



CITY OF MIDWEST CITY MEETINGS

FOR JANUARY 26, 2021

Meetings will be shown live on Channel 20 and streamed live on the City of Midwest City's (MWC) YouTube channel: [Bit.ly/youtubemwc](https://bit.ly/youtubemwc).

The recorded video will be available on MWC's YouTube channel: [Bit.ly/youtubemwc](https://bit.ly/youtubemwc) and MWC's website: www.midwestcityok.org within 48 hours. The meeting minutes and video can be found on MWC's website in the Agenda Center: <https://www.midwestcityok.org/meetings>.

To make a special assistance request, call 739-1213 or email bbundy@midwestcityok.org no less than 24 hours prior to the start of a meeting. If special assistance is needed during a meeting, call 739-1388.

The Council will go directly into MWC meetings down in the Council Chambers of City Hall located at 100 N. Midwest Blvd., MWC, OK 73110 at 6:00 PM. However, they will informally gather at or after 5:00 PM in the Chamber for dinner, but no MWC Council business will be discussed or acted upon. Meals will only be provided to the City Council and staff. Doors will be open to the public 5:45 PM due to COVID-19 concerns while eating.

MWC continues to take steps to follow federal, state and local guidelines regarding social distancing and crowd size. If attendance at MWC meetings is not essential, we strongly encourage you to listen to the meeting live on Cox Channel 20 in Midwest City or via MWC's YouTube channel: [Bit.ly/youtubemwc](https://bit.ly/youtubemwc).

MWC City Hall will be open with social distancing guidelines in place. Face masks are required while inside the building. Temperature checks will be required upon entry and only those with 99.99 degrees or lower will be admitted. Seating for 45 people is available in the Council Chamber, up to five people may sit in alternating pews, family groups may have to split up if over two or more.

If needed, overflow seating will be available in the Municipal Court where the proceedings will be streaming live.

Persons failing to comply with the safety requirements may be denied entry or removed from the Chamber or City buildings. Failure to comply with MWC's face covering ordinance could also result in the person in violation receiving a municipal citation.

If wishing to make a public comment at the meeting, please sign in at the entrance before taking a seat in the chamber or municipal court.

Thank you for helping us keep our community safe.

CITY OF MIDWEST CITY COUNCIL AGENDA

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

January 26, 2021 – 6:00 PM

- A. CALL TO ORDER.
- B. OPENING BUSINESS.
- Invocation by Assistant City Manager Vaughn Sullivan
 - Pledge of Allegiance by Carl Albert Jr ROTC Cadets
 - Community-related announcements and comments
- C. CONSENT AGENDA. These items are placed on the Consent Agenda so the Council, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with the approval of all Council, or members of the audience wish to discuss an item, it will be removed and heard in a regular order.
1. Discussion and consideration to approve the minutes of the January 12, 2021 meeting, as submitted. (City Clerk- S. Hancock)
 2. Discussion and consideration of accepting the financial audit of the City of Midwest City as of and for the year ended June 30, 2020. (Finance - J. Siemens)
 3. Discussion and consideration of accepting the City Manager's Report for the month of December 2020. (Finance - J.Siemens)
 4. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Grant Funds, revenue/Intergovernmental (62) \$32,820; expenditures/Police (62) \$32,820. CDBG Fund, revenue/Intergovernmental (00) \$321,726; expenditures/Grants Management (39) \$321,726. (Finance - J. Siemens)
 5. Discussion and consideration of accepting the monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager and action as deemed necessary by the Council to maintain the plan. (Human Resources - T. Bradley)
 6. Discussion and consideration to approve Amendment #1 to the professional design services contract with Olsson, Inc. in the amount of \$10,045 plus \$600 per easement for the W.P. Bill Atkinson Park, a 2018 General Obligation project. (Community Development - B. Harless)
 7. Discussion and consideration of awarding bid to Top Tier Tactical for Police Department Respirator Equipment in the amount of \$38,100. (Grants Management - T. Craft)
 8. Discussion and consideration of entering into a contract agreement with Great Plains Consulting in the amount of \$148,080.00 for the inspection of the construction and installation of the new Booster Pump Station and Storage Tank Reconstruction funded by the 2018 G.O. Bond proposal. (Public Works – P. Menefee)

9. Discussion and consideration of accepting maintenance bonds from Turning Point Industries, Inc. in the amount of \$9,744.30, respectively. (Public Works - P. Menefee)
10. Discussion and consideration of accepting maintenance bonds from Holland Backhoe, Inc. in the amount of \$4,708.50, \$4,004.50, and \$4,065.50, respectively. (Public Works – P. Menefee)
11. Discussion and consideration of reappointing Russell Smith to the Planning Commission for an additional three-year term. (Community Development - B. Harless)
12. Discussion and consideration of declaring used fire hose as surplus and authorizing the disposal by public auction, sealed bid, or destruction, if necessary. (Fire Department - B. Norton)

D. DISCUSSION ITEMS.

1. (PC – 2056) Public hearing with discussion and consideration of approval of a resolution for a Special Use Permit (SUP) to allow the use of communication services in the R-6, Single Family Detached Residential District for the property described as a part of the NW/4 of section 36 T-12-N, R-2-W, located at 600 N. Douglas Boulevard. This item was continued from the October 27, 2020 and November 10, 2020 City Council meetings. (Community Development - B. Harless)
2. (PC – 2065) Discussion and consideration of approval of the Final Plat of Ryan's Ridge, described as a part of the SW/4 of Section 6, T11N, R1W, addressed as 10332 S.E. 10th Street. (Community Development - B. Harless)
3. (PC-2066) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential to C-1, Restricted Commercial, and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to OR, Office Retail, for the property described as part the SE/4 of Section 6, T-11-N, R-1W, and a portion of the parcel addressed as 10601 SE 15th Street. (Community Development - B. Harless)
4. (PC-2067) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential with a Special Use Permit for a Church to C-3, Community Commercial, and a resolution to amend the Comprehensive Plan from PSP, Public/Semi-Public to COMM, Commercial, for the property described as part the NW/4 of Section 1, T-11-N, R-2-W, addressed as 208 S. Douglas Blvd. (Community Development - B. Harless)
5. (PC – 2068) Public hearing with discussion and consideration of an ordinance redistricting from Planned Unit Development (PUD) to Amended Planned Unit Development (PUD), for the property described as Lot 1 of the Red Oak Development addressed as 2113 S. Douglas Boulevard. (Community Development - B. Harless)

6. (PC-2069) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential, PUD, Planned Unit Development and O-2 General Office to a PUD, governed by the R-MD, Medium Density Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to MDR, Medium Density Residential, for the property described as a part of the SW/4 of Section 6, T11N, R1W, addressed as 10100 S.E. 10th St. and 1120 S. Post Rd. (Community Development - B. Harless)
 7. (PC – 2070) Discussion and consideration of approval of the proposed preliminary plat of Primrose Hill, described as a part of the SW/4 of Section 31, T12N, R1W, located at 316 N. Post Road. (Community Development - B. Harless)
 8. (PC – 2071) Discussion and consideration of approval of the Replat of Lot 3, Block 2 of the Harper Addition, described as a part of the NW/4 of Section 31, T12N, R1W and addressed as 910 N. Poplar Lane.(Community Development - B. Harless)
 9. Discussion and consideration of presentation by W.D. Ballew, PhD., P.E. on comprehensive review of the Midwest City Police Department jail operations. (Police - B. Clabes)
 10. Discussion and consideration of awarding the bid and entering into a contract with United Golf, LLC, for renovation of John Conrad Regional Golf Course in the total amount of \$3,563,555.16, which includes the base bid in the amount of \$3,532,450.16 and Alternate number A-2 (Driving range floor shaping) in the amount of \$5,415.00, Alternate number A-3 (Driving range drainage) \$4,810.00, Alternative number A-5 (Driving range Astro sprigs) \$5,880.00, Alternative number A-13 (Pump-house refurbishment) one (1) item at \$15,000.00. (City Manager – V. Sullivan)
- E. NEW BUSINESS/PUBLIC DISCUSSION. The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the City Council on any Subject not scheduled on the Regular Agenda. The Council shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Council will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. THOSE ADDRESSING THE COUNCIL ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COUNCIL.
- F. EXECUTIVE SESSION.
1. Discussion and consideration of 1) entering into executive session as allowed under 25 O.S. § 307 (B) (2) to discuss negotiations concerning employees and representatives of employee groups; and 2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session. (City Manager - T. Lyon)

G. FURTHER INFORMATION.

- [1.](#) Review of the monthly Neighborhood Services report for December 2020. (Neighborhood Services - M. Stroh)
- [2.](#) Review of the December 2020 Building Report. (Community Development—B. Harless)
- [3.](#) Minutes of the January 5, 2021 Planning Commission meeting. (Community Development - B. Harless)

H. ADJOURNMENT.





CONSENT AGENDA



Notice for the Midwest City Council meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityok.org).

City of Midwest City Council Minutes

January 12, 2021

This meeting was held in the Midwest City Chambers at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Mayor Matt Dukes called the meeting to order at 6:31 PM with following members present: Councilmembers Susan Eads, Pat Byrne, Española Bowen, Christine Allen, Rick Favors and with City Clerk, Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Sean Reed.

OPENING BUSINESS.

Assistant City Manager Vaughn Sullivan opened with the invocation, followed by the Pledge of Allegiance led by Carl Albert Jr ROTC Cadets Hall and Frasco. Councils and Staff made Community-related announcements. Keep Oklahoma Beautiful representatives Smith and Nance presented award to Staff for the North Oaks Revitalization project. Mayor and City Manager presented proclamations and plaques to the family of Erich Love, Doug Williams and Lt Ron Strecker for their years of service to the city.

CONSENT AGENDA. Allen made a motion to approve the consent agenda, as submitted, seconded by Favors. Voting Aye: Byrne, Eads, Bowen, Allen, Favors, and Mayor Dukes. Nay: None. Absent: Reed. Motion carried.

