



City of Edmond

NOTICE OF PUBLIC MEETING

The City of Edmond encourages participation from all its citizens. If participation at any Public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48-hour rule if signing is not the necessary accommodation.

EDMOND CITY COUNCIL MEETING
EDMOND PUBLIC WORKS AUTHORITY MEETING
20 S. Littler, Edmond, Oklahoma
5:30 p.m., September 26, 2011

1. Call to Order by Mayor Douglas.
2. Approval of City Council Meeting Minutes: September 12, 2011 **(5-11)**
3. City Council Presentations:
 - A. Presentation recognizing Johnny Watley, Mrs. Wana Self and Mr. Dennis McKee for their life saving response and assistance to Willy Ward.
4. City Council Appointments to Boards and Commissions:
 - A. Mayor's Appointments:
 1. Michael Carolina to the Edmond Economic Development Authority Board to fulfill the unexpired term of Hardy Watkins; term expires July 2013.
 2. Tammie Lissuzzo to the Arts and Humanities Council to fulfill the unexpired term of Karen Carter; term expires February 2012.
 3. Kim Mihalsky to the Arts and Humanities Council to fulfill the unexpired term of Pat Harris; term expires February 2012.
 4. George Williams to the Arts and Humanities Council to fulfill the unexpired term of Ella Sprung; term expires February 2013.
 5. Candace Tucker to the Kickingbird Tennis Center Advisory Board to replace Eric Richardson; term expires April 2013.
 6. Chip Nolen to the Edmond Bicycle Committee to fulfill the unexpired term of Tim Tillman; term expires July 2013.
 7. Warren Christy to the Edmond Bicycle Committee; term expires September 2014.

- B. Mayor's Reappointment of Jalal Daneshfar to the Edmond Public Transportation Committee; term expires July 2014.
 - C. Ward 3 Appointment of Shaji Jacob to the Kickingbird Tennis Center Advisory Board to fulfill the unexpired term of Josh Shirley; term expires February 2013.
5. General Consent Items:
- A. Consideration of Approval of Administrative Items:
 - 1. Acceptance of City Manager's Financial Report. **(12-24)**
 - A. Month Ending August 31, 2011.
 - 2. Acceptance of City Treasurer's Investment Report. **(25-27)**
 - A. Month Ending August 31, 2011.
 - 3. Approval of "Fund Balance Policy" per Governmental Accounting and Financial Standards Board Statement 54 - Fund Balance Reporting and Governmental Fund Type Definitions. **(28-33)**
 - 4. Approval of Electric Easement: Paul B. Skinner and Tamara R. Skinner, 1348 N. Post Rd. **(34-35)**
 - 5. Approval of Supplemental Appropriation for the Police Public Safety Limited Tax Fund (PPSLTF); \$116,538. **(36-50)**
 - 6. Approval of Request from Cox TMI Wireless for termination of contract/leases for water tower space for wireless communications antennas and related equipment at the 400 West 33rd Street and 1540 West Danforth, water towers. **(51)**
 - 7. Acceptance of Public Improvements and Maintenance Bonds for: **(52)**
 - a. Street repair on the northwest corner at Bryant and 33rd
 - b. Repair pavement cuts at 32 N. Broadway
 - c. 5 1/2 inch bore under 9th Street for low voltage communications between new and existing buildings of Sunset Elementary, 310 West 9th
 - d. Installation of storm sewer to serve Sherwin Williams, N. Kelly and Danforth
 - e. Pavement cut across the public alley at 32 N. Broadway
 - f. Detention basin to serve Edmond Town Center, Lot 9
 - g. Street cut, removal and patch to serve Italian Jim's, 15 S. Broadway
 - h. Oklahoma Natural Gas project at 13 and 15 S. Broadway
 - i. Oklahoma Natural Gas concrete and asphalt installation at 2108 W. Danforth Road., 32 N. Broadway and 225 S. University
 - j. Excavating sewer main and service and removing and installing concrete and blacktop at 22nd E. 6th Street
 - k. Concrete patch at the Territorial School House at 124 E. 2nd Street
 - 8. Approval of FY10-11 Year-End Budget Transfer of Appropriations to balance Personnel Services departmental budgets. **(53-54)**

9. Approval of FY10-11 Year-End Budget Transfer of Appropriations to balance departmental budget categories for governmental fund types. **(55-56)**

B. Consideration of Approval of Ordinances and Resolutions:

1. Approval of Resolution No. ____ and Public Right-of-Way, Utility and Encroachment Agreement with the Oklahoma Department of Transportation for the Kelly Ave. widening Covell to Coffee Creek. **(57-65)**

C. Approval of Purchases:

1. Approval of Change Order No. 2 to the Construction Contract with FT Construction Company Inc for the Covell Road Water and Sanitary Sewer Project; \$296,363.53 increase. **(66)**

<Recess City Council Meeting and Convene Public Works Authority Meeting>

6. Approval of EPWA Meeting Minutes: September 12, 2011 **(67-69)**

7. EPWA General Consent Items:

A. Consideration of Approval of Administrative Items:

1. Approval of Request from Cox TMI Wireless for termination of contract/leases for water tower space for wireless communications antennas and related equipment at the 400 West 33rd Street and 1540 West Danforth, water towers. **(70)**
2. Approval of Transfer of Appropriations for Installation Bid at Burgett Substation to Ernest P. Breaux Electrical; \$1,561,138.85. **(71)**

B. Approval of Purchases:

1. Acceptance of Bid and Approval of Contract for the CR Burgett Substation Construction Project for the Electric Department; \$1,561,138.85. **(72-73)**

<Adjourn Public Works Authority Meeting and Reconvene City Council Meeting>

8. Planning Discussion Items:

- A. Case #Z11-00017 Public Hearing and Consideration of Edmond Plan Amendment from Single Family usage to Commercial PUD usage on a 4.3 acre tract on the north side of West Edmond Road, 1,300 feet west of Santa Fe. (Citizen's Bank) **This item has been continued until the October 24, 2011 City Council meeting at the request of the applicant. (75)**
- B. Case #Z11-00018 Public Hearing and Consideration of Rezoning from "A" Single Family zoning to Commercial PUD zoning on a 4.3 acre tract on the north side of West Edmond Road, 1,300 feet west of Santa Fe. (Citizen's Bank) **This item has been continued until the October 24, 2011 City Council meeting at the request of the applicant. (76)**

- C. Case #Z110015 Public Hearing and Consideration of Ordinance No. _____ Amending the Edmond Plan from Mixed Suburban Commercial to Single Family Residential on property located south of Sorghum Mill on the west side of Sooner. (Alan Staab) **(Emergency Approval Required) This item has been continued until November 14, 2011 City Council meeting at the request of the applicant. (77-78)**
- D. Case #Z110016 Public Hearing and Consideration of Ordinance No. _____ Rezoning from "G-A" General Agricultural to "R-1" Rural Estate Dwelling District on property located south of Sorghum Mill on the west side of Sooner. (Alan Staab) **This item has been continued until the November 14, 2011 City Council meeting at the request of the applicant. (79)**
- E. Case #Z110013 Public Hearing and Consideration of Ordinance No. _____ Amending the Edmond Plan from Office PUD Usage to Medium Density Multi-Family/Specific Use Permit for an assisted living center located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group) **Emergency Approval Required (80-83)**
- F. Case #Z110014 Public Hearing and Consideration of Ordinance No. _____ Rezoning from "D-O" Suburban Office PUD to "C-2" Medium Density Multi-Family for an assisted living center located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group) **(84-87)**
- G. Case #U110003 and SP110019 Public Hearing and Consideration of Specific Use Permit and Site Plan approval for an assisted living center located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group) **(88-93)**
- H. Case #SP110016 Public Hearing and Consideration of Site Plan approval for the Oklahoma Christian School High School building and metal maintenance building on a 29 acre parcel south of East Second Street, one-eighth mile east of I-35. (Oklahoma Christian School) **(94-97)**
- 9. Discussion and Consideration of Request for Variances for Driveway Separation and Right-of-Way for the Southeast Corner of Coltrane and 2nd Street. **(98-100)**
- 10. Executive Session to discuss pending claims: Wilson vs. City and Hollis vs. City (Executive Session authorized pursuant to 25 Okla. Stat. Section 307 (B)(4).
- 11. Consideration of action with regard to the claims of Wilson vs City; Hollis vs. City.
- 12. Citizens Comments - (This is an opportunity for citizens to address the City Council. Remarks should be directed to City Council as a whole and limited to five minutes or less.)
- 13. New Business - (In accordance with the Open Meeting Act, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda.)
- 14. Adjournment.

City Council

Item # 2.

Meeting Date: 09/26/2011

Submitted For: Vicki Martin

Information

Item

Approval of City Council Meeting Minutes: September 12, 2011

Attachments

CC Minutes

EDMOND CITY COUNCIL MINUTES

September 12, 2011

Mayor Pro Tem Charles Lamb called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, September 12, 2011, in the City Council Chambers. Mayor Douglas and Councilmember Miller were absent on City business.

2. Approval of August 22, 2011, Minutes. Motion by Caldwell, seconded by Waner, to approve Minutes. **Motion carried** as followed:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and Waner
NAYS: None

3. City Council Presentations:

- A. **Presentation of proclamation recognizing September 17-23, 2011, as "CONSTITUTION WEEK" in the City of Edmond.**
- B. **Presentation of Certificate of Completion of Department of Labor Field Service Technician Program to Marty Hall and Scott Rohrer.**
- C. **City Manager's Progress Report.** Larry Stevens addressed Council and stated the latest sales tax collections rose only .61% from last year, resulting in a three month cumulative increase of 1.29% which is below the 2% budget projections for this fiscal year. He noted the collections have been below projection for all three months of this budget year.

Mr. Stevens stated the June, 2010 rains destroyed the bridge near Anderson Road and Coffee Creek Road. Because of the low traffic volume, there is no grant assistance available for replacement. He stated the City Engineer has been working with Oklahoma County Commissioner Ray Vaughn's staff on an interlocal agreement to repair the bridge. The estimated cost of the project is \$100,000 and the funding will be discussed with the Capital Projects and Financing Task Force at their next meeting.

Mr. Stevens stated development of construction plans for the Multi-Purpose Activity Center expansion project are nearing

completion and the project is anticipated to be ready for bid by the end of October. The goal is to open the facility in the spring of 2013. The cost of the project is \$22M and features a family aquatic area, an elevated walking/jogging track, a fitness center, exercise rooms and a 50-meter eight-lane competition swimming pool. The total size of the facility will be approximately 100,000 square feet. Mr. Stevens noted this is a joint partnership project with the YMCA and Edmond Public Schools. A slide show was presented showing how the project will look when finished. It was noted by staff that the slide show will also be placed on the City's website for citizens to view.

Mr. Stevens also presented pictures of the Cardboard Regatta.

4. Appointments to Boards and Commissions:

A. Mayor's Re-Appointment:

- 1) Avilla Williams to the Edmond Economic Development Authority Board, expiring in August, 2014

Motion by Waner, seconded by Caldwell, to approve Item 4.A.(1). **Motion carried** as follows:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and Waner
 NAYS: None

5. GENERAL CONSENT ITEMS: (General Consent Items were voted on collectively except where noted.)

A. Approval of Administrative Items:

- 1) Acceptance of Final Plat, public improvements and maintenance bonds for Integris Health, 15th Street and I-35.
- 2) Acceptance of Final Plat, public improvements and maintenance bonds for Bristol Office Park II, 33rd Street and Kelly Avenue.

Motion by Waner, seconded by Caldwell, to approve General Consent Items 5.A.(1-2). **Motion carried** as follows:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and Waner

NAYS: None

B. Approval of Purchases:

- 1) Approval of budgeted funds for capital and operating expenditures for the Guthrie/Edmond Regional Airport (June, 2011) in the amount of \$7,644.47.
- 2) Approval of interlocal agreement with Emergency Medical Services Authority (EMSA) in the amount of \$996,445. Mr. Stevens stated this item was previously approved and would be withdrawn from the agenda.
- 3) Approval of contract with Goddard Enterprises for the annual maintenance for outdoor warning devices, in the amount of \$17,750.
- 4) Approval of contract amendment with Kimley-Horn and Associates, LLC, for the Intelligent Transportation Systems project, in the amount of \$22,100.
- 5) Acceptance of bid(s) for transformers for the YourGovShop member participants.
- 6) Approval of Memorandum of Understanding (MOU) from Commuter Corridor Alternatives Analysis for Central Oklahoma for transportation alternatives, in the amount of \$22,534.56.

Motion by Caldwell, seconded by Waner, to approve General Consent Items 6.B.(1-6). **Motion carried** as follows:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and Waner

NAYS: None

Motion by Waner, seconded by Caldwell, to recess the City Council meeting in order to convene the Edmond Public Works Authority meeting. **Motion carried** as follows:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and Waner

NAYS: None

Mayor Pro Tem Lamb reconvened the City Council meeting.

8. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of Preliminary Plat for Hutton Place, located on the south side of Coffee Creek Road, west of Williams Drive, approximately one-fourth mile west of Bryant Avenue (Bob Turner, applicant) Case No. PR110009.** The site contains 10.12 acres and will contain 32 single family lots. The streets will be private with a gated access. The lots will back up to Williams Drive, which is a private street, but there will be no access to Williams Drive. The applicant will provide 70 feet of right-of-way along Coffee Creek Road in compliance with the Transportation Master Plan. The application is in compliance with City requirements. Planning Commission recommended approval.

Linda Deaton, 3912 Williams Drive, addressed Council in opposition. She stated the new addition will eliminate her privacy since the lots will back up to Williams Drive. She noted the area already has a large amount of traffic and the new subdivision will increase the traffic in this area. Ms. Deaton also felt the density was too high for such a small area. She asked if there will be parking on Williams Drive during construction.

Earnest Isch, Isch and Associates, addressed Council on behalf of the applicant and stated there will not be any construction traffic onto Williams Drive.

- B. **Public Hearing and Consideration of Deed Certification that modifies the Final Plat of Thornbrooke Manor Section I, located east of Bryant Avenue, one-half mile north of 33rd Street, 1801-1901 Somerset Avenue (Winchester Development, LLC, applicant) Case Nos. DD110018, DD110019, DD110020 and DD110021.** The applicant requested this item be continued to October 10, 2011.
- C. **Public Hearing and Consideration of Ordinance amending the Edmond Plan from Suburban Office usage to Commercial Planned Unit Development (PUD), located on the southeast corner of 33rd Street and Bryant (Neal McGee Homes, Inc., applicant) Case No. Z110009.** The applicant requested this item be continued to October 10, 2011.
- D. **Public Hearing and Consideration of Ordinance rezoning from "D-O" Suburban Office to Commercial Planned Unit Development (PUD), located on the southeast corner of 33rd Street and Bryant (Neal McGee Homes, Inc., applicant) Case No. Z110008.**

The applicant requested this item be continued to October 10, 2011.

- E. **Public Hearing and Consideration of Ordinance closing a portion of a utility easement in the Olde Village Addition, 4633 Olde Village Circle, located north of Memorial Road, west of Jordan Avenue (Emily S. Jackson Revocable Trust, applicant) Case No. ES110003.** The applicant requested this item be continued to October 10, 2011.

Motion by Caldwell, seconded by Waner, to approve Planning Consent Item 8.A. and continue Items 8.B. through 8.E. to October 10, 2011, as requested by the applicants. **Motion carried** as follows:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and Waner
NAYS: None

9. PLANNING DISCUSSION ITEMS:

- A. **Public Hearing and Consideration of Site Plan modification of a ground sign and variance to allow a larger ground sign, 4801 Integrus Parkway (Integrus Health, applicant) Case No. VA11-0010.** The original sign was planned to be 75 square feet per side and 25 feet tall. Since that time, the applicant has purchased land closer to the I-35 frontage road and a variance is being requested to allow for a 150 square foot sign. The height would remain the same as originally approved. The I-35 Corridor allows for a 100 square foot per side sign, 50 feet tall, with 500 feet or more of frontage. A PUD allows a 150 square foot per side sign, 60 feet tall. The applicant has 480 lineal feet of "E-1" PUD zoning and 420 lineal feet of frontage zoned "E-1" General Commercial. The applicant is 20 feet short of meeting the PUD option for signage. Planning Commission recommended approval.

Councilmember Waner stated she would support the larger sign because of the large amount of frontage. She noted the applicant could be required to amend the PUD but for the sake of expediency and due to the amount of frontage, she would not request the amendment.

Motion by Waner, seconded by Caldwell, to approve Planning Discussion Item 9.A. **Motion carried** as follows:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and
Waner

NAYS: None

10. CITIZEN COMMENTS: None

11. NEW BUSINESS: None

12. Motion by Caldwell, seconded by Waner, to adjourn meeting.
Motion carried as follows:

AYES: Mayor Pro Tem Lamb, Councilmembers Caldwell and
Waner

NAYS: None

City Clerk

Mayor

City Council

Item # 5. A. 1. A.

Meeting Date: 09/26/2011

Submitted For: Ross VanderHamm

Information

Item

Month Ending August 31, 2011.

Attachments

August 2011 CM Financial Report



City of Edmond
Monthly Financial Report FY 2011/12
Through the Month Ended August, 2011
 Unaudited - Intended for Management Purposes Only

The following is a summary of the City's financial results for operating funds. This information is summarized from financial statements for the monthly period that ended August 31, 2011.

GENERAL FUND AT A GLANCE

Category	Budget	YTD Actual	%	% Year Passed
Resources				16.67%
Revenues	\$42,706,835	\$7,582,327	17.75%	
Other Resources-Reserves	\$5,678,719	\$5,678,719	100.00%	
Uses				16.67%
Operating Uses	\$43,528,792	\$7,390,676	16.98%	
Other Uses-Reserves	\$4,856,762	\$4,856,762	100.00%	
Resources Over (Under) Uses	\$0	\$1,013,608		

UTILITY FUNDS AT A GLANCE

Category	Budget	YTD Actual	%	% Year Passed
Resources				16.67%
Revenues	\$105,981,669	\$28,760,697	27.14%	
Other Resources-Reserves/Loan Proceeds	\$40,055,473	\$40,055,473	100.00%	
Uses				16.67%
Operating Uses	\$119,028,369	\$23,139,814	19.44%	
Other Uses-Reserves	\$27,008,773	\$27,008,773	100.00%	
Resources Over (Under) Uses	\$0	\$18,667,583		

OTHER MAJOR FUNDS AT A GLANCE

Category	Budget	YTD Actual	%	% Year Passed
Resources				16.67%
Revenues	\$7,528,176	\$1,350,523	17.94%	
Other Resources-Reserves/Loan Proceeds	\$13,106,787	\$13,107,787	100.01%	
Uses				16.67%
Operating Uses	\$13,209,559	\$1,758,649	13.31%	
Other Uses-Reserves	\$7,425,404	\$7,425,404	100.00%	
Resources Over (Under) Uses	\$0	\$5,274,257		

The latest General Fund sales tax check received in September 2011 totaled \$2,303,877 and was \$59,166 over year to date projections. This amount was \$14,013 more than the check received in September 2010, and \$127,116 more than the check received in September 2009.

Use tax revenue received in the month of September 2011 totaled \$230,630. This amount was \$71,419 more than the check received in September 2010.

