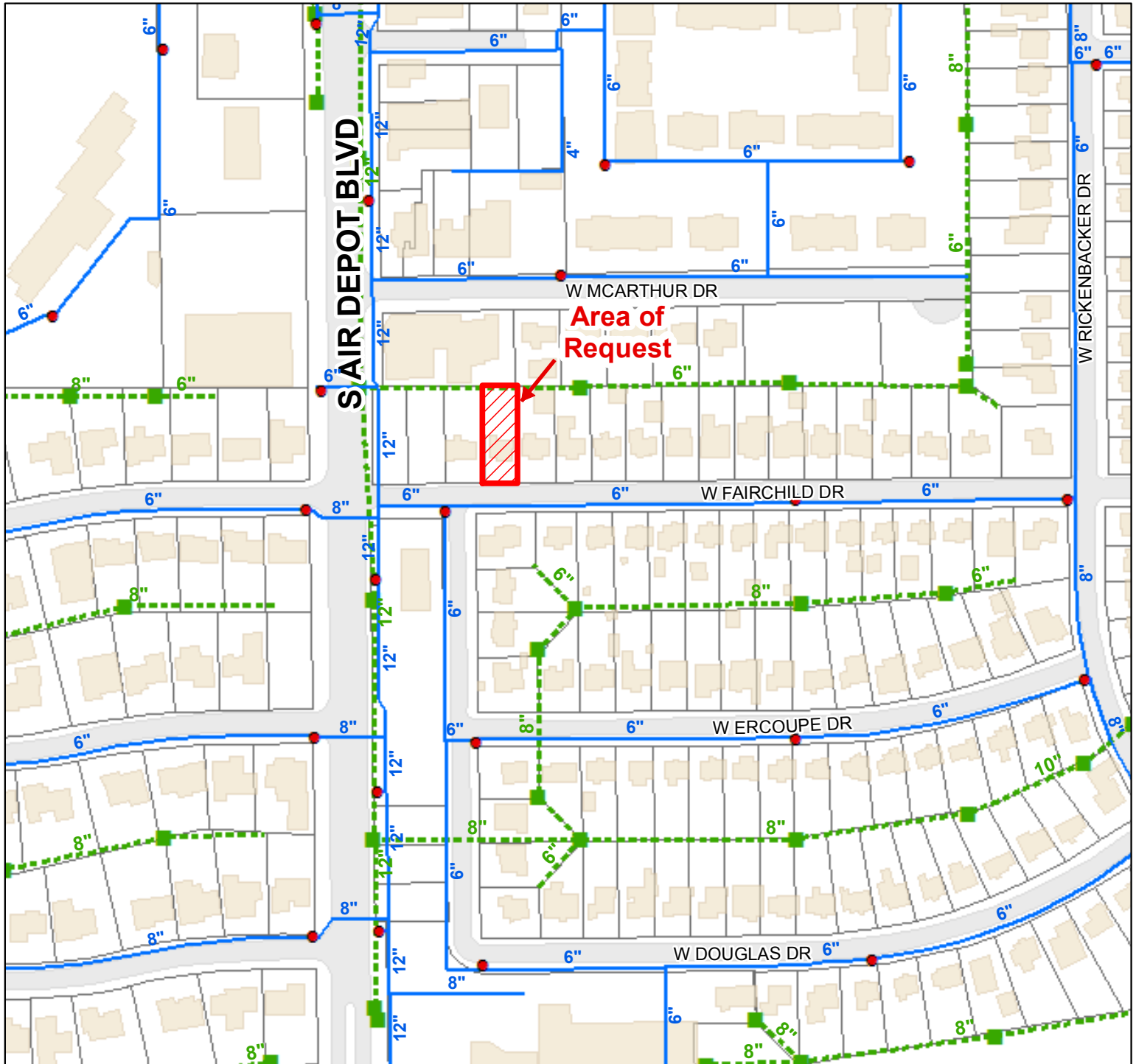
-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits

GENERAL MAP FOR PC-1890 (SW/4, Sec. 10, T11N, R2W)

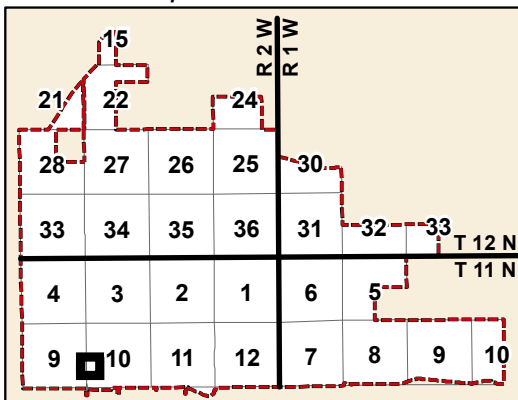


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Locator Map



Water/Sewer Legend

- Fire Hydrants
- Water Lines
 - Distribution
 - Well
 - OKC Cross Country
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 - Unknown
- Sewer Manholes
- Sewer Lines

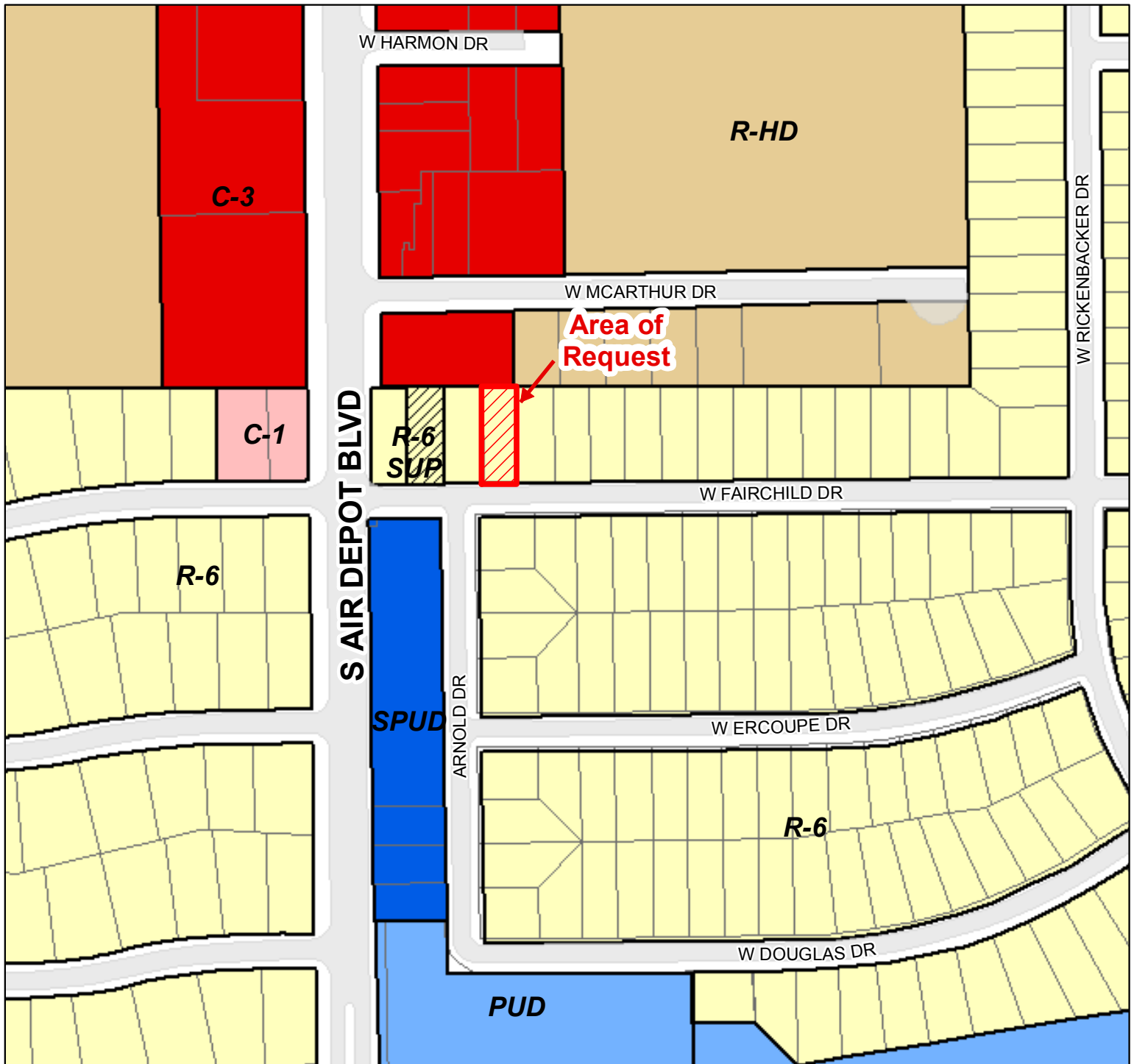
**WATER/SEWER LINE
LOCATION MAP FOR
PC-1890
(SW/4, Sec. 10, T11N, R2W)**



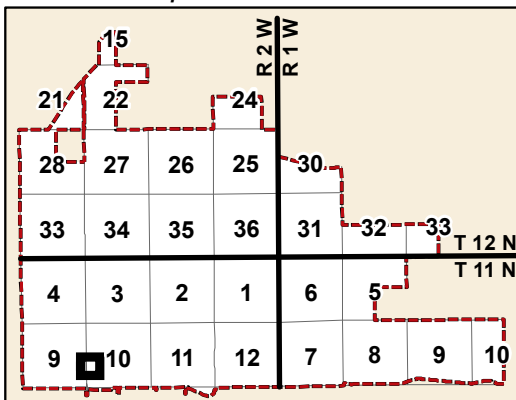
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Locator Map



Current Zoning Legend

A-1	I-3	R-2F
A-1 SUP	O-1	R-MD
C-1	O-1 SUP	R-MD SUP
C-1 SUP	O-2	R-HD
C-2	O-2 SUP	R-HD SUP
C-3	R-6	R-MH-1
C-3 SUP	R-6 SUP	R-MH-2
C-4	R-8	PUD
I-1	R-10	SPUD
I-2	R-22	HOS
I-2 SUP	R-35	HOS SUP

ZONING MAP FOR PC-1890 (SW/4, Sec. 10, T11N, R2W)



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COMMUNITY DEVELOPMENT DEPARTMENT

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BUILDING INSPECTION DIVISION
Charles Belk, Building Official
GIS DIVISION
Kathy Spivey, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 10, 2017

Subject: (CA-75) Public hearing with discussion and consideration of an appeal to Section 9-394(e) of the Municipal Code which states that freestanding signs shall be brought into compliance with the ordinance at the time any modifications or repairs are made to the sign located at 9900 SE 15th St.

