



City of Enid
401 W. Owen K. Garriott Road
Enid, Oklahoma 73701
580-234-0400

Kaw Lake Funding Oversight Committee

NOTICE OF MEETING

Notice is hereby given that the Kaw Lake Funding Oversight Committee will meet in regular session at 12:00 p.m. on the 12th day of December, 2019, in the Lower Level Conference Room in the basement of the City Administration Building, located at 401 W. Owen K. Garriott Road, Enid, Oklahoma, pursuant to notice given by December 15, 2018 to the Clerk of the City of Enid, and pursuant to notice thereof displayed at the entrance to the Administration Building of said city, in prominent view and which notice was posted prior to 12:00 P.M. on the 11th day of December, 2019, and the agenda for said meeting is as follows:

- AGENDA -

KAW LAKE FUNDING OVERSIGHT COMMITTEE

1. **CALL TO ORDER/ROLL CALL.**
2. **CONSIDER APPROVAL OF MINUTES OF THE REGULAR MEETING OF THE KAW LAKE FUNDING OVERSIGHT COMMITTEE OF JUNE 13, 2019.**
3. **UPDATE ON KAW LAKE PROGRAM.**
4. **UPDATE ON KAW LAKE SALES TAX RECEIPTS & EXPENDITURES.**
5. **CONSIDER APPROVAL OF THE 2020 SCHEDULE OF MEETINGS FOR THE KAW LAKE FUNDING OVERSIGHT COMMITTEE.**
6. **PUBLIC COMMENTS.**
7. **ADJOURN.**

Kaw Lake Funding Oversight Committee

2.

Meeting Date: 12/12/2019

SUBJECT:

CONSIDER APPROVAL OF MINUTES OF THE REGULAR MEETING OF THE KAW LAKE FUNDING OVERSIGHT COMMITTEE OF JUNE 13, 2019.

Attachments

Minutes

**MINUTES OF REGULAR
KAW LAKE FUNDING OVERSIGHT COMMITTEE
CITY OF ENID, OKLAHOMA
HELD ON THE 13TH DAY OF JUNE 2019**

The Kaw Lake Funding Oversight Committee of the City of Enid, Oklahoma, met in regular session in the Lower Level Conference Room of the Administration Building of the City of Enid, located at 401 West Owen K. Garriott Road in said city, at 12:00 P.M. on the 13th day of June 2019, pursuant to notice given by December 15, 2018 to the Clerk of the City of Enid, and pursuant to notice thereof displayed at the entrance to the Administration Building in said city, in prominent view and which notice was posted prior to 12:00 P.M. on the 12th day of June 2019.

Chairman Patterson called the meeting to order.

Commissioner Rob Stallings, who was recently appointed as the new Commission representative, was introduced to members.

The roll was called with the following members present and absent:

PRESENT: Members Wade Patterson, Jason Turnbow, Frank Baker, Dan Randall, and Commissioner Rob Stallings.

ABSENT: Members Jack Ramey, Jason Barnthouse, and Alan Clepper.

Others present were Chief Financial Officer Erin Crawford, City Clerk Alissa Lack, City Manager Jerald Gilbert, Director of Engineering Services Chris Gdanski, Public Utilities Director Lou Mintz, Public Utilities Administrative Assistant Stephanie Cervantes, Engineering Administrative Assistant Jacquelyn Cook, Administration Executive Assistant Cary Huffhines, Bert Mackie of Security National Bank, and Reporter Ryan Miller of the Enid News and Eagle.

Motion was made by Member Jason Turnbow and seconded by Member Frank Baker to approve the minutes of the March 14, 2019 regular Kaw Lake Funding Oversight Committee meeting, and the vote was as follows:

AYE: Members Wade Patterson, Jason Turnbow, Frank Baker, Dan Randall and Commissioner Rob Stallings.

NAY: None.

Director of Engineering Services Chris Gdanski addressed members explaining that the acquisition strategy had been changed to a Construction Manager At-Large (CMAR) process, which had created somewhat of a delay in the design process, but had not stopped the land acquisition process. They would also continue in the survey of the pipeline areas, which was close to complete, and would integrate that survey information into the 30% design, so that when it was turned over to the CMAR, they would have a good idea of where the process was at, and no time would be lost in the meantime.

Mr. Gdanski then provided a brief presentation to update the committee on the status of the Kaw Lake Water Supply Project, which included the following:

- Kaw Program Update
 - Changed to Construction Manager at Risk (CMAR)
 - Alternate acquisition strategy
 - For complex, integrated programs
 - Easement Surveying
 - Continuing surveying
 - Incorporating survey data into 30% pipeline design
 - Design activities on hold
 - CMAR benefit is construction manager's input into final design
- Land Acquisition Update, as of May 31, 2019
 - 40% - Offer Packets in Preparation
 - 11% - Owners Provided with Notice of Intent, Pending Offer Delivery
 - 32% - Offers Made Pending Owner(s) Acceptance
 - 17% - Easement Offers Accepted by Owner(s) - 38 of 230 Parcels

➤ CMAR Update

- Construction Manager at Risk (CMAR)
 - Alternate acquisitions strategy
 - For complex, integrated programs
- Requests for Qualifications
 - Solicited Statements of Qualifications from 20 firms
 - Responses received April 2019
 - ✓ Source Selection Committee determined the four firms submitting statements were qualified
 - ✓ Have received qualifications back from 4 companies out of twenty letters sent out
 - ✓ Would invite all 4 to submit proposals
 - ✓ Firms would have 30 days to prepare proposal
- Request for Proposals in Development
 - Anticipate releasing RFP in near future

Since it was a very complex project, it would take a while to sort through all proposals and after that they would go through the process for Source Selection for the RFP. It was important that the firms knew what they were getting into. This was to eliminate the potential for questions, because the contractors would already have all pertinent information and 30 days to prepare. All of the qualifying firms had had access to the information regarding the project since March.