GENERAL FUND FINANCIAL SUMMARY

August, 2011

	CURRENT MONTH	YEAR TO DATE	YEAR TO DATE % OF BUDGET
RESOURCES			
Taxes	\$2,939,254	\$5,548,518	17.42%
Intergovernmental	\$176,348	\$257,581	18.35%
Licenses & Permits	\$208,127	\$328,750	30.10%
Fines & Forfeitures	\$159,000	\$292,670	12.08%
Charges for Service	\$488,176	\$1,096,910	19.43%
Interest	\$2,996	\$9,357	15.59%
Miscellaneous Revenue	\$24,255	\$48,541	21.16%
Total - Revenues	\$3,998,157	\$7,582,327	17.75%
Other Financing Sources			
Restricted Prior Year Reserves	\$0	\$1,221,647	100.00%
Unrestricted Prior Year Reserves	\$0	\$4,457,072	100.00%
Total Other Financing Sources	\$0	\$5,678,719	100.00%
USES			
General Government	\$364	\$1,072	3.38%
City Council	\$13,414	\$25,222	19.37%
Parks & Recreation	\$181,498	\$505,144	25.53%
Street & Alley	\$206,018	\$206,018	32.96%
Municipal Court	\$55,472	\$177,336	19.35%
Senior Citizens Center	\$24,678	\$58,992	16.12%
Outside Agencies	\$33,948	\$88,541	12.98%
City Link	\$93,087	\$106,014	9.93%
Emergency Management	\$13,808	\$38,676	10.60%
Cemetery	\$10,862	\$28,246	16.83%
Community Image	\$50,563	\$115,109	13.53%
Planning & Zoning	\$39,024	\$96,486	17.08%
Festival Marketplace	\$1,873	\$6,775	11.78%
Building Services	\$78,046	\$188,198	16.91%
Downtown Community Center	\$9,638	\$20,374	12.38%
Historical Society	\$20,487	\$41,632	16.75%
TOTAL COSTS	\$832,780	\$1,703,834	18.26%
TRANSFERS			
Transfers In	\$2,528,562	\$5,069,295	16.98%
Transfers Out	(\$5,376,848)	(\$10,756,137)	16.79%
NET TRANSFERS IN(OUT)	(\$2,848,286)	(\$5,686,842)	16.63%
OTHER USES			
Reserve for Council Special Projects	\$0	\$57,570	100.00%
Reserve for Other Restricted Purposes	(\$2,500)	\$1,280,126	100.00%
Reserve for Emergencies & Shortfalls	\$0	\$3,519,066	100.00%
TOTAL OTHER USES	(\$2,500)	\$4,856,762	100.00%
TOTAL USES	\$3,678,567	\$12,247,438	
RESOURCES OVER (UNDER) USES	\$319,590	\$1,013,608	

SALES TAX COLLECTIONS DATA - GENERAL FUND
September, 2011

Monthly Comparison

FY11-12 ACTUAL	FY11-12 BUDGET	OVERAGE (SHORTAGE)	INCR/DECR
2,303,877	2,249,741	54,136	2.41%

----- (Actuals) -----		INCREASE (DECREASE)	% OF INCR/DECR
FY11-12	FY10-11		
2,303,877	2,289,864	14,013	0.61%

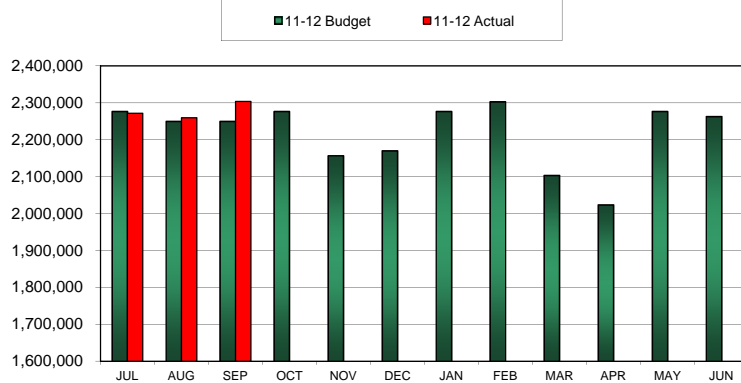
Year - to - Date Comparison

Month	10-11 Actual	11-12 Budget	11-12 Actual
JUL	2,228,563	2,276,365	2,271,654
AUG	2,229,740	2,249,741	2,259,482
SEP	2,289,864	2,249,741	2,303,877
OCT	2,270,256	2,276,365	
NOV	2,099,645	2,156,557	
DEC	2,115,694	2,169,869	
JAN	2,277,675	2,276,365	
FEB	2,244,932	2,302,990	
MAR	2,059,515	2,103,308	
APR	1,937,264	2,023,436	
MAY	2,170,966	2,276,365	
JUN	2,222,142	2,263,055	
TOTAL	26,146,256	26,624,157	6,835,013

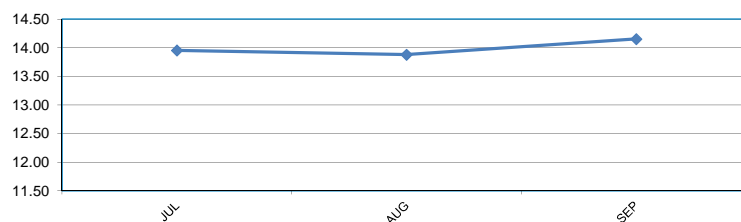
COMMENTS: The amount received in September, 2011 represents sales tax collections from the last half of the month of July and the first half of August.

Year-to-date collections are over (under) projections: \$ 59,166 0.87%

Monthly Sales Tax Revenues



City of Edmond's Economic Engine



References: 2011 Population based on 2010 Census of 81,405

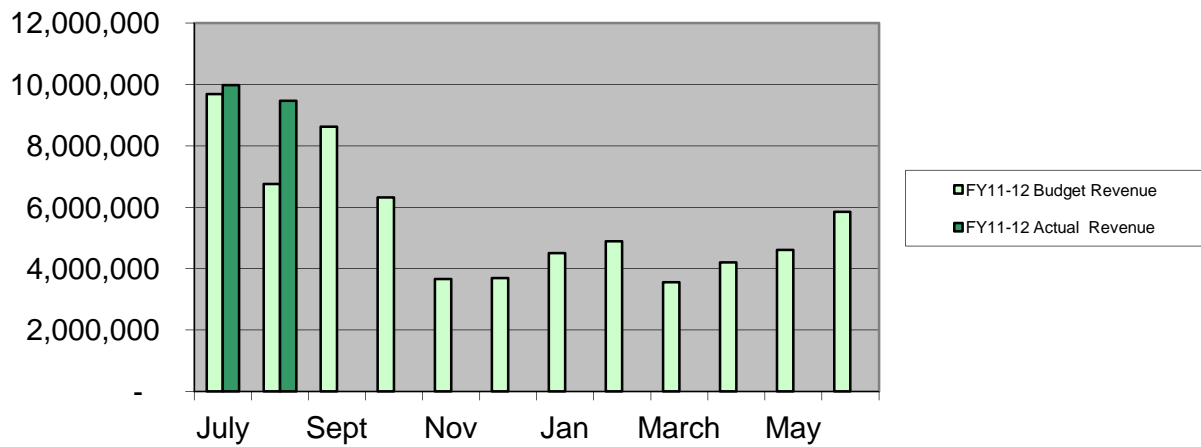
PUBLIC WORKS AUTHORITY FINANCIAL SUMMARY

August, 2011

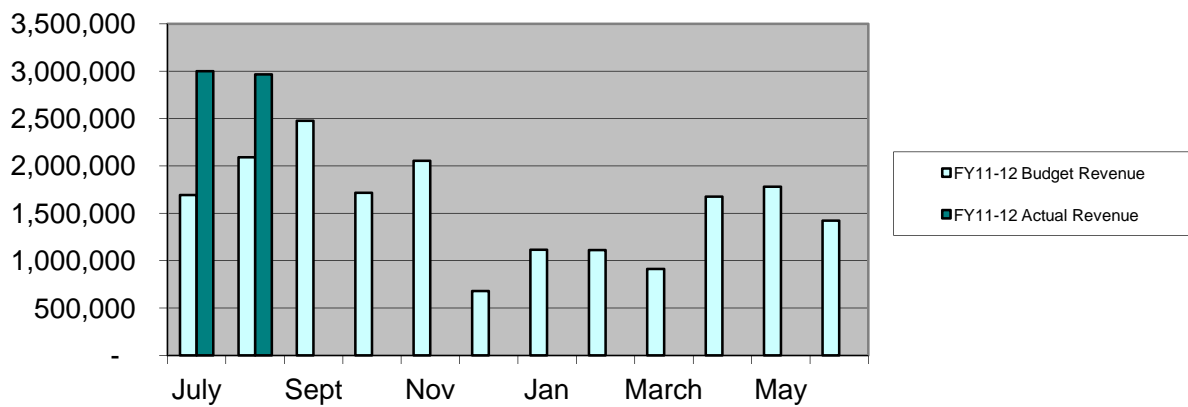
	CURRENT MONTH	YEAR TO DATE	YEAR TO DATE % OF BUDGET
RESOURCES			
Licenses & Permits	335,842	\$480,366	44.09%
Charges for Service	13,840,368	\$28,185,070	27.09%
Interest	0	\$30,108	5.16%
Miscellaneous Revenue	41,059	\$65,153	24.27%
Subtotal - Revenues	\$14,217,269	\$28,760,697	27.14%
Other Financing Sources			
Unrestricted Prior Year Reserves	\$0	\$40,055,473	100.00%
Total Other Financing Sources	\$0	\$40,055,473	100.00%
USES			
Electric Utility	\$8,431,023	\$16,692,415	25.18%
Water Utility	\$613,114	\$968,001	7.41%
Solid Waste Utility	\$374,652	\$796,135	14.57%
Wastewater Utility	\$998,992	\$1,185,161	11.26%
Arcadia	\$53,947	\$155,972	21.07%
Drainage	\$54,323	\$97,269	6.28%
TOTAL COSTS	\$10,526,052	\$19,894,952	20.38%
TRANSFERS			
Transfers In	\$2,292,267	\$4,613,371	17.01%
Transfers Out	(\$4,016,332)	(\$7,858,233)	16.20%
NET TRANSFERS IN(OUT)	(\$1,724,065)	(\$3,244,862)	15.16%
OTHER USES			
Reserve for Emergencies & Shortfalls	\$0	\$27,008,773	100.00%
TOTAL OTHER USES	\$0	\$27,008,773	100.00%
TOTAL USES	\$12,250,118	\$50,148,587	
RESOURCES OVER (UNDER) USES	\$1,967,151	\$18,667,583	

PUBLIC WORKS AUTHORITY FINANCIAL SUMMARY, CONTINUED
August, 2011

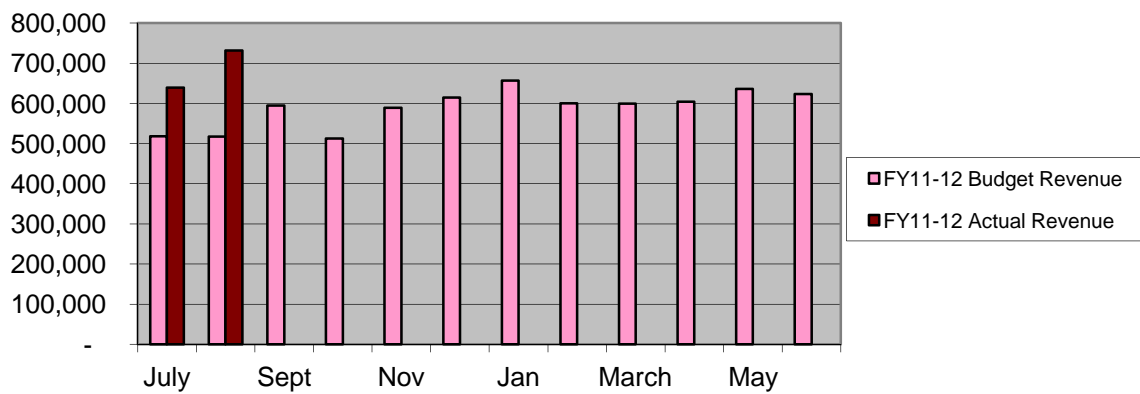
FY11-12 Electric Projected Revenue



FY11-12 Projected Water Revenue

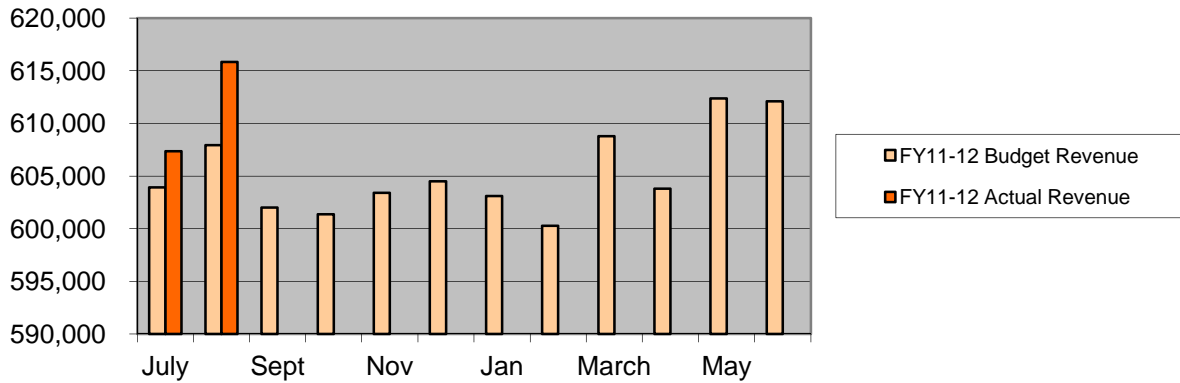


FY11-12 Waste Water Projected Revenue

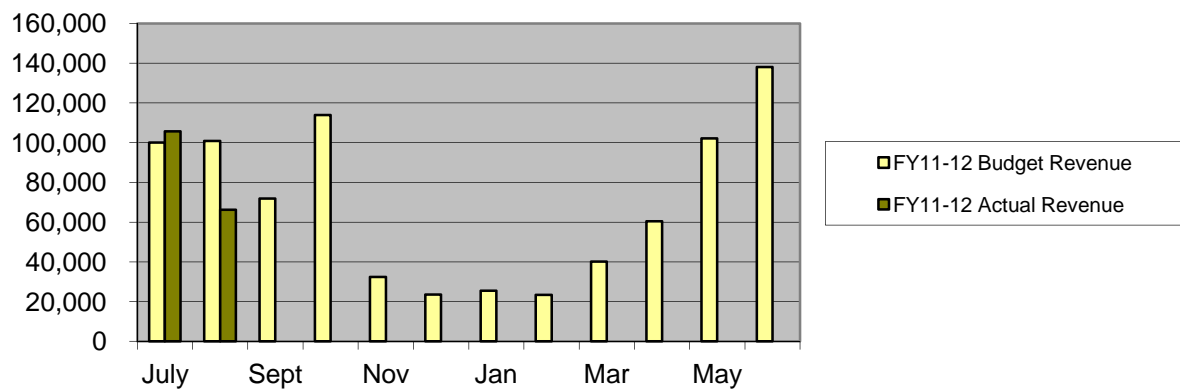


PUBLIC WORKS AUTHORITY FINANCIAL SUMMARY, CONTINUED
August, 2011

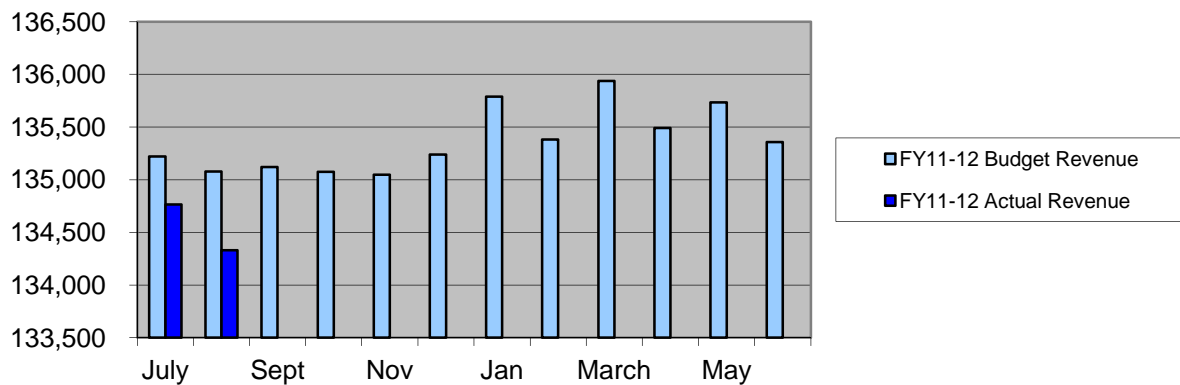
FY11-12 Projected Solid Waste Revenue



FY11-12 Projected Arcadia Lake Revenue



FY11-12 Projected Drainage Revenue



PUBLIC WORKS AUTHORITY FINANCIAL SUMMARY, CONTINUED
August, 2011

An electricity and water consumption comparison is shown below:

	<u>Aug-11</u>	<u>Aug-10</u>	<u>% OF CHANGE</u>
Total All Accounts:			
Total Kwh Consumed	112,228,312	103,732,675	8.19%
Number of Accounts-Electric	35,763	35,225	1.53%
Total Gallons of Water	549,885,000	456,999,000	20.33%
Number of Accounts-Water	27,045	26,695	1.31%

OTHER MAJOR OPERATING FUNDS

August, 2011

Fire Public Safety Limited Tax Fund

	CURRENT MONTH	YEAR TO DATE	YEAR TO DATE % OF BUDGET
RESOURCES			
Revenues:			
Taxes	\$282,435	\$566,392	17.02%
Inter-governmental	\$0	\$0	0.00%
Licenses & Permits	\$0	\$0	0.00%
Fines & Forfeitures	\$0	\$0	0.00%
Charges for Services	\$0	\$6,000	100.00%
Interest	\$2,525	\$6,334	8.45%
Miscellaneous Revenue	\$2,950	\$4,495	18.55%
<i>Subtotal - Revenues</i>	\$287,910	\$583,221	16.99%
Other Resources:			
Restricted Prior Year Reserves	\$0	\$1,200,000	100.00%
Unrestricted Prior Year Reserves	\$0	\$4,836,394	100.00%
<i>Subtotal - Reserves</i>	\$0	\$6,036,394	100.00%
TOTAL RESOURCES	\$287,910	\$6,619,615	69.90%
USES:			
Direct Costs by Function:			
Personal Services	\$896,713	\$2,210,569	16.75%
Materials & Supplies	\$36,425	\$79,678	10.75%
Other Services & Charges	\$52,060	\$90,399	14.12%
Capital Outlay	\$69,620	\$76,465	21.72%
Debt Service	\$0	\$0	0.00%
<i>Subtotal - Direct Costs</i>	\$1,054,817	\$2,457,112	17.06%
TRANSFERS:			
Transfers In	\$1,032,580	\$2,065,160	16.67%
Transfers Out	(\$204,106)	(\$402,278)	16.73%
<i>Net Transfers In (Out)</i>	\$828,474	\$1,662,882	16.65%
OTHER USES:			
Reserve for Other Restricted Purposes	\$0	\$1,200,000	100.00%
Reserve for Specific Fund Purposes	\$0	\$3,323,935	100.00%
<i>Subtotal - Reserves</i>	\$0	\$4,523,935	100.00%
TOTAL USES	\$226,343	\$5,318,165	56.16%
RESOURCES OVER (UNDER) USES	\$61,567	\$1,301,451	