Applicant: Carol McKey

Owner: Cornerstone Church of Midwest City

The existing free standing sign located at Cornerstone Church 9900 SE 15th St was constructed in 2002 under previous sign regulations and is 22 feet in height. Current regulations restrict the overall height of a freestanding sign to 20 feet. The applicant has proposed to replace the digital display portion of the existing sign, which would require the sign to come into compliance with the current regulations by reducing the overall height by 2 feet. Section 9-394(e) of the Municipal Code states "Freestanding signs shall be brought into compliance with the provisions above, at the time any modifications or repairs are made to the sign:

1. That would cause an increase or decrease to the height of the sign; and/or
2. That would cause an increase or decrease in the display surface area of the sign; and/or
3. That would cause a change to the shape or the sign; and/or
4. That would cause any modifications to, additions to or removal of any structural components of the sign; and/or
5. That would cause the overall sign area to be increased or decreased due the number of reader boards on the sign or the area of signs.

The proposed change would increase the display surface area, the overall sign area due to the number of reader boards and would require the removal and addition of structural components.

Attached is a letter from the applicant regarding this matter.

If this application is approved, it would set precedence for further applications to not bring existing freestanding signs into compliance with the ordinance at the time of modifications or repairs are made. Therefore, staff recommends denial of this request.

Action Required: Approve or reject the appeal to the Midwest City Sign Ordinance for the property described as noted in this staff report.

A handwritten signature in black ink, appearing to read "Billy Harless". The signature is fluid and cursive, with a long horizontal stroke at the end.

Billy Harless, AICP
Community Development Director
CA

Please check the type of appeal:

☒ Appeal of an administrative or interpretation decision by a City official

☒ Variance

☐ Special Exception

☐ Oil and gas well applications

Please describe the purpose of this appeal: Our existing sign is grandfathered in @ 2' above the current guidelines. We need to replace the digital display insert on the sign because it has a both dated and inconsistent display. The cost of this replacement is over \$40,000. We have been told that if we make this modification we will also be required to lower the sign 2'. The cost of lowering the sign is an additional \$7,000 and in order to be proportional we would actually have to lower it 4' rather than the required 2'. This would not only be costly but will also greatly diminish the aesthetic appearance of the sign. Please consider granting us a variance so that we can proceed in replacing the digital display. Thank you.

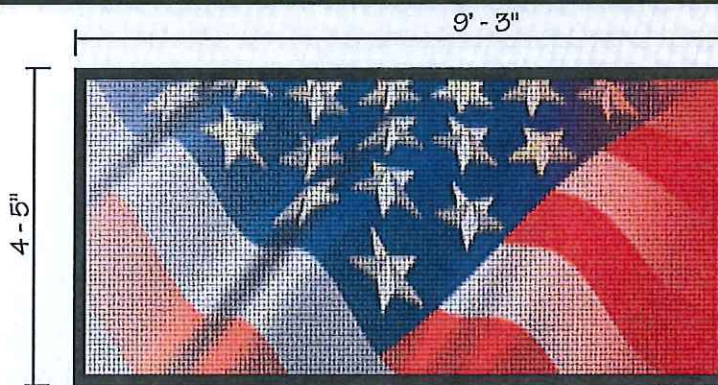
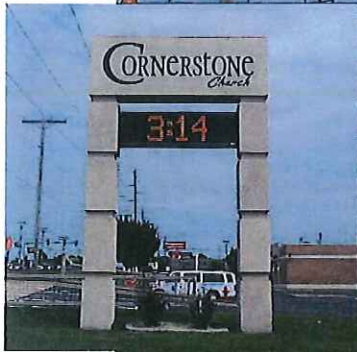
Carol McKay
Signature

11-15-16
Date



Existing Sign

Proposed
modification



REMOVE EXISTING EMC AND REPLACE WITH NEW 19mm 64x144 MATRIX EMC.

OPTION 2: 16mm 72x162 MATRIX EMC



Economic Development Department

100 N. Midwest Boulevard

Midwest City, OK 73110

Office: (405) 739-1218

rcoleman@MidwestCityOK.org

www.midwestcityok.org

MEMORANDUM

To: Honorable Mayor and Midwest City Council
From: Robert Coleman, Director of Economic Development
Date: January 10, 2017
Subject: Discussion and consideration of a resolution declaring the intent of the City Council of the City of Midwest City, Oklahoma, to consider the designation of a portion of the city as a "Statutory Reinvestment Area" and to consider creation of a related "Tax Increment District" pursuant to Oklahoma law; creating the Midwest City Local Development Act Review Committee ("the Review Committee"); determining membership of the Review Committee; designating the manner and term of appointment of Committee members; providing for meetings of the Review Committee; establishing officers; determining voting rights and quorum; directing the Review Committee to consider proposed project plans and to make any findings and recommendations required by law; directing the Midwest City Planning Commission to consider the proposed project plans and make any recommendations as required by law; and containing other provisions relating thereto.

At the December 22nd, 2016 Special Hospital Authority meeting, the MCMHA approved an agreement with Sooner Investment to explore the possibility of expanding the Sooner Rose Shopping Center located at SE 15th ST and S. Sooner RD. Due to the magnitude of the project, costs could easily exceed the Authority's ability to sponsor the improvements necessary to move forward. As result, we are looking at various means of financing, including the possibility of creating a Tax Increment Finance ("TIF") District.

The attached resolution asks City Council to appoint the Chairman from its ranks in addition to a planning commissioner. Representatives will also be requested of each entity deriving taxes from the proposed district. Included are the Metropolitan Library Commission, Mid-Del Public Schools, Oklahoma County and Rose State College.

The City took similar action prior to the establishment of the Midwest City Downtown Redevelopment Project Plan Review Committee (circa. 2002). This led to the creation of Midwest City's first TIF district, which encompassed the majority of the area where Town Center Plaza now stands. Please contact my office at (405) 739-1218 or e-mail any question.

Respectfully,

Robert Coleman

Director of Economic Development

Attachments: Resolution

RESOLUTION NO. 2017-_____

RESOLUTION DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA TO CONSIDER THE DESIGNATION OF A PORTION OF THE CITY AS A “STATUTORY REINVESTMENT AREA” AND TO CONSIDER CREATION OF A RELATED “TAX INCREMENT DISTRICT” PURSUANT TO OKLAHOMA LAW; CREATING THE MIDWEST CITY LOCAL DEVELOPMENT ACT REVIEW COMMITTEE (THE “REVIEW COMMITTEE”); DETERMINING MEMBERSHIP OF THE REVIEW COMMITTEE; DESIGNATING MANNER AND TERM OF APPOINTMENT OF COMMITTEE MEMBERS; PROVIDING FOR MEETINGS OF THE REVIEW COMMITTEE; ESTABLISHING OFFICERS; DETERMINING VOTING RIGHTS AND QUORUM; DIRECTING THE REVIEW COMMITTEE TO CONSIDER PROPOSED PROJECT PLANS AND TO MAKE ANY FINDINGS AND RECOMMENDATIONS REQUIRED BY LAW; DIRECTING THE MIDWEST CITY PLANNING COMMISSION TO CONSIDER THE PROPOSED PROJECT PLANS AND MAKE ANY RECOMMENDATIONS AS REQUIRED BY LAW; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, Section 6C of the Oklahoma Constitution, along with provisions of the Oklahoma Local Development Act, Title 62, Section 850 et seq. of the Oklahoma Statutes, as amended (hereinafter, the “Local Development Act”), authorizes cities, towns and counties to adopt incentives for the development or redevelopment of such areas, and empowers the governing bodies of cities, towns or counties to apportion tax increments to help finance the public costs of such development or redevelopment; and

WHEREAS, the City Council of the City of Midwest City, Oklahoma (hereinafter, the “City”), as the governing body of the City, is authorized by the Local Development Act to create a tax increment district to further the public purpose of economic development within the corporate boundaries of the City; and

WHEREAS, to assist the Council of the City in considering the creation of a tax increment district, the Local Development Act requires that the governing body of the City appoint a review committee to review and make recommendations and findings concerning the proposed district; and

WHEREAS, in order to meet the requirements of the Local Development Act, the Council hereby finds it desirable to establish said review committee by resolution and to specify therein the procedures for determining its membership and its manner of operation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, AS FOLLOWS:

SECTION 1. Declaring the Intent of the Council of the City to Consider the Designation of a Portion of the City As a “Tax Increment District” Pursuant to Oklahoma Law. The City Council hereby finds that there exists within the incorporated areas of the City an area which may require public improvements: (i) to reverse economic stagnation or decline; (ii) to serve as a catalyst for retaining or expanding employment; (iii) to attract major investment in the area; and/or (iv) to preserve or enhance the tax base of such area. Accordingly, the City Council hereby states its intention to consider the designation of such area as a “tax increment district”, pursuant to the provisions of the Local Development Act.

SECTION 2. Creation of the Midwest City Local Development Act Review Committee. There is hereby created a committee to be known as the “Midwest City Local Development Act Review Committee” (hereinafter, the “Review Committee”), which committee is authorized to exercise, on behalf of the City, those powers and duties specified in the Local Development Act.

SECTION 3. Determining Membership of the Review Committee. The Review Committee shall be composed of those persons duly appointed as set forth herein, as representatives of the following entities:

- (i) A representative of the Council of the City;
- (ii) A representative of the Planning Commission for the City;

(iii) A representative of each taxing jurisdiction within the City in which all or a portion of any such tax incentive or tax increment district might be located, specifically:

- (a) Oklahoma County, Oklahoma;
- (b) Oklahoma County Health Department;
- (c) Independent School District Number 52, Oklahoma County, Oklahoma (“Mid-Del Public Schools”);
- (d) Rose State College District (“Rose State”);
- (e) Metropolitan Library System of Oklahoma County (“Metropolitan Library System”);

and

(iv) Three members representing the public-at-large.

In the event that provisions of the Local Development Act relating to the composition of review committees are hereafter amended to alter the composition of such committees, the provisions of this resolution shall be deemed amended to the extent necessary to comply with state law.

SECTION 4. Designating Manner and Term of Appointment of Committee Members. The members of the Review Committee shall be selected in the following manner for the period or term set forth herein:

1. Governing Body Representative: The Council of the City shall select one of its members to serve as the representative of the governing body of the City on the Review Committee. Such person shall serve as a member of the Review Committee until he or she resigns, dies or ceases to be a member of the Council or until such time as a new representative is selected by the Council.