1. Discussion and consideration to approve the minutes of the December 08, 2020 meeting, as submitted.
2. Discussion and consideration of accepting the City Manager's Report for the month of November 2020.
3. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Disaster Relief Fund, expenditures/Disaster Relief (88) \$25,000. General Fund, expenditures/Transfer Out (00) \$20,000. Urban Renewal Authority, revenue/Transfer In (00) \$20,000; expenditures/Urban Renewal (93) \$20,000. Grant Fund, revenue/Intergovernmental (62) \$40,000; expenditures/Police Department (62) \$40,000. Reimbursed Projects, revenue/Miscellaneous (15) \$1,330; expenditures/Neighborhood Services (15) \$1,100. Grant Fund, revenue/Intergovernmental (41) \$55,400; expenditures/Transfer Out (41) \$55,400. General Gov't Sales Tax, expenditures/City Manager (01) \$68,974. Grant Fund, revenue/Intergovernmental (88) \$6,375,000; expenditures/Transfers Out (88) \$6,375,000. Disaster Relief Fund, revenue/Transfer In (00) \$6,375,000; expenditures/Disaster Relief (88) \$4,475,000. 2018 Election GO Bonds, expenditures/Animal Welfare (10) \$59,531.
4. Discussion and consideration of passing and approving Resolution 2021-01 to notify the public of publication of the most recent biennial supplement #16, dated October 2020 and supplement #16 revision, dated November 2020; to the Midwest City Code of Ordinances and to ratify all previous supplements and codifications.

5. Discussion and consideration of accepting the monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager and action as deemed necessary by the Council to maintain the plan.
6. Review of the monthly Neighborhood Services report for November 2020.
7. Discussion and consideration of approving and entering into a contract in an amount not to exceed \$10,000 for fiscal year 2020/2021 with Jay D. Collins to establish the terms and condition under which he shall serve as the Volunteer Income Tax Assistance (VITA) Center Coordinator.
8. Discussion and consideration of entering into an agreement with the City of Spencer for the term of January 12, 2021 through June 30, 2021 for animal care services at an intake rate of \$240.00 per dog or cat being held up to seven days.
9. Discussion and consideration of 1) approving and entering into the 2021 Safe Oklahoma Grant Program Contract with the Oklahoma Attorney General's Office to establish the terms and conditions under which the City will receive a law enforcement grant in the amount of \$40,000; and 2) authorizing the mayor and/or city manager to execute such documents and enter into such agreements as are necessary or appropriate to carry out the objectives of the grant.
10. Discussion and consideration of entering into a Jail Services Agreement for part of fiscal year 2020-21 with the City of Spencer to provide labor and jail facilities to retain all prisoners who are placed into a confinement status by law enforcement officials at a rate of \$60.00 per day, plus a \$30.00 booking fee that will be applied to the daily compensation charge if the inmate is held longer than 11 hours. If an inmate is held less than 11 hours, the city will be charged \$2.50 per hour.
11. Discussion and consideration of awarding the bid and attached contract for an onsite turnkey vehicle and equipment parts operation to O'Reilly Auto Parts.
12. Discussion and consideration to approve Change Order No. 1 to the Animal Services Center construction contract with Shiloh Enterprises, Inc. in an increased amount of \$59,530.96 for site lighting at \$4,022.43, for a dog/cat sculpture at \$11,948.23 and a retaining wall at \$43,560.30 and adding two (2) additional days of time.
13. Discussion and consideration of the re-appointment of Doyle Kelso and Tye Moore to the Electrical Board for a three-year term.
14. Discussion and consideration of declaring (1) Chevy Impala, (9) office cubicles, (1) Treadmill and (1) Elliptical as surplus and authorizing disposal of all by public auction, sealed bid or destruction, if necessary.
15. Discussion and consideration of 1) declaring various computer equipment obsolete items of city property on the attached list surplus; and 2) authorizing their disposal by public auction, sealed bid, or other means as necessary.
16. Discussion and consideration of declaring multiple office items as surplus and authorizing disposal by public auction, sealed bid or destruction, if necessary.

DISCUSSION ITEMS.

1. **(PC – 2056) Public hearing with discussion and consideration of approval of a resolution for a Special Use Permit (SUP) to allow the use of communication services in the R-6, Single Family Detached Residential District for the property described as a part of the NW/4 of section 36 T-12-N, R-2-W, located at 600 N. Douglas Boulevard. This item was continued from the October 27, 2020 and November 10, 2020 City Council meetings. No Action Taken**

2. **(PC-2058) Public hearing with discussion and consideration of an ordinance to redistrict from SPUD, Simplified Planned Unit Development governed by the I-1, Light Industrial district to Amended SPUD, for the property described as a part of the SE/4 of Section 29, T-12-N, R-2-W, located at 1101 N. Sooner Road. This item was tabled from the December 8, 2020 meeting.** Harless and applicant, Anuj Shrestha, of 1101 N Sooner Rd addressed the Council. After Staff and Council discussion Byrne made motion to approve Ordinance 3434 as submitted, seconded by Bowen. Voting Aye: Byrne, Eads, Bowen, Allen Favors, and Mayor Dukes. Nay: None. Absent: Reed. Motion carried.

3. **(PC-2059) Public hearing with discussion and consideration of an ordinance to redistrict from C-3, Community Commercial to SPUD, Simplified Planned Unit Development, governed by the C-4, General Commercial subject to staff comments, for the properties described as Lots 1 and 2 of Block A of the Marydale Acres Addition, addressed as 1101 and 1107 N. Post Rd.** Harless and applicant, Arnold Seficik, of 5 Cypress Ct, TX addressed the Council. After Staff and Council discussion, Byrne made motion to approve ordinance as submitted. Motion failed due to lack of second.

4. **(PC-2062) Public hearing with discussion and consideration of an ordinance to redistrict from C-3, Community Commercial, to C-4, General Commercial, and a resolution to amend the Comprehensive Plan from OR, Office/Retail to COMM, Commercial, for the property described as a part the SW/4 of Section 34, T12N, R2W, and addressed as 422 N. Air Depot Blvd.** Harless and applicant, Abdul Alsalafi, of 1328 Bellview addressed the Council. After Staff and Council discussion Byrne made motion to deny the ordinance and resolution as submitted, seconded by Bowen. Voting Aye: Byrne, Bowen, Allen, Favors, and Mayor Dukes. Nay: None. Abstain: Eads. Absent: Reed. Motion carried.

5. **(PC-2063) Public hearing with discussion and consideration of an ordinance to redistrict from R-HD, High Density Residential to R-MH-2, Manufactured Home Park, for the property described as a part the SW/4 of Section 7, T11N, R1W, and addressed as 10301 S.E. 29th Street.** Harless, Menefee, Gilles and applicant's representative, Mark Zitzow with Johnston and Associates, at 1 E Sheraton, addressed the council. After Staff and Council discussion, Eads made a motion to approve the ordinance with an amendment to include the master plan and drainage plan be provided prior to approving north end permitting, seconded by Favors.

*Council Recessed at 7:54 PM and returned at 8:00 PM

Upon further discussion, Eads withdrew original motion and No Action was taken.

6. **(PC – 2064) Public hearing with discussion and consideration of approval of an ordinance redistricting from Planned Unit Development (PUD) to Amended PUD, for the property described as a part of the NW/4 of Section 15, T-11-N, R-2-W, located at 7200 S.E. 29th Street.** Harless addressed the council. Eads made motion to approve Ordinance 3435 as submitted, seconded by Allen. Voting Aye: Byrne, Eads, Bowen, Allen, Favors, and Mayor Dukes. Nay: None. Absent: Reed. Motion carried.
7. **Discussion of the conceptual design of Mid-America Park, a 2018 General Obligation Bond project.** Bundy addressed Council. Robert Shears with RL Shears presented conceptual design. No action needed.
8. **Discussion and consideration of rejecting the bids received from Cimarron Construction and Cooley Construction for the construction and installation of the new I-40 and Hudiburg Drive Guard Rails and Safety Wall Improvements.** Menefee addressed the Council. Eads made a motion to reject all bids received, seconded by Bowen. Voting Aye: Byrne, Eads, Bowen, Allen, Favors, and Mayor Dukes. Nay: None. Absent: Reed. Motion carried.
9. **Discussion and consideration of 1) approving an additional \$120,000.00 from the 2018 Moving Midwest City Forward G.O. Bond project, to be used in conjunction with \$170,000.00 from Police funds, to purchase P25 Communications Equipment in an amount not to exceed \$290,000.00 from the Oklahoma State Wide Contract #SW1053T through Stolz Telecom LLC, and 2) a resolution for the City Council of the City of Midwest City relating to the expenditure of \$290,000.00 for the purchase of P25 Communications Equipment under the Oklahoma State Wide Contract #SW1053T through Stolz Telecom, LLC. as a part of the 2018 Moving Midwest Forward G.O. Bond.** No action taken.

NEW BUSINESS/PUBLIC DISCUSSION.

There was no new business or public discussion.

ADJOURNMENT.

There being no further business, Mayor Dukes adjourned the meeting at 8:14 PM.

ATTEST:

MATTHEW D. DUKES II, Mayor

SARA HANCOCK, City Clerk



Finance Department
100 N. Midwest Boulevard
Midwest City, OK 73110
cbarron@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Mayor and City Council

FROM: Judy Siemens, Interim Finance Director

DATE: January 26, 2021

SUBJECT: Discussion and consideration of accepting the financial audit of the City of Midwest City as of and for the year ended June 30, 2020.

The financial audit for the City of Midwest City as of and for the year ended June 30, 2020 and the required communications by the auditor are attached to your council agenda. The financial audit report expressed an unmodified opinion for the year ending June 30, 2020.

Mike Gibson of RSM US LLP will be at the January 26, 2021 meeting to present the audit report and answer any questions you may have.

Judy Siemens

Judy Siemens
City Treasurer



**CITY OF
MIDWEST CITY, OKLAHOMA**

ANNUAL FINANCIAL REPORT

JUNE 30, 2020

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020**

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CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

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**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020**

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Independent Auditors' Report

RSM US LLP

Honorable Mayor and City Council
The City of Midwest City
Midwest City, Oklahoma

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Midwest City, Oklahoma, (the City) as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Midwest City, Oklahoma, as of June 30, 2020, and the respective changes in financial position and, where applicable, cash flows thereof, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters*Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the pension and other post-employment benefit schedules, and the general fund, police fund, and fire fund budgetary comparison schedules (budgetary basis) and related reconciliations and notes, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining non-major fund financial statements, and the schedule of debt service requirements, listed in the table of contents as other supplementary information, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements, and the schedule of debt service requirements is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements, or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, such information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The accompanying statistical section, as listed in the table of contents, has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

RSM US LLP

Oklahoma City, Oklahoma
December 23, 2020

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020**

MANAGEMENT DISCUSSION AND ANALYSIS

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020

The City of Midwest City's Management's Discussion and Analysis is designed to (a) assist the reader in focusing on significant financial issues, (b) provide an overview of the City's financial activity, (c) identify changes in the City's financial position (its ability to address the next and subsequent years' challenges), (d) identify any material deviations from the financial plan (the approved budget), and (e) identify individual fund issues or concerns.