OTHER MAJOR OPERATING FUNDS

August, 2011

Police Public Safety Limited Tax Fund

	CURRENT MONTH	YEAR TO DATE	YEAR TO DATE % OF BUDGET
RESOURCES			
Revenues:			
Taxes	\$141,218	\$283,196	17.02%
Inter-governmental	\$3,932	\$27,039	105.00%
Licenses & Permits	\$0	\$0	0.00%
Fines & Forfeitures	\$0	\$0	0.00%
Charges for Services	\$0	\$0	0.00%
Interest	\$1,499	\$3,824	7.65%
Miscellaneous Revenue	\$155	\$710	4.66%
<i>Subtotal - Revenues</i>	\$146,804	\$314,768	18.18%
Other Resources:			
Restricted Prior Year Reserves	\$0	\$1,281,818	100.00%
Unrestricted Prior Year Reserves	\$0	\$2,502,005	100.00%
<i>Subtotal - Reserves</i>	\$0	\$3,783,823	100.00%
TOTAL RESOURCES	\$146,804	\$4,098,591	74.32%
USES:			
Direct Costs by Function:			
Personal Services	\$923,270	\$2,245,559	16.64%
Materials & Supplies	\$52,386	\$105,949	15.57%
Other Services & Charges	\$25,314	\$53,917	10.56%
Capital Outlay	\$0	\$0	0.00%
Debt Service	\$0	\$0	0.00%
<i>Subtotal - Direct Costs</i>	\$1,000,971	\$2,405,425	16.38%
TRANSFERS:			
Transfers In	\$1,266,632	\$2,533,263	16.67%
Transfers Out	(\$291,807)	(\$584,405)	16.28%
<i>Net Transfers In (Out)</i>	\$974,824	\$1,948,859	16.79%
OTHER USES:			
Reserve for Other Restricted Purposes	\$0	\$1,836,818	100.00%
Reserve for Specific Fund Purposes	\$0	\$627,641	100.00%
<i>Subtotal - Reserves</i>	\$0	\$2,464,459	100.00%
TOTAL USES	\$26,147	\$2,921,025	52.97%
RESOURCES OVER (UNDER) USES	\$120,658	\$1,177,566	

OTHER MAJOR OPERATING FUNDS

August, 2011

Administrative Support Services Fund

	CURRENT MONTH	YEAR TO DATE	YEAR TO DATE % OF BUDGET
RESOURCES			
Taxes	\$0	\$0	0.00%
Intergovernmental	\$0	\$0	0.00%
Licenses & Permits	\$180	\$270	1.80%
Fines & Forfeitures	\$0	\$0	0.00%
Charges for Service	\$8,628	\$9,896	15.17%
Interest	\$1,891	\$4,704	10.45%
Miscellaneous Revenue	\$145	\$290	2.90%
Total - Revenues	\$10,844	\$15,160	11.21%
Other Financing Sources			
Restricted Prior Year Reserves	\$0	\$0	0.00%
Unrestricted Prior Year Reserves	\$0	\$2,805,256	100.00%
Total Other Financing Sources	\$0	\$2,805,256	100.00%
TOTAL RESOURCES	\$10,844	\$2,820,416	95.92%
USES:			
General Government	\$3,036	\$8,137	11.80%
City Treasurer	\$20,458	\$45,326	23.08%
City Manager	\$71,933	\$288,296	25.81%
Central Communications	\$141,696	\$349,465	14.09%
Information Technology	\$204,135	\$528,518	15.15%
Financial Services	\$65,671	\$151,064	16.29%
Human Resources	\$57,662	\$154,711	17.28%
City Clerk/Government Relations	\$27,893	\$60,873	15.77%
Facility Maintenance	\$67,347	\$145,041	13.92%
Legal Services	\$37,746	\$86,424	9.90%
Engineering	\$115,152	\$252,363	17.75%
Marketing	\$26,607	\$72,229	10.47%
Operations Central Warehouse	\$19,795	\$48,866	17.68%
Public Works - Administration	\$41,330	\$93,089	14.30%
Utility Customer Service	\$197,933	\$440,585	15.41%
TOTAL COSTS	\$1,098,394	\$2,724,989	15.68%
TRANSFERS			
Transfers In	\$1,225,147	\$2,450,293	16.66%
Transfers Out	(\$16,902)	(\$33,631)	12.43%
NET TRANSFERS IN(OUT)	\$1,208,245	\$2,416,662	16.74%
OTHER USES			
Reserve for Other Restricted Purposes	\$0	\$0	0.00%
Reserve for Emergencies & Shortfalls	\$0	\$0	0.00%
TOTAL OTHER USES	\$0	\$0	0.00%
TOTAL USES	(\$109,851)	\$308,326	10.49%
RESOURCES OVER (UNDER) USES	\$120,695	\$2,512,090	

OTHER MAJOR OPERATING FUNDS

August, 2011

Kickingbird Golf Course Fund

	CURRENT MONTH	YEAR TO DATE	YEAR TO DATE % OF BUDGET
RESOURCES			
Revenues:			
Charges for Services	\$195,905	\$417,723	22.35%
Interest	\$218	\$550	15.71%
Capital Lease Proceeds	\$0	\$0	0.00%
Miscellaneous Revenue	\$2,685	\$5,007	16.31%
<i>Subtotal - Revenues</i>	\$198,808	\$423,280	20.31%
Other Resources:			
Restricted Prior Year Reserves	\$0	\$0	0.00%
Unrestricted Prior Year Reserves	\$0	\$338,686	100.00%
<i>Subtotal - Reserves</i>	\$0	\$338,686	100.00%
TOTAL RESOURCES	\$198,808	\$761,966	31.46%
USES:			
Direct Costs by Function:			
Personal Services	\$75,403	\$195,390	20.28%
Materials & Supplies	\$41,115	\$78,125	18.43%
Other Services & Charges	\$7,249	\$28,752	16.28%
Capital Outlay	\$6,856	\$6,856	4.00%
Debt Service	\$0	\$0	0.00%
<i>Subtotal - Direct Costs</i>	\$130,622	\$309,122	17.68%
TRANSFERS:			
Transfers In	\$16,667	\$16,667	16.67%
Transfers Out	(\$34,548)	(\$57,007)	16.91%
<i>Net Transfers In (Out)</i>	(\$17,882)	(\$40,341)	17.01%
OTHER USES:			
Reserve for Other Restricted Purposes	\$0	\$0	0.00%
Reserve for Specific Fund Purposes	\$0	\$437,010	100.00%
<i>Subtotal - Reserves</i>	\$0	\$437,010	100.00%
TOTAL USES	\$148,504	\$786,473	32.47%
RESOURCES OVER (UNDER) USES	\$50,304	(\$24,507)	

OTHER MAJOR OPERATING FUNDS

August, 2011

Field Services Fund

	CURRENT MONTH	YEAR TO DATE	YEAR TO DATE % OF BUDGET
RESOURCES			
Revenues:			
Charges for Services	\$9,742	\$19,483	16.67%
Inter-governmental	\$0	\$0	0.00%
Interest	\$160	\$408	16.31%
Miscellaneous Revenue	\$0	\$0	0.00%
<i>Subtotal - Revenues</i>	\$9,902	\$19,891	16.66%
Other Resources:			
Restricted Prior Year Reserves	\$0	\$142,628	100.00%
Unrestricted Prior Year Reserves	\$0	\$0	0.00%
<i>Subtotal - Reserves</i>	\$0	\$142,628	100.00%
TOTAL RESOURCES	\$9,902	\$162,519	62.02%
USES:			
Direct Costs by Function:			
Personal Services	\$283,335	\$681,896	16.38%
Materials & Supplies	\$62,210	\$148,081	14.79%
Other Services & Charges	\$89,590	\$140,309	10.92%
Capital Outlay	\$0	\$0	0.00%
Debt Service	\$0	\$0	0.00%
<i>Subtotal - Direct Costs</i>	\$435,136	\$970,286	15.05%
TRANSFERS:			
Transfers In	\$715,275	\$1,430,549	16.67%
Transfers Out	(\$196,541)	(\$392,052)	16.35%
<i>Net Transfers In (Out)</i>	\$518,733	\$1,038,497	16.79%
OTHER USES:			
Reserve for Other Restricted Purposes	\$0	\$0	0.00%
Reserve for Specific Fund Purposes	\$0	\$0	0.00%
<i>Subtotal - Reserves</i>	\$0	\$0	0.00%
TOTAL USES	(\$83,598)	(\$68,211)	-26.03%
RESOURCES OVER (UNDER) USES	\$93,499	\$230,730	

City Council

Item # 5. A. 2. A.

Meeting Date: 09/26/2011

Submitted For: Holly Wescott

Information

Item

Month Ending August 31, 2011.

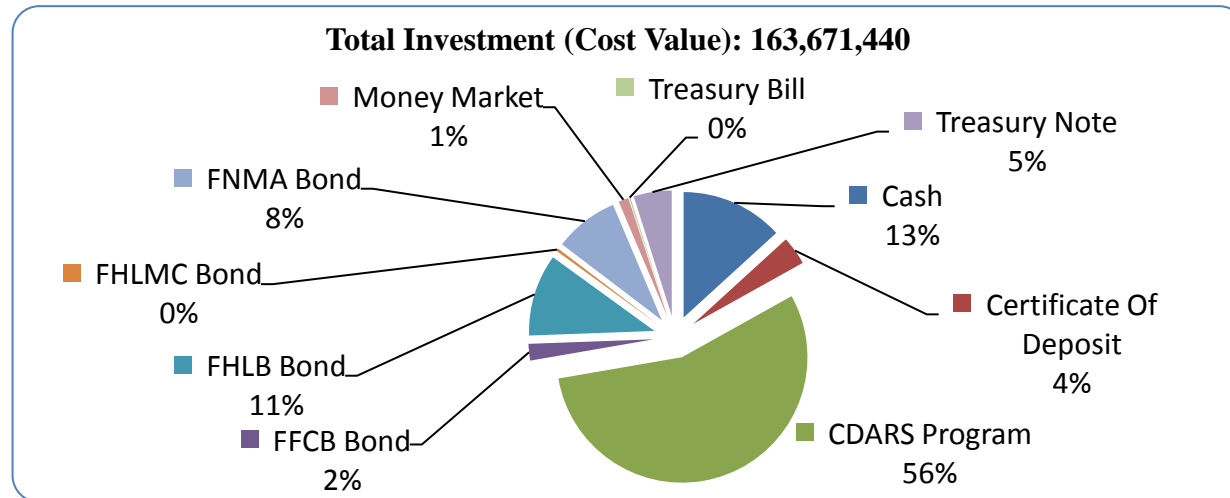
Attachments

Total Portfolio

Investments by Broker

CITY OF EDMOND
Total Portfolio
For the Period Ending 8/31/2011

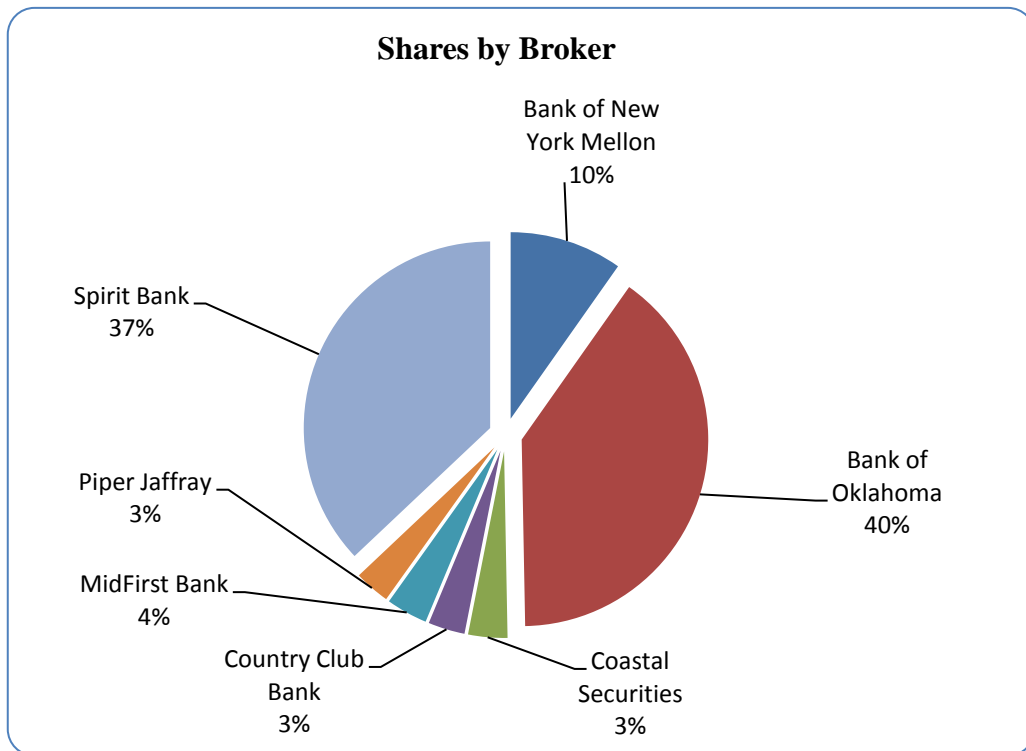
Security Type	Beginning Face Amount/Shares	Ending Cost Value	Ending Market Value	Unrealized Gain/Loss (Cost)	Unrealized Gain/Loss (Market)
Cash	24,072,782	21,648,151	21,648,151	0	0
Certificate Of Deposit	6,025,000	6,025,000	6,025,000	0	0
CDARS Program	85,125,000	90,625,000	90,625,000	0	0
FFCB Bond	0	3,500,000	3,498,439	-1,561	-1,561
FHLB Bond	20,504,000	17,311,533	17,516,495	204,962	4,550
FHLMC Bond	526,000	576,346	599,448	23,102	3,146
FNMA Bond	12,922,000	13,556,493	13,653,374	96,881	23,072
Money Market	1,894,016	2,122,299	2,122,299	0	0
Treasury Bill	276,000	270,159	275,989	5,830	138
Treasury Note	7,772,000	8,036,460	8,105,989	69,529	28,102
Total / Average	159,116,798	163,671,440	164,070,183	398,744	57,447



A complete copy of the Edmond Statement of Investment Report is available from the Treasurer's Office upon request.

CITY OF EDMOND
Investments by Broker
8/31/2011

Broker	Face Amount/Shares	Market Value (\$)	SafeKept Amount/Shares
Bank of New York Mellon	15,804,998	16,074,002	107,675,998
Bank of Oklahoma	64,603,452	64,615,309	50,082,452
Coastal Securities	5,500,000	5,499,667	
Country Club Bank	5,150,000	5,154,977	
MidFirst Bank	5,800,000	5,800,000	5,800,000
Piper Jaffray	5,000,000	5,000,000	
Spirit Bank	59,925,000	59,925,000	225,000
Vining Sparks	2,000,000	2,001,228	
Total / Average	163,783,450	164,070,183	163,783,450



A complete copy of the Edmond Statement of Investment Report is
available from the Treasurer's Office upon request.

Information

Item

Approval of “Fund Balance Policy” per Governmental Accounting and Financial Standards Board Statement 54 - Fund Balance Reporting and Governmental Fund Type Definitions.

Background

Fund balance is an important indicator of the city’s financial position, and maintaining reserves is considered a prudent management practice. Adequate fund balances are kept to allow the city to continue providing services to the community in case of unexpected emergencies or requirements and/or economic downturns.

Because the City of Edmond follows Generally Accepted Accounting Procedures (GAAP), certain rules or guidelines from the Governmental Accounting and Financial Standards Board (GASB) apply. GASB 54 is a guideline that addresses the reclassification of a fund’s reserve(s).

The proposed Fund Balance Policy is designed to establish a minimum threshold for a fund’s unrestricted/designated balance (i.e. unencumbered cash), and a method to maintain or achieve this minimum. It also renames all reserve funds so there is a better understanding of the differences among them.

The key component in this policy is the establishment of a minimum 10% threshold of “Unassigned Fund Balance” (which used to be called “Reserve for Emergencies and Shortfalls”). It will apply to most governmental funds – including the General Fund.

Each year when we review the Performer, a critical element is the General Fund’s “Reserve for Emergencies and Shortfalls” balance. Crawford identifies this as the “unreserved fund balance” on page 8 - with a recommended 10% minimum. The Council has recognized this as a goal worth striving for, and this policy will help us identify when the unassigned balance is too low and how to make effective decisions to keep it above this minimum level.

Practically speaking, this policy will obviously affect our Comprehensive Annual Financial Report, but also how we budget, including the impact budget amendments will have on the various funds in our current budget plan.

Time Frame

The policy will go into effect upon approval.

Issue

Approval of “Fund Balance Policy” per Governmental Accounting and Financial Standards Board Statement 54 - Fund Balance Reporting and Governmental Fund Type Definitions.

Recommendations

Finance Committee unanimously recommended approval on Aug 25th, 2011.

Action Needed

Approval of “Fund Balance Policy” per Governmental Accounting and Financial Standards Board Statement 54 - Fund Balance Reporting and Governmental Fund Type Definitions.

Public Notification

Posted as required.

Fiscal Impact

Funding/Cost: 0

Budgeted Item Y/N or N/A: N/A

Account:

Implementation of this policy will impact current and future budgets.

Attachments

Fund Bal Policy

Performer Page 8

City of Edmond

Fund Balance Policy

Recommended by Finance Committee - August 25th, 2011

Adopted by City Council - _____

A. Fund Balance Policy

Fund balance is an important indicator of the city's financial position. Maintaining reserves is considered a prudent management practice. Adequate fund balances are maintained to allow the city to continue providing services to the community in case of unexpected emergencies or requirements and/or economic downturns.

The City hereby establishes and will maintain reservations of Fund Balance, as defined herein, in accordance with Governmental Accounting and Financial Standards Board Statement 54 *Fund Balance Reporting and Governmental Fund Type Definitions*. This policy shall apply to all governmental funds, including the General Fund. Fund Balance shall be composed of restricted, committed, assigned, unassigned, and non-spendable.

B. Definitions

Fund Balance – refers to the difference between assets and fund liabilities in the governmental funds balance sheet and is referred to as fund equity.

Restricted Fund Balance – Amounts that are constrained by external parties (i.e., creditors, grantors, contributors, or laws or regulations of other governments), or by constitutional provision, or enabling legislation of governments), or by constitutional provision, or enabling legislation for a specific purpose, pursuant to the definition of "restricted" in paragraph 34 of GASB Statement 34, *Basic Financial Statements -and Management's Discussion and Analysis-for State and Local Governments* (GASB 34), as amended by GASB Statement 46, *Net Assets Restricted for Enabling Legislation* (GASB 46) (i.e. amounts that can be spent only for specific purposes pursuant to a state law, grant agreement, or donor agreement).

Committed Fund Balance – Amounts that can be used only for specific purposes determined by a formal action of the City Council, the City's highest level of decision making authority, which is by ordinance. Commitments may be changed or lifted only by the City Council taking the same formal action that imposed the constraint originally.

Assigned Fund Balance - Amounts that the City intends to use for a specific purpose; the intent shall be expressed by management of the city.

Intent is expressed by:

- The governing body,
- A body (Finance Committee) or official authorized by the governing body who has delegated the authority to assign amounts to be used for specific purposes (i.e., these

amounts are intended to be used by government for specific purposes but do not meet the criteria to be classified as restricted or committed, such as an amount set aside by management to fund a projected budgetary deficit in a subsequent year's budget.)

This is also where you would classify an appropriation of existing fund balance to help balance next year's budget.