2. Planning Commission Representative: The Mayor of the City shall nominate a current member of the Planning Commission of the City to serve, with the approval of the Council, as the representative of the planning commission on the Review Committee. Such person shall serve as a member of the Review Committee until he or she resigns, dies or ceases to be a member of such commission, or until such time as a new representative is nominated by the Mayor and approved by the Council.

3. Taxing Jurisdiction Representatives: The Mayor of the City shall request that the governing bodies of each of the taxing jurisdictions listed in clause (iii) of Section 3 hereof nominate a person (who may or may not serve on the governing body of such taxing jurisdiction) to serve as that taxing jurisdiction’s representative on the Review Committee. Persons so appointed as representatives of any taxing jurisdiction shall serve for a term of one year from the date of their appointment; provided, however, that, notwithstanding the expiration of such person’s term of office, such representative shall continue to serve until such time as a successor has been selected and qualified. Upon the expiration of any term of office or the occurrence of any vacancy in such position, the City shall request that the governing body of the vacating member’s taxing jurisdiction nominate a person to serve as a representative on the Review Committee.

4. Public Representatives. At the first meeting following formation of the Review Committee, the Review Committee shall select three persons to represent the public-at-large from a list of seven persons submitted by the Chairman of the Review Committee. The persons so selected by the other members of the Review Committee shall serve for a term of one year from the date of their approval by the Review Committee; provided, however, that, notwithstanding the expiration of such person’s term of office, such representative shall continue to serve until such time as a successor has been selected and qualified. Upon the expiration of the term of office or the occurrence of any vacancy, the Chairman of the Review Committee shall submit a list of seven candidates to the Review Committee at which time the Review Committee shall select a replacement for each vacant position.

SECTION 5. Providing for Meetings of the Review Committee. Meetings of the Review Committee shall be subject to the Open Meeting Act, Title 25, Sections 301 *et seq.* of the Oklahoma Statutes, as amended, and the Open Records Act, Title 51, Sections 24A.1 *et seq.* of the Oklahoma Statutes, as amended. Any information relating to the marketing plans, financial statements, trade secrets or any other proprietary information submitted to the Committee by a person or entity seeking

adoption and approval of a proposed district, plan, or project may be kept confidential to the extent allowed by law. Executive sessions may be held to discuss such information if deemed necessary by the Committee to the extent allowed by law.

SECTION 6. Establishing Officers. The representative of the Council of the City shall serve as Chairman of the Review Committee and shall preside at all meetings and perform such other duties as may be assigned by the Review Committee. The committee members may also select one or more of their members to be Vice-Chairman who shall act in the place of the Chairman during his or her absence or incapacity to act. The committee members shall also select a person to serve as Secretary of the Review Committee, which person may or may not be a member of the Review Committee.

SECTION 7. Determining Voting Rights and Quorum. All members of the Review Committee shall be entitled to fully participate in all meetings of the Review Committee and to cast one vote on any matter coming before the Review Committee for consideration; provided, however, that no representative of any taxing jurisdiction shall be entitled to cast a vote with regard to any finding or recommendation relating to a tax increment district unless some portion of such district is located within the boundaries of the represented taxing jurisdiction. All actions by the Review Committee pursuant to the provisions of this resolution shall be approved by the affirmative vote of a majority of the committee members entitled to vote under the provisions of this resolution.

SECTION 8. Directing the Review Committee to Consider Proposed Project Plans and Make Any Findings and Recommendations Required By Law. The Review Committee shall act in an advisory capacity to the Council as authorized by the Local Development Act and shall consider and make its findings and recommendations to the Council with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of the approval of any proposed project plans hereinafter referred to it by the Council. The Review Committee shall also consider and determine whether any such proposed project plan will have a financial impact on any taxing jurisdiction within the proposed district and shall report its findings to the Council of the City. The Review Committee shall also recommend that the proposed district and project plan be approved, denied, or approved subject to conditions set forth by the Review Committee. In making such a recommendation, the Review Committee shall consider and determine whether the proposed plan or project will have a financial impact on any taxing jurisdiction within the proposed district and shall report its findings to the Council.

SECTION 9. Directing the Midwest City Planning Commission to Consider the Proposed Project Plans and Make Any Recommendations Required Law. The Planning Commission of the City is also hereby authorized and directed to consider the proposed Project Plan following the consideration of such plan by the Review Committee and to make any recommendations to the Council as may be required by the Local Development Act.

SECTION 10. Authorizing Staff to Take Additional Action. The Council hereby authorizes the officers and staff of, and counsel to, the City do all things necessary or convenient to carry out the purposes of this resolution, including, without limitation, to prepare and submit a proposed Project Plan to the Review Committee, and to conduct such public hearings and to give such notices as may be required by law.

PASSED AND APPROVED BY THE City of Midwest City this ____ day of January, 2017.

CITY OF MIDWEST CITY

ATTEST:

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

APPROVED as to form and legality this ____ day of January, 2017.

PHIL ANDERSON, City Attorney



Economic Development Department
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: (405) 739-1218
rcoleman@MidwestCityOK.org

MEMORANDUM

To: Honorable Mayor and Midwest City Council

From: Robert Coleman, Director of Economic Development

Date: January 10, 2017

Subject: Discussion and consideration of appointing a City Council member to serve as Chairman of the Local Development Act Review Committee.

Oklahoma State Statutes (O.S. § 62-855) require the governing body to appoint a committee to review and make recommendations concerning any proposed Tax Increment Finance District, project plan or project. One member must represent the governing body of the jurisdiction having authority, and he/she shall serve as chairperson.

We are requesting City Council make this appointment as soon as possible.

Meeting schedules are yet to be determined, but they will likely occur the afternoons of January 30th, February 3rd, and February 7th, 2017.

Please contact my office at (405) 739-1218 or e-mail any question.

Respectfully,

Robert Coleman
Director of Economic Development



Economic Development Department
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: (405) 739-1218
rcoleman@MidwestCityOK.org

MEMORANDUM

To: Honorable Mayor and Midwest City Council

From: Robert Coleman, Director of Economic Development

Date: January 10, 2017

Subject: Discussion and consideration of appointing a planning commissioner to serve on the Local Development Act Review Committee.

Oklahoma State Statutes (O.S. § 62-855) require the governing body to appoint a committee to review and make recommendations concerning any proposed Tax Increment Finance District, project plan or project. One member shall be a representative of the planning commission having jurisdiction over the proposed district.

The current Midwest City Planning Commission roster includes:

Dee Collins
Stan Greil
Dean P. Hinton
Jess Huskey
Turner Mann
Russell Smith
Floyd Wicker

It should be noted that Commissioner Greil previously served in the same capacity on the Midwest City Downtown Redevelopment Project Plan Review Committee in the early 2000s.

We are requesting City Council make this appointment as soon as possible.

Meeting schedules are yet to be determined, but they will likely occur the afternoons of January 30th, February 3rd, and February 7th, 2017.

Please contact my office at (405) 739-1218 or e-mail any question.

Respectfully,

Robert Coleman
Director of Economic Development



Assistant City Manager - Administration

100 N. Midwest Boulevard

Midwest City, OK 73110

office 405.739.1201

TO: Honorable Acting Mayor and Council

FROM: Tim Lyon, Assistant City Manager

DATE: December 21, 2016

SUBJECT: Discussion and consideration of passing and approving an ordinance as required by Article IV, Section 4 of the Midwest City Charter declaring one (1) 2015 BMW Motorcycle Vin #3503, which has a value of more than \$10,000, surplus and authorizing its disposal; and providing for repealer and severability.

The 2015 BMW R1200RT-P motorcycle, Unit 06-02-42, VIN# WB10A130IFZ193503, is on the agenda to be declared as surplus to USAA insurance for the sum of \$20,458.68. It was totaled in an accident occurring on 8/19/16.

Per Midwest City Charter: Article 4, Sec. 4. - Property valued at more than ten thousand dollars:

The sale of any property, real or personal, or an interest therein, the value of which is more than ten thousand dollars (\$10,000.00), shall be made only by authority of a special ordinance. Such ordinance shall be published in full in a newspaper of general circulation within the city within ten (10) days after its passage, and shall include a section reading substantially as follows: "This ordinance shall be referred to a vote of the electors of the city if a proper referendum petition is properly filed within thirty (30) days after its passage; otherwise it shall go into effect thirty (30) days after its passage." (April 5, 1994)

Attached is the ordinance accomplishing the surplus declaration.

Staff recommends this item be declared surplus and disposed of for salvage value.

If you have any questions, please give me a call at 739-1201.

Tim L. Lyon

ORDINANCE NO. _____

AN ORDINANCE AS REQUIRED BY ARTICLE IV, SECTION 4 OF THE MIDWEST CITY CHARTER DELARING ONE (1) 2015 BMW MOTORCYCLE VIN #3503, WHICH HAS A VALUE OF MORE THAN \$10,000, SURPLUS AND AUTHORIZING ITS DISPOSAL; AND PROVIDING FOR REPEALER AND SEVERABILITY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

ORDINANCE

SECTION 1. That one (1) 2015 BMW R1200RT-P Motorcycle, Unit 06-02-42, VIN #WB10A1301FZ193503 is hereby declared surplus and disposal of for salvage value is hereby authorized.

SECTION 2. This ordinance shall be referred to a vote of the electors of the City if a proper referendum petition is properly filed within (30) days after its passage. Otherwise, it shall go into effect thirty (30) days after its passage.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the _____ day of _____, 2017.

THE CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2017.

PHILIP ANDERSON, City Attorney



NEW BUSINESS/
PUBLIC DISCUSSION





EXECUTIVE SESSIONS





THE CITY OF
MIDWEST CITY

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Tim Lyon, Assistant City Manager

DATE: January 10, 2017

RE: Discussion and consideration of (1) entering into executive session, as allowed under 25 O.S., § 307(B)(4), to discuss *Robert Broyles* Workers Compensation Case No. MWC14-659, and (2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session.

Appropriate information will be provided during executive session.

Tim L. Lyon

Tim Lyon
Assistant City Manager



THE CITY OF
MIDWEST CITY

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Tim Lyon, Assistant City Manager

DATE: January 10, 2017

RE: Discussion and consideration of (1) entering into executive session, as allowed under 25 O.S., § 307(B)(4), to discuss *Bailey, et al v. City of Midwest City*, Case No. CJ-2013-5630, and (2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session.