Since the Management's Discussion and Analysis (MD&A) is designed to focus on the current year's activities, resulting changes and currently known facts, please read it in conjunction with the City's financial statements beginning on page 17.

FINANCIAL HIGHLIGHTS

- The assets and deferred outflows of the City exceeded its liabilities and deferred inflows at the close of the fiscal year ended June 30, 2020, by \$521,544,268 (net position). Of this amount, unrestricted net position of the governmental activities was a deficit of \$70,056,863, with the business type activities reporting a positive unrestricted net position of \$32,178,343. The unrestricted net position, when not in a deficit position, may be used to meet the government's ongoing obligations to citizens and creditors.
- The Primary Government's total net position increased by \$3,951,292 or 0.76% from the prior year. This was a result of a decrease of \$832,439 in the governmental activities while the business-type activities had an increase of \$4,783,731. In addition, expenses increased over the prior year. The detailed changes made from the Governmental Fund Statements to the Statement of Net Position can be found on page 23.
- Sales tax is the major source of revenue for governmental activities. Sales and use tax collections for fiscal year 2020 totaled \$43,887,778 compared to FY 2019 which totaled \$41,854,988. The total increase in sales and use tax collections was \$2,032,790. The increase in sales and use taxes is primarily the result of the U.S. Supreme Court's Wayfair decision which opened the door to being able to collect more on-line sales tax and House Bill 1019 passed by the Oklahoma Legislature requiring third-party internet sellers to collect and remit use tax on behalf of the third parties. A historical review of governmental activity revenues can be found in the statistical information section of the report.
- At the end of the fiscal year 2020, the unassigned fund balance of the General Fund was \$3,036,047 or 9.9% of General Fund revenues.

OVERVIEW OF THE FINANCIAL STATEMENTS

The Management's Discussion and Analysis is intended to serve as an introduction to the City of Midwest City's basic financial statements. The City's basic financial statements comprise of three components: (1) government-wide financial statements, (2) fund financial statements and (3) notes to the financial statements. This report also contains supplementary information in addition to the basic financial statements.

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Government-wide Financial Statements. The government-wide financial statements are designed to provide readers with a broad overview of the City's finances in a manner similar to the private-sector business.

The Statement of Net Position presents information on all of the City's assets, deferred outflows, liabilities, and deferred inflows with the difference between the four elements reported as net position. Over time, increases or decreases in net position serve as a useful indicator on whether the financial position of the City is improving or deteriorating.

The Statement of Activities presents information showing how the City's net position changed during the most recent fiscal year. All of the current year's revenues and expenses are taken into account regardless of when cash is received or paid. Thus, revenues and expenses are reported in the statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and fines and earned but not used vacation and sick leave as stated in City policy and union contracts). Both the Statement of Net Position and the Statement of Activities are prepared using the accrual basis of accounting as opposed to the modified accrual basis used for Fund Financial Statements of the governmental funds.

In the Statement of Net Position and the Statement of Activities, the City is divided between two types of activities:

- **Governmental activities.** Most of the City's basic services are reported here, including general government, public safety, streets, culture and recreation, health and welfare and economic development. Sales taxes and franchise taxes finance most of these activities as reflected on page 18.
- **Business-type activities.** The City charges a fee to customers to cover the cost of services it provides. The City's utility system (water, sewer, sanitation, and drainage), conference center/hotel, golf, trailer park and industrial park activities are reported here.

Fund Financial Statements. A fund is a grouping of related accounts used to maintain control over resources that have been segregated for specific activities or objectives. Fund financial statements provide detailed information about the most significant funds, but not the City as a whole. Some funds are required to be established by state law or bond covenants. However, the City Council establishes many other funds to help it control and manage money for particular purposes or to show that it is meeting legal responsibilities for using certain taxes, grants and other monies. All of the funds of the City can be divided into two categories: governmental funds and proprietary funds.

- **Governmental funds.** The majority of the City's basic services are reported in governmental funds, which focus on how money flows into and out of those funds and the balances left at year-end that are available for spending. These funds are reported using an accounting method identified as the modified accrual basis of accounting which measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a detailed short-term view of the City's general governmental operations and the basic services it provides. Governmental fund information helps the reader determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs. By comparing information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements, readers may better understand the long-term impact of the government's near-term financing decisions. The relationship or differences between governmental

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activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds are detailed in a reconciliation following the fund financial statements on page 21 and 23 of this report.

The City of Midwest City maintains individual governmental funds. Information is presented separately in the governmental funds balance sheet and in the governmental funds statement of revenues, expenditures and changes in fund balances for the General, Police, Fire, Hospital Authority, and 2018 GO Bond CIP funds. Data from the debt service fund, 16 special revenue funds, and 7 capital project funds, all of which are considered to be governmental, are combined into a single, aggregated presentation. Individual fund data for each of these non-major governmental funds is provided in the form of combining statements starting on page 80 of this report.

- **Proprietary funds.** The City charges customers for certain services it provides, whether to outside customers or to other units within the City. These services are generally reported in proprietary funds. Proprietary funds are reported in the same manner that all activities are reported in the Statement of Net Position and the Statement of Activities. In fact, the City's enterprise funds (a component of proprietary funds) are similar to the business-type activities that are reported in the Government-wide statements but provide more detail and additional information, such as cash flows. The internal service funds (the other component of proprietary funds) are utilized to report activities that provide supplies and services for the City's other programs and activities, such as the risk management functions, health self-insurance fund, fleet services, surplus property activities and public works function. Because these services benefit both governmental and business-type functions, they have been included in both the governmental and business-type activities in the government-wide financial statements.

The City of Midwest City maintains one major enterprise fund. The City uses this fund to account for its water, sewer, sanitation, conference center/hotel, debt service, utility services, utility capital, customer deposits, golf and drainage operations. The fund provides the same type of information as the government-wide financial statements, only in more detail and includes some of the internal service fund-type activity. The City considers this enterprise fund activity to be a major fund. Data from 2 non-major enterprise funds are combined into a single, aggregated presentation. Individual fund data for each of these non-major enterprise funds is provided in the form of combining statements starting on page 86 of this report.

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GOVERNMENT-WIDE FINANCIAL ANALYSIS

As of June 30, 2020, the City's combined net position is \$521,544,268, of which \$400,407,449 can be attributed to governmental activities and \$121,136,819 is attributed to business-type activities. This analysis focuses on the net position (Table 1) and changes in net position (Table 2) of the City's governmental and business-type activities.

The largest portion of the City's net position, \$365 million, reflects its net investment in capital assets (e.g., land, water rights, building, machinery and equipment, less any related debt used to acquire those assets that is still outstanding). The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities. The net change in capital assets can be reviewed in Table 1 with key element changes shown in Table 3.

TABLE 1
NET POSITION
(In Thousands)

| | Governmental Activities | | % Inc. (Dec.) | Business-Type Activities | | % Inc. (Dec.) | Total Primary Government | | % Inc. (Dec.) |
|--------------------------------------|-------------------------|-------------------|---------------|--------------------------|-------------------|---------------|--------------------------|-------------------|---------------|
| | 2020 | 2019 | | 2020 | 2019 | | 2020 | 2019 | |
| Current and other assets | \$ 273,237 | \$ 282,125 | -3% | \$ 40,418 | \$ 39,089 | 3% | \$ 313,655 | \$ 321,214 | -2% |
| Capital assets | 299,768 | 305,826 | -2% | 148,175 | 146,998 | 1% | 447,943 | 452,824 | -1% |
| Total assets | 573,005 | 587,951 | -3% | 188,593 | 186,087 | 1% | 761,598 | 774,038 | -2% |
| Deferred outflow of resources | 12,519 | 11,077 | 13% | 1,652 | 1,263 | 31% | 14,171 | 12,340 | 15% |
| Long-term obligations outstanding | 164,089 | 176,858 | -7% | 64,829 | 67,427 | -4% | 228,918 | 244,285 | -6% |
| Other liabilities | 11,816 | 12,514 | -6% | 2,629 | 2,671 | -2% | 14,445 | 15,185 | -5% |
| Total liabilities | 175,905 | 189,372 | -7% | 67,458 | 70,098 | -4% | 243,363 | 259,470 | -6% |
| Deferred inflow of resources | 9,212 | 8,416 | 9% | 1,650 | 899 | 84% | 10,862 | 9,315 | 17% |
| Net position: | | | | | | | | | |
| Net investment in capital assets | 277,576 | 302,961 | -8% | 87,417 | 88,683 | -1% | 364,993 | 391,644 | -7% |
| Restricted | 193,188 | 181,159 | 7% | 1,542 | 1,573 | -2% | 194,730 | 182,732 | 7% |
| Unrestricted (deficit) | (70,357) | (82,880) | -15% | 32,178 | 26,097 | 23% | (38,179) | (56,783) | -33% |
| Total net position | \$ 400,407 | \$ 401,240 | 0% | \$ 121,137 | \$ 116,353 | 4% | \$ 521,544 | \$ 517,593 | 1% |

Governmental activities decreased the City's net position by \$832,439 or (.16)%. The business type activities increased the City's net position by \$4,783,731 or .92% for a net increase of \$3,951,292, or .76%. The key elements of these changes are contained in Table 2.