Unassigned Fund Balance – This residual classification is only reported in the General Fund and includes amounts that are not contained in the other classifications. Unassigned amounts are the portion of fund balance which is not obligated or specifically designated and is available for any purpose. However, negative balances in other governmental funds are reported as unassigned.

Non-Spendable Fund Balance - Amounts that cannot be spent because they are either (1) not in spendable form or (2) legally or contractually required to be maintained intact (i.e. inventories, prepaid amounts, long-term receivable, property held for resale, or the corpus of principal of a permanent fund).

C. Fund Balance Guidelines

1. In an effort to ensure the continuance of sound financial management of public resources, the City of Edmond's *Unassigned Fund Balance* within the General Fund will be maintained to provide the city with sufficient working capital and a comfortable margin of safety to address emergencies, sudden loss of revenue or operating needs, and unexpected downturns.

This policy establishes the amounts the city will strive to maintain in its General Fund Unassigned balance, the conditions under which fund balance may be spent, and the method by which fund balance will be restored. These amounts are expressed as goals, recognizing that fund balance levels can fluctuate from year to year in the normal course of operations for any local government. The city will strive to maintain an *Unassigned Fund Balance* in the General Fund of ten percent (10%). This is determined by adding all new budgeted revenues, plus the Edmond Public Works Authority's Transfers-In, divided by the *Unassigned Fund Balance*.

It is management's expressed intent to identify a "not-to-exceed" amount of \$1,000,000 as part of the 10% minimum fund balance for unexpected, large-scale events where damage in excess of \$250,000 is incurred and immediate, remedial action must be taken to protect the health and safety of residents (e.g. floods, fires, storm damage). And though the \$1,000,000 is part of the General Fund's Unassigned Fund Balance, it is management's intent to not use any portion of this balance unless such emergencies occur.

2. It is the goal of the city to limit use of any Unassigned Fund balances less than 10% to address non-recurring needs, unless otherwise approved by the City Council. Unassigned Fund balances of less than the 10% minimum as described in Paragraph 1 above shall not normally be applied to recurring annual operating expenditures. Unassigned balances within the General Fund may, however, be used to allow time for the city to restructure its operations in a deliberate manner, but such use will only take place in the context of long-term financial planning.

3. The Finance Director is authorized to classify available fund balance for specific purposes in accordance with Governmental Accounting Standards Board Statement #54. It is the policy of the city that expenditures for which more than one category of fund balance could be used, that the order of use is: **Restricted Fund Balance, Committed Fund Balance, Assigned Fund Balance, and Unassigned Fund Balance.**

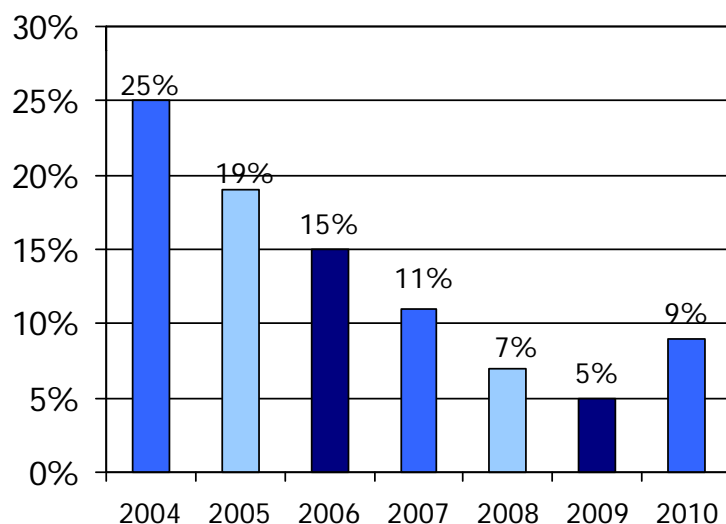
Approved on the _____ day of _____, 2011

By: _____

Level of Budgetary Fund Balance

How does our budgetary carryover position look?

General Fund Budgetary Unreserved
Fund Balance as a Percentage of
Annual Revenues



The level of budgetary unreserved fund balance is an indication of the amount of unexpended, unencumbered and available resources the City has at a point in time to carryover into the next fiscal year to fund budgetary emergencies, shortfalls or other unexpected needs. In this analysis, only the General Fund is considered. In our model, 10% is considered a minimum responsible level, while 30% is considered desirable.

For the year ended June 30, 2010, the City's unreserved fund balance of the General Fund amounted to \$3.5 million or 9% of annual General Fund revenues. This level remains below our desired minimum, but has improved when compared to the ratio in the prior two years.

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
25%	25%	19%	15%	11%	7%	5%	9%		

City Council

Item # 5. A. 4.

Meeting Date: 09/26/2011

Submitted For: Glenn Fisher, Edmond Electric

Submitted By: Anne Wood, Edmond Electric

Information

Item

Approval of Electric Easement: Paul B. Skinner and Tamara R. Skinner, 1348 N. Post Rd.

Background

This easement from Paul B. Skinner and Tamara R. Skinner, is needed to install new facilities that are required for the electric service at 1348 N Post Rd.

Time Frame

Effective immediately

Issue

N/A

Recommendations

N/A

Action Needed

Motion to approve

Public Notification

N/A

Attachments

ELECTRIC EASEMENT

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **Paul B. Skinner and Tamara R. Skinner**, executors of the **Tamara R. Skinner Revocable Trust**, dated **November 6, 2006** for and in consideration of One Dollar (\$1.00), in hand paid, receipt of which is hereby acknowledged, does hereby grant and convey unto the City of Edmond, a municipal corporation, an easement and right-of-way through, over, under and across the following described real property and premises, situated in Oklahoma County, State of Oklahoma, to-wit:

THE EAST THIRTY FEET (30') OF THE FOLLOWING DESCRIBED PROPERTY:


A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION NINETEEN (19), TOWNSHIP FOURTEEN NORTH (T14N), RANGE ONE WEST OF THE INDIAN MERIDIAN (R1W.I.M.), OKLAHOMA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 19, THENCE NORTH (N 00°26'50" W) ALONG THE WEST BOUNDARY OF SAID SECTION 19 A DISTANCE OF 415.36 FEET, THENCE EAST (S 89°55'33" E) PARALLEL WITH THE SOUTH BOUNDARY OF SAID SECTION 19 A DISTANCE OF 523.96 FEET, THENCE SOUTH (S 00°30'56" E) A DISTANCE OF 415.36 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID SECTION 19, THENCE WEST (N 89°55'33" W) A DISTANCE OF 524.46 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 5.00 ACRES.

with right of ingress and egress to and from said land and premises for the sole purpose of constructing, maintaining, and operating
electric line through, over, under and upon the same.

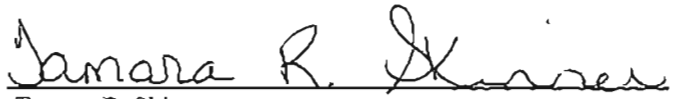
Should the grantee(s) abandon the easement and right-of-way for the purposes above stated, then the said easement shall revert to the grantor, his heirs, successors and assigns.

Dated this 31st day of August, 2011.

Grantor(s)



Paul B. Skinner



Tamara R. Skinner

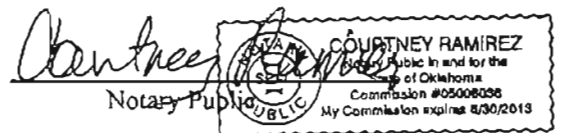
STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 31st day of August, 2011, personally appeared **Paul B. Skinner and Tamara R. Skinner** to me known to be the identical persons who signed the foregoing instrument and acknowledged to me that they executed the same as their 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:

6/30/2013



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

City Attorney

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

City Clerk

AFTER RECORDING MAIL TO:	
NAME:	<u>CITY CLERK - CITY OF EDMOND</u>
ADDRESS:	<u>P.O. BOX 2970</u>
CITY & STATE:	<u>EDMOND, OK 73083</u>

City Council

Item # 5. A. 5.

Meeting Date: 09/26/2011

Submitted For: Bob Ricks

Submitted By: Bob Ricks, Police

Information

Item

Approval of Supplemental Appropriation for the Police Public Safety Limited Tax Fund (PPSLTF); \$116,538.

Background

The Edmond Police Department was approved for a grant from the Oklahoma Highway Safety Office (Grant #K6-12-03-02-06) for the period of October 1, 2011 through September 30, 2012. The purpose of this grant is to allow the Department to continue implementing a 2 phase Motorcycle Safety Program, including: 1) a Motorcycle Awareness Program that will provide public awareness, public service announcements and other outreach programs to enhance driver awareness of motorcyclists, such as the "Share the Road" safety messages developed and using Share-the Road model language; and 2) the expansion and delivery of a Motorcyclist Safety Curricula for the purpose of educating motorcycle riders in the safe operation of motorcycles. This is the third year for Edmond's program, and will include expansion of sport bikes to reach out to an entirely different target group than the cruiser bike riders. The grant allows for the purchase of a tow vehicle, trailer, motorcycles and other equipment necessary for the program. Funds are provided for overtime as well as purchase of promotional items, travel and maintenance expenses. The Oklahoma Highway Safety Office has awarded this grant on an expenditure driven basis therefore this supplemental is needed to fund the expenses until they are reimbursed.

Time Frame

October 1, 2011 through September 30, 2012

Issue

Supplemental appropriation is needed to fund equipment, maintenance and overtime which will be reimbursed by a grant from the Oklahoma Highway Safety Office.

Recommendations

Staff recommends approval.

Action Needed

Motion to approve supplemental appropriation request.

Public Notification

Posted Edmond City Council Agenda.

Fiscal Impact

Funding/Cost: \$116,538

Budgeted Item Y/N or N/A: N

Account:

From: Federal Public Safety Grants - 122041-7421 - \$116,538

To: Police–Uniform-Overtime - 122042-8104 - \$30,000

To: Police – Uniform Division-MSP Supplies - 122042-8253 - \$15,658

To: Police – Uniform Division-MSP Services - 122042-8370 - \$12,770

To: Police–Uniform-Machinery & Tools - 122042-8413 - \$7,975

To: Police–Uniform-Motor Vehicles - 122042-8414 - \$50,135

Total \$116,538

Attachments

FY12 Motorcycle Safety Program Grant



OKLAHOMA HIGHWAY SAFETY OFFICE

3223 North Lincoln
Oklahoma City, OK 73105-5403
(405) 523-1570
(405) 523-1586 Fax

August 19, 2011

Sgt. Acey Hopper
Edmond Police Department
23 E. First Street
Edmond, OK 73034

Dear Sgt. Hopper:

Enclosed is a copy of your 2012 grant agreement.

You are authorized to begin this project as outlined in your agreement.

As a condition of approval for this agreement, the final claim must be in the Oklahoma Highway Safety Office no later than November 1, 2012. In order to expedite payment of your reimbursement requests, please submit them to the Oklahoma Highway Safety Office to the attention of the accountant, Elizabeth George.

The effective date of this agreement is October 1, 2011. Only costs incurred from the agreement effective date through September 30, 2012 are eligible for reimbursement.

The staff of the Oklahoma Highway Safety Office wishes you the utmost success in your program and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "JKB", with a long horizontal flourish extending to the right.

J. Kevin Behrens
Interim Director, Oklahoma Highway Safety Office

JKB/mb
Enclosure

OKLAHOMA HIGHWAY SAFETY OFFICE GRANT AGREEMENT – PART I

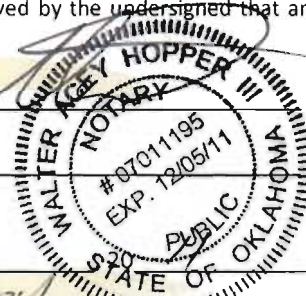
TITLE OF PROJECT Edmond Motorcycle Safety Education		
GRANT EFFECTIVE DATE <u>OCT 01 2011</u>	PROJECT NUMBER <u>K6-12-03-02-06</u>	HIGHWAY SAFETY FUNDS OBLIGATED \$ <u>116,538.00</u>
GRANT PERIOD FROM <u>Oct. 1, 2011</u> TO <u>Sept. 30, 2012</u>	PROJECT PERIOD FROM <u>Oct. 1, 2009</u> TO <u>Sept. 30, 2012</u>	\$ _____ \$ _____ \$ <u>116,538.00</u>

AFFIDAVIT

State of Oklahoma, County of Oklahoma. I, Larry Stevens, of lawful age, being duly sworn, on oath say, that I am the duly authorized agent of City of Edmond of Edmond, Oklahoma, for executing this grant with the Oklahoma Highway Safety Office (OHSO). I further state and agree to comply, to the best of my knowledge, information and belief, with all municipal, state and federal laws, regulations and directives governing grants including, but not limited to, those listed in this agreement. Referenced documents are on file at the OHSO. I further state that any and all claims for reimbursement under this agreement will be true and correct, that the work, services, or materials as shown by any claim will have been completed or supplied in accordance with the plans, specifications, orders, requests and all other terms of the grant prior to the filing of claims. I further state that I am the duly authorized agent of the grantee for the purpose of certifying the facts pertaining to the giving of things of value to governmental personnel in order to procure the grant or obtain payment, I am fully aware of the facts and circumstances surrounding the making of the grant and have been personally and directly involved in the proceedings leading to the procurement of the grant; and neither the grantee nor anyone subject to the grantee's direction or control has been paid, given or donated or agreed to pay, give or donate (to any officer or employee of the State of Oklahoma) any money or other things of value, either directly or indirectly, in procuring the grant or obtaining payment.

In reviewing this grant agreement and the circumstances involved with its implementation, an opinion was derived by the undersigned that any negative environmental impact will be substantially outweighed by the projected benefits of this project.

Date August 11, 20 11 Signature [Signature]
Title City Manager
Subscribed and Sworn to, before me, this 11 day of August
My Commission expires 12-5-11 Commission Number 07011195
Notary Public



AFFIDAVIT

State of Oklahoma, County of Oklahoma.
I, J. Kevin Behrens, of lawful age, being first duly sworn on oath say, that I am the duly authorized representative of the Governor of the State of Oklahoma and am duly authorized to carry out the statutory provisions of 47 O.S. 1971, Section 40-107, and all other laws, regulations and directives, pertinent to highway safety in the State of Oklahoma to the best of my knowledge, information, and belief.

Date 8-19, 20 11 Signature [Signature]
Director, Highway Safety Office
Subscribed and Sworn to, before me, this 19 day of August, 20 11
My Commission expires 10-22-14 Commission Number 10008835
Notary Public

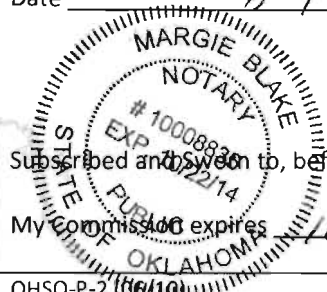


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PROJECT DIRECTOR’S REPORT

Title of Project: Edmond Motorcycle Safety Education	
Project Number: <u>K6-12-03-02-06</u>	
Responsible Agency: <u>Edmond Police Department</u> Project Director: <u>Sgt. Acey Hopper</u> Phone Number: <u>405.359.4430</u> Address: <u>23 E. 1st St.</u> <u>Edmond, OK 73034</u> Fax: <u>405.341.6845</u> Email: <u>acey.hopper@edmondok.com</u>	Reimbursement Information (where check is to be mailed): Payee: <u>City of Edmond</u> Address: <u>POB 2970</u> <u>Edmond, OK 73034</u>
OHSO Funds Obligated: \$ <u>116,538.00</u> Other Funds Obligated: \$ _____ Source of Other Funds: _____ Total of OHSO and Other Funds: \$ <u>116,538.00</u>	
PROJECT SUMMARY NARRATIVE SECTION The following pages of this PROJECT SUMMARY NARRATIVE SECTION will contain: The Problem Identification, Project Goal, Project Description, Equipment and Equipment Justification, and Evaluation. The project objectives must be time-framed and measurable. The narrative also needs to include personnel utilization.	
<p>PROJECT GOAL:</p> <p>Reduce the number of motorcyclist fatalities from 108 in 2009 to 85 in 2012 (OHSA data).</p> <p>PROBLEM IDENTIFICATION:</p> <p>Nationally in 2009, motorcycle rider fatalities decreased for the first time in 10 years, from 4,975 in 2008 to 4,165 in 2009. Of the rider fatalities, 96 of those occurred in Oklahoma. Of motorcyclist KAB injury crashes in 2009, some 40.1% were rural and the remaining 59.9% were urban. In 2009, in the State of Oklahoma alone, there were 108 motorcyclist fatalities, an increase from 89 in 2008.</p> <p>PROJECT DESCRIPTION:</p> <p>The Edmond Police Department will continue implementing a 2 phase program, including: 1) a Motorcycle Awareness Program that will provide public awareness, public service announcements and other outreach programs to enhance driver awareness of motorcyclists, such as the "Share the Road" safety messages developed and using Share-the Road model language; and 2) the expansion and delivery of a Motorcyclist Safety Curricula for the purpose of educating motorcycle riders in safe operation of motorcycles. This is the third year for Edmond's program, and will include expansion of sport bikes to reach out to an entirely different target group than the cruiser bike riders. To effectively reach this target group, the Edmond PD will purchase a 3/4 ton pickup truck, 7x14 enclosed cargo trailer and 2 Kawasaki ZX motorcycles. The truck and trailer will be used to transport the sport bikes to education courses and events across the state. This program may be presented throughout the state and may include displays and/or presentations at safety fairs, car shows, motorcycle rallies and other venues that attract large numbers of attendees. Officers will work in an overtime capacity while instructing and presenting this program statewide, which may also include in-state travel expenses. All promotional items will be pre-approved to include necessary justification and dissemination information.</p> <p>EQUIPMENT JUSTIFICATION:</p>	

Purchase of (1) 3/4 ton crew cab pickup truck with required markings/graphics; (1) 2012 Cargo enclosed trailer 7x14; and (2) current model Kawasaki ZX motorcycles. The pickup truck will be utilized to haul the enclosed cargo trailer. The trailer is necessary to transport the motorcycles from one venue to another. The motorcycles included in this project are sport bikes, which will enable expansion to sport bike riders in an effort to reach out to more riders for a more comprehensive, statewide program.

EVALUATION:

At the conclusion of the project year, and no later than November 1, 2012, the Project Director will submit a Summary Report outlining the accomplishments and deficits of the project and an evaluation of whether the project goals were met. An analysis of motorcycle KAB crashes will be made to determine the project effectiveness.

BUDGET SUMMARY

Page 5 of 8 Pages

PROJECT TITLE:						Federal Fiscal Year:		2012		PROGRAM AREA					
EDMOND MOTORCYCLE SAFETY EDUCATION						Project Number:		K6-12-03-02-06			MOTORCYCLES				
COST CATEGORY ITEMS		1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Annual Total	
		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD	
I. PERSONNEL															
A. Salaries	P	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000	
	A													0.00	
B. Benefits	P													0	
	A													0.00	
II. TRAVEL															
A. In-State Travel	P	416	416	416	416	417	417	417	417	417	417	417	417	5,000	
	A													0.00	
B. Out-of-State Travel	P													0	
	A													0.00	
III. OPERATING COSTS															
	P	1,471	1,471	1,471	1,471	1,472	1,472	1,472	1,472	1,472	1,472	1,472	1,472	17,660	
	A													0.00	
IV. CONTRACTUAL COSTS															
	P													0	
	A													0.00	
V. EQUIPMENT															
	P	63,878												63,878	
	A													0.00	
MONTHLY TOTAL															
	P	68,265	4,387	4,387	4,387	4,389	4,389	4,389	4,389	4,389	4,389	4,389	4,389	116,538	
	A	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

P = Projected Expenditures

A = Actual Expenditures (To be completed by Project Director each month.)