Appropriate information will be provided during executive session.

Tim L. Lyon

Tim Lyon
Assistant City Manager



FURTHER INFORMATION



Notice of regular Midwest City Planning Commission meetings in 2016 was filed for the calendar year with the Midwest City Clerk prior to December 15, 2015 and copies of the agenda for this meeting were posted at City Hall at least 24 hours in advance of the meeting.

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

December 6, 2016 - 7:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on December 6, 2016 at 7:00 p.m., with the following members present:

Commissioners present: Stan Greil, Vice-Chairman
Dean Hinton
Turner Mann
Jess Huskey
Russell Smith
Jay Dee Collins

Commissioner absent: Floyd Wicker, Chairman

Staff present: Billy Harless, Community Development Director
Kellie Gilles, Current Planning Manager
Patrick Menefee, City Engineer
Christine Allison, Associate Current Planner

The meeting was called to order by Vice-Chairman Greil at 7:00 p.m.

A. MINUTES:

1. Motion was made by Smith, seconded by Collins, to approve the minutes of the November 1, 2016 Planning Commission meeting as presented. Voting aye: Huskey, Hinton, Smith, Mann, Collins and Greil. Nay: none. Absent: Wicker. Motion carried.

B. NEW MATTERS:

1. **(PC-1890) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential to C-3, Community Commercial, and a resolution to amend a portion of the Comprehensive Plan from Low-Density Residential to OR, Office Retail, for the property described as lot 28 of block 2 of the Replat of the Atkinson Heights Addition, located at 229 W. Fairchild.**

Staff members presented a brief overview of this item. Property owner Al Sahli of 453 Triple X, was present. There was general discussion about this item. A motion was made by Huskey, seconded by

Mann, to recommend approval of this item subject to all staff comments. Voting aye: Mann, Huskey, Smith, Collins, Hinton and Greil. Nay: none. Motion carried.

2 (PC-1891) Public hearing with discussion and consideration of approval of the Replat of Lot 2 of Block 8 of The Orchard Addition, described as a part of the NW/4 of Section 12, T-11-N, R-2-W.

Staff members presented a brief overview of this item. The applicant, Jeff Johnson of 19 NE 3rd, OKC, was present. There was general discussion about this item. A motion was made by Smith, seconded by Collins, to recommend approval subject to all staff comments. Voting aye: Mann, Huskey, Smith, Collins, Hinton and Greil. Nay: none. Motion carried.

C. COMMISSION DISCUSSION: General Discussion.

D. PUBLIC DISCUSSION: None.

E. FURTHER INFORMATION: There were no items of further information for discussion.

There being no further matters before the Commission, motion to adjourn was made by Smith, seconded by Collins. Voting aye: Mann, Huskey, Smith, Collins, Hinton and Greil. Nay: none. Motion carried.

The meeting adjourned at 7:29 p.m.

Stan Greil, Vice-Chairman
(KG)



MUNICIPAL AUTHORITY
AGENDA



MIDWEST CITY MUNICIPAL AUTHORITY AGENDA
City Hall, Midwest City Council Chambers, 100 N. Midwest Boulevard

January 10, 2017 - 7:01 PM

Special Assistance requests – tcoplen@midwestcityok.org or 739-1002. (Please provide no less than 24 hours' notice) Special assistance request during a meeting call 739-1388.

A. CALL TO ORDER.

B. CONSENT AGENDA. These items are placed on the Consent Agenda so that the Municipal Authority, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Councilmembers, or members of the audience wish to discuss an item, that item will be removed and heard in regular order.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of December 13, 2016, as submitted. (Secretary - S. Hancock)
2. Discussion and consideration of supplemental budget adjustment to the following fund for FY 2016-2017, increase: Utilities Capital Outlay Fund, revenue/Transfers In (14) \$4,944. (Finance - C. Barron)
3. Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending November 30, 2016 (City Manager - T. Lyon).
4. Discussion and consideration of re-awarding the bid for the Reed Center carpet project and entering into a contract with Caddell & Co., LLC to remove and dispose of the existing carpet and padding and installing new padding and carpet in the theater room, corridors and common space of the Reed Center for a total project cost in the amount of a unit price of \$9.35 (City Manager - T. Lyon).
5. Discussion and consideration of renewing the Cityworks License Agreement contract, without modification, for FY 2017-18 with Azteca Systems, Inc. a Utah corporation in the amount of \$60,000.00. (Public Works - V. Sullivan)

C. NEW BUSINESS/PUBLIC DISCUSSION.

D. ADJOURNMENT.



CONSENT AGENDA



Notice of regular meetings for staff briefings for the Midwest City Municipal Authority was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City's website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE REGULAR STAFF BRIEFING FOR
MIDWEST CITY MUNICIPAL AUTHORITY TRUSTEES**

December 13, 2016 – 6:00 p.m.

This regular meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, Christine Allen, and Jeff Moore; and Secretary Sara Hancock. Absent: Christine Allen.

Chairman Dukes called the meeting to order at 6:44 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Municipal Authority agenda for December 13, 2016. The trustees had no questions regarding the agenda items.

Chairman Dukes closed the meeting at 6:44 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

SARA HANCOCK, Secretary

Notice of regular Midwest City Municipal Authority meetings was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on Midwest City's website, accessible to the public for at least 24 hours in advance of the meeting.

MINUTES OF THE REGULAR MIDWEST CITY MUNICIPAL AUTHORITY MEETING

December 13, 2016 - 7:01 p.m.

This regular meeting was held in the Midwest City Council Chambers, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, Christine Allen, and Jeff Moore; and Secretary Sara Hancock. Absent: none.

Chairman Dukes called the meeting to order at 7:17 p.m.

Consent Agenda. Motion was made by Dawkins, seconded by Allen, to approve the items on the consent agenda, as submitted.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of November 22, 2016, as submitted.
2. Discussion and consideration of entering into a contract with Cox Communications for four telephone service lines, three at John Conrad Regional Golf Course for approximately \$54.00 a month plus fees and one at Hidden Creek Golf Course for approximately \$18.00 a month plus fees.
3. Discussion and Consideration of entering into a twenty-five year contract with the U.S. Bureau of Reclamation (BOR) and the Central Oklahoma Master Conservancy District (COMCD) providing for Midwest City's participation in the Central Oklahoma Master Conservancy District which governs the Municipal Authority's use of water from Lake Thunderbird.
4. Discussion and consideration of declaring 300 damaged ninety-five gallon upright poly-carts surplus, and authorizing their disposal by means of recycling.
5. Discussion and consideration of 1) declaring 3 Treadmills, 2 Ellipticals, 1 Recumbent Bike, 10 Amana HVAC units (parts only) and 8 patio chairs as surplus and, 2) authorizing its disposal by sealed bid or auction.

Voting aye: McClure, Dawkins, Byrne, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.

New Business/Public Discussion. There was no new business or public discussion.

Adjournment. Chairman Dukes adjourned the meeting at 7:18 p.m.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



The City of MIDWEST CITY

100 N. MIDWEST BLVD * MIDWEST CITY, OKLAHOMA 73110
(405) 739-1240 * FAX (405) 739-1247 * TDD (405) 739-1359

Memorandum

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Christy Barron, Finance Director

DATE: January 10, 2017

Subject: Discussion and consideration of supplemental budget adjustment to the following fund for FY 2016-2017, increase: Utilities Capital Outlay Fund, revenue/Transfers In (14) \$4,944.

The supplement is needed to increase budget for transfer in of ACOG CNG Fueling Station Grant proceeds from Grants Fund to actual amount received from grant.

Christy Barron
Finance Director

SUPPLEMENTS

January 10, 2017

Fund UTILITIES CAPITAL OUTLAY (189)		BUDGET AMENDMENT FORM Fiscal Year 2016-2017			
		Estimated Revenue		Budget Appropriations	
<u>Dept Number</u>	<u>Department Name</u>	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
14	Transfers In	4,944			
		<u>4,944</u>	<u>0</u>	<u>0</u>	<u>0</u>
Explanation: Increase budget for transfer in of ACOG CNG Fueling Station Grant proceeds from Grants Fund to actual amount received from grant.					



THE CITY OF
MIDWEST CITY

MEMORANDUM

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Tim Lyon, Assistant City Manager

DATE: January 10, 2017

RE: Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending November 30, 2016.

This item is on the agenda at the request of the Authority. Attached to this memorandum is information concerning the status of the Sheraton Midwest City Hotel at the Reed Center.

Any time you have a question concerning the conference center and hotel, please feel free to contact me at 739-1201.

Tim L. Lyon

Tim Lyon
Assistant City Manager

Attachment (1)

SHERATON MIDWEST CITY HOTEL AT THE REED CENTER

Fiscal Year 2016-2017	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17
Revenue												
Budgeted (MTD)	456,340	456,340	456,340	456,340	456,340							
Actual (MTD)	430,970	420,241	481,316	571,284	465,481							
Budgeted (YTD)	456,340	912,680	1,369,020	1,825,360	2,281,700							
Actual (YTD)	430,970	851,211	1,332,527	1,903,811	2,369,292							

Expenses												
Budgeted (MTD)	452,385	454,833	452,880	458,476	453,217							
Actual (MTD)	422,001	445,980	446,293	514,505	467,175							
Budgeted (YTD)	452,385	907,218	1,360,098	1,818,574	2,271,791							
Actual (YTD)	422,001	867,982	1,314,275	1,828,780	2,295,955							

Revenue vs. Expenses												
Budgeted (MTD)	3,955	1,507	3,460	(2,136)	3,123							
Actual (MTD)	8,969	(25,740)	35,022	56,779	(1,694)							
Budgeted (YTD)	3,955	5,462	8,922	6,786	9,909							
Actual (YTD)	8,969	(16,771)	18,252	75,031	73,337							

Key Indicators												
Hotel Room Revenue	268,993	216,282	265,640	252,315	256,155							
Food and Banquet Revenue	105,613	220,229	183,624	266,797	175,240							

Fiscal Year 2015-2016												
Revenue												
Budgeted (MTD)	415,653	654,459	469,101	625,953	517,137	406,643	385,258	516,383	615,828	574,553	502,540	417,056
Actual (MTD)	368,618	555,622	398,995	602,341	466,410	278,641	327,078	477,464	523,016	593,390	405,609	366,136
Budgeted (YTD)	415,653	1,070,112	1,539,213	2,165,166	2,682,303	3,088,946	3,474,204	3,990,587	4,606,415	5,180,968	5,683,508	6,100,564
Actual (YTD)	368,618	924,240	1,323,235	1,925,576	2,391,986	2,670,627	2,997,705	2,475,169	3,998,185	4,591,575	4,997,183	5,363,319