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**TABLE 2
CHANGES IN NET POSITION
(In Thousands)**

| | Governmental Activities | | % Inc. (Dec.) | Business-Type Activities | | % Inc. (Dec.) | Total Primary Government | | % Inc. (Dec.) |
|--|-------------------------|------------------------|---------------|--------------------------|------------------------|---------------|--------------------------|-------------------------|---------------|
| | 2020 | 2019 | | 2020 | 2019 | | 2020 | 2019 | |
| Revenues: | | | | | | | | | |
| Program revenues: | | | | | | | | | |
| Charges for services | \$ 10,331 | \$ 10,705 | -3% | \$ 29,508 | \$ 28,921 | 2% | \$ 39,839 | \$ 39,626 | 1% |
| Operating grants and contributions | 5,649 | 5,498 | 3% | 55 | - | 100% | 5,704 | 5,498 | 4% |
| Capital grants and contributions | 57 | 25 | 128% | - | - | 0% | 57 | 25 | 128% |
| General revenues: | | | | | | | | | |
| Sales and use taxes | 43,888 | 41,855 | 5% | - | - | 0% | 43,888 | 41,855 | 5% |
| Other taxes | 7,773 | 4,982 | 56% | - | - | 0% | 7,773 | 4,982 | 56% |
| Other general revenue | 10,223 | 11,884 | -14% | 1,075 | 1,436 | -25% | 11,298 | 13,320 | -15% |
| Total revenues | <u>77,921</u> | <u>74,949</u> | 4% | <u>30,638</u> | <u>30,357</u> | 1% | <u>108,559</u> | <u>105,306</u> | 3% |
| Program expenses: | | | | | | | | | |
| General government | 8,553 | 10,008 | -15% | - | - | - | 8,553 | 10,008 | -15% |
| Public safety | 34,371 | 26,211 | 31% | - | - | - | 34,371 | 26,211 | 31% |
| Streets | 15,342 | 15,938 | -4% | - | - | - | 15,342 | 15,938 | -4% |
| Cultural, parks and recreation | 1,825 | 2,160 | -16% | - | - | - | 1,825 | 2,160 | -16% |
| Health and welfare | 409 | 464 | -12% | - | - | - | 409 | 464 | -12% |
| Economic development | 10,244 | 4,724 | 117% | - | - | - | 10,244 | 4,724 | 117% |
| Interest expense | 4,411 | 4,322 | 2% | - | - | - | 4,411 | 4,322 | 2% |
| Water | - | - | - | 7,324 | 6,867 | 7% | 7,324 | 6,867 | 7% |
| Sewer | - | - | - | 8,451 | 8,238 | 3% | 8,451 | 8,238 | 3% |
| Sanitation | - | - | - | 5,380 | 5,012 | 7% | 5,380 | 5,012 | 7% |
| Drainage | - | - | - | 639 | 658 | -3% | 639 | 658 | -3% |
| Conference center | - | - | - | 6,529 | 8,390 | -22% | 6,529 | 8,390 | -22% |
| Other activities | - | - | - | 1,129 | 1,095 | 3% | 1,129 | 1,095 | 3% |
| Total expenses | <u>75,155</u> | <u>63,827</u> | 18% | <u>29,452</u> | <u>30,260</u> | -3% | <u>104,607</u> | <u>94,087</u> | 11% |
| Excess (deficiency) before transfers | 2,766 | 11,122 | -75% | 1,186 | 97 | 1123% | 3,952 | 11,219 | -65% |
| Transfers | <u>(3,598)</u> | <u>(3,648)</u> | -1% | <u>3,598</u> | <u>3,648</u> | -1% | <u>-</u> | <u>-</u> | |
| Increase (decrease) in net position | <u>\$ (832)</u> | <u>\$ 7,474</u> | -111% | <u>\$ 4,784</u> | <u>\$ 3,745</u> | 28% | <u>\$ 3,952</u> | <u>\$ 11,219</u> | -65% |

Governmental Activities. The revenues reflect an increase over the prior year of \$2,971,482. This increase is primarily the result of an increase in the sales and use tax collections caused by legal changes which allowed for collecting more on-line sales and use taxes and an increase in charges for services which is primarily related to leasehold income from an economic development agreement. Sales and use tax collections increased \$2,032,789 in FY 2020. Property taxes increased from \$344,844 in FY 2019 to \$3,073,076 due to the issuance of the 2019 General Obligation Bond Series.

The most significant governmental activities expense was providing public safety with a cost of \$34,370,973. These expenses were funded by revenue collected from a variety of sources with the largest being a transfer from the General Fund to the Police and Fire Special Revenue Funds in the amount of \$19,230,230 and dedicated sales tax of \$11,033,749 for the fiscal year ended June 30, 2020. Other significant governmental expenses are for economic development which increased by \$5,519,631 in FY 2020 mainly due to \$4.7 million in expenses for the Warren Theater infrastructure construction. Street expenses in the amount of \$15,341,451 relates to \$12,092,130 of depreciation expense.

Business-type Activities. Business-type revenue increased by \$280,223 or 0.92% from the prior year. Other general income totaled \$1,074,997 in FY 2020 and \$1,436,616 in FY 2019. The largest portion of this difference is attributed to investment income. Investment income totaled \$1,042,888 in FY 2019 and \$627,338 in FY 2020. The decrease is mainly attributed to unrealized gain on securities which decreased \$415,550 from FY 2019 to FY 2020.

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Hotel expenses decreased from \$8,389,592 in FY 2019 to \$6,528,860 in FY 2020 due to the impact of COVID-19 on the tourism industry.

Budgetary Highlights. For FY 2020, the General Fund revenue (including transfers) budget was amended by \$1,146,367 or 2.98% of the original budget of \$38,412,094. The actual revenue (including transfers) was less than the final budget projection by \$294,753, or 0.75%. The actual expenditures (including transfers) on a budgetary basis were \$37,638,498 compared to the final budget of \$40,614,337. General Fund actual expenditures (including transfers) on a budgetary basis were \$2,975,839 or 7.33% below final budget projections. See page 72 of the report for more detail.

The Police Fund revenue (including transfers) budget was increased by \$23,913, or 0.15%, of the original budget of \$16,012,211. The actual revenue (including transfers) was more than the final budget projection by \$312,424 or 1.95%. The revenue increase is attributed to sales tax coming in above projections for the year. The actual expenditures (including transfers) on a budgetary basis were \$15,317,728 compared to the final budget of \$16,326,518. Actual expenditures (including transfers) were \$1,008,790 or 6.18% below final budget projections.

The Fire Fund revenues (including transfers) budget was amended by \$57,962 or 0.46%. The actual revenue (including transfers) was more than the final budget projection by \$240,778 or 1.91%. The revenue increase is attributed to sales tax coming in above projections for the year. The actual expenditures (including transfers) on a budgetary basis were \$11,580,877 compared to the final budget of \$12,674,683. Actual expenditures (including transfers) were \$1,093,806 or 8.63% below projections.

The budget to actual comparisons for these funds can be found on pages 72-75 of the report.

Capital Assets. At the end of fiscal year 2020, the City had \$447,943,533 invested in a broad range of capital assets, including police and fire equipment, buildings, conference center and hotel, park facilities, roads, bridges, water and sewer facilities and distribution systems. This amount represents a net decrease (including additions and deductions) of \$6,057,951 for the governmental activities. Although the City had total additions of \$8,554,090; the depreciation expense of \$14,583,150 caused the current year reduction, with street depreciation for the year amounting to \$12,092,130.

The business-type activities had a net increase of \$1,177,705. Table 3 reflects the net key elements that make up the capital assets by type and source.

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**TABLE 3
Capital Assets
(In Thousands)**

| | <u>Governmental Activities</u> | | <u>Business-Type Activities</u> | | <u>Total Primary Government</u> | |
|--------------------------|------------------------------------|-------------------|-------------------------------------|-------------------|---------------------------------|-------------------|
| | Restated, | | 2020 | 2019 | 2020 | 2019 |
| | 2020 | 2019 | | | | |
| Land | \$ 39,950 | \$ 39,949 | \$ 2,072 | \$ 2,072 | \$ 42,022 | \$ 42,021 |
| Water rights | - | - | 6,953 | 4,673 | 6,953 | 4,673 |
| Construction in progress | 11,228 | 7,095 | 3,169 | 2,283 | 14,397 | 9,378 |
| Buildings | 31,747 | 30,058 | 32,688 | 32,563 | 64,435 | 62,621 |
| Machinery and equipment | 22,233 | 21,753 | 14,575 | 14,249 | 36,808 | 36,002 |
| Vehicles | 10,440 | 9,978 | 11,206 | 10,137 | 21,646 | 20,115 |
| Infrastructure | 452,511 | 451,460 | 184,062 | 181,904 | 636,573 | 633,364 |
| | 568,109 | 560,293 | 254,725 | 247,881 | 822,834 | 808,174 |
| Less: Depreciation | (268,341) | (254,467) | (106,550) | (100,884) | (374,891) | (355,351) |
| Totals | \$ 299,768 | \$ 305,826 | \$ 148,175 | \$ 146,997 | \$ 447,943 | \$ 452,823 |

Additional information on the City's capital assets can be found on pages 45-47 of this report.

Debt Administration. At year end, the City had \$175,944,417 in long term debt outstanding compared to \$193,181,895 at the end of the prior fiscal year, a decrease of 8.92% as shown in Table 4. The City had two new bond issuances in FY 2020. General Obligation Bonds totaling \$6,550,000 and one Note payable for \$2,280,047. See pages 49-53 for a more in depth review of long-term debt.

**TABLE 4
Long-Term Debt
(In Thousands)**

| | <u>Governmental Activities</u> | | <u>Business-Type Activities</u> | | <u>Total Primary Government</u> | |
|----------------------------------|------------------------------------|-------------------|-------------------------------------|------------------|---------------------------------|-------------------|
| | 2020 | 2019 | 2020 | 2019 | 2020 | 2019 |
| General obligation bonds | \$ 44,125 | \$ 37,900 | \$ - | \$ - | \$ 44,125 | \$ 37,900 |
| General obligation bonds premium | 476 | 496 | - | - | 476 | 496 |
| Notes payable (direct borrowing) | - | 19,929 | - | - | - | 19,929 |
| Accrued compensated absences | 5,767 | 5,828 | 1,643 | 1,526 | 7,410 | 7,354 |
| Revenue bonds | 66,165 | 67,455 | 51,535 | 55,900 | 117,700 | 123,355 |
| Revenue bonds premium | - | - | 2,280 | 2,579 | 2,280 | 2,579 |
| Note payable | - | - | 2,280 | - | 2,280 | - |
| Refundable deposits | 115 | 46 | 1,558 | 1,523 | 1,673 | 1,569 |
| Totals | \$ 116,648 | \$ 131,654 | \$ 59,296 | \$ 61,528 | \$ 175,944 | \$ 193,182 |

FACTORS AFFECTING FINANCIAL CONDITION

Economic Outlook.

The spread of COVID-19, a novel strain of coronavirus, is altering the behavior of businesses, state and local governments, and people throughout the United States. Further, financial markets have experienced significant volatility attributed to coronavirus concerns. The continued spread of COVID-19 may adversely impact the local, regional and national economies. The extent to which the coronavirus impacts the City's results will depend on future developments, which are highly uncertain and cannot be predicted. The impact is highly dependent on the

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breadth and duration of the outbreak and could be affected by other factors that cannot currently be predicted. Accordingly, management cannot presently estimate the overall operation and financial impact to the City.

During the past year, we saw a handful of closures in Town Center Plaza, partly due to national retail failures and in part because of the COVID-19 pandemic. We also witnessed the temporary closing of the seven-month old Warren Theatre in the Sooner Rose Shopping & Entertainment Center, which was directly attributed to the virus.