OHSO-P-2c (07/07)

BUDGET DETAILS

Page 6 of 8 Pages

PROJECT TITLE: EDMOND MOTORCYCLE SAFETY EDUCATION			Federal Fiscal Year: 2012					PROGRAM AREA		
			Project Number: K6-12-03-02-06					MOTORCYCLES		
COST CATEGORY ITEMS		DESCRIPTION OF EXPENDITURE ITEMS		MONTH						TOTALS
				OCT	NOV	DEC	JAN	FEB	MAR	SEMI-ANNUAL
				APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
I.A.	1.	Overtime salary for preparation, promotion, instruction, presentation and education for dedicated motorcycle safety and Share the Road initiatives, not to exceed 1.5 times the regular hourly rate unless contractually required and pre-approved by OHSO.	P	2,500	2,500	2,500	2,500	2,500	2,500	15,000
			A							
			P	2,500	2,500	2,500	2,500	2,500	2,500	30,000
			A							
II.A.	1.	In-state travel for activities necessary in executing the statewide program for motorcycle safety and Share the Road initiatives, in accordance with the Oklahoma State Travel Act.	P	416	416	416	416	417	417	2,498
			A							
			P	417	417	417	417	417	417	5,000
			A							
III.	1.	Operating costs to include personal safety equipment, instructor training, training aides, educational materials/pamphlets, promotional items (to be pre-approved by OHSO), and any necessary equipment maintenance and repair.	P	1,471	1,471	1,471	1,471	1,472	1,472	8,828
			A							
			P	1,472	1,472	1,472	1,472	1,472	1,472	17,660
			A							
V.	1.	Purchase of (1) 3/4 ton pickup & graphics @ \$27,903; (1) 7X14 trailer @ \$7,975; and (2) Kawasaki ZX motorcycles @ \$14,000 (each) for the purpose of implementing the Statewide Motorcycle Safety program.	P	63,878						63,878
			A							
			P							63,878
			A							

P = Planned Budget

A = Actual Expenditures (To be completed by Project Director each month.)

OHSO-P-2d(07/07)

ACTIVITY / MILESTONES

Page 7 of 8 Pages

PROJECT TITLE:						Federal Fiscal Year: 2012						PROGRAM AREA			
EDMOND MOTORCYCLE SAFETY EDUCATION						Project Number: K6-12-03-02-06						MOTORCYCLES			
No.	Activities		MILESTONES												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Total
			OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
1.	Hours of overtime dedicated to preparation, teaching and/or presenting Motorcycle Safety Training and/or Motorcycle Share the Road Program.	P	53	53	53	53	53	53	53	53	53	53	53	53	636
		A													0
2.	Number of Motorcycle Safety Training Courses conducted.	P	1						1	2	1				5
		A													0
3.	Number of training participants.	P	X						X	X	X				0
		A													0
4.	Number of Motorcycle Share the Road program presentations.	P	1	1	1	1	1	1	1	1	1	1	1	1	12
		A													0
5.	Number of PI&E activities, to include social media and new media contacts, and outreach/awareness activities to promote motorcycle safety awareness programs at motorcycle rallies, car shows, etc.	P	X	X	X	X	X	X	X	X	X	X	X	X	0
		A													0

P = Projected Activities

A = Actual Activities Accomplished (To be completed by Project Director each month.)

OHSO-P-2e (07/07)

ACTIVITY / MILESTONES

Page 8 of 8 Pages

PROJECT TITLE:					Federal Fiscal Year: 2012							PROGRAM AREA			
EDMOND MOTORCYCLE SAFETY EDUCATION					Project Number: K6-12-03-02-06										
No.	Activities		MILESTONES												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			Total
			OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	YTD
6.	Submit statement of certification or training on OHSO funded equipment.	P		X											0
		A													0
7.	Submit end of the year project summary report to OHSO by November 1, 2012.	P		X (2012)											0
		A													0
		P													
		A													
		P													
		A													
		P													
		A													

P = Projected Activities

A = Actual Activities Accomplished (To be completed by Project Director each month.)

OHSO-P-2e (07/07)

REGULATIONS AND DIRECTIVES

The Grantee, its assignee(s), successor(s) in interest, subcontractor(s), supplier(s), or anyone who is a recipient of financial assistance through this grant shall agree to all applicable provisions of the following; however, nothing here should be interpreted to limit the requirements to comply with regulations and directives not included in this list:

1. Grantee agrees to implement the project in accordance with federal statutes, local statutes and regulations, as well as the policies and procedures established by the Oklahoma Highway Safety Office.
2. Compliance with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, as amended, as implemented by 49 CFR Parts 21 and 27. Title VIII of the Civil Rights Act of 1968 and any other nondiscrimination provisions in the specific statute(s) which may apply to the application.
3. Hatch Act (Political Activity), 5 U.S.C. Sections 1501-1508 and 5 CRF Part 151.
4. Buy America Act, 23 U.S.C. 101.
5. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions:
 - (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
 - (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.
6. Certification Regarding Federal Lobbying; Certification for Contracts, Grant, Loans, and Cooperative Agreements. The undersigned certifies, to the best of his or her knowledge and belief, that: (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence any officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement. (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for the influencing or attempting to influence any officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. (3) Then undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
 - **Restriction on State Lobbying;** None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.
7. **Equipment Purchased with Highway Safety Funds**
 - Ownership of equipment purchased is vested in the Grantee, who must use the property only for the authorized purpose of this project(49 CFR, Part 18 (Common Rule))
 - Equipment must be entered into, and tracked through, the Grantee's inventory system and the OHSO inventory
 - Equipment maintenance and liability coverage are the Grantee's responsibility
 - Grantee shall not remove, transfer, or dispose of the property without prior written approval from OHSO
 - If equipment is lost or stolen, the OHSO must be notified immediately, in writing, accompanied by a police report

To dispose of ANY equipment, the Grantee MUST:

1. Write a letter of request to OHSO;
2. State how the disposal will occur (auction, transfer, etc.) and/or provide three (3) appraisals;
3. Maintain equipment until Grantee receives letter of approval.
4. Return Equipment to OHSO

Nothing herein contained shall be construed as incurring for the Grantor Agency any liability for Workmen's Compensation, F.I.C.A., Withholding Tax, Unemployment Compensation, or any other payment which is not a part of this contract.

SPECIFIC AGREEMENTS – PART III

Grantee shall adopt (if none presently exists) and enforce a safety belt use policy requiring all employees and others riding in Grantee vehicles and/or on Grantee business to use safety belts in accordance with State law.

Regular compensation and/or overtime compensation provided in this grant award will be paid in accordance with established policies and regulations of your entity. Any deviation from the established policies and regulations must be specifically addressed in the written grant award.

Grantee shall verify that any officer using a grant purchased radar or grant purchased video camera has received training in the proper use of the equipment.

Grantee shall encourage all law enforcement officers participating in impaired driving enforcement programs to obtain certification in NHTSA sanctioned Standard Field Sobriety Test (SFST) procedures.

Grantee shall submit monthly activity and reimbursement reports (including all appropriate documentation) to OHSO. Reports shall be submitted within 30 days of the end of the reporting month. Failure to comply with this 30-day limit may result in denial of the reimbursement claim.

Reports should include, as a minimum, the following:

1. Project Director's Report.
2. Budget Summary (include all cumulative year-to-date information).
3. Budget Details (include all cumulative year-to-date information).
4. Activity Milestones (include all cumulative year-to-date information).
5. Financial documentation for the current report (time sheets, payroll documents, invoices, purchase orders, and/or other appropriate verification of expenditures).
6. Activity documentation for the current report (include information on all projected activities whether completed or not, and any additional activities that were conducted; an explanation should be provided for any activities not completed).
7. Any additional, pertinent information to the project for the current reporting period.

This is a Federally funded project. The Federal Funds are provided by the NHTSA and, as such, may be subject to audit under Office of Management and Budget (OBM) or A-133. Unless other arrangements are made, any required audit is the responsibility of the Grantee.

Any activities or cost items not specifically addressed in this agreement or any revisions to the items which are included in the agreement must be approved, in writing, by the OHSO Director/Governor's Representative or designee before they will be considered eligible activities and/or cost items. (For example, any out-of-state travel expenses not specifically identified in one's agreement require prior written permission from the OHSO Director/Governor's Representative or designee or the costs will not be reimbursed.)

These "Specific Agreement" topics have been provided in an effort to assist grantees. This is not in any way a complete list of all requirements. Any questions and/or concerns not addressed here or in other areas of this grant agreement should be directed to the OHSO Program Manager assigned responsibility for oversight of this project.


The continuation of this project is contingent on the availability and receipt by OHSO of Federal Funds.

OKLAHOMA HIGHWAY SAFETY OFFICE

PROJECT DIRECTOR'S REPORT

<u>TITLE OF PROJECT</u>			
EDMOND MOTORCYCLE SAFETY EDUCATION			
<u>PROJECT NUMBER</u>		<u>REIMBURSEMENT</u>	
K6-12-03-02-06		CLAIMED	\$
<u>REPORTING PERIOD</u>		OHSO	AMOUNT DISALLOWED \$
FROM	TO	USE	
		ONLY	TOTAL ALLOWED \$

SUMMARY OF ACCOMPLISHMENTS FOR REPORTING PERIOD

<u>AFFIDAVIT</u>	
<p>I, ACEY HOPPER, the undersigned, of lawful age, being first duly sworn, on oath, say that I am the duly authorized Project Director of the above mentioned grant agreement with the Oklahoma Highway Safety Office; do depose and say that I have full knowledge of this "Project Director's Report;" that said report is, in accordance with the aforementioned grant agreement, true and correct and that the claim for reimbursement is correct, just and due; that the amount claimed, after allowing all just credits, is now due and wholly unpaid; and that I am duly authorized to file this request for reimbursement of the aforementioned expenditure of funds. Affiant further states that he/she has fully complied with all Municipal, State and Federal Laws, Regulations and directives governing grants including, but not limited to, those listed in Parts II and III of the aforementioned grant agreement, to the best of his/her knowledge, information and belief.</p>	
<u>Project Director's Signature</u>	
<div align="center">  </div>	
<u>CITY OF EDMOND</u>	PROJECT DIRECTOR
Grantee	
<u>EDMOND POLICE DEPARTMENT</u>	
Department or Division	<u>DATE</u>
OHSO USE ONLY	The Oklahoma Highway Safety Office hereby acknowledges satisfactory performance of all grant activities required under the above mentioned grant agreement. Documentation of the receipt and/or performance is on file and available at OHSO.
By _____	Date _____ P.O.# _____

City Council**Item # 5. A. 6.****Meeting Date:** 09/26/2011**Submitted For:** Jim Smith**Submitted By:** Fred Rice, Water Resources

Information**Item**

Approval of Request from Cox TMI Wireless for termination of contract/leases for water tower space for wireless communications antennas and related equipment at the 400 West 33rd Street and 1540 West Danforth, water towers.

Background

On November 23, 2009 Cox TMI Wireless and the City of Edmond/EPWA entered into agreements for water tower space for wireless antennas and related equipment. Since that date Cox TMI Wireless has used the water tower space and made all required lease payments. Cox TMI Wireless has decided to cease wireless operations in this area and thus has requested termination of the current agreements. Termination procedures were documented in the subject leases and Cox TMI Wireless has met their obligations for termination notification per those leases.

Time Frame

Cox TMI Wireless will proceed with removal of their equipment from the water towers ASAP upon approval of the release agreement. They have been in contact with City staff and have presented acceptable plans to the Edmond Engineering Department for the removal of their equipment.

Issue

Cox TMI Wireless L.L.C. have decided to move out of the wireless service business and has no further need for water tower space for antennas currently governed by the leases between them and the City of Edmond/EPWA. In order to document the lease terminations Cox TMI Wireless has provided lease termination agreements for the Mayor's/Chairmans signature.

Recommendations

Staff recommends approval of the subject Cox TMI Wireless L.L.C. / City of Edmond/EPWA Lease Termination Agreements.

Action Needed

Motion to approve.

Public Notification

Provided by the City Council Agenda.

Fiscal Impact

Funding/Cost: 0.00

Budgeted Item Y/N or N/A: N/A

Account:

This will result in a reduction of revenue to the 563332-7810 Cellular Site Rent line item of approximately \$48,000 per year.

City Council**Item # 5. A. 7.****Meeting Date:** 09/26/2011**Submitted For:** Steve Manek, Engineering**Submitted By:**

Kay Northcutt, Engineering

Information**Item**

Acceptance of Public Improvements and Maintenance Bonds for:

- a. Street repair on the northwest corner at Bryant and 33rd
- b. Repair pavement cuts at 32 N. Broadway
- c. 5 1/2 inch bore under 9th Street for low voltage communications between new and existing buildings of Sunset Elementary, 310 West 9th
- d. Installation of storm sewer to serve Sherwin Williams, N. Kelly and Danforth
- e. Pavement cut across the public alley at 32 N. Broadway
- f. Detention basin to serve Edmond Town Center, Lot 9
- g. Street cut, removal and patch to serve Italian Jim's, 15 S. Broadway
- h. Oklahoma Natural Gas project at 13 and 15 S. Broadway
- i. Oklahoma Natural Gas concrete and asphalt installation at 2108 W. Danforth Road., 32 N. Broadway and 225 S. University
- j. Excavating sewer main and service and removing and installing concrete and blacktop at 22nd E. 6th Street
- k. Concrete patch at the Territorial School House at 124 E. 2nd Street

Background

The maintenance bonds represent completion of public infrastructure. These projects are now complete.

Time Frame

N/A

Issue

Proper execution of maintenance bonds.

Recommendations

Staff recommends approval.

Action Needed

Motion to approve.

Public NotificationNone.

City Council**Item # 5. A. 8.****Meeting Date:** 09/26/2011**Submitted For:** Ross VanderHamm**Submitted By:** Kelly Neal, Finance

Information**Item**

Approval of FY10-11 Year-End Budget Transfer of Appropriations to balance Personnel Services departmental budgets.

Background

FY10-11 Health Insurance Premiums paid by the employee and employer were modified effective January, 2011. This impacted the budgets as well as year-end accruals required according to GAAP.

Time Frame

FY2010-2011

Issue

This approval of Transfer of Appropriations will correct this reportable condition.

Recommendations

Staff recommends approval.

Action Needed

Motion to approve Transfer of Appropriation.

Public Notification

As required.

Fiscal Impact

Funding/Cost: 76,893.00

Budgeted Item Y/N or N/A: N

Account:

FROM: GF-Emergencies/Shortfalls - \$4,055

TO: GF-Cemetery 001015-8101 \$1,353

GF-Cemetery 001015-8117 \$1,282

TO: GF-Urban Forestry 001161-8117 \$150

GF-Code Enforcement 001162-8117 \$1,270

FROM: Parks Tax Fund-Reserve for Specific Fund Purposes \$2,740

TO: Parks Tax Fund-Group Insurance 116044-8117 \$2,740

FROM: Convention and Visitors Bureau-Reserve for Specific Fund Purposes \$515

TO: CVB-Regular Pay Civilian 130093-8101 \$515

FROM: YourGovShop Fund-Reserve for Emergencies/Shortfalls \$430

TO: YourGovShop-Regular Pay Civilian 571046-8101 \$166

YourGovShop-Group Insurance 571046-8117 \$264

FROM: Liability/Tort Claim Fund-Reserve for Other Restricted Purposes \$1,165

TO: Liability/Tort Claim Fund-Group Insurance 611020-8117 \$1,165

FROM: Vehicle Maintenance Fund-Reserve for Emergencies/Shortfalls \$33,110
TO: Vehicle Maint Fund-Regular Pay Civilian 651011-8101 \$25,380
Vehicle Maint Fund-Group Insurance 651011-8117 \$7,730
FROM: Admin Support-Reserve for Emergencies/Shortfalls \$34,878
TO: City Clerk-Regular Pay Civilian 652053-8101 \$3,000
City Clerk-Group Insurance 652053-8117 \$2,310
Information Systems-Regular Pay Civilian 652060-8101 \$7,270
Informaiton Systems-Group Insurance 652060-8117 \$16,638
Legal Services-Group Insurance 652061-8117 \$845
Financial Services-Group Insurance 652581-8117 \$3,405
Utility Services-Group Insurance 652643-8117 \$1,410

City Council**Item # 5. A. 9.****Meeting Date:** 09/26/2011**Submitted For:** Ross VanderHamm**Submitted By:** Kelly Neal, Finance

Information**Item**

Approval of FY10-11 Year-End Budget Transfer of Appropriations to balance departmental budget categories for governmental fund types.

Background

Each year-end, final budget amendments are routinely requested to balance departmental budget categories for governmental fund types, usually as a result of final year-end entries and accruals necessary per generally accepted accounting principals.

Time Frame

FY2010-2011

Issue

Over-expended appropriations at the legal level of control established at the category level of expenditures by Council for 2011 violates provisions of the Municipal Budget Act of 1979 and is reported in the annual audit. The requested transfer of appropriations will correct this reportable condition.

Recommendations

Staff recommends approval.

Action Needed

Motion to approve Transfer of Appropriations request.

Public Notification

As required.

Fiscal Impact**Funding/Cost:** Y**Budgeted Item Y/N or N/A:** 16,385,490**Account:**

FROM: GF-Transfer In Sales Tax 001001-7901 \$636,045

TO: GF-Transfer Out Sales Tax 001001-8804 \$636,045

FROM: GF-Sales Tax 001001-7100 \$1,403,320

TO: GF-Transfer Out Fire 001002-8812 \$630,234

TO: GF-Transfer Out Police 001002-8813 \$773,086

FROM: Convention and Visitors Bureau-Reserve for Other Specific Fund Purposes \$6,540

TO: CVB-Advertising Costs 130093-8305 \$6,540

FROM: 2000 Capital Improvement Fund-Loan Proceeds 338001-7903 \$13,797,245

TO: 2000 Capital Improvement Fund-Bond Issuance Costs 338001-8356 \$130,125

TO: 2000 Capital Improvement Fund-Transfer Out 338001-8805 \$13,667,120

FROM: Employee Group Insurance Fund-Premiums Employer 650042-7532 \$500,000

TO: Employee Group Insurance Fund-Insurance Claims Expense 650042-8337 \$500,000
FROM: Vehicle Maint Fund-Targeted Billing 651011-7911 \$20,000
FROM: Vehicle Maint Fund-Fuel Revenue 651011-7545 \$20,000
TO: Vehicle Maint Fund-Motor Vehicle Parts 651011-8224 \$40,000
FROM: Admin Support-City Clerk Misc Charges 652053-8399 \$155
TO: Admin Support-Vehicle Maint Charges 652053-8819 \$155
FROM: Admin Support-Facility Maint Regular Pay Civilian 652057-8101 \$2,000
TO: Admin Support-Facility Maint Janitorial Supplies 652057-8205 \$2,000
FROM: Admin Support-Ops Central Warehouse Electric Costs 652067-8310 \$185
TO: Admin Support-Ops Central Warehouse Vehicle Maint Charges 652067-8819 \$185

City Council**Item # 5. B. 1.****Meeting Date:** 09/26/2011**Submitted For:** Tom Minnick**Submitted By:** Tom Minnick, Engineering

Information**Item**

Approval of Resolution No.____ and Public Right-of-Way, Utility and Encroachment Agreement with the Oklahoma Department of Transportation for the Kelly Ave. widening Covell to Coffee Creek.