Expenses												
Budgeted (MTD)	484,903	555,499	488,849	558,297	506,550	470,492	468,588	491,614	562,689	567,092	492,597	483,163
Actual (MTD)	467,394	527,910	464,834	527,746	483,374	467,189	413,287	483,039	499,838	564,893	428,981	443,108
Budgeted (YTD)	484,903	1,041,022	1,529,871	2,088,168	2,594,718	3,065,210	3,533,798	4,025,412	4,588,101	5,155,193	5,647,790	6,130,953
Actual (YTD)	467,394	995,304	1,460,138	1,987,884	2,471,258	2,938,447	3,351,734	3,834,773	4,334,611	4,899,504	5,328,485	5,771,593

Revenue vs. Expenses												
Budgeted (MTD)	(69,250)	97,960	(19,748)	67,656	10,587	(63,849)	(83,330)	24,769	53,139	7,461	9,943	(66,107)
Actual (MTD)	(98,776)	27,712	(65,839)	74,595	(16,964)	(188,548)	(86,209)	(5,575)	23,178	28,497	(23,373)	(76,972)
Budgeted (YTD)	(69,250)	29,090	9,342	76,998	87,585	23,736	(59,594)	(34,825)	18,314	25,775	35,718	(30,389)
Actual (YTD)	(98,776)	(71,064)	(136,903)	(62,308)	(79,272)	(267,820)	(354,029)	(359,604)	(336,426)	(307,929)	(331,302)	(408,274)



THE CITY OF MIDWEST CITY

To: Honorable Chairman and Trustees
Midwest City Municipal Authority

From: Tim Lyon, Assistant City Manager

Date: January 10, 2017

Subject: Discussion and consideration of re-awarding the bid for the Reed Center carpet project and entering into a contract with Caddell & Co., LLC to remove and dispose of the existing carpet and padding and installing new padding and carpet in the theater room, corridors and common space of the Reed Center for a total project cost in the amount of a unit price of \$9.35.

On Tuesday, November 22, 2016 at 10:00 a.m. the City of Midwest City opened bids for a remodeling project at the Reed Center. The scope of the project includes removing and disposing of the existing carpet, and installing new and carpet in the corridors, theater room and common space of the Reed Conference Center. This area will have new carpet installed utilizing the Marriott Brand Standard.

It should be noted that Caddell and Company amended their original bid after all bids were opened and therefore will be counted as a No Bid. However, after further discovery it was determined an internal administrative error was made when computing the bids. In order to fairly compare all bids they were converted to a unit price.

Staff recommends awarding the bid to Caddell and Company as the lowest and best bidder, in the amount of a unit price of \$9.35. This project is budgeted in the FY 16-17 Furniture Fixtures and Expenses Budget for the hotel and conference center.

Attached is the bid tabulation for the project.

If you have any questions, please give me a call at 739-1201.

Tim L. Lyon

Tim L. Lyon, Assistant City Manager

Attachments

Bid Tabulation
REED CENTER CARPET PROJECT

Opened: Tuesday, November 22, 2016

Amount:

Bryan's Flooring
Attn: Adam Bryan
601 West I-240 Service Road
Oklahoma City, OK 73139
405-634-4136
405-634-6589

\$9.81 Sqr Ft.

Continental Flooring
Attn: Christopher Coleman
9319 N. 94th Way, Ste. 100
Scottsdale, AZ 85258
800-825-1221 Toll Free
480-949-8509 Phone
480-945-2603 Fax

\$9.87 Sqr Ft.

Design & Build Group
Attn: Josh Travis
PO Box 674
Oklahoma City, OK 73101
405-601-2700

\$12.16 Sqr Ft.

Caddell & Co., LLC
Attn: Sean Caddell
3517 Wellsite Dr., Ste 103
Norman, OK 73069

\$9.35 Sqr Ft.



Public Works Administration

Vaughn Sullivan, Director

vsullivan@midwestcityok.org

R. Paul Streets, Assistant Director

rstreets@midwestcityok.org

8730 S.E. 15th Street,

Midwest City, Oklahoma 73110

O: 405-739-1066 /Fax: 405-739-1090

MEMO

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Vaughn K. Sullivan, Public Works Director

DATE: January 10, 2017

SUBJECT: Discussion and consideration of renewing the Cityworks License Agreement contract, without modification, for FY 2017-18 with Azteca Systems, Inc. a Utah corporation in the amount of \$60,000.00

Azteca Systems has agreed to renew the Cityworks License Agreement, without modification for FY 2017-18 renewal period: 02-01-2017 to 01-30-2018 in the amount of \$60,000.00. In FY 2016-17, \$60,000.00 was encumbered with Azteca Systems for Cityworks software license agreement.

Cityworks is an asset management program used to manage Public Works work orders.

Staff recommends approval.

A handwritten signature in black ink that reads "Vaughn K. Sullivan". The signature is written in a cursive, flowing style.

Vaughn K. Sullivan
Public Works Director

Attachment: Renewal Agreement Letters



Support Quote

December 5, 2016

Azteca Systems, Inc
11075 South State Street #24
Sandy, UT 84070
(801) 523-2751
(801) 523-3734 (fax)

Kathy Spivey
Midwest City
8730 S.E. 15th Street
Midwest City, OK 73110

Our records indicate the renewal date is approaching for Cityworks Update & Support Agreement. Keeping your update and support current entitles you to:

- Software Updates
- Customer Support
- Access to MyCityworks.com

To assure that you continue to receive these valuable services it is important to renew the software maintenance for the forthcoming term. Attached please find the quotation for renewing your Cityworks Update & Support Agreement.

If you have any questions regarding this information, please contact this office.

Thank you,

Marianne Haslam
801-523-2751
801-523-3734 (fax)
marianne@cityworks.com



Support Quote

December 5, 2016

Azteca Systems, Inc
11075 South State Street #24
Sandy, UT 84070
(801) 523-2751
(801) 523-3734 (fax)

Midwest City, OK
Contract # C146810L

<u>Cityworks AMS</u>	<u>Licenses</u>
Cityworks Server AMS	ELA
Cityworks Server AMS Essentials	
Mobile Native Apps (iOS/Android)	Y
Respond	Y
Cityworks Desktop	ELA
Cityworks Anywhere	ELA
Desktop/Anywhere	
Service Request API	ELA
Citizen Engagement API	
Work Order API - Basic	
Work Order API - Extended	
Inspection API	
Document Management API	
Metrics API	
SR Only	
Server AMS View	
Server AMS Inspection	
<u>Cityworks Online</u>	<u>Licenses</u>
Cityworks Online	

<u>Cityworks PLL</u>	<u>Licenses</u>
Server PLL	
Mobile Native Apps (iOS/Android)	
Public Access for PLL	
Case API - Basic	
Case API - Extended	

<u>Cityworks Add-ons</u>	<u>Licenses</u>
Storeroom	ELA
Equipment Checkout	Y
Contracts	Y
Cityworks Analytics	Y
Cityworks for Excel	Y
eURL (Enterprise URL)	Y
CCTV Interface for PACP	ELA



Support Quote

December 5, 2016

Azteca Systems, Inc
11075 South State Street #24
Sandy, UT 84070
(801) 523-2751
(801) 523-3734 (fax)

MicroPaver Interface	ELA
Renewal Period	2/1/2017 to 1/31/2018
U & S Amount Due	\$60000.00 (plus any applicable sales tax)

By signing below, you are authorizing Azteca Systems, Inc. to issue an update and support invoice in the amount quoted above.

Signature of Authorized Representative

Matthew D. Dukes, II

Name (please print)

01-10-2017

Date

Mayor

Title

Purchase Order #: _____

☐ Submit invoice electronically to: (email) _____

☐ Invoice to be addressed to: (if different than listed above)

(Please fax or mail this form back to Azteca Systems – 801-523-3734)

Notes:

Occasionally, Azteca changes the name of its licensed software as part of its ongoing process to improve and increase the functionality of the software. In the event the software licensed to the client changes in name, and/or improvements are made, Azteca will provide software with functionality that is similar to or with substantially the same or greater functionality of the originally licensed software, provided all current license fees have been paid.

Updates may not always include any release, option or future program that Azteca licenses separately. Updates are provided when available (as determined by Azteca). Azteca is under no obligation to develop any future programs or functionality. Any updates made available will be delivered to you, or made available to you for download. You shall be responsible for copying, downloading and installing the updates.



NEW BUSINESS/
PUBLIC DISCUSSION





HOSPITAL AUTHORITY AGENDA



MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY AGENDA

City Hall, Midwest City Council Chambers, 100 N. Midwest Boulevard

January 10, 2017 - 7:02 PM

Special Assistance requests – tcoplen@midwestcityok.org or 739-1002. (Please provide no less than 24 hours' notice) Special assistance request during a meeting call 739-1388.

A. **CALL TO ORDER.**

B. **CONSENT AGENDA.** These items are placed on the Consent Agenda so that trustees of the Hospital Authority, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all trustees, or members of the audience wish to discuss an item, that item will be removed and heard in regular order.

1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of December 13, 2016, as submitted. (Secretary - S. Hancock)
2. Discussion and consideration of approving the minutes of the special meetings of December 8, 2016, December 20, 2016, and December 22, 2016, as submitted. (Secretary - S. Hancock)
3. Discussion and consideration of approving a contract with Riggs, Abney, Turpen, Orbison & Lewis, P.C, Oklahoma City, OK, for special counsel services relative to the consideration and possible establishment of the Sooner Rose Tax Increment Finance District. (Economic Development - R. Coleman)

C. **DISCUSSION ITEM.**

1. Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. (Secretary - S. Hancock)

D. **NEW BUSINESS/PUBLIC DISCUSSION.**

E. **ADJOURNMENT.**



CONSENT AGENDA



Notice of regular meetings for staff briefings for the Midwest City Memorial Hospital Authority was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City of Midwest City's website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE REGULAR STAFF BRIEFING FOR
MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY**

December 13, 2016 – 6:00 p.m.

This regular meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, and Jeff Moore; and Secretary Sara Hancock. Absent: Christine Allen.