Local, state and federal government programs have provided some remedy to employers and employees and more help may be necessary to get through this ordeal. The Midwest City Memorial Hospital Authority's Board of Grantors 2020 Business Relief Program helped 32 businesses survive by issuing over \$90,000 in small business assistance checks in September. However, amusement centers, bowling alleys, full-service restaurants, hotels and theaters are operating well under capacity. As result, there is discussion about launching a second local business rescue plan as early as January. This aid package could spread up to \$340,000 to the business who have been hit the hardest.

Oklahoma County has also initiated a \$15 million business assistance grant program that is funded by Federal CARES Act money. Thousands of applications are expected, and we feel our businesses community stands to benefit.

Economic growth for 2021 hinges on several key factors, not the least of which is the available use of a reliable COVID-19 vaccine. As of issue date, one vaccine is authorized and three large scale phase 3 clinical trials are in progress.

We expect little, if any, growth in our retail sales tax base over the next six months.

FY 2020-2021 Budgets and Rates - The fiscal year 202-2021 expenditure budgets presented to the Council and Board of Trustees was \$107,946,859, which is net of \$53,669,756 inter/intra-fund transfers.

Request for Information. This financial report is designed to provide a general overview of the City's finances, comply with finance-related laws, regulations and demonstrate the City's commitment to public accountability. Questions concerning any of the information provided in this report or requests for additional information should be addressed to the City of Midwest City, Finance Department, 100 N. Midwest Boulevard, Midwest City, Oklahoma 73110.

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BASIC FINANCIAL STATEMENTS – GOVERNMENT-WIDE

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Statement of Net Position– June 30, 2020

| | Primary Government | | |
|--|----------------------------|-----------------------------|-----------------------|
| | Governmental Activities | Business-type Activities | Total |
| ASSETS | | | |
| Cash and cash equivalents | \$ 52,195,816 | \$ 14,465,212 | \$ 66,661,028 |
| Cash and cash equivalents, restricted | 29,798,489 | 13,865,471 | 43,663,960 |
| Investments | 116,024,655 | 7,775,865 | 123,800,520 |
| Investments, restricted | 13,687,797 | - | 13,687,797 |
| Land held for economic development | 3,439,804 | - | 3,439,804 |
| Accounts receivable, net | 2,526,959 | 3,693,951 | 6,220,910 |
| Interest receivable | 109,904 | 22,777 | 132,681 |
| Other receivable | 381,916 | 147,940 | 529,856 |
| Inventory | 101,545 | 275,083 | 376,628 |
| Internal balances | 393,030 | (393,030) | - |
| Prepaid items | 3,114 | 6,454 | 9,568 |
| Due from other governments | 10,755,512 | - | 10,755,512 |
| Net pension asset | 131,036 | - | 131,036 |
| Lease receivable | 43,600,541 | - | 43,600,541 |
| Deposits held by others | 86,608 | - | 86,608 |
| Investments, non- current, restricted | - | 558,304 | 558,304 |
| Capital assets: | | | |
| Land, water rights, and construction in progress | 51,178,679 | 12,194,304 | 63,372,983 |
| Other capital assets, net of depreciation | 248,589,465 | 135,981,085 | 384,570,550 |
| Total assets | <u>573,004,870</u> | <u>188,593,416</u> | <u>761,598,286</u> |
| DEFERRED OUTFLOWS OF RESOURCES | | | |
| Deferred amount on refunding | - | 821,097 | 821,097 |
| Deferred amount related to pensions | 8,984,958 | - | 8,984,958 |
| Deferred amount related to OPEB | 3,534,483 | 830,454 | 4,364,937 |
| Total deferred outflows | <u>12,519,441</u> | <u>1,651,551</u> | <u>14,170,992</u> |
| LIABILITIES | | | |
| Accounts payable and accrued liabilities | 1,164,680 | 1,534,841 | 2,699,521 |
| Wages payable | 1,943,859 | 528,678 | 2,472,537 |
| Claims payable | 2,328,410 | - | 2,328,410 |
| Due to other governments | 10,467 | - | 10,467 |
| Accrued interest payable | 1,060,695 | 565,102 | 1,625,797 |
| Unearned revenue | 5,306,857 | - | 5,306,857 |
| Long-term liabilities: | | | |
| Due within one year | 5,443,528 | 5,268,085 | 10,711,613 |
| Due in more than one year | 158,645,907 | 59,561,402 | 218,207,309 |
| Total liabilities | <u>175,904,403</u> | <u>67,458,108</u> | <u>243,362,511</u> |
| DEFERRED INFLOWS OF RESOURCES | | | |
| Deferred amount related to pensions | 4,633,244 | - | 4,633,244 |
| Deferred amount related to property taxes | 3,526,293 | - | 3,526,293 |
| Deferred amount related to OPEB | 1,052,922 | 1,650,040 | 2,702,962 |
| Total deferred inflows | <u>9,212,459</u> | <u>1,650,040</u> | <u>10,862,499</u> |
| NET POSITION | | | |
| Net investment in capital assets | 277,575,836 | 87,416,666 | 364,992,502 |
| Restricted for: | | | |
| Debt service | 1,999,307 | 1,541,810 | 3,541,117 |
| Hospital | 109,690,961 | - | 109,690,961 |
| Capital improvements | 46,639,705 | - | 46,639,705 |
| Public Safety | 20,173,438 | - | 20,173,438 |
| Street operations | 1,891,284 | - | 1,891,284 |
| Culture and recreation | 1,501,679 | - | 1,501,679 |
| Economic Development | 6,614,991 | - | 6,614,991 |
| Other | 4,677,108 | - | 4,677,108 |
| Unrestricted (deficit) | (70,356,860) | 32,178,343 | (38,178,517) |
| Total net position | <u>\$ 400,407,449</u> | <u>\$ 121,136,819</u> | <u>\$ 521,544,268</u> |

See accompanying notes to the basic financial statements.

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Statement of Activities –Year Ended June 30, 2020

| Functions/Programs | Expenses | Program Revenue | | | Net (Expense) Revenue and Changes in Net Position | | |
|---|-----------------------|----------------------|------------------------------------|----------------------------------|---|--------------------------|-----------------------|
| | | Charges for Services | Operating Grants and Contributions | Capital Grants and Contributions | Governmental Activities | Business-type Activities | Total |
| Primary government | | | | | | | |
| Governmental activities | | | | | | | |
| General government | \$ 8,552,451 | \$ 3,645,228 | \$ 136,301 | \$ 48,738 | \$ (4,722,184) | \$ - | \$ (4,722,184) |
| Public safety | 34,370,973 | 1,883,982 | 3,945,726 | 8,673 | (28,532,592) | - | (28,532,592) |
| Streets | 15,341,451 | 579,271 | 616,495 | - | (14,145,685) | - | (14,145,685) |
| Culture and recreation | 1,825,214 | 402,995 | 228,556 | - | (1,193,663) | - | (1,193,663) |
| Health and welfare | 409,221 | - | - | - | (409,221) | - | (409,221) |
| Economic development | 10,243,915 | 3,819,179 | 722,035 | - | (5,702,701) | - | (5,702,701) |
| Interest expense | 4,410,918 | - | - | - | (4,410,918) | - | (4,410,918) |
| Total governmental activities | <u>75,154,143</u> | <u>10,330,655</u> | <u>5,649,113</u> | <u>57,411</u> | <u>(59,116,964)</u> | <u>-</u> | <u>(59,116,964)</u> |
| Business-type activities: | | | | | | | |
| Water | 7,323,707 | 8,368,990 | - | - | - | 1,045,283 | 1,045,283 |
| Sewer | 8,450,750 | 8,414,298 | 54,834 | - | - | 18,382 | 18,382 |
| Sanitation | 5,379,901 | 7,404,296 | - | - | - | 2,024,395 | 2,024,395 |
| Drainage | 639,667 | 493,111 | - | - | - | (146,556) | (146,556) |
| Conference center | 6,528,860 | 3,768,017 | - | - | - | (2,760,843) | (2,760,843) |
| Golf | 1,072,462 | 1,059,554 | - | - | - | (12,908) | (12,908) |
| Industrial park | 57,229 | - | - | - | - | (57,229) | (57,229) |
| Total business-type activities | <u>29,452,576</u> | <u>29,508,266</u> | <u>54,834</u> | <u>-</u> | <u>-</u> | <u>110,524</u> | <u>110,524</u> |
| Total primary government | <u>\$ 104,606,719</u> | <u>\$ 39,838,921</u> | <u>\$ 5,703,947</u> | <u>\$ 57,411</u> | <u>(59,116,964)</u> | <u>110,524</u> | <u>(59,006,440)</u> |
| General revenues: | | | | | | | |
| Taxes: | | | | | | | |
| Sales and use taxes | | | | | 43,887,778 | - | 43,887,778 |
| Property tax | | | | | 3,073,076 | - | 3,073,076 |
| Payment in lieu of taxes | | | | | 1,081,431 | - | 1,081,431 |
| Franchise and public service taxes | | | | | 2,564,865 | - | 2,564,865 |
| Hotel/motel taxes | | | | | 535,515 | - | 535,515 |
| Intergovernmental revenue not restricted to specific programs | | | | | 517,573 | - | 517,573 |
| Investment income | | | | | 9,632,905 | 627,338 | 10,260,243 |
| Miscellaneous | | | | | 589,592 | 447,659 | 1,037,251 |
| Transfers - internal activity | | | | | (3,598,210) | 3,598,210 | - |
| Total general revenues and transfers | | | | | <u>58,284,525</u> | <u>4,673,207</u> | <u>62,957,732</u> |
| Change in net position | | | | | (832,439) | 4,783,731 | 3,951,292 |
| Net position - beginning | | | | | 401,239,888 | 116,353,088 | 517,592,976 |
| Net position - ending | | | | | <u>\$ 400,407,449</u> | <u>\$ 121,136,819</u> | <u>\$ 521,544,268</u> |

See accompanying notes to the basic financial statements.