Background

The project improvements consist of widening Kelly Avenue to provide for a four-lane divided roadway with left turn lanes at all side streets and installation of a permanent traffic signal light at Prairie Village.

By terms of the agreement the City will be responsible for the relocation or adjustment of all utility facilities, purchase of any new right-of-way needed for construction and removal of any encroachments within the right-of-way.

The Federal Highway Administration has approved the Environmental document and we are now prepared to begin with property appraisals and acquisitions. This agreement is a routine item for roadway projects using Federal money.

This project is currently listed in Federal Fiscal year 2012.
The current estimated cost of construction is \$6,959,154.88.
The funding split is 80% Federal - 20% Edmond.

Time Frame

Proceed with property appraisals upon approval of agreement.

Issue

The execution of this agreement is necessary in order to proceed with the next phase of the project.

Recommendations

Staff recommends approval.

Action Needed

Motion to approve.

Public Notification

City Council Agenda.

Fiscal Impact

Funding/Cost: N/A

Budgeted Item Y/N or N/A: Yes

Account:

338007-8520 Kelly - Danforth to Coffee Creek

Kelly RW Utility Agreement

**RIGHT-OF-WAY, PUBLIC UTILITY
AND ENCROACHMENT AGREEMENT**

This Agreement, made and entered into this ____ day of _____, 20____, by and between the City of Edmond, Oklahoma, hereinafter called the City and the Department of Transportation of the State of Oklahoma, hereinafter called the Department,

Witnesseth:

That for and in consideration of the covenants and agreements hereinafter set forth, it is mutually agreed by and between the parties hereto as follows:

In connection with the location and improvement of a portion of the City Street System within the corporate limits of the City, now designated as Grade, Drain and Surface Kelly Road from Covell to Coffee Creek under plans and specifications for STP-155C(604)AG , Job No. 24041(04).

WHEREAS, legislative authorization and the rules, regulations, and policies of the Department provide the basis of cooperation between the parties to effect such highway improvements.

NOW, THEREFORE, the parties hereto agree as follows:

The City agrees:

1. To the location of said highway, acknowledges receipt of and adopts the plans for said project as the official grade and drainage plans of the Underwriter for the streets, boulevards, or arterial highway included therein. Further, and in addition to the provisions contained elsewhere herein, City hereby grants to the Department access to and the use of all rights-of-way belonging to or controlled by the City.

2. That prior to the advertising of the project for bids (as to that part of the project lying within the present corporate limits) it will:
- (a) Grant to the Department and its contractors, the right-of-entry to all existing streets, alleys, and City owned property when required, and other rights-of-way shown on said plans.
 - (b) Remove at its own expense, or cause the removal of, all encroachments on existing streets as shown on said plans, including all signs, buildings, porches, awnings, porticos, fences, gasoline pumps and islands, and any other such private installations. Said removal shall be accomplished immediately on execution of this agreement and shall include necessary legal action where required.
 - (c) Prohibit parking on that portion of the project within the corporate limits of the Local Public Agency.
 - (d) Comply with the Department's standards for construction of driveway entrances from private property to the highway, in accordance with the Department's manual entitled "Policy on Driveway Regulation for Oklahoma Highways", Rev. 5/96, 69 O.S. (2001) § 1210.
 - (e) Maintain all right of way acquired for the construction of this project, as shown on said plans, in a manner consistent with applicable statutes, codes, ordinances and regulations of the Department and the State of Oklahoma.

3. That City will:

- (a) Determine and locate, with the Department's approval, a detour route over existing city streets, if a re-routing of traffic or a detour is necessary during the period of construction.
- (b) Be responsible during or subsequent to construction, for all costs for the operation and any maintenance necessary to the approved detour route over existing City streets, or any other street as a result of additional traffic.
- (c) Be responsible for all costs for repairs or maintenance to any City street, during or subsequent to construction, which results from additional traffic where construction is performed under traffic.

- (d) To the extent permitted by the **Oklahoma Governmental Tort Claims Act**, Title 51 Oklahoma Statutes, Sections 151 *et seq.* and by Oklahoma Constitution Article 10, section 26 and as otherwise permitted by law, the City shall indemnify and save harmless the Department, its officers and employees, and shall process and defend at its own expense all claims, demands, or suits whether in law or equity brought against the City or the Department arising from the City's execution, performance, or failure to perform, and provisions of this agreement or alleged negligence in the location, design, construction, operation, or maintenance of a portion of the City Street System within the corporate limits of the City. Provided, nothing herein shall require the City to reimburse the Department for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Department. When any alleged act, omission, negligence, or misconduct may be subject to the limitations, exemptions, or defenses which may be raised under the **Oklahoma Governmental Tort Claims Act**, 51 O.S. § 151 *et seq.*, all such limitations, exemptions, and defenses shall be available to and may be asserted by City. No liability shall attach to the Department except as expressly provided herein.
- e) Comply with all applicable laws and regulations necessary to meet the Oklahoma Department of Environmental Quality (ODEQ) requirements for pollution prevention including discharges from storm water runoff during the planning and design of this project. Further, the City agrees and stipulates as stated in the ODEQ's *General Permit OKR10*, dated September 13, 2002, or latest revision, to secure a storm water permit with the ODEQ, for utility relocations when required. It is agreed that the storm water management plan for the project previously described in the document includes the project plans and specifications, required schedules for accomplishing the temporary and permanent erosion control work, the storm water pollution prevention plan and the appropriate location map contained in the utility relocation plans

4. That subsequent to the construction of said project, City will:

- (a) Keep all permanent right-of-way shown on said plans free from any encroachment and take immediate action to effect the removal of any encroachments upon notification by the Department, including all necessary legal action when required.

- (b) Erect, maintain, and operate traffic control signals, including speed limit and traffic control signs, only in accordance with 47 OS 2001, Section 15-104, 15-105 and 15-106, and subject to the approval, direction and control of the Department.
 - (c) Regulate and control traffic on said project, including but not limited to, the speed of vehicles, parking, stopping, and turns, in accordance with 47 OS 2001, 15-104, et seq. and to make no changes in the provisions thereof without the approval of the Department.
 - (d) Maintain all that part of said project within the corporate limits of the City.
- 5. That all covenants of this Agreement shall apply to any area hereinafter annexed to the City which lies within the limits of this project.
- 6. That it will, by resolution, duly authorize the execution of this Agreement by the proper officials, and attach copies of such resolution to this Agreement.
- 7. To acquire all right-of-way, if any, be responsible for the total costs for removing and relocating outdoor advertising signs and for the relocation assistance payments to persons displaced by reason of the acquisition of right-of-way and be responsible for the removal or relocation of all utility lines on public or private rights-of-way to accommodate the construction of this project.
 - (a) Transmit copies of the instruments, including all deeds and easements, to the Department prior to the advertisement of bids for construction.
 - (b) Comply with the provisions of 42 U.S.C.A. § 4601-4655 and 23 U.S.C.A. § 323 (as amended) and, further comply with 49 C.F.R. Part 24 in the acquisition of all necessary right-of-way and relocation of all displacees.

- (c) That as a condition to receiving any Federal Financial Assistance from the Department, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252.42 U.S.C. 2000d-35 seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of federally-assisted Program of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964".

- 8. If the acquisition of right-of-way for this project causes the displacement of any person, business or non-profit organization, the City will provide and be responsible for the Relocation Assistance Program and for all costs associated with the relocation assistance payments. The Department, upon request, will supply a list of service providers who have been prequalified to administer the Relocation Assistance Program. The City agrees to employ a service provider from the Department's prequalified list or advise the Department in writing that their in-house personnel have the knowledge, skills, & abilities to effectively manage the Relocation Assistance Program. The City agrees to comply with all applicable rules, regulations, statutes, policies and procedures of both the United States and the State of Oklahoma and specifically The Uniform and Relocation Assistance and Real Property Acquisition Act, 49 CFR 24. The City agrees to create & seat a Relocation Assistance Program Appeals Board pursuant to 49 CFR Sec. 24.10 or submit a written request to the Department requesting that the Department function in such capacity on behalf of the City. Before any relocation assistance payments are made by the City, all files with parcels requiring relocation assistance shall be submitted to the Department for audit & compliance review by the Department. The Department shall be notified in writing within seven (7) days of the date of an offer to acquire being provided to a property owner(s) on any parcel which will require relocation assistance. Written notifications regarding service providers, in-house personnel, appeals, offers to acquire, ect. shall be addressed to Acquisition Branch, Right-of-Way & Utilities Division, Oklahoma Department of Transportation, 200 N.E. 21st Street, Oklahoma City, Oklahoma 73105.

IN CONSIDERATION of the grants and covenants by the City herein contained and the faithful performance thereof by the City, the City agrees to construct said project in accordance with said plans and specifications; provided that the right to review and approve and to make such changes in the plans and specifications as are necessary for the proper construction of said project is reserved to the Department.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, the City on the ____ day of _____, 20__, and the State on the ____ day of _____, 20__.

ATTEST:

CITY OF EDMOND

City Clerk

Mayor

REVIEWED AND APPROVED AS TO
FORM AND LEGALITY

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

Chief, Legal Division (ODOT)

Director

RESOLUTION

WHEREAS, it appearing reasonable and necessary for the CITY OF EDMOND , OKLAHOMA , OKLAHOMA, to execute a Right-of-Way, Public Utility and Encroachment Agreement in connection with the construction of a public project known as STP-155C(604)AG J/P 24041(04), in accordance with the terms and tenor of 69 O.S. 2001, Sections 1205, 1206, 1401 and 1403.

NOW, THEREFORE, BE IT RESOLVED by the CITY OF EDMOND, OKLAHOMA, OKLAHOMA, sitting in regular session that such contract be entered and that a copy of same be hereto attached and made a part hereof by reference, all as provided by law.

ATTEST:

CITY CLERK

MAYOR

City Council

Item # 5. C. 1.

Meeting Date: 09/26/2011

Submitted For: Steve Lawrence

Submitted By: Steve Lawrence, Engineering

Information

Item

Approval of Change Order No. 2 to the Construction Contract with FT Construction Company Inc for the Covell Road Water and Sanitary Sewer Project; \$296,363.53 increase.

Background

Additional water line construction is necessary in order to meet fire flow requirements of the Recreation and Aquatic Center at Mitch Park. FT Construction is working on the water line relocation project in this vicinity for the upcoming Covell Road widening. They have agreed to do this additional work at the same unit prices. The original contract was \$716,268.84. This change order amends the contract amount to \$996,606.49.

Time Frame

Upon approval.

Issue

This change order fairly compensates the contractor for additional work.

Recommendations

Approval.

Action Needed

Motion to approve.

Public Notification

N/A

Fiscal Impact

Funding/Cost: \$296,363.53

Budgeted Item Y/N or N/A: Y

Account:

116044-8404 - Park Tax – Land Betterment

City Council

Item # 6.

Meeting Date: 09/26/2011

Submitted For: Vicki Martin

Information

Item

Approval of EPWA Meeting Minutes: September 12, 2011

Attachments

PW Minutes

EDMOND PUBLIC WORKS AUTHORITY MINUTES

September 12, 2011

Vice Chairman Lamb called the regular meeting of the Edmond Public Works Authority to order Monday, September 12, 2011, in the City Council Chambers. Chairman Douglas and Trustee Miller were absent on City business.

6. Approval of Minutes of August 22, 2011. Motion by Caldwell, seconded by Waner, to approve Minutes. **Motion carried** as followed:

AYES: Vice Chairman Lamb, Trustees Caldwell and Waner
NAYS: None

7. GENERAL CONSENT ITEMS: (General Consent Items were voted on collectively except where noted.)

A. Approval of Purchases:

- 1) **Acceptance of bid(s) for transformers for the YourGovShop member participants.**
- 2) **Award of bid (including renewal options) for underground electric ditching and boring services for Electric Department.** Purchasing Manager recommended accepting bid from Davis H. Elliot Construction in the annual estimated amount of \$1,000,000.
- 3) **Award of bid for a gas chromatograph for Water Resources Department.** Purchasing Manager recommended accepting bid from Agilent Technologies, Inc., in the amount of \$74,967.23.
- 4) **Award of bid and approval of contract for the Coffee Creek Wastewater Treatment Plant Screw Pump Rehabilitation project for Engineering Department.** Purchasing Manager recommended accepting bid from BRB Contractors, Inc., in the amount of \$383,587.
- 5) **Award of bid and approval of contract for the Lost Rock Sanitary Sewer Repair project for the Engineering Department.** Purchasing Manager recommended accepting bid from Krapff Reynolds Construction, in the amount of \$381,705.

- 6) Approval of Changer Order No. 1 with Total Investment Company for the C.R. Burgett Substation Site Preparation Revision project, in the decreased amount of \$23,509.65.
- 7) Approval of Changer Order No. 1 with Young Contracting, LLC, for the Autumn Ridge Sanitary Sewer Creek Crossing Repairs project, in the amount of \$40,350.50.

Motion by Waner, seconded by Caldwell, to approve General Consent Items 7.A.(1-7). **Motion carried** as followed:

AYES: Vice Chairman Lamb, Trustees Caldwell and Waner
NAYS: None

8. **NEW BUSINESS:** None

9. Motion by Caldwell, seconded by Waner, to adjourn meeting.
Motion carried as follows:

AYES: Vice Chairman Lamb, Trustees Caldwell and Waner
NAYS: None

Secretary

Chairman

City Council**Item # 7. A. 1.****Meeting Date:** 09/26/2011**Submitted For:** Jim Smith**Submitted By:** Fred Rice, Water Resources

Information**Item**

Approval of Request from Cox TMI Wireless for termination of contract/leases for water tower space for wireless communications antennas and related equipment at the 400 West 33rd Street and 1540 West Danforth, water towers.

Background

On November 23, 2009 Cox TMI Wireless and the City of Edmond/EPWA entered into agreements for water tower space for wireless antennas and related equipment. Since that date Cox TMI Wireless has used the water tower space and made all required lease payments. Cox TMI Wireless has decided to cease wireless operations in this area and thus has requested termination of the current agreements. Termination procedures were documented in the subject leases and Cox TMI Wireless has met their obligations for termination notification per those leases.

Time Frame

Cox TMI Wireless will proceed with removal of their equipment from the water towers ASAP upon approval of the release agreement. They have been in contact with City staff and have presented acceptable plans to the Edmond Engineering Department for the removal of their equipment.

Issue

Cox TMI Wireless L.L.C. have decided to move out of the wireless service business and has no further need for water tower space for antennas currently governed by the leases between them and the City of Edmond/EPWA. In order to document the lease terminations Cox TMI Wireless has provided lease termination agreements for the Mayor's/Chairmans signature.

Recommendations

Staff recommends approval of the subject Cox TMI Wireless L.L.C. / City of Edmond/EPWA Lease Termination Agreements.

Action Needed

Motion to approve.

Public Notification

Provided by the City Council Agenda.

Fiscal Impact

Funding/Cost: 0.00

Budgeted Item Y/N or N/A: N/A

Account:

This will result in a reduction of revenue to the 563332-7810 Cellular Site Rent line item of approximately \$48,000 per year.

City Council**Item # 7. A. 2.****Meeting Date:** 09/26/2011**Submitted By:** Dean Sherrick, Edmond Electric

Information**Item**

Approval of Transfer of Appropriations for Installation Bid at Burgett Substation to Ernest P. Breaux Electrical; \$1,561,138.85.

Background

This transfer is necessary for the Installation Bid at Burgett Substation which is also on the agenda under EPWA Approval of Purchases in the amount of \$1,561,138.85. The money was originally budgeted in last fiscal year's budget (FY '11) and when the new fiscal year (FY '12) began, all money not encumbered went back into our reserve. This agenda item addresses funds into the current year budget.

Time Frame

Upon Edmond Public Works Authority approval.

Issue

N/A

Recommendations

Staff recommends EPWA approval of this transfer.

Action Needed

Motion to Approve.

Public Notification

N/A

Fiscal Impact

Funding/Cost: \$1,561,138.85

Budgeted Item Y/N or N/A: Y

Account:

From: Electric's Reserve for Emergencies/Shortfalls, \$1,561,138.85

To: Burgett Substation, 562032-8532, \$1,561,138.85

City Council

Item # 7. B. 1.

Meeting Date: 09/26/2011

Submitted For: Brenda Mayer

Submitted By: Brenda Mayer, Purchasing

Information

Item

Acceptance of Bid and Approval of Contract for the CR Burgett Substation Construction Project for the Electric Department; \$1,561,138.85.

Background

After careful review and interviews with references CH Guernsey and staff recommend accepting the bid for the CR Burgett Substation Construction Project from Ernest P Breaux Electrical , Inc in the amount of \$1,561,138.85 base bid. This is the lowest and best bid.

Time Frame

Work to begin upon approval

Issue

N/A

Recommendations

Motion to Approve

Action Needed

Approval

Public Notification

Bids were picked up by five (5) prospective contractors; Two (2) bids were submitted.
See bid tabulation

Fiscal Impact

Funding/Cost: \$1,561,138.85

Budgeted Item Y/N or N/A: Y

Account:

562032-8532

Electric Utility - CR Burgett Substation Construction

Attachments

Bid Tab

Bid Request Number B12-007 Addendum 2
Title CR Burgett 138-12.5 KV Substation Construction
Description A cashier's check, a certified check, or a surety bond in the amount of five percent (5%) of the bid shall accompany the seal
Bid Type Sealed Bid
Open Date 8/16/2011 10:23:10 AM Central
Close Date 9/6/2011 2:00:00 PM Central

Line Items

**CR Burgett 138-12.5 KV SUBSTATION
 CONSTRUCTION; AS SPECIFIED**

Line 1

<u>Name</u>	<u>QTY</u>	<u>UOM</u>	<u>Price</u>
Ernest P. Breaux Electrical, Inc	1	EA	\$1,561,138.85
RECON COMPANY	1	EA	\$1,618,847.42

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City Council

Item # 8. A.

Meeting Date: 09/26/2011

Submitted For: Bob Schiermeyer, Planning/Zoning **Submitted By:** Kristen Rakosky,
Planning/Zoning

Information

Item

Case #Z11-00017 Public Hearing and Consideration of Edmond Plan Amendment from Single Family usage to Commercial PUD usage on a 4.3 acre tract on the north side of West Edmond Road, 1,300 feet west of Santa Fe. (Citizen's Bank) **This item has been continued until the October 24, 2011 City Council meeting at the request of the applicant.**

Background

City Council

Item # 8. B.

Meeting Date: 09/26/2011

Submitted For: Bob Schiermeyer, Planning/Zoning **Submitted By:** Kristen Rakosky,
Planning/Zoning

Information

Item

Case #Z11-00018 Public Hearing and Consideration of Rezoning from “A” Single Family zoning to Commercial PUD zoning on a 4.3 acre tract on the north side of West Edmond Road, 1,300 feet west of Santa Fe. (Citizen’s Bank) **This item has been continued until the October 24, 2011 City Council meeting at the request of the applicant.**

Background

City Council

Item # 8. C.

Meeting Date: 09/26/2011

From: Bob Schiermeyer

Department: Planning/Zoning

Information

RE:

Case #Z110015 Public Hearing and Consideration of Ordinance No. _____ Amending the Edmond Plan from Mixed Suburban Commercial to Single Family Residential on property located south of Sorghum Mill on the west side of Sooner. (Alan Staab) **(Emergency Approval Required) This item has been continued until November 14, 2011 City Council meeting at the request of the applicant.**

The Planning Commission considered this item on September 6, 2011 and recommended approval by a vote of 3-0. No one appeared in objection.