Chairman Dukes called the meeting to order at 6:44 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Hospital Authority agenda for December 13, 2016. Staff briefed the councilmembers on various items on the agenda, and the councilmembers sought clarification and discussed individual agenda items with staff.

Chairman Dukes closed the meeting at 6:54 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

SARA HANCOCK, Secretary

Notice of regular Midwest City Memorial Hospital Authority meetings was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City of Midwest City's website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE REGULAR MIDWEST CITY
MEMORIAL HOSPITAL AUTHORITY MEETING**

December 13, 2016 - 7:02 p.m.

This regular meeting was held in the Midwest City Council Chambers, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, Christine Allen, and *Jeff Moore; and Secretary Sara Hancock. Absent: none. Chairman Dukes called the meeting to order at 7:18 p.m.

Discussion Items.

1. **Discussion and consideration of approving the minutes of the staff briefing and regular meeting of November 22, 2016, as submitted.** Motion was made by Reed, seconded by Allen, to approve the minutes, as submitted. Voting aye: McClure, Dawkins, Byrne, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.
2. **Discussion and consideration of renewing the agreement with Capitol Decisions, Inc. in the total amount of \$70,000 to continue to provide consultant services regarding economic, community development and redevelopment interests in Midwest City for the period from January 1, 2017 through June 30, 2017.** Motion was made by McClure, seconded by Dawkins, to accept the report, as submitted. Voting aye: McClure, Dawkins, Byrne, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried.
3. **Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of investment Policy, Guidelines and Objectives.** No action was taken.

New Business/Public Discussion. There was no new business or public discussion.

Executive Sessions. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(10), to confer on 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 the City; and 2) in open session, authorizing the general manager/ administrator to take action based on the discussion in executive session. Motion was made by McClure, seconded by Reed, to go into executive session. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, Moore, and Mayor Dukes. Nay: none. Absent: none. Motion carried. The councilmembers went into executive session at 7:20 p.m. *Moore left the meeting at 7:20 p.m. Mayor Dukes reconvened the meeting in open session at 7:52 p.m. and *Moore returned to the meeting. No action was taken.

Adjournment. There being no further business, the Mayor adjourned the meeting at 7:52 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

SARA HANCOCK, Secretary

Notice of this special Midwest City Memorial Hospital Authority meeting was filed with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City of Midwest City's website, accessible to the public for at least 48 hours in advance of the meeting.

**MINUTES OF THE SPECIAL MIDWEST CITY
MEMORIAL HOSPITAL AUTHORITY MEETING**

December 8, 2016 - 11:00 a.m.

This special meeting was held in the Midwest City Council Conference Room, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, and Christine Allen; and Acting Secretary Guy Henson. Absent: Moore.

Chairman Dukes called the meeting to order at 11:15 a.m.

Executive Sessions.

Motion was made by Dawkins, seconded by Allen, to go into both executive sessions. Voting aye: McClure, Byrne, Dawkins, Reed, Allen, and Mayor Dukes. Nay: none. Absent: Moore. Motion carried. The councilmembers went into both executive sessions at 11:18 a.m.

1. **Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(10), to confer on 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 the City; and 2) in open session, authorizing the general manager/administrator to take action based on the discussion in executive session.**
2. **Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), to discuss the purchase or appraisal of real property; and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.**

Mayor Dukes reconvened the meeting in open session at 4:15 p.m. No action was taken on either executive session.

Adjournment. There being no further business, the Mayor adjourned the meeting at 4:15 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

GUY HENSON, Acting Secretary

Notice of this special Midwest City Memorial Hospital Authority meeting was filed with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City of Midwest City's website, accessible to the public for at least 48 hours in advance of the meeting.

**MINUTES OF THE SPECIAL MIDWEST CITY
MEMORIAL HOSPITAL AUTHORITY MEETING**

December 20, 2016 - 11:30 a.m.

This special meeting was held in the Midwest Council Conference Room at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees: Pat Byrne, Rick Dawkins, Sean Reed, and Christine Allen; and Acting Secretary Guy Henson. Absent: Daniel McClure Jr. and Jeff Moore. Chairman Dukes called the meeting to order at 11:32 a.m.

Executive Session. Motion was made by Dawkins, seconded by Reed, to go into both executive sessions. Voting aye: Byrne, Dawkins, Reed, Allen, and Chairman Dukes. Nay: none. Absent: McClure and Moore. Motion carried. The trustees went into both executive sessions at 11:32 a.m.

- 1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(10), to confer on 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 the City; and 2) in open session, authorizing the general manager/administrator to take action based on the discussion in executive session.**
- 2. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(B)(3), to discuss the purchase or appraisal of real property; and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.**

Prior to 11:32 a.m., Chairman Dukes had called the City Council meeting to order. After City Manager, Guy Henson, read all four of the executive sessions the Council/Authority proceeded.

Chairman Dukes reconvened this meeting in open session at 1:20 p.m. One motion for all four of the executive sessions was made by Dawkins, seconded by Allen, to authorize the general manager/administrator to take action as discussed in executive session. Voting aye: Byrne, Dawkins, Reed, Allen, and Chairman Dukes. Nay: none. Absent: McClure and Moore. Motion carried.

Adjournment. There being no further business, Chairman Dukes adjourned the meeting at 1:20 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

GUY HENSON, Acting Secretary

Notice of this special Midwest City Memorial Hospital Authority meeting was filed with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the City of Midwest City's website, accessible to the public for at least 48 hours in advance of the meeting.

**MINUTES OF THE SPECIAL MIDWEST CITY
MEMORIAL HOSPITAL AUTHORITY MEETING**

December 22, 2016 - 3:30 p.m.

This special meeting was held in the Midwest City Council Conference Room, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Trustees, Pat Byrne, Rick Dawkins, Sean Reed, Christine Allen, Jeff Moore and Acting Secretary Susan Mullendore. Absent: Daniel McClure.

Chairman Dukes called the meeting to order at 3:30 p.m.

Jeff Moore arrived at 3:34 p.m.

Discussion Items.

- 1. Discussion and consideration of approving and entering into a Preliminary Development Agreement with Sooner Investment Group, Inc. in an amount up to \$375,000 to be applied directly toward necessary or appropriate costs associated with Sooner Investment Group, Inc.'s redevelopment of the land near the northeast corner of Sooner Rd and SE 15th Street.** Motion was made by Dawkins, seconded by Allen, to approve the agreement as submitted. Voting aye: Byrne, Dawkins, Reed, Allen, and Mayor Dukes. Nay: Moore. Absent: Daniel McClure. Motion carried.

Adjournment. There being no further business, the Mayor adjourned the meeting at 3:38 p.m.

ATTEST:

MATTHEW D. DUKES, II, Chairman

SUSAN MULLENDORE, Acting Secretary



Economic Development Department
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: (405) 739-1218
rcoleman@MidwestCityOK.org

MEMORANDUM

To: Honorable Chairman and MCMHA Trustees

From: Robert Coleman, Director of Economic Development

Date: January 10, 2017

Subject: Discussion and consideration of approving a contract with Riggs, Abney, Turpen, Orbison & Lewis, P.C, Oklahoma City, OK, for special counsel services relative to the consideration and possible establishment of the Sooner Rose Tax Increment Finance District.

The FY 2016 – 2017 City of Midwest City Economic Development Budget includes \$45,000 for exploring the possibility of creating a Tax Increment Finance (“TIF”) district for Midwest City Memorial Hospital Authority Property on SE 29th ST. Instead, we are now considering establishing a TIF district in the vicinity of SE 15th ST and S Sooner RD in an area known as the Sooner Rose Shopping Center..

The attached contract authorizes Riggs-Abnsey to work on behalf of the Authority to create a TIF district for a cost not to exceed \$40,000 (§ 7.A.i) payable in \$10,000 increments for a duration of four (4) months. However, should the Authority decide to create a district and to finance development, the contract allows Riggs-Abney to continue working for the Authority on a fee plus percentage basis (§ 7.A.ii). Work above and beyond the parameters of the contract is also described in hourly rates (§ 7.A.iii).

Please contact my office at (405) 739-1218 or e-mail any question.

Respectfully,

Robert Coleman
Director of Economic Development

Attachments: Proposed Contract

RIGGS ABNEY, NEAL, TURPEN, ORBISON & LEWIS

LEGAL SERVICES AGREEMENT

THIS LEGAL SERVICES AGREEMENT, dated as of _____ (hereinafter, the "Agreement"), is entered into by and between the MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY, an Oklahoma public trust (hereinafter, the "Client"), and RIGGS ABNEY, NEAL, TURPEN, ORBISON & LEWIS, P.C., an Oklahoma professional corporation (hereinafter, "Riggs Abney").

W I T N E S S E T H:

WHEREAS, the Client desires to engage special counsel to provide legal services in connection with the financing of critical public infrastructure and/or the provision of development financing assistance for the SOONER ROSE INCREMENT DISTRICT PROJECT to be located within or near the City of Midwest City, Oklahoma.

NOW, THEREFORE, for a good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, the parties hereto agree as follows:

SECTION 1. Effective Date. This Agreement shall take effect as of the date Riggs Abney first provided or provides legal services to Client in connection with the Subject Matter, defined below.

SECTION 2. Scope of Services. Pursuant to this Agreement, Riggs Abney will provide the following legal services to the Client and its managers and officers as may be requested, from time to time:

(i) Legal advice to and representation of the Client, or other entities related to, or working in cooperation with, the Client, including the City, in connection with the establishment and/or maintenance of an increment district under the Oklahoma Local Development Act, Title 62, Sections 850 et seq. of the Oklahoma Statutes, including, without limitation:

(a) Furnish full directions and steps necessary to be taken by the Client and the City in compliance with the Constitution and Statutes of the State of Oklahoma in the creation and maintenance of an increment district;

(b) Prepare and review documents necessary or appropriate to the creation of the Review Committee required by the Local Development Act, including all necessary resolutions or ordinances, and coordinate the authorization and execution of such documents;

(c) Prepare and review documents necessary or appropriate to the authorization and creation of the increment and incentive districts Review Committee required by the Local Development Act, and the authorization and creation of the related

increment or incentive district, including the Project Plan as well as all necessary resolutions and/or ordinances, and coordinate the authorization and execution of such documents;

(d) Work with and advise the members of the Review Committee regarding their responsibilities under the Local Development Act, and prepare and review such resolutions or other documents necessary or appropriate in meeting these responsibilities;

(e) Assist the Client in seeking from other governmental authorities such approvals and permissions as are necessary or appropriate in connection with the authorization and creation of an increment district; and

(ii) Legal advice to and representation of the Client in connection with the Sooner Rose Increment District Project regarding the structuring, negotiation and closing of any notes, bonds or other forms of indebtedness previously issued or to be issued by the Client or by other entities related to, or working in cooperation with the Client (hereinafter, the “Bonds”), including, without limitation:

(a) Subject to the completion of proceedings to our satisfaction, render our legal opinion regarding the validity and binding effect of the Bonds, the source of payment and security for the Bonds, and the excludability of interest on the Bonds from gross income for federal income tax purposes;

(b) Furnish full directions and steps necessary to be taken by the Authority in compliance with the Constitution and Statutes of the State of Oklahoma and the Internal Revenue Code of 1986, as amended and related regulations promulgated thereunder (the “Code”) for the issuance of Bonds by the Authority;

(c) Prepare and review documents necessary or appropriate to the authorization, issuance and delivery of the Bonds, including but not limited to resolutions, agreements, debt instruments or trust indentures and coordinate the authorization and execution of such documents;

(d) Assist the Authority in seeking from other governmental authorities such approvals and permissions as we determine are necessary or appropriate in connection with the authorization, issuance and delivery of the Bonds, except that Riggs, Abney will not be responsible for any required blue-sky filings.