The RFP was for Professional Services for a Construction Manager. After the determination of which firm best met the needs for the City of Enid for a Construction Manager, they would be asked to provide a cost estimate on the 30% design. They would continue to work with our engineers from 30% to 60% of design. After the 60% completion, our Engineers and the CMAR would each provide cost estimates to determine a guaranteed maximum price. There would be a better understanding of our financial health, once the project has reached the 30% design mark.

A brief discussion was held regarding the Construction Manager at Risk (CMAR). This was an alternate delivery method. The project had utilized a traditional design build so far, but the CMAR would

transfer a significant responsibility and risk from the City to the CMAR. The potential benefit to the City could be cost savings, scheduling benefits, and guaranteed maximum pricing. A Request for Qualifications had been distributed and the next step would be accepting proposals.

Following said discussion, the presentation concluded.

Chief Financial Officer Erin Crawford provided an update on Kaw Lake sales tax receipts and expenditures, noting that in the last quarter the City had collected \$2.263 million from the 1% tax for Kaw, which was 2.38% above what was budgeted, which was \$2.21 million. Looking at the entire year of FY19 that just wrapped up, we budgeted to bring \$8.79 million in sales tax revenue, but brought in \$9.29 million, which was up \$504,000.00 over budgeted revenues.

The budget was just adopted by the City Commission for FY 20 did include a 2% increase in sales tax revenues, which matches the financial advisors' projection on this program, so there was a budget of 8.96 million for next year for Kaw Lake Program.

Since the last meeting of this committee, there had been 2 payments made out of this account for interest payments. The 2016 FAP note and 2018 FAP note had interest payments that had come due. The interest payment for the 2016 FAP note was for \$263,925.63 and the interest payment for the 2018 FAP note was \$930,399.41. This left an ending balance of \$14,797,075.00 balance in the Kaw Lake Sale Tax bank account and there would be interest that would post before the end of the fiscal year.

Ms. Crawford provided a brief overview of the draw-downs on the OWRB loans outstanding for the program. On the 2016 note, we were close to finishing drawing down those funds, which was mostly for environmental work by Garver to finish up the NEPA, an invoice for \$267,000 had recently been paid and there would be another invoice this month for April, which isn't yet reflected on the handout.

There still hadn't been any funds drawn down against the 2018 note. Funds would soon be drawn down for easement costs that have been paid to date for easement costs that have cleared against the bank and accepted all the way through the commission.

The 2018 SRF note, which was for the phase of work that Garver was currently working on. We had drawn down \$3.6 million through March and there would be another invoice for \$560,000.00 for reflected for June.

The 2019 SRF funds have not been drawn from and won't be drawn on until the 2018 funds have been drawn down.

The Easement & Land Acquisition Costs were for checks that were cut for land acquisitions. That didn't mean that owners had accepted the offer, but checks were provided to the survey company to have a conversation with the land owners. So far \$2.1 million of checks have been cut and a little over \$1 million has cleared the bank. These funds would be drawn on to reimburse the City for the funds that have been spent for acquisitions.

A brief discussion was held regarding potential funds from the Department of Defense to help with this project.

City Manager Jerald Gilbert spoke briefly regarding efforts by Mr. Mike Cooper, the City of Enid's military liaison, had been working to get the Defense Communities' Infrastructure Program, which had already been approved, funded, which could potential benefit the City in the future. There was also potential funding that could be received from the Corps of Engineers to go toward storage fees. Currently, there was nothing to be reported as received.

There being no further business, motion was made by Member Frank Baker and seconded by Member Alan Clepper that the meeting adjourn, and the vote was as follows:

AYE: Members Wade Patterson, Jason Turnbow, Frank Baker, Dan Randall and Commissioner Rob Stallings.

NAY: None.

The meeting adjourned at 12:27 P.M.

Kaw Lake Funding Oversight Committee

5.

Meeting Date: 12/12/2019

SUBJECT:

CONSIDER APPROVAL OF THE 2020 SCHEDULE OF MEETINGS FOR THE KAW LAKE FUNDING OVERSIGHT COMMITTEE.

Attachments

Meeting Schedule

2020 SCHEDULE OF REGULAR MEETINGS
Kaw Lake Funding Oversight Committee

| <u>Date</u> | <u>Time</u> | <u>Place of Meeting</u> |
|--------------------|-------------|-----------------------------|
| March 12, 2020 | 12:00 P.M. | Lower Level Conference Room |
| June 11, 2020 | 12:00 P.M. | Lower Level Conference Room |
| September 10, 2020 | 12:00 P.M. | Lower Level Conference Room |
| December 10, 2020 | 12:00 P.M. | Lower Level Conference Room |

All Meetings will be held in the City Administration Building, 401 W. Owen K. Garriott Road, Enid, OK 73701.

Filed in the Office of the City Clerk at 9:07 a.m. on November 13, 2019.

City Clerk