Mr. Staab has purchased 40 acres of land approximately one-quarter mile south of Sorghum Mill on the west side of Sooner. Fourteen acres in the southern portion of the property was projected for Mixed Suburban Commercial on the Edmond Plan. That parcel was part of a larger land area recommended for commercial usage along Sooner. When the Edmond Plan was completed in 2007, much of the section between Sorghum Mill and Coffee Creek, Sooner and Coltrane was under one ownership. If utilities were extended in the existing Coffee Creek basin as well as the water lines connecting east and west of I-35, urban density development could have occurred with a mixture of land uses. If utilities are not available, the land may continue to develop with acreage home sites currently characteristic to the area such as the Preserve at Pine Creek, the Bluffs at Pine Creek and Walnut Ridge.

The following general planning considerations represent some of the factors evaluated in reviewing justifications for Plan Map Amendments.

1. Infrastructure: There is no City water or sewer within a quarter mile of this property. Centennial Elementary School and Centennial at Iron Horse Ranch are developing in the southwest quarter of this section but utilities do not extend further east than the east side of those projects. State Statutes allow for private street developments on two acre or larger lots more than a quarter mile from City Water or sewer lines. The subject property meets that standard. Mr. Staab is planning to proceed with a deed certification to divide the property and to establish a private street.

2. Traffic: No traffic counts are available for Sorghum Mill or Sooner. While these are arterial streets, there are no plans for improvements in the near future.

3. Existing zoning pattern:

North – “G-A” General Agricultural

South – “G-A” General Agricultural

East – “R-2” Urban Estate

West – “G-A” General Agricultural

4. Land Use:

North – Undeveloped

South – Undeveloped

East – Preserve at Pine Creek

West – Undeveloped except for oil wells

5. Density: One home per 2 acre lot

6. Land ownership pattern:

North – 5 acre or larger tracts

South – Larger than 5 acre tracts

East – 2 acre or larger tracts

West – Larger than 5 acre tracts

7. Physical features: Oil wells have previously been drilled on the property

8. Special conditions: No outstanding conditions

9. Location of Schools and School Land: The nearest school is Centennial Elementary School one and a half miles to the west

10. Compatibility to Edmond Plan: The Edmond Plan projects the majority of this area for single family because utilities were theoretically possible. While Centennial at Iron Horse Ranch and Centennial Elementary School are new, utility extensions to the eastern part of this section are not eminent, the projection in the Edmond Plan is not valid at this time.

Site Plan Review: Not required for single family residential lots

City Council**Item # 8. D.****Meeting Date:** 09/26/2011**Submitted For:** Bob Schiermeyer, Planning/Zoning **Submitted By:** Vicki Martin, Administration

Information**Item**

Case #Z110016 Public Hearing and Consideration of Ordinance No. _____ Rezoning from "G-A" General Agricultural to "R-1" Rural Estate Dwelling District on property located south of Sorghum Mill on the west side of Sooner. (Alan Staab) **This item has been continued until the November 14, 2011 City Council meeting at the request of the applicant.**

Background

The Planning Commission considered this item on September 6, 2011 and recommended approval by a vote of 3-0. No one appeared in objection.

Bryan Coon is representing Alan Staab in requesting that 40.153 acres west of Sooner, south of Sorghum Mill Road be rezoned to "R-1" Rural Estate Dwelling District. Mr. Staab wants to build 11 homes on the property. There are no City water or sanitary sewer lines within one-quarter mile of the parcel. Mr. Staab will use the State Statute exception to develop with a private street. Water and sewer lines are one-half mile or more from this site. The 1999 Master Trails Plan does not reflect any trail connection or linkage through this parcel. A second step in the review of this request will include the deed certification review for the lot division. The consideration of Title 23 Drainage requirements for detention and grading, addressing and selection of a street name are part of this review. The Edmond Plan projected the higher intensity mixed commercial use based on the possibility that water and sewer lines would be available. Development has not occurred at a pace where utilities have been extended by developers and the City has no plans for utility extension into the area. Of the 40 acre parcel, 14 acres in the southern part of the tract would be excluded as projected mixed use commercial.

Meeting Date: 09/26/2011

From: Bob Schiermeyer

Department: Planning/Zoning

Information

RE:

Case #Z110013 Public Hearing and Consideration of Ordinance No. _____ Amending the Edmond Plan from Office PUD Usage to Medium Density Multi-Family/Specific Use Permit for an assisted living center located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group) **Emergency Approval Required**

The Planning Commission considered this item on September 6, 2011 and recommended approval by a vote of 3-0. No one appeared in objection.

This 4.74 acre tract is located on the north side of 15th Street, just under one-half mile east of Bryant. This undeveloped parcel would be modified for a specific use of an assisted living center and multi-family zoning is a prerequisite for that. The occupancy of this center will be less than 50 residents.

The following general planning considerations represent some of the factors evaluated in reviewing justifications for Plan Map Amendments.

1. Infrastructure: City water and sanitary sewer are adjacent to the property. A new water line will be installed to the back of the building for fire protection, and the building will also be fire sprinkled.

2. Traffic: 15th Street is an arterial street and is four lanes. One drive approach is planned in alignment with the office park to the south. No traffic study is required by the transportation study since less than 100 cars will be added to the peak traffic time along 15th Street. Service for the building will be at the north side of the property where the parking lot is planned.

3. Existing zoning pattern:

North – “D-1” PUD Restricted Commercial

South – “D-O” Office

East – Public utility electric substation

West – Church use zoned “A” Single Family

4. Land Use:

North – Undeveloped

South – Developed as an office building

East – Developed as an electric substation

West – Developed as a church

5. Density: Based on the definition of a “dwelling unit” there are no more than 16 units on the property, substantially less than the 12 units per acre allowed in “C-2” Medium Density Residential

6. Land ownership pattern:

North – Sooner Investments owns a tract of land projected for detention as a part of the Bridges of Spring Creek project

South – One ownership for office building

East – City of Edmond substation
West – 5 acre tract owned by the church

7. Physical features: The land has been undeveloped except for a drive to an oil well site that has been plugged. Native trees are on the land and there is a floodplain on the northeast corner of the property.

8. Special conditions: None

9. Location of Schools and School Land: The nearest school is Edmond Memorial High School, $\frac{3}{4}$ mile west

10. Compatibility to Edmond Plan: The Edmond Plan projects the land as zoned for office. Apartments alone would not be appropriate for the property but the specific use for a very low density residential is similar to the office usage projected.

11. Site Plan Review: Site plan is required as part of the zoning so the details of the site development are known at the time of the land use decision.

Attachments

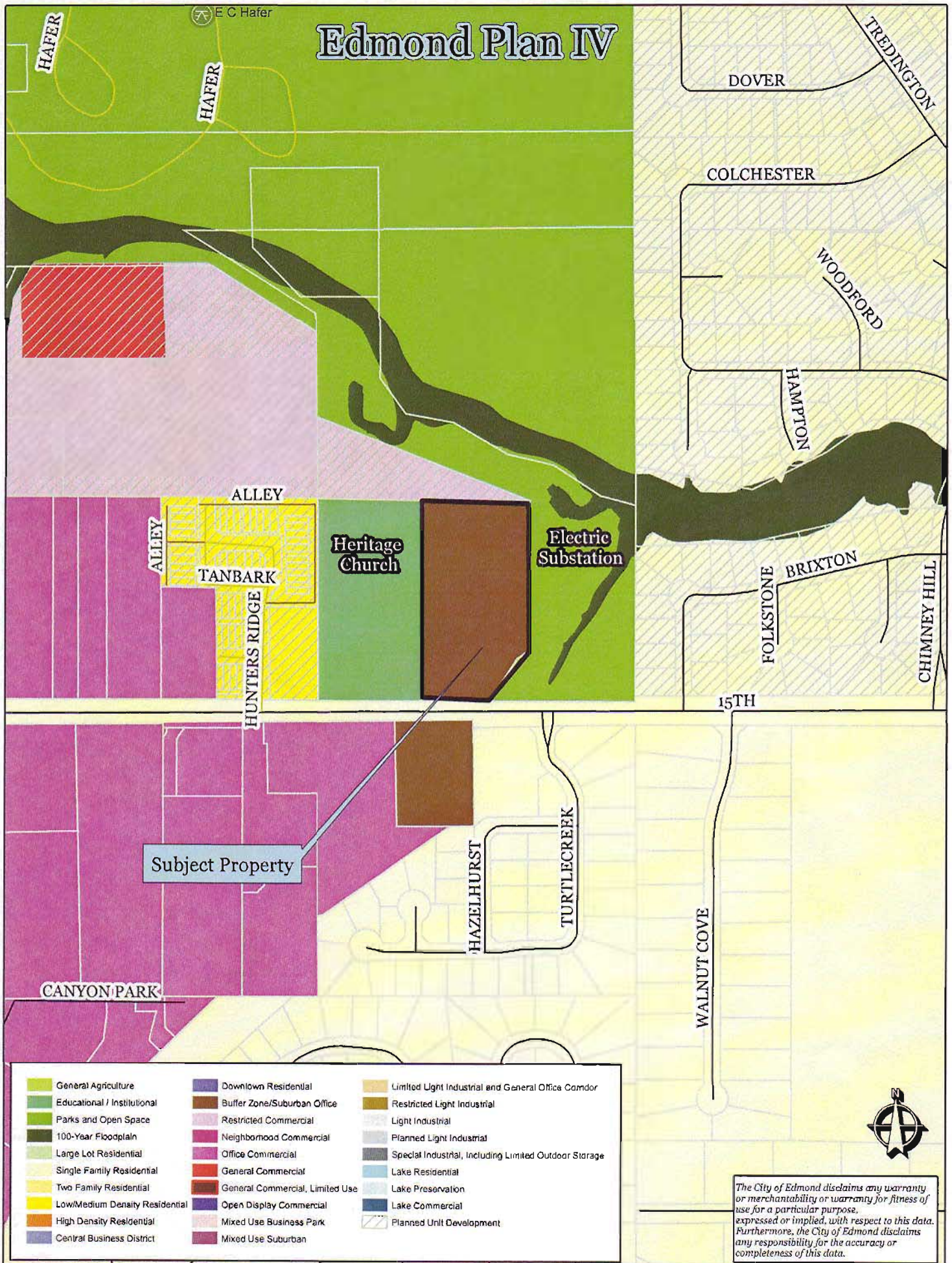
Autumn Leaves Plan Amendment

Location Map



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Edmond Plan IV



City Council

Item # 8. F.

Meeting Date: 09/26/2011

From: Bob Schiermeyer

Department: Planning/Zoning

Information

RE:

Case #Z110014 Public Hearing and Consideration of Ordinance No. _____ Rezoning from “D-O” Suburban Office PUD to “C-2” Medium Density Multi-Family for an assisted living center located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group)

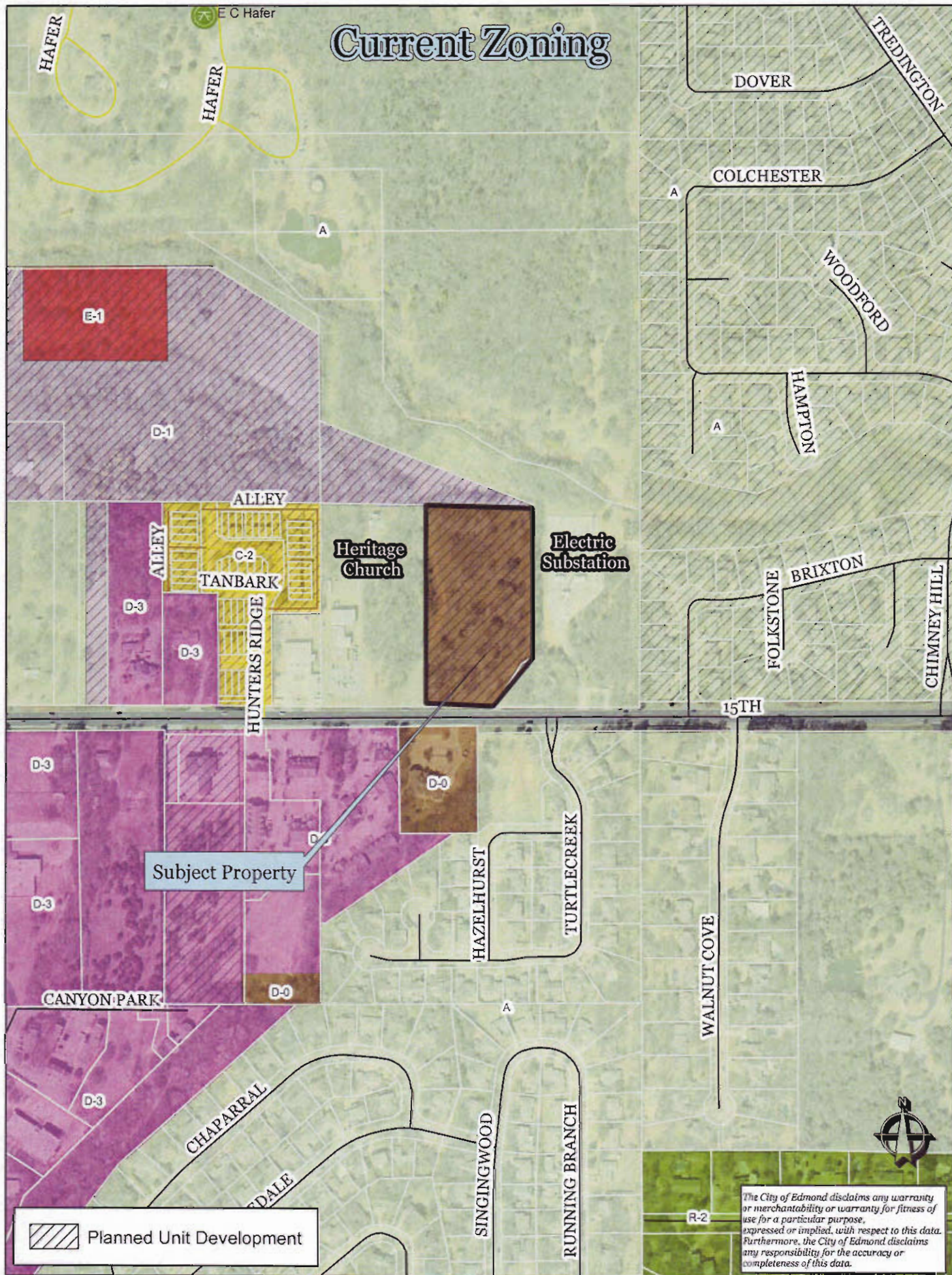
The Planning Commission considered this item on September 6, 2011 and recommended approval by a vote of 3-0. No one appeared in objection.

Kay Adkins, representing The LaSalle Group is requesting rezoning from “D-O” PUD to “C-2” Multi-Family. The only planned use of the property is for an assisted living center on 4.34 acres. The multi-family zoning is a prerequisite for the Specific Use Permit. The full site plan and plat have been submitted for the site. The assisted living center will contain 25,783 square feet and would be one story in height. A Community Connections meeting has been held and the neighbors within 300 feet are aware of the project details. The center will house 44-50 residents. Traffic for the proposed use would be less than an office park situated at this location. The amount of open space based on the site plan submitted is also greater than would usually occur with an office park.

Attachments

Autumn Leaves Rezoning

Current Zoning



Community Connections

Minutes: Meeting to discuss Autumn Leaves Memory Care Center

Date: Thursday, July 21, 2011, at 6:00 P.M.

Location: Downtown Community Center Banquet Hall

Organizer: Community Connections- Jan Ramseyer Fees

Attendees: First and Last Name	Attendees: First & Last Name	Attendees: First and Last Name
Thomas Simpson	Anita Tillery	Rick Tillery
Kay Adkins, developer	Tim Terry, developer	Todd McKinnis, attorney
Bob Schiermeyer, Planning Director	Jan Ramseyer Fees, Community Connections Coordinator	

Minutes

A very informal Community Connection meeting was held 6:00 PM , Thursday, July 21, 2011 in the Banquet Hall of the Downtown Community Center, 28 E. Main, Edmond, Oklahoma. Present were Thomas Simpson from the adjacent church and Anita and Rick Tillery from the Turtlecreek Cove Addition. Kay Adkins and Tim Terry with LaSalle Development Group and Todd McKinnis, attorney, were present for the development. Bob Schiermeyer, Planning Director and Jan Ramseyer Fees, Community Connections Coordinator also attended the meeting.

Kay Adkins with LaSalle Development Group, described the proposed Autumn Leaves Memory Care Center as a one-story 26,000 square foot building of 38 living units which may house up to 44 residents. She said they have been in the memory care business for 10 years, have 10 facilities in the Dallas area, 3 in the Houston area, 3 in Chicago and soon to be opening up a facility in Tulsa. She said they are a 24-hour full-care facility where they own, build and operate their facilities. She reviewed the site plan layout of the project, with the parking, dumpsters, and other things at the rear of the facility. She said it is a low traffic facility, with patients not driving but there are employees and visitors coming to the site. She said the building will setback off 15th Street about 150' and said the brick for the building can match the surrounding area if desired. It was noted that there would not be fencing around the entire site, but fencing around the courtyards for security of the residents. Ms. Adkins said there is a central activity area which is toward to north of the building with the wings being the residential rooms having different themes and colors to help the patients with memory. She showed pictures of their existing facilities, noting that their first facility opened 10 years ago in Dallas. She said the staff at their facilities are trained in memory care and it is a family owned and operated business. Questions were asked about the timeline for development. Ms. Adkins said they hope to be through the permitting process in October or November and then start construction which will take 8-10 months. It was noted that the facility is a private-pay facility. The landscaping is an important part of the site as they try to make the residents

feel like it is a residence not a care facility. Concerns were raised about traffic going fast along this section of 15th Street and it was suggested that a caution light might be needed, what with the daycare, church and other businesses.

Action Items

Minutes of the Community Connection meeting will be passed on to the Planning Commission and City Council for their information when this item is discussed at upcoming public hearings.

The meeting was adjourned at 6:40 PM.

Minutes are taken to be an overview of the meeting, not verbatim transcript of the proceedings. The minutes do not have to go before any boards or commission for approval or denial. They are prepared for information purposes only.

City Council

Item # 8. G.

Meeting Date: 09/26/2011

From: Bob Schiermeyer

Department: Planning/Zoning

Information

RE:

Case #U110003 and SP110019 Public Hearing and Consideration of Specific Use Permit and Site Plan approval for an assisted living center located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group)

The Planning Commission considered this item on September 6, 2011 and recommended approval by a vote of 3-0. No one appeared in objection.

The applicant is requesting a change in zoning from “D-O” Suburban Office to “C-2” Medium Density Multi-Family with the consideration of a Specific Use Permit for an assisted living center. An Edmond Plan Amendment is required. The Site Plan is approved for an 18 month period and is the only Site Plan applicable to the underlying multi-family zoning.