(e) Review legal issues relating to the structure of the Bonds;

(f) Review those sections of the official statement, private placement memorandum or other form of offering or disclosure document to be disseminated in connection with the sale of the Bonds involving the authority for the Bonds, tax matters related to the Bonds and the legal opinion related to the Bonds, if applicable;

(g) Draft the continuing disclosure undertaking of the Authority, if applicable; and

(iii) Legal advice to and representation as to any other legal matter not described in subsections (i) and (ii) above, which the Client may hereinafter request in writing, and for which Riggs Abney agrees to provide as a part of this Agreement.

(The foregoing being collectively referred to herein as the "Subject Matter".)

SECTION 3. Attorney-Client Relationship. Upon execution of this Agreement, an attorney-client relationship will exist between the Client and Riggs Abney. As such, Riggs Abney will represent only the Client, and will not act as counsel to any other party involved in any Subject Matter described herein, except with the Client's consent. Riggs Abney further assumes that all other parties will retain such counsel as they deem necessary and appropriate to represent their interests in any given transaction. Riggs Abney's services as Special Counsel are limited to those contracted for in this letter, and the Client's execution of this Agreement will constitute an acknowledgment of those limitations.

SECTION 4. Client Information. All information, data, reports, and records of the Client which are necessary for carrying out the services described above are to be furnished to Riggs Abney, without charge by the Client, and the Client agrees to keep Riggs Abney's attorneys informed of all significant developments affecting the Subject Matters described herein. No reports, information or data given to or prepared by Riggs Abney under this agreement will be made available to any individual or organization by Riggs Abney without the Client's prior approval. At all times, the files of Riggs Abney relating to its representation of the Client, will be and remain property of Riggs Abney; provided, however, that all documents or other items provided by the Client will remain property of the Client, but that Riggs Abney will be entitled to retain copies of any such items at its discretion.

SECTION 5. Outside Counsel and Consultants. By its execution of this Agreement, the Client is also authorizing Riggs Abney to employ such outside counsel or consultants to assist in the Client's representation as Riggs Abney deems necessary. In such cases, all compensation to such outside counsel or consultants will be paid by Riggs Abney, and the Client will not be liable for any additional amounts unless the Client agrees to such in writing.

SECTION 6. Potential Conflicts of Interest. The Client acknowledges that Riggs Abney also represents many other companies, individuals and public entities. As a condition of Riggs Abney's undertaking of these matters, the Client agrees that Riggs Abney may continue to represent, or may in the future represent, existing or new clients in any matter that is not substantially related to its work for the Client, even if those clients' interests are adverse to the Client; provided, however, that Riggs Abney will not represent any person in a dispute with the Client during the time that Riggs Abney is representing the Client, nor will Riggs Abney represent any person in any matter adverse to the Client if it has obtained confidential information by reason of its representation of the Client. By executing this letter and consenting to the arrangements described in it, the Client will be acknowledging these limitations on Riggs

Abney's representation, and will be consenting to and waiving those conflicts permitted hereby. Should Client determine that Riggs Abney violated this agreement to the detriment of Client, it may immediately terminate the agreement. Riggs Abney will return to Client fifty percent (50 %) of all fees paid by Client during the period of the violation.

SECTION 7. Fees; Out-of-Pocket Costs; Interest Charges.

(A) In exchange for the above-described services, the Client hereby agrees to pay, at the times herein provided, those amounts determined as follows:

(i) Fixed-Fee Arrangement

For all matters described above in subsection (i) of Section 2 hereof, the amount of our compensation will be a "fixed-fee" \$40,000 per district, payable in four (4) monthly installments of \$10,000.00 commencing with the first month or part of a month in which services were provided to the Client relating to such increment district, and continuing for each month thereafter until the total amount has been paid.

A statement relating to such charges will be provided monthly to the Client at the following address: Midwest City Memorial Hospital Authority, 100 N. Midwest Blvd., Midwest City, Oklahoma 73110. Such fees will be payable within 30 days of the receipt of a statement from us.

(ii) Percentage-of-Project-Financing Basis. For all matters described in subsection (ii) of Section 2 hereof, the amount of Riggs Abney's compensation will be determined by applying the percentage stated below by the amount of the project financing. The applicable percentage fee is based upon the following scale:

Financing Amount <u>Over:</u>	Financing Amount <u>Not Over:</u>	Fee Calculated <u>As Follows:</u>
\$-0-	\$2 million	2.00% of project financing amount;*
\$2 million	\$5 million	\$40,000 plus 1.00% on portion over \$2 million;
\$5 million	\$10 million	\$70,000 plus .50% on portion over \$5 million;
\$10 million	.....	\$95,000 plus .25% on portion over \$10 million

*Subject to a minimum fee of \$20,000.00.

Payment of the compensation determined under this method is contingent upon the successful completion of the work being undertaken by Riggs Abney unless this agreement is terminated by the Client prior to the completion of such work. Payment for work performed on a "percentage-of-project-financing" basis shall be due at closing of the related financing transaction.

(ii) Per-Hour Basis. For all other matters, including those described in paragraph (iii) of Section 2 hereof, the amount of compensation will be determined by multiplying the actual time expended by Riggs Abney attorneys times the hourly rate(s) applicable, as set forth below:

Daniel E. McMahan	\$250.00
Richard Mildren	\$250.00
Partners	\$250.00
Associates	\$175.00

Riggs Abney will charge for time expended on behalf of the Client in minimum units of fifteen (15) minutes, including, without limitation, time expended for telephone discussions, each document reviewed or drafted, staff consultations and any other significant service relating to the Subject Matter. A record of actual time spent in service to the Client shall be kept by each attorney providing such services. A statement of such time, and the charges resulting therefrom, shall be provided to the Client each month at the address shown in Section 9 hereof. Payment for work performed on a “per-hour” basis will be due upon receipt of the firm’s statement.

(B) Under any of the methods of compensation described in paragraph (A) above, Riggs Abney shall also be entitled to receive reimbursement for all out-of-pocket expenses reasonably incurred in connection with its work. These costs include reimbursement for any charges for travel (airfare, lodging, meals, etc.), database searches, secretarial overtime when required by the urgency of a client’s matter, long distance telephone calls, special deliveries, and other similar items. All such charges are billed at or below Riggs Abney’s out-of-pocket costs, or when necessary, estimated costs.

(C) Riggs Abney may, in its sole discretion, commence charging interest at the rate of one and one-half percent (1.5%) per month or portion of a month on any balance with Riggs Abney that is in excess of thirty (30) days past due beyond the statement date. In the event there is litigation regarding the collection of fees, Riggs Abney shall be awarded reasonable attorneys’ fees and costs in connection with such action.

SECTION 8. Termination of Agreement By the Client; Termination of Agreement By Riggs Abney.

(A) The Client may discharge Riggs Abney at any time. In such event, Riggs Abney shall prepare and present the Client with a final statement reflecting the total balance due on concluding its representation efforts on behalf of Client. The Client shall have thirty (30) days from the date of such statement to pay the balance due. Any balance remaining unpaid after thirty (30) days shall provide Riggs Abney good cause to take any and all action reasonable and appropriate with regard to the Client with respect to collection thereof. The Client expressly acknowledges that, if Riggs Abney shall have entered an appearance as the Client’s attorneys-of-record before a court or other adjudicatory authority, said court or tribunal retains final authority as to whether Riggs Abney shall be permitted, as appropriate under the circumstances, to be discharged or to withdraw. Until such time as an order providing for such is entered, Riggs

Abney is legally required and obligated to continue to represent the Client as to the Subject Matter. The Client further acknowledges that, pending approval of any such motion for discharge or withdrawal, the Client is and remains obligated for charges in connection with all work performed by Riggs Abney through the time of receipt by Riggs Abney of the order granting the motion for discharge or withdrawal.

(B) Riggs Abney may withdraw from representation of the Client under the following circumstances, to-wit:

- (i) with the Client's consent;
- (ii) for good cause, including any material breach by the Client of this Agreement, including without limitation non-payment of outstanding charges;
- (iii) upon the Client's refusal to reasonably cooperate with Riggs Abney, as reasonably determined by Riggs Abney, or
- (iv) upon the Client's failure to follow Riggs Abney's advice on a material matter or matter of law relating to the Subject Matter.

SECTION 9. Notices. All notices, invoices, correspondence and other communication shall be in writing and shall be deemed to have been given when actually received, and may be given personally, by registered or certified mail, by facsimile or by email, as follows:

If to Riggs Abney: Riggs Abney, Neal, Turpen, Orbison & Lewis, P.C.
528 N.W. 12th Street
Oklahoma City, Oklahoma 73103-2407

If to the Client: Midwest City Memorial Hospital Authority
100 N. Midwest Blvd.
Midwest City, Oklahoma 73110
ATTN: Chairman

SECTION 10. Waiver. Failure of either party to this Agreement to enforce at any time any of the provisions hereof shall not be construed to be a waiver of such provisions or in any way affect the validity of the Agreement or any part hereof or the right of either party hereto thereafter to enforce each and every provision hereof. The waiver of any provisions of this Agreement or any breach thereof shall not constitute a waiver of any subsequent breach of the same or any other provisions hereof.