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020**

BASIC FINANCIAL STATEMENTS - GOVERNMENTAL FUNDS

**CITY OF MIDWEST CITY, OKLAHOMA
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For the Year Ended June 30, 2020**

Governmental Funds Balance Sheet - June 30, 2020

| | Midwest City | | | | | 2018 GO Bond CIP | Other Governmental Funds | Total Governmental Funds |
|--|----------------------|----------------------|---------------------|-----------------------|----------------------|----------------------|--------------------------------|--------------------------------|
| | General Fund | Police Fund | Fire Fund | Hospital Authority | | | | |
| ASSETS | | | | | | | | |
| Cash and cash equivalents | \$ 5,804,284 | \$ 4,253,331 | \$ 3,335,205 | \$ 18,698,477 | \$ 17,322,523 | \$ 27,758,875 | \$ 77,172,695 | |
| Investments | 3,322,743 | 2,319,871 | 1,878,205 | 97,733,016 | 9,812,015 | 11,939,071 | 127,004,921 | |
| Land held for economic development | - | - | - | 3,439,804 | - | - | 3,439,804 | |
| Receivables: | | | | | | | | |
| Accounts receivable | 1,888,832 | 86,358 | 1,334 | 37,176 | - | 774,456 | 2,788,156 | |
| Accrued interest receivable | 9,306 | 8,386 | 5,675 | 13 | 38,067 | 41,283 | 102,730 | |
| Due from other funds | 325,156 | 3,635,979 | 2,885,913 | 2,689 | - | 297,800 | 7,147,537 | |
| Deposits held by others | - | - | - | 81,308 | - | 5,300 | 86,608 | |
| Prepaid items | 3,114 | - | - | - | - | - | 3,114 | |
| Other receivable | 17,141 | 4,439 | 7,749 | - | - | - | 29,329 | |
| Due from other governments | 3,521,853 | 880,770 | 691,256 | - | - | 5,661,633 | 10,755,512 | |
| Inventory | - | - | - | - | - | 60,000 | 60,000 | |
| Advance to other funds | 468,527 | - | - | - | - | - | 468,527 | |
| Total assets | <u>\$ 15,360,956</u> | <u>\$ 11,189,134</u> | <u>\$ 8,805,337</u> | <u>\$ 119,992,483</u> | <u>\$ 27,172,605</u> | <u>\$ 46,538,418</u> | <u>\$ 229,058,933</u> | |
| LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES | | | | | | | | |
| Liabilities: | | | | | | | | |
| Accounts payable and accrued liabilities | \$ 127,935 | \$ 5,588 | \$ 16,302 | \$ 36,542 | \$ 403,688 | \$ 329,518 | \$ 919,573 | |
| Wages payable | 523,191 | 679,235 | 553,344 | 12,953 | - | 100,180 | 1,868,903 | |
| Unearned revenue | - | - | - | 5,306,857 | - | - | 5,306,857 | |
| Refundable deposits - court | 114,688 | - | - | - | - | - | 114,688 | |
| Due to other funds | 6,438,709 | - | - | - | - | 1,174,338 | 7,613,047 | |
| Due to other governments | 10,467 | - | - | - | - | - | 10,467 | |
| Advance from other funds | - | - | 468,527 | - | - | - | 468,527 | |
| Total liabilities | <u>7,214,990</u> | <u>684,823</u> | <u>1,038,173</u> | <u>5,356,352</u> | <u>403,688</u> | <u>1,604,036</u> | <u>16,302,062</u> | |
| Deferred inflows of resources: | | | | | | | | |
| Unavailable revenue | <u>1,657,112</u> | <u>80,204</u> | <u>-</u> | <u>565,637</u> | <u>-</u> | <u>4,001,829</u> | <u>6,304,782</u> | |
| Fund balances: | | | | | | | | |
| Nonspendable | 471,641 | - | - | 3,521,112 | - | 109,362 | 4,102,115 | |
| Restricted | 2,333,992 | 10,424,107 | 7,767,164 | 109,125,327 | 26,768,917 | 39,973,949 | 196,393,456 | |
| Committed | - | - | - | 1,424,055 | - | - | 1,424,055 | |
| Assigned | 647,174 | - | - | - | - | 849,242 | 1,496,416 | |
| Unassigned | 3,036,047 | - | - | - | - | - | 3,036,047 | |
| Total fund balances | <u>6,488,854</u> | <u>10,424,107</u> | <u>7,767,164</u> | <u>114,070,494</u> | <u>26,768,917</u> | <u>40,932,553</u> | <u>206,452,089</u> | |
| Total liabilities, deferred inflows, and fund balances | <u>\$ 15,360,956</u> | <u>\$ 11,189,134</u> | <u>\$ 8,805,337</u> | <u>\$ 119,992,483</u> | <u>\$ 27,172,605</u> | <u>\$ 46,538,418</u> | <u>\$ 229,058,933</u> | |

See accompanying notes to the basic financial statements.

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020

Reconciliation of Governmental Funds and Government-Wide Financial Statements:

Fund Balance – Net Position Reconciliation – June 30, 2020:

| | |
|---|-----------------------|
| Fund balances of governmental funds | \$ 206,452,089 |
| | |
| Amounts reported for governmental activities in the Statement of Net Position are different because: | |
| | |
| Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds, net of accumulated depreciation of \$267,032,044 | 298,983,210 |
| | |
| Certain long-term assets are not available to pay for current fund liabilities and therefore, along with deferred outflows, are either reported as deferred inflows of resources in the funds or not reported in the funds at all: | |
| Due from other governments | 138,762 |
| Other receivable, net of allowance | 2,639,727 |
| Lease receivable | 43,600,541 |
| Net pension asset | 131,036 |
| Pension related deferred outflows | 8,984,958 |
| OPEB related deferred outflows | 3,446,871 |
| | 58,941,895 |
| | |
| The net pension liability and the total OPEB liability and the pension and OPEB related deferred inflows are not due and payable from current financial resources and therefore, are not reported in these fund financial statements, but are reported in the governmental activities of the Statement of Net Position. | |
| Net pension liability | (26,774,282) |
| Pension related deferred inflows | (4,633,244) |
| Total OPEB liability | (19,949,141) |
| OPEB related deferred inflows | (946,613) |
| | (52,303,280) |
| | |
| Internal service funds are used by management to charge the cost of certain activities to individual funds. An allocation of the assets and liabilities of the internal service funds are included in governmental activities in the statement of net position, net of amount allocated to business-type activities. | 5,776,340 |
| | |
| Certain other long-term liabilities are not due and payable from current financial resources and not reported in the funds: | |
| General obligation bonds payable | (44,125,000) |
| Bonds payable | (66,165,000) |
| Premium on debt | (475,592) |
| Accrued compensated absences | (5,616,518) |
| Accrued interest payable | (1,060,695) |
| | (117,442,805) |
| | |
| Net position of governmental activities | \$ 400,407,449 |

See accompanying notes to the basic financial statements.

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
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Governmental Funds Statement of Revenues, Expenditures, and Changes in Fund Balances – Year Ended June 30, 2020

| | <u>General Fund</u> | <u>Police Fund</u> | <u>Fire Fund</u> | <u>Midwest City Hospital Authority</u> | <u>2018 GO Bond CIP</u> | <u>Other Governmental Funds</u> | <u>Total Governmental Funds</u> |
|---|---------------------|----------------------|---------------------|--|-----------------------------|---|---|
| REVENUES | | | | | | | |
| Taxes | \$ 24,945,429 | \$ 6,171,936 | \$ 4,861,813 | \$ 1,081,431 | \$ - | \$ 14,021,282 | \$ 51,081,891 |
| Intergovernmental | 671,226 | 847,493 | 3,663,624 | - | - | 1,789,491 | 6,971,834 |
| Charges for services | 2,388,511 | 144,313 | 16,315 | - | - | 5,537,692 | 8,086,831 |
| Fines and forfeitures | 1,004,121 | 53,288 | - | - | - | 61,431 | 1,118,840 |
| Licenses and permits | 569,506 | 2,300 | 9,875 | - | - | 100,073 | 681,754 |
| Investment income | 212,037 | 133,069 | 100,667 | 7,169,991 | 584,819 | 772,394 | 8,972,977 |
| Miscellaneous | 740,514 | 81,875 | 72,961 | 1,023,582 | - | 238,655 | 2,157,587 |
| Total revenues | <u>30,531,344</u> | <u>7,434,274</u> | <u>8,725,255</u> | <u>9,275,004</u> | <u>584,819</u> | <u>22,521,018</u> | <u>79,071,714</u> |
| EXPENDITURES | | | | | | | |
| Current: | | | | | | | |
| General government | 5,030,245 | - | - | 1,149,841 | 28,479 | 1,988,374 | 8,196,939 |
| Public safety | 1,074,367 | 14,643,730 | 14,784,440 | - | 16,759 | 763,274 | 31,282,570 |
| Streets | 2,536,504 | - | - | - | - | 537,504 | 3,074,008 |
| Culture and recreation | 912,440 | - | - | - | 972 | 492,567 | 1,405,979 |
| Health and welfare | 350,520 | - | - | - | - | - | 350,520 |
| Economic development | 3,182,583 | - | - | - | 61,305 | 6,544,195 | 9,788,083 |
| Capital outlay | 82,633 | 840,418 | 18,546 | 1,960 | 5,779,512 | 4,091,993 | 10,815,062 |
| Debt service: | | | | | | | |
| Principal retirement | - | - | - | 19,929,040 | - | 1,615,000 | 21,544,040 |
| Interest and fiscal charges | - | - | 21,905 | 371,585 | - | 4,037,016 | 4,430,506 |
| Total expenditures | <u>13,169,292</u> | <u>15,484,148</u> | <u>14,824,891</u> | <u>21,452,426</u> | <u>5,887,027</u> | <u>20,069,923</u> | <u>90,887,707</u> |
| Excess (deficiency) of revenues over expenditures | <u>17,362,052</u> | <u>(8,049,874)</u> | <u>(6,099,636)</u> | <u>(12,177,422)</u> | <u>(5,302,208)</u> | <u>2,451,095</u> | <u>(11,815,993)</u> |
| OTHER FINANCING SOURCES (USES) | | | | | | | |
| Proceeds from issuance of debt | - | - | - | - | 6,550,000 | - | 6,550,000 |
| Payment received for note receivable | - | - | - | 19,120,761 | - | - | 19,120,761 |
| Transfers in | 10,887,301 | 10,681,218 | 8,549,012 | - | - | 2,598,216 | 32,715,747 |
| Transfers out | (28,004,786) | - | (21,891) | (1,678,654) | (12,780) | (6,268,934) | (35,987,045) |
| Total other financing sources and uses | <u>(17,117,485)</u> | <u>10,681,218</u> | <u>8,527,121</u> | <u>17,442,107</u> | <u>6,537,220</u> | <u>(3,670,718)</u> | <u>22,399,463</u> |
| Net change in fund balances | 244,567 | 2,631,344 | 2,427,485 | 5,264,685 | 1,235,012 | (1,219,623) | 10,583,470 |
| Fund balances - beginning | 6,244,287 | 7,792,763 | 5,339,679 | 108,805,809 | 25,533,905 | 42,152,176 | 195,868,619 |
| Fund balances - ending | <u>\$ 6,488,854</u> | <u>\$ 10,424,107</u> | <u>\$ 7,767,164</u> | <u>\$ 114,070,494</u> | <u>\$ 26,768,917</u> | <u>\$ 40,932,553</u> | <u>\$ 206,452,089</u> |

See accompanying notes to the basic financial statements.