Planning Department comments:

1. Existing zoning – Required to have “C-2” Medium Density Multi-Family for an assisted living center and a Specific Use Permit. Current zoning is “D-O” Suburban Office. A rezoning application is part of this request.
2. Setbacks – The front setback from 15th Street is 125 feet, the side yard setback to the east is 50 feet, the setback to the west is 25 feet and the setback to the north is 295 feet.
3. Height of buildings – 24 feet. Pitch roof construction is indicated.
4. Parking – 49 parking spaces are provided. The building is 25,783 square feet. No extra parking is provided. Bicycle parking racks will be included.
5. Lot size – 4.74 acres
6. Lighting Plan – A photometric lighting plan has been provided. None of the light poles can exceed 24 feet in height including the base. Shoebox style light fixtures are proposed. Light fixtures are planned on the west side of the property next to the church and at the back of the property. The adjacent uses include Heritage Baptist Church to the west, Hafer electric substation to the east, undeveloped land to the north, as part of the Bridges of Spring Creek and the Turtle Creek Addition to the south.
7. Signage – One monument sign is planned on the drive. The sign can be 7 feet tall, 54 square feet. Wall signs are not planned.
8. General architectural appearance – The four exterior walls are a combination of stone and face brick. The roof varies from 12/8 to 12/6 pitch. The shingles are composition. The building is one story.

9. Sensitive borders – The sensitive border standards have not been applied to this property since the use to the west is a church with a Special Use Permit, to the east is the Hafer Substation Utility and to the north is undeveloped commercial land. The setback on 15th exceeds the minimum. The majority of the parking is in the back of the property as well as the service equipment or areas such as the dumpster enclosure. Landscaping and lighting will be developed on the front of the property.

10. Mechanical equipment – Will be located on the ground due to the pitch roof construction.

11. Fencing/screening – Sight proof fencing is not proposed or required based on the adjacent uses. The two courtyard areas are fenced.

Engineering Department comments:

12. Driveways, access management and paving– One drive will be provided on 15th Street in alignment with the office building drive to the south. The driveway separation standard has been met. There is an existing drive on the east side of this property that was once used to access an oil well that is now plugged.

13. Water and wastewater plans – City water and sewer are adjacent to the property and are being connected for service. The building will have a fire sprinkler system. New fire hydrants are being added as needed.

14. Drainage detention and grading – There is a private detention area on the north side of the property. Proof of compliance with drainage standards has been submitted with the Site Plan and plat.

Building and Fire Code Services comments:

15. Applicable Building Code, Fire Code and ADA – The building is fully fire sprinkled.
Firefighter water flow Approved

Fire Access Approved

Fire Hydrant locations & number Approved

No gates were shown

Urban Forestry comments:

16. Landscape Plan:

Total Site Area: 206,557 sq. ft. Landscape provided on plans submitted
10% of lot 20,656.00 sf landscaping/lawn area

Plant units required= 1652 PU 3,261.00 plant units
Evergreen required= 661 PU 898.00 plant units
Requirements in front= 826 PU 1,107.00 plant units
= 10328.00 sf 10,328.00 sf

Waste Management comments:

17. Refuse facilities – A new dumpster enclosure will be provided at the back of the building. There is a 24 foot lane on the east side of the building. Access will have to be unobstructed for the service vehicles.

Edmond Electric comments:

18. Electric – On Thursday, September 15, 2011 the Engineer for LaSalle notified the City they need to modify the drainage plan to install a large pipe on the west side of the property where the electric service was planned. This will require a complete change in the electric service layout which is not known at the time of City Council agenda preparation. An alternative electric service should be available but will need to be studied and be compatible with the other improvements to the site. Edmond Electric is aware of this and will be available to work with the owners. A satisfactory plan was available at the Planning Commission meeting. A new plan will be developed by the time the City Council considers the site plan.

Attachments

Minutes

Motion by Lee, seconded by Cartwright, to approve this request subject to staff reporting on the status of the special use building permit not later than 18 months from City Council approval. **Motion carried** by a vote of 3-0 as follows:

AYES: Members: Lee, Cartwright and Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #U110003 and SP110019 Public Hearing and Consideration of Specific Use Permit and Site Plan approval for an assisted living center located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group)**

The applicant is requesting a change in zoning from "D-O" Suburban Office to "C-2" Medium Density Multi-Family with the consideration of a Specific Use Permit for an assisted living center. An Edmond Plan Amendment is required. The Site Plan is approved for an 18 month period and is the only Site Plan applicable to the underlying multi-family zoning.

Planning Department comments:

1. Existing zoning – Required to have "C-2" Medium Density Multi-Family for an assisted living center and a Specific Use Permit. Current zoning is "D-O" Suburban Office. A rezoning application is part of this request.
2. Setbacks – The front setback from 15th Street is 125 feet, the side yard setback to the east is 50 feet, the setback to the west is 25 feet and the setback to the north is 295 feet.
3. Height of buildings – 24 feet. Pitch roof construction is indicated.
4. Parking – 49 parking spaces are provided. The building is 25,783 square feet. No extra parking is provided. Bicycle parking racks will be included.
5. Lot size – 4.74 acres
6. Lighting Plan – A photometric lighting plan has been provided. None of the light poles can exceed 24 feet in height including the base. Shoebox style light fixtures are proposed. Light fixtures are planned on the west side of the property next to the church and at the back of the property. The adjacent uses include Heritage Baptist Church to the west, Hafer electric substation to the east, undeveloped land to the north, as part of the Bridges of Spring Creek and the Turtle Creek Addition to the south.
7. Signage – One monument sign is planned on the drive. The sign can be 7 feet tall, 54 square feet. Wall signs are not planned.
8. General architectural appearance – The four exterior walls are a combination of stone and face brick. The roof varies from 12/8 to 12/6 pitch. The shingles are composition. The building is one story.

9. Sensitive borders – The sensitive border standards have not been applied to this property since the use to the west is a church with a Special Use Permit, to the east is the Hafer Substation Utility and to the north is undeveloped commercial land. The setback on 15th exceeds the minimum. The majority of the parking is in the back of the property as well as the service equipment or areas such as the dumpster enclosure. Landscaping and lighting will be developed on the front of the property.
10. Mechanical equipment – Will be located on the ground due to the pitch roof construction.
11. Fencing/screening – Sight proof fencing is not proposed or required based on the adjacent uses. The two courtyard areas are fenced.

Engineering Department comments:

12. Driveways, access management and paving– One drive will be provided on 15th Street in alignment with the office building drive to the south. The driveway separation standard has been met. There is an existing drive on the east side of this property that was once used to access an oil well that is now plugged.
13. Water and wastewater plans – City water and sewer are adjacent to the property and are being connected for service. The building will have a fire sprinkler system. New fire hydrants are being added as needed.
14. Drainage detention and grading – There is a private detention area on the north side of the property. Proof of compliance with drainage standards has been submitted with the Site Plan and plat.

Building and Fire Code Services comments:

15. Applicable Building Code, Fire Code and ADA – The building is fully fire sprinkled.
- | | |
|---------------------------------|----------|
| Firefighter water flow | Approved |
| Fire Access | Approved |
| Fire Hydrant locations & number | Approved |
| No gates were shown | |

Urban Forestry comments:

16. Landscape Plan:

Total Site Area: 206,557 sq. ft.
10% of lot

Landscape provided on plans submitted
20,656.00 sf landscaping/lawn area

Plant units required= 1652 PU	3,261.00 plant units
Evergreen required= 661 PU	898.00 plant units
Requirements in front= 826 PU	1,107.00 plant units
= 10328.00 sf	10,328.00 sf

Waste Management comments:

17. Refuse facilities – A new dumpster enclosure will be provided at the back of the building. There is a 24 foot lane on the east side of the building. Access will have to be unobstructed for the service vehicles.

Edmond Electric comments:

18. Electric – Edmond Electric will serve this location. An electric transformer is located on the west side of the property, northwest of the building. Easements are provided for on the plat.

Motion by Lee, seconded by Cartwright, to approve this request subject to staff reporting on the status of the special use building permit not later than 18 months from City Council approval. **Motion carried** by a vote of 3-0 as follows:

AYES: Members: Lee, Cartwright and Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #PR110011 Public Hearing and Consideration of Preliminary Plat of Autumn Leaves of Edmond, located north of 15th Street and approximately one-half mile east of Bryant Avenue. (The LaSalle Group)**

The LaSalle Group is requesting preliminary plat approval for a 4.34 acre tract, located west of the Hafer Substation, east of the Heritage Baptist Church, on the north side of 15th Street. This property is currently zoned "D-0" Suburban Office and there are several companion items for "C-2" zoning and a Specific Use Permit for an assisted living center. There will be one drive cut into the property and city water and sanitary sewer are already adjacent. There is a floodplain in the northeast corner of the property. Most of the northern one-third of the property will be left as open space and/or detention. The existing curb opening on 15th Street was used to access an oil well site that has been plugged. Sooner Land Company, LLC owns the land immediately north, which is part of the Bridges at Spring Creek.

Motion by Lee, seconded by Cartwright, to approve this request subject to staff reporting on the status of the special use building permit not later than 18 months from City Council approval. **Motion carried** by a vote of 3-0 as follows:

AYES: Members: Lee, Cartwright and Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #SP110014 Public Hearing and Consideration of Commercial Site Plan for a retail building, located on the southwest corner of Fox Lake Lane and I-35. (Fox Lake Investments, LLC)**

Meeting Date: 09/26/2011

From: Bob Schiermeyer

Department: Planning/Zoning

Information

RE:

Case #SP110016 Public Hearing and Consideration of Site Plan approval for the Oklahoma Christian School High School building and metal maintenance building on a 29 acre parcel south of East Second Street, one-eighth mile east of I-35. (Oklahoma Christian School)

The Planning Commission considered this item on September 6, 2011 and recommended approval including a variance for the metal maintenance building by a vote of 3-0. No one appeared in objection.

Planning Department comments:

1. Existing zoning – “G-A’ General Agricultural
2. Setbacks – The front setback from Second Street is 127 feet, the side yard setback to the east is 238 feet for Phase II construction and 421 feet for Phase I construction, the south setback is 600 feet, the west setback is 441 feet to the east line of the Life Church property.
3. Height of buildings – 41 feet. Both buildings are a considerable distance off of Second Street and the I-35 Frontage and are at a lower elevation than the surrounding property.
4. Parking – 137 parking spaces are being added. There is currently parking available at the school. 140 bicycle parking spaces are being provided. There is existing parking at the high school and there is an agreement with Life Church to use their parking lot. The high school building contains 21,004 square feet and is two stories tall. The maintenance building is 7,500 square feet and one story tall.
5. Lot size – 104,890 square feet
6. Lighting Plan – Light poles are being added and will not exceed 24 feet tall.
7. Signage – No new signage is being added.
8. General architectural appearance – The building will be a combination of EFIS and block for the high school building. The maintenance building will be metal which would be a **variance** to the I-35 standard. Life Church (formerly Metro Church) was built prior to the I-35 Corridor standards and has mostly EFIS exterior.
9. Sensitive borders – The surrounding uses include Life Church to the west and a lift station to the south. The frontage along Second Street is zoned commercial. There are houses to the east, although tennis courts are planned immediately west of the property line in the future. Phase II of the high school will be 238 feet from the nearest residential lot.
10. Mechanical equipment – The roof is flat. Mechanical equipment will be located on the roof and will be screened by a parapet wall as well as the natural setting of the property which is at a lower elevation.

11. Fencing/screening – Other than the dumpster enclosure, no other fencing is proposed.

Engineering Department comments:

12. Driveways, access management and paving– No new drives or public paving improvements are part of the plans. Access will be from Second Street by way of the traffic light and there is also interconnection with the Life Church property.

13. Water and wastewater plans – Water and sewer are available and being connected for service. Fire hydrants are being added on site.

14. Drainage detention and grading – There is no on site detention based on the location of Arcadia Lake. There has been previous approval from the Storm Water Advisory Board for the drainage plan.

Building and Fire Code Services comments:

15. Applicable Building Code, Fire Code and ADA –
Building 1 is shown as sprinkled
Building 2 is shown as non-fire sprinkled

Firefighter fire flow – The fire flow needed for the buildings will be 1,750 gallons per minute for two hours. An available water flow shall be taken on the campus to evaluate the amount of water available in the area.

Fire hydrant locations – One hydrant is shown on the north side, this location is approved. One additional fire hydrant shall be added on the south side of the building.

Fire access – Approved

Gates – None shown

Urban Forestry comments:

16. Landscape Plan:

Total Site Area: 104,890 sq. ft.
15% - Required landscaped area

Required Provided on Plan
Landscape Area 15,734 sq. ft. 77,957 sq. ft.
Total Plant Units 2,517 units 2,879 units
Frontage Plant Units 1,259 units 1,425 units
Evergreen Plant Units 1,007 units 1,016 units
Tree Plant Units 1,888 units 1,907 units
I-35 Palette Plant Units 1,510 units 1,522 units

Waste Management comments:

17. Refuse facilities – A dumpster enclosure has been provided on-site.

Edmond Electric comments:

18. Electric – Edmond Electric will serve this location. In the future, the plans may suggest the moving of an existing electric line on the east side of the property which will need to be planned well in advance due to the connection of that line to the lift station. The lift station cannot be shut down.

Attachments

Oklahoma Christian School Site Plan

Location Map



High School Location

Maintenance Location

The City of Edmond disclaims any warranty or merchantability or warranty for fitness of use for a particular purpose, expressed or implied, with respect to this data. Furthermore, the City of Edmond disclaims any responsibility for the accuracy or completeness of this data.

Meeting Date: 09/26/2011

Submitted For: Steve Manek, Engineering

Submitted By:

Kay Northcutt, Engineering

Information

Item

Discussion and Consideration of Request for Variances for Driveway Separation and Right-of-Way for the Southeast Corner of Coltrane and 2nd Street.

Background

Mr. Chris Gray has submitted variance requests associated with a preliminary site plan on the southeast corner of Coltrane and 2nd Street.

The first variance request is for driveway separation on 2nd Street. The proposed drive is 223 feet east of Coltrane instead of the required 325 feet. There is currently a median on 2nd Street, so the drive will be right in and right out turning movements. Also, if the drive were moved further east, it would be in the floodplain. Staff has no objection to this driveway.

The second variance request is for driveway separation on Coltrane. The proposed drive is 206 feet south of 2nd Street instead of 325 feet. The proposed location lines up with an existing drive on the west side of Coltrane. Staff has no objection to this driveway.

The third variance request is for 95 feet of right-of-way on 2nd Street instead of 100 as required by the Edmond Transportation Plan. This section of 2nd Street is built to its ultimate section, so staff has no objection to this request.

The fourth variance request is to allow for only 50 feet of right-of-way on Coltrane instead of the required 80 feet. The Transportation Plan recommends Coltrane to have bike lanes, medians and designated right turn lanes at major intersections. These recommended improvements will require the 80 feet of right-of-way, so staff does not support this variance request.

Time Frame

Immediate upon approval.

Issue

Variance requests for the Southeast Corner of Coltrane and 2nd Street.

Recommendations

Staff recommends approval of the right-of-way variance on 2nd Street and driveway separation variances on Coltrane and 2nd Street; however, staff does not recommend approval of the right-of-way variance on Coltrane.

Action Needed

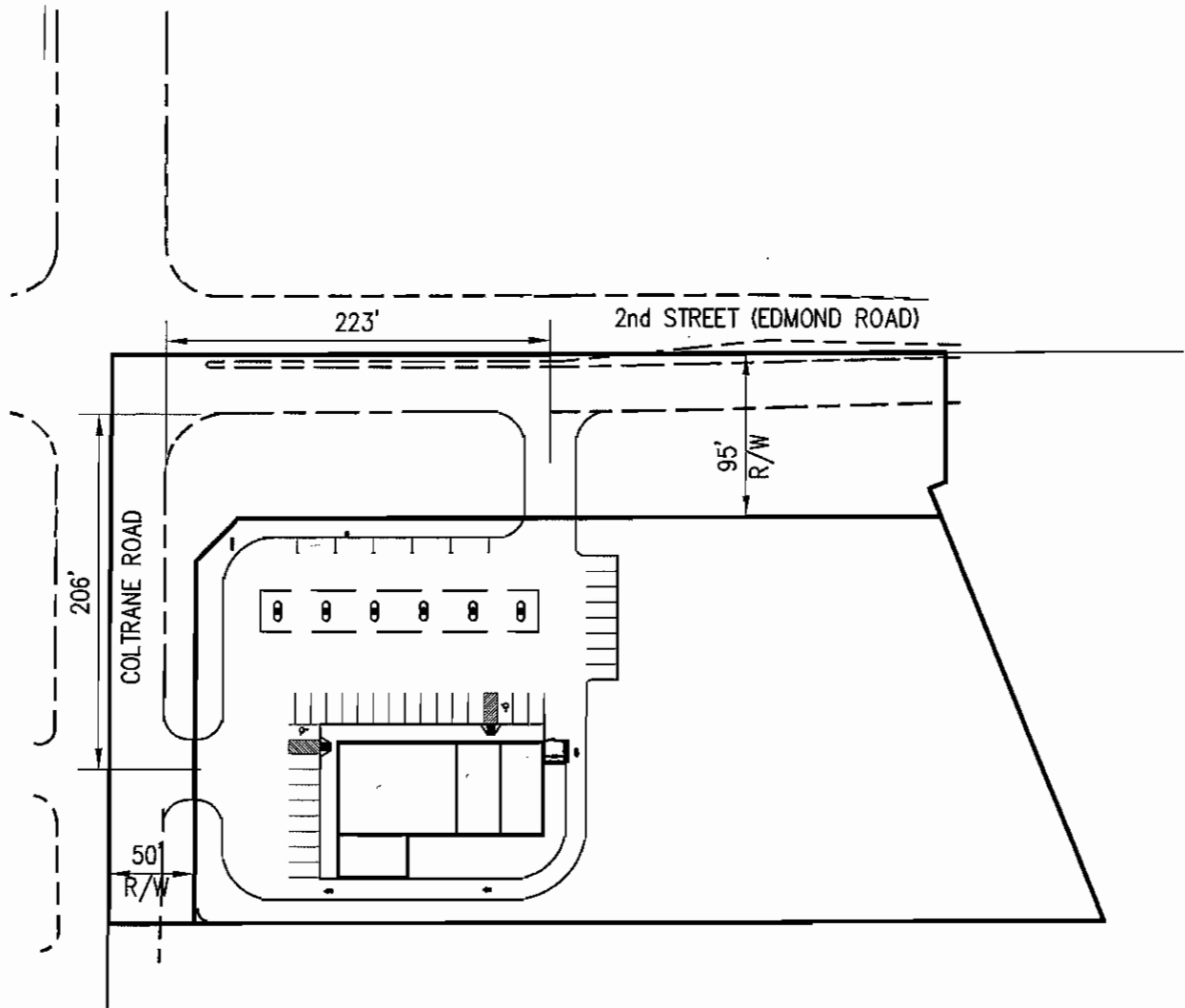
Motion to approve staff recommendations.

Public Notification

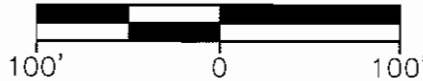
N/A

Attachments

SEC Coltrane & 2nd St Variances



GRAPHIC SCALE IN FEET



7-ELEVEN STORES EDMOND, OKLAHOMA



214 E. Main St.
Oklahoma City, Oklahoma 73104
Crafton Tull
architecture | engineering | surveying
405.787.6270 | 405.787.6276 |
www.craftontull.com

CERTIFICATE OF AUTHORIZATION
CA 193 (P.C.S.) (S)0815-1/20/2013

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Project No: 076095-05

Issue Date: 08/22/11

Contact: C. GRAY

Checked by:

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PRELIMINARY SITE PLAN

DRAWING: G:\076095-05\ENG\DWG\ISITE-PLAN-EXHIBIT.DWG

LAYOUT: LAYOUT1, LAST SAVED: 7/27/2011 12:46:14 PM

LAST PLOTTED BY: TERRI BARR, 8/29/2011 11:40:44 AM ("PLOTTED BY:" VALID ON HARD COPY ONLY)