SECTION 11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Oklahoma.

SECTION 12. Entire Agreement and Amendments. This Agreement supersedes any previous agreement, oral or written, by and between Riggs Abney and the Client and may be amended only by a written agreement executed by Riggs Abney and the Client.

SECTION 13. Privacy Policy Notice. Attorneys, like other professionals who advise on personal financial matters, are now encouraged by a new federal law to inform their clients of their policies regarding privacy of client information. Attorneys have been and continue to be bound by professional standards of confidentiality that are even more stringent than those required by this new law. In order to guard its clients' nonpublic personal information, Riggs Abney maintains physical, electronic, and procedural safeguards that comply with all applicable professional standards. Therefore, as a client of Riggs Abney, all information that is received from the Client will be held in confidence, and will not be released to third-parties, except as agreed to by the Client, or as required under an applicable law. Riggs Abney retains records relating to the services it provides so that the firm may better assist its clients with their legal needs, and, in some cases, to comply with professional guidelines.

SECTION 14. Electronically Stored Information ("ESI"). If the Client is requesting representation from Riggs Abney in a threatened or pending lawsuit or administrative proceeding, then the Client shall carefully preserve all of the following items if they (or any part of them) contain information or communication that might relate, directly or indirectly, to the Subject Matter:

- (i) any computer printout or any paper writing or document of any kind, whether formal or informal; any paper photograph, graph, drawing, chart, or other illustration, depiction, or reproduction; any video or audio recording on DVD, CD, film, tape, or other medium; any other physical, tangible items; and
- (ii) any information, data, or communication (on or in email and/or social media accounts) which directly or indirectly relates to the Subject Matter, including but not limited to any information, data, or communication appearing or stored in the following:
 - (1) all email accounts (including without limitation Hotmail, Gmail, Me.com; Yahoo, and workplace/business email);
 - (2) social media websites (including without limitation Facebook, Twitter, LinkedIn, YouTube and Google+ accounts); and
 - (3) text messaging, photos, and videos on any phone, pad, or other communication/recording device.

The Client shall not delete or modify any ESI that could be directly or indirectly related to the Subject Matter. Client's deletion or modification of ESI or documents that may be relevant to the Subject Matter could subject the Client to a "monetary sanction" (*i.e.* a fine) imposed by the Court, and could cause the Court to impose additional serious penalties against the Client, such as dismissing a plaintiff's claims or preventing a defendant from presenting a defense. The Client shall not discuss (except with Riggs Abney) anything that might relate directly or

indirectly to the Subject Matter on any device that transmits, stores, or retains Client's communications (*e.g.* email, cell phone, iPad, desktop PC, fax machine, laptop, etc.) or anywhere online, including any social media or personal website. By its execution of this Agreement, the Client acknowledges that it has been advised and is aware of its duty to preserve all ESI that might be relevant in any way to the Subject Matters described herein.

SECTION 15. Execution. Riggs Abney's engagement, conflict and billing practices reflect its sincere desire to deal fairly with its clients in these and in all other aspects of the attorney-client relationship. The Client's execution of this Agreement indicates that the terms of this engagement and the related conflict waivers are acceptable to it.

DATED as of the date first set forth above.

RIGGS, ABNEY, NEAL, TURPEN,
ORBISON & LEWIS, P.C.

By: _____

I have read the above and foregoing Agreement and agree to its terms and conditions, and further acknowledge receipt of a copy of this Agreement, all as of this ____ day of _____, 2015.

CLIENT:

MIDWEST CITY MEMORIAL
HOSPITAL AUTHORITY

By _____

Name _____

Title _____



DISCUSSION ITEM





Midwest City Memorial Hospital Authority

100 North Midwest Boulevard
Midwest City, Oklahoma 73110
(405) 739-1204 FAX (405) 739-1208 TDD (405) 739-1359

J. Guy Henson
*General Manager/
Administrator*

Trustees

Matt Dukes
Daniel McClure Jr.
Pat Byrne
Rick Dawkins
Sean Reed
Christine Allen
Jeff Moore

Board of Grantors

Sherry Beaird
John Cauffiel
Marcia Conner
Pam Dimski
Dara McGlamery
Joyce Jackson
Charles McDade
Nancy Rice
Sheila Rose

MEMORANDUM

TO: Honorable Chairman and Trustees
Midwest City Memorial Hospital Authority

FROM: Sara Hancock, Secretary

DATE: January 10, 2017

SUBJECT: Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.

Jim Garrels, President, Fiduciary Capital Advisors, asked staff to put this item on each agenda in the event the Hospital Authority's investments need to be reallocated, an investment fund manager needs to be changed or changes need to be made to the Statement of Investment Policy on short notice.

Action is at the discretion of the Authority.

Sara Hancock

Sara Hancock, Secretary



NEW BUSINESS/
PUBLIC DISCUSSION





ECONOMICAL DEVELOPMENT
COMMISSION AGENDA



MIDWEST CITY ECONOMIC DEVELOPMENT COMMISSION AGENDA

City Hall, Midwest City Council Chambers, 100 N. Midwest Boulevard

January 10, 2017 – 7:03 PM

Special Assistance requests – tcoplen@midwestcityok.org or 739-1002. (Please provide no less than 24 hours' notice) Special assistance request during a meeting call 739-1388.

- A. CALL TO ORDER.
- B. CONSENT AGENDA. These items are placed on the Consent Agenda so that the Economic Development Commission, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all the Commissioners, or members of the audience wish to discuss an item, that item will be removed and heard in regular order.
 - 1. Discussion and consideration of approving the minutes of the staff briefing and regular meeting of October 11, 2016, as submitted. (City Clerk - S. Hancock)
 - 2. Discussion and consideration of accepting the Midwest City Chamber of Commerce's quarterly report for the period ending December 31, 2016. (City Manager - G. Henson)
- C. NEW BUSINESS/PUBLIC DISCUSSION.
- D. ADJOURNMENT.



CONSENT AGENDA



Notice of regular meetings for staff briefings for the Midwest City Economic Development Commission was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the Midwest City website, accessible to the public for at least 24 hours in advance of the meeting.

**MINUTES OF THE STAFF BRIEFING FOR MIDWEST CITY
ECONOMIC DEVELOPMENT COMMISSION SPECIAL MEETING**

October 11, 2016 - 6:00 p.m.

This regular meeting was held in the Midwest City Council Conference Room on the second floor of City Hall, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma. The following members were present: Chairman Matt Dukes; Commissioners Daniel McClure Jr., Pat Byrne, Rick Dawkins, Christine Allen, and Jeff Moore; and Secretary Sara Hancock. Absent: Sean Reed.

Chairman Dukes called the meeting to order at 6:31 p.m.

Clarification of agenda items, handouts, and presentation of new or additional information for items on the Economic Development Commission agenda for October 11, 2016. Bonnie Cheatwood, Midwest City Chamber of Commerce Director, spoke to the commissioners about the 3rd Quarter report. The commissioners had no questions about the items on the agenda.

Chairman Dukes closed the meeting at 6:33 p.m.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary

Notice of this regular meeting of the Midwest City Economic Development Commission was filed for the calendar year with the City Clerk of Midwest City and copies of the agenda for this meeting were posted at City Hall and on the Midwest City website, accessible to the public for at least 24 hours in advance of the meeting.

MINUTES OF THE MIDWEST CITY
ECONOMIC DEVELOPMENT COMMISSION MEETING

October 11, 2016 - 7:03 p.m.

This regular meeting was held in the Midwest City Council Chambers, 100 North Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma with the following members present: Chairman Matt Dukes; Commissioners Daniel McClure Jr., Pat Byrne, Rick Dawkins, Sean Reed, Christine Allen, and Jeff Moore; and Secretary Sara Hancock. Absent: none.

Chairman Dukes called the meeting to order at 7:57 p.m.

Consent Agenda. Motion was made by Dawkins, seconded by Reed, to approve the consent agenda, as submitted.

1. Discussion and consideration of approving the minutes of the Staff Briefing and regular meeting of July 12, 2016, as submitted.
2. Discussion and consideration of accepting the Midwest City Chamber of Commerce's quarterly report for the period ending September 30, 2016.

Voting aye: McClure, Byrne, Dawkins, Reed, Allen, Moore and Chairman Dukes. Nay: none. Absent: none. Motion carried.

New Business/Public Discussion. There was no new business or public discussion.

Chairman Dukes adjourned the meeting at 7:58 p.m.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1204

MEMORANDUM

TO: Honorable Chairman and Commissioners
Midwest City Economic Development Commission

FROM: J. Guy Henson, City Manager

DATE: January 10, 2017

SUBJECT: Discussion and consideration of accepting the Midwest City Chamber of
Commerce's quarterly report for the period ending December 31, 2016.

Staff recommends acceptance of the report as presented.

J. Guy Henson, AICP
City Manager

**Midwest City Chamber of Commerce
Quarterly Report
December 29, 2016**

The following is a quarterly report of the Midwest City Chamber of Commerce staff for the quarter ending December 31, 2016.

Meetings and Events:

Thursday, October 6, 2016: Executive Director, Mayor, City Manager, and Economic Development Director met with Regional Management from Home Depot to discuss economic development in the area.

Monday, October 10, 2016: Executive Director and Economic Development Director attended meeting at Boeing regarding grants for the community.

Wednesday, October 12, 2016: Executive Director and community leaders met with Mid-Del Schools Superintendent Dr. Rick Cobb regarding future changes and economic growth for our community.

Wednesday, October 19, 2016: Executive Director attended an Economic Development Commission meeting at City Hall.

Thursday, December 8, 2016: Chamber staff met with a potential event production company regarding 75th Anniversary Gala.

Wednesday, December 14, 2016: Executive Director met with the City's Public Relations Specialist and Cox Communication's Director of Communications regarding involvement and economic development in the area.

Thursday, December 15, 2016: Chamber staff received training from Metro Signs for the management of the electronic billboard which will be announcing City and Chamber events.

Chamber staff continues to support and participate in efforts relating to the 75th Anniversary in 2017.

Chamber staff has met with prospective participants for the August 21-23, 2017 event and have commitments from twelve exhibitors, including the Premier Title Sponsor and two Premier Sponsors to date.

Chamber staff continues to provide information and support necessary for the continued efforts of Economic Development.

Respectfully,

Bonnie Cheatwood
Executive Director
Midwest City Chamber of Commerce



NEW BUSINESS/
PUBLIC DISCUSSION