**CITY OF MIDWEST CITY, OKLAHOMA
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Changes in Fund Balances – Changes in Net Position Reconciliation – Year Ended June 30, 2020:

Net change in fund balances - total governmental funds: \$ 10,583,470

Amounts reported for governmental activities in the Statement of Activities are different because:

Governmental funds report capital outlays as expenditures while governmental activities report depreciation expense to allocate those expenditures over the life of the assets:

| | |
|---|--------------|
| Capital asset purchases capitalized | 8,509,708 |
| Gain (loss) on disposal of capital assets | (28,992) |
| Depreciation expense | (14,518,444) |
| | (6,037,728) |

Repayment of debt principal is an expenditure and collections of leasehold receivables are a revenue in the governmental funds. However, the repayments reduce long-term liabilities or the long-term assets in the Statement of Net Position:

| | |
|--|--------------|
| Leasehold receivable receipts | (18,979,618) |
| Amortization of premium | 19,911 |
| Debt proceeds | (6,550,000) |
| Note payable principal payments | 19,929,040 |
| Bond payable principal payments | 1,290,000 |
| General obligation bond principal payments | 325,000 |
| | (3,965,667) |

Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds:

| | |
|-------------------------------|---------|
| Change in unavailable revenue | 221,996 |
|-------------------------------|---------|

Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as an equal amount of expenditures in the governmental funds. These are the adjustments needed to expenditures in order to report them as their full-accrual counterparts at the government -wide level.

| | |
|--------------------------------|-------------|
| Other post employment benefits | (993,281) |
| Interest expense | (323) |
| Pension expense | (752,724) |
| Accrued compensated absences | 41,663 |
| | (1,704,665) |

Internal service fund activity is reported as a proprietary fund in fund financial statements, but certain net revenues/expenses are reported in governmental activities on the Statement of Activities, net of amount allocated to business-type activities

70,155

| | |
|---|--------------|
| Change in net position of governmental activities | \$ (832,439) |
|---|--------------|

See accompanying notes to the basic financial statements.

**CITY OF MIDWEST CITY, OKLAHOMA
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BASIC FINANCIAL STATEMENTS - PROPRIETARY FUNDS

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
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Proprietary Funds Statement of Net Position - June 30, 2020

| | Midwest City Municipal Authority | Nonmajor Enterprise Funds | Total | Internal Service Funds |
|--|---|--|----------------|-----------------------------------|
| ASSETS | | | | |
| Current assets: | | | | |
| Cash and cash equivalents | \$ 13,434,482 | \$ 613,799 | \$ 14,048,281 | \$ 5,238,541 |
| Cash and cash equivalents, restricted | 13,865,471 | - | 13,865,471 | - |
| Investments | 7,206,956 | 338,785 | 7,545,741 | 2,937,655 |
| Accounts receivable, net | 3,673,757 | - | 3,673,757 | 91,377 |
| Other receivable | 168,134 | - | 168,134 | - |
| Accrued interest receivable | 22,777 | - | 22,777 | 7,187 |
| Prepaid items | 6,454 | - | 6,454 | - |
| Inventory | 275,083 | - | 275,083 | 41,545 |
| Due from other funds | 1,001,009 | - | 1,001,009 | 3,607 |
| Total current assets | 39,654,123 | 952,584 | 40,606,707 | 8,319,912 |
| Non-current assets: | | | | |
| Investments, restricted | 558,304 | - | 558,304 | - |
| Land, construction in progress, and water rights | 11,517,275 | 677,029 | 12,194,304 | - |
| Other capital assets, net | 133,269,354 | 2,579,850 | 135,849,204 | 916,815 |
| Total non-current assets | 145,344,933 | 3,256,879 | 148,601,812 | 916,815 |
| Total assets | 184,999,056 | 4,209,463 | 189,208,519 | 9,236,727 |
| DEFERRED OUTFLOW OF RESOURCES | | | | |
| Deferred amount on refunding | 821,097 | - | 821,097 | - |
| Deferred amount related to OPEB | 783,138 | - | 783,138 | 134,928 |
| | 1,604,235 | - | 1,604,235 | 134,928 |
| LIABILITIES | | | | |
| Current liabilities: | | | | |
| Accounts payable and accrued liabilities | 1,534,185 | - | 1,534,185 | 261,082 |
| Claims liability | - | - | - | 1,107,410 |
| Wages payable | 480,587 | - | 480,587 | 107,728 |
| Due to other funds | 140,758 | - | 140,758 | 398,348 |
| Accrued interest payable | 565,102 | - | 565,102 | - |
| Accrued compensated absences | 505,754 | - | 505,754 | 119,092 |
| Refundable deposits | 168,628 | - | 168,628 | - |
| Revenue bonds payable | 4,525,000 | - | 4,525,000 | - |
| Total current liabilities | 7,920,014 | - | 7,920,014 | 1,993,660 |
| Non-current liabilities: | | | | |
| Accrued compensated absences | 931,556 | - | 931,556 | 238,184 |
| Claims liability | - | - | - | 1,221,000 |
| Total OPEB liability | 5,120,370 | - | 5,120,370 | 1,130,712 |
| Refundable deposits | 1,388,928 | - | 1,388,928 | - |
| Notes payable | 2,280,047 | - | 2,280,047 | - |
| Revenue bonds payable, net | 49,290,430 | - | 49,290,430 | - |
| Total non-current liabilities | 59,011,331 | - | 59,011,331 | 2,589,896 |
| Total liabilities | 66,931,345 | - | 66,931,345 | 4,583,556 |
| DEFERRED INFLOW OF RESOURCES | | | | |
| Deferred amount related to OPEB | 1,560,677 | - | 1,560,677 | 195,672 |
| NET POSITION | | | | |
| Net investment in capital assets | 84,027,906 | 3,256,879 | 87,284,785 | 916,815 |
| Restricted for debt service | 1,541,810 | - | 1,541,810 | - |
| Restricted for other purposes | 106,161 | 216,134 | 322,295 | - |
| Unrestricted | 32,435,392 | 736,450 | 33,171,842 | 3,675,612 |
| Total net position | \$ 118,111,269 | \$ 4,209,463 | \$ 122,320,732 | \$ 4,592,427 |

Some amounts reported for business-type activities in the Statement of Net Position are different because certain internal service fund balances are included with business-type activities and reported as interfund balances

(1,183,913)

Total net position per Government-Wide financial statements

\$ 121,136,819

See accompanying notes to the basic financial statements.

CITY OF MIDWEST CITY, OKLAHOMA
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Proprietary Funds Statement of Revenues, Expenses, and Changes in Net Position - Year Ended June 30, 2020

| | Midwest City Municipal Authority | Nonmajor Enterprise Funds | Total | Internal Service Funds |
|---|---|--------------------------------------|-----------------------|-----------------------------------|
| OPERATING REVENUES | | | | |
| Charges for services | \$ 29,386,097 | \$ - | \$ 29,386,097 | \$ 11,805,504 |
| Fees, licenses and permits | 26,185 | - | 26,185 | - |
| Miscellaneous | 316,853 | - | 316,853 | 489,712 |
| Total operating revenues | <u>29,729,135</u> | <u>-</u> | <u>29,729,135</u> | <u>12,295,216</u> |
| OPERATING EXPENSES | | | | |
| Personal services | 10,537,156 | - | 10,537,156 | 2,025,725 |
| Materials and supplies | 3,966,801 | - | 3,966,801 | 1,573,058 |
| Other services and charges | 7,086,287 | 156 | 7,086,443 | 1,149,873 |
| Insurance claims and expense | - | - | - | 7,556,759 |
| Depreciation and amortization | 5,960,662 | 57,073 | 6,017,735 | 75,865 |
| Total operating expenses | <u>27,550,906</u> | <u>57,229</u> | <u>27,608,135</u> | <u>12,381,280</u> |
| Operating income (loss) | <u>2,178,229</u> | <u>(57,229)</u> | <u>2,121,000</u> | <u>(86,064)</u> |
| NON-OPERATING REVENUES (EXPENSES) | | | | |
| Investment income | 835,873 | 15,899 | 851,772 | 159,008 |
| Interest expense and fiscal charges | (1,887,010) | - | (1,887,010) | - |
| Gain (loss) on asset retirement | (87,554) | - | (87,554) | - |
| Other non-operating revenue | 59,524 | - | 59,524 | - |
| Total non-operating revenue (expenses) | <u>(1,079,167)</u> | <u>15,899</u> | <u>(1,063,268)</u> | <u>159,008</u> |
| Income (loss) before contributions and transfers | <u>1,099,062</u> | <u>(41,330)</u> | <u>1,057,732</u> | <u>72,944</u> |
| Capital contributions | 433,237 | - | 433,237 | 18,675 |
| Transfers in | 14,053,051 | - | 14,053,051 | 125,000 |
| Transfers out | <u>(10,906,753)</u> | <u>-</u> | <u>(10,906,753)</u> | <u>-</u> |
| Change in net position | 4,678,597 | (41,330) | 4,637,267 | 216,619 |
| Total net position - beginning | 113,432,672 | 4,250,793 | 117,683,465 | 4,375,808 |
| Total net position - ending | <u>\$ 118,111,269</u> | <u>\$ 4,209,463</u> | <u>\$ 122,320,732</u> | <u>\$ 4,592,427</u> |
| Change in net position per above | | | \$ 4,637,267 | |
| Some amounts reported for business-type activities in the Statement of Activities are different because the net revenue (expense) of certain internal service funds is reported with business-type activities | | | 146,464 | |
| Change in Business-Type Activities in Net Position per Government-Wide Financial Statements | | | <u>\$ 4,783,731</u> | |

See accompanying notes to the basic financial statements.

CITY OF MIDWEST CITY, OKLAHOMA
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Proprietary Funds Statement of Cash Flows - Year Ended June 30, 2020

| | Midwest City Municipal Authority | Nonmajor Enterprise Funds | Total | Internal Service Funds |
|--|--|------------------------------|----------------------|---------------------------|
| CASH FLOWS FROM OPERATING ACTIVITIES | | | | |
| Receipts from customers | \$ 29,782,478 | \$ - | \$ 29,782,478 | \$ - |
| Receipts from interfund services | - | - | - | 12,286,113 |
| Payments to suppliers | (11,108,982) | (156) | (11,109,138) | (1,724,684) |
| Payments to employees | (10,454,084) | - | (10,454,084) | (1,985,413) |
| Receipts (payments) from interfund loans | (62,759) | - | (62,759) | 72,027 |
| Receipt of customer deposits | 486,373 | - | 486,373 | - |
| Return of customer deposits | (439,639) | - | (439,639) | - |
| Claims and benefits paid | - | - | - | (8,439,703) |
| Net cash provided by (used in) operating activities | 8,203,387 | (156) | 8,203,231 | 208,340 |
| CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES | | | | |
| Transfers from other funds | 14,053,051 | - | 14,053,051 | - |
| Transfers to other funds | (10,906,753) | - | (10,906,753) | 125,000 |
| Net cash provided by noncapital financing activities | 3,146,298 | - | 3,146,298 | 125,000 |
| CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES | | | | |
| Capital assets purchased | (6,901,556) | - | (6,901,556) | (51,213) |
| Principal paid on capital debt | (4,365,000) | - | (4,365,000) | - |
| Proceeds from issuance of bonds | 2,280,047 | - | 2,280,047 | - |
| Interest and fiscal charges paid on capital debt | (2,173,437) | - | (2,173,437) | - |
| Proceeds from sale of capital assets | 64,132 | - | 64,132 | - |
| Net cash used in capital and related financing activities | (11,095,814) | - | (11,095,814) | (51,213) |
| CASH FLOWS FROM INVESTING ACTIVITIES | | | | |
| Sale of investments | 1,468,916 | 97,298 | 1,566,214 | 708,789 |
| Interest and dividends | 815,598 | 15,899 | 831,497 | 155,262 |
| Net cash provided by investing activities | 2,284,514 | 113,197 | 2,397,711 | 864,051 |
| Net increase in cash and cash equivalents | 2,538,385 | 113,041 | 2,651,426 | 1,146,178 |
| Balances - beginning of year | 24,761,568 | 500,758 | 25,262,326 | 4,092,363 |
| Balances - end of year | \$ 27,299,953 | \$ 613,799 | \$ 27,913,752 | \$ 5,238,541 |
| Reconciliation to Statement of Net Position: | | | | |
| Cash and cash equivalents | \$ 13,434,482 | \$ 613,799 | \$ 14,048,281 | \$ 5,238,541 |
| Restricted cash and cash equivalents | 13,865,471 | - | 13,865,471 | - |
| Total cash and cash equivalents | \$ 27,299,953 | \$ 613,799 | \$ 27,913,752 | \$ 5,238,541 |
| Reconciliation of operating income (loss) to net cash provided by (used in) operating activities: | | | | |
| Operating income (loss) | \$ 2,178,229 | \$ (57,229) | \$ 2,121,000 | \$ (86,064) |
| Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities: | | | | |
| Depreciation expense | 5,965,352 | 57,073 | 6,022,425 | 75,865 |
| Other nonoperating revenue | 54,834 | - | 54,834 | - |
| Change in assets and liabilities: | | | | |
| Receivables, net | (54,932) | - | (54,932) | (9,103) |
| Other receivable | 61,244 | - | 61,244 | - |
| Due from other funds | (104,721) | - | (104,721) | (1,283) |
| Prepaid items | (965) | - | (965) | - |
| Inventory | 5,579 | - | 5,579 | 20,418 |
| Deferred outflows OPEB | (420,278) | - | (420,278) | (81,678) |
| Accounts payable | (60,508) | - | (60,508) | (14,291) |
| Claims liability | - | - | - | 109,176 |
| Due to other funds | 41,962 | - | 41,962 | 73,310 |
| Accrued payroll and related liabilities | 52,532 | - | 52,532 | 26,126 |
| Refundable deposits | 34,241 | - | 34,241 | - |
| Total OPEB liability | (372,037) | - | (372,037) | 29,838 |
| Accrued compensated absences | 94,720 | - | 94,720 | 3,887 |
| Deferred inflows OPEB | 728,135 | - | 728,135 | 62,139 |
| Net cash provided by (used in) operating activities | \$ 8,203,387 | \$ (156) | \$ 8,203,231 | \$ 208,340 |
| Noncash activities: | | | | |
| Contributed capital assets - from governmental funds | \$ 433,237 | \$ - | \$ 433,237 | \$ 18,675 |

See accompanying notes to the basic financial statements.

FOOTNOTES TO BASIC FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies

The City of Midwest City's (the "City") accounting and financial reporting policies conform to accounting principles generally accepted in the United State of America (GAAP). GAAP includes all relevant Governmental Accounting Standards Board (GASB) pronouncements. The accounting and reporting framework and the more significant accounting policies are discussed in subsequent subsections of this note.

1.A. Financial Reporting Entity

The City of Midwest City – operates the public safety, health and welfare, streets and highways, parks and recreation, and administrative activities

The City of Midwest City is an incorporated municipality located in central Oklahoma. The City operates under a council-manager form of government with a charter that provides for three branches of government:

- Legislative – the governing body includes an elected seven-member City Council and Mayor
- Executive – the City Manager is the Chief Executive Officer and is appointed by the City Council
- Judicial – the Municipal Judges are practicing attorneys appointed by the City Council

In determining the financial reporting entity, the City of Midwest City complies with the provisions of Governmental Accounting Standards Board and includes all component units for which the City is financially accountable. The City's financial reporting entity primary government presentation includes the City of Midwest City and certain component units as follows:

Blended Component Units: Separate legal entities for which the City Council members also serve as the trustees/governing body of the Authorities and/or the City is able to impose its will on the Authorities through required approval of all debt obligations issued by these entities. These component units funds are blended into the City's by appropriate fund type to comprise part of the primary government presentation.

Midwest City Utilities Authority – created for industrial development.

Midwest City Municipal Authority – created to operate the water, sewer, sanitation and conference center/hotel.

Midwest City Hospital Authority – created to operate the hospital, however, in 1996 the hospital was leased for a 30 year term. In March 2009, this lease was extended to May 2048. The Trustees manage activities related to the hospital lease. Economic development is also a principal mission of the Authority.

Urban Renewal Authority – created for economic development.

Economic Development Authority – created for economic development.

Each of these component units listed above are Public Trusts established pursuant to Title 60 of Oklahoma State law. Public Trusts (Authorities) have no taxing power. The Authorities are generally created to finance City services through issuance of revenue bonds or other non-general obligation debt and to enable the City Council to delegate certain functions to the governing body (Trustees) of the Authority. The Authorities generally retain title to assets which are acquired or constructed with Authority debt or other Authority generated resources. In addition, the City has leased certain existing

assets at the creation for the Authorities to the Trustees on a long-term basis. The City, as beneficiary of the Public Trusts, receives title to any residual assets when a Public Trust is dissolved.

In accordance with state law, the City Council must approve, by two-thirds vote, all debt obligations of these public trusts prior to incurring the obligation. This is considered sufficient imposition of will to demonstrate financial accountability and to include the trusts within the City's financial reporting entity. The public trusts do not issue separate annual financial statements.

1.B. Basis of Presentation and Accounting

This annual report is presented in a format that substantially meets the presentation requirements of the Governmental Accounting Standards Board (GASB) in accordance with generally accepted accounting principles. The presentation includes financial statements that communicate the City's financial condition and changes therein at two distinct levels:

- **The City as a Whole** (a government-wide presentation)
- **The City's Funds** (a presentation of the City's major and aggregate non-major funds)

Government-Wide Financial Statements:

The Government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the nonfiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. In the Statement of Net Position and the Statement of Activities, the City presents two kinds of activities:

Governmental activities - Most of the City's basic services are reported here, including the police, fire, general administration, streets, parks and recreation. Sales taxes, franchise fees, fines, and state and federal grants finance most of these activities.

Business-type activities – Services where the City charges a fee to customers to help cover all or most of the cost of the services it provides. The City's water, sewer, sanitation and the hotel/conference center activities are reported here.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

The statements of net position and activities are reported on the accrual basis of accounting and economic resources measurement focus. Under the accrual basis of accounting, revenues are recognized when earned and expenses (including depreciation and amortization) are recorded when the liability is incurred or economic asset used.

Fund Financial Statements:

Governmental Funds:

Most of the City's basic services are reported in governmental funds, which focus on how money flows into and out of those funds and the balances remaining at year-end. Governmental funds report their activities on the modified accrual basis of accounting and current financial resources measurement focus that is different from other funds. For example, these funds report the acquisition of capital assets and payments for debt principal as expenditures and not as changes to asset and debt balances. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period except for reimbursement type grants that are recorded as revenues when the related expenditures are recognized and available within 120 days of year end. Expenditures are generally recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, claims, judgments, postemployment benefits and net pension liabilities are recorded only when payment is due.

Sales and use taxes, property taxes, franchise taxes, licenses, court fines and interest associated with the current fiscal period are all considered to be susceptible to accrual, and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the City.

The governmental fund statements provide a detailed short-term view of the City's general government operations and the basic services it provides. Governmental fund information helps one determine (through a review of changes to fund balance) whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs. The City's governmental funds include:

Major Funds:

- General Fund – accounts for all activities not accounted for in other special-purpose funds. For reporting purposes the General Fund also includes the activities of the Reimbursed Projects Account, Employee Activity Account, Activity Account, Animals Best Friend Account, 29th and Douglas Account, Disaster Relief Account, and Retiree Health Claims Account.
- Police Fund – is a special revenue fund that accounts for police services funded by a restricted sales tax, a transfer of 34.21% of General Fund revenues per ordinance legally restricted for police operations, and fines and fees restricted for traffic enforcement operations. For reporting purposes, the Police Fund includes the Jail Fund.
- Fire Fund — is a special revenue fund that accounts for fire protection services funded by sales tax legally restricted for fire and a transfer of 27.66% of General Fund revenues per ordinance legally restricted for fire operations.
- Midwest City Hospital Authority – is a special revenue fund that manages activities related to the hospital lease, funded by interest income and in lieu of taxes. The Hospital Authority also makes investments and expenditures in economic development activities.
- 2018 GO Bond CIP – is a capital project fund funded with proceeds from general obligation bond issues to finances voter approved projects.

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Aggregated Non-Major Funds (reported as Other Governmental Funds):

Special Revenue Funds include Grants, Juvenile, Parks and Recreation, Emergency Operations, Technology, Welcome Center, Police Impound Fees, Street and Alley, Police Special Projects, Police Lab Fee, Convention/Visitors Bureau, Sooner Rose TIF, Urban Renewal Authority Funds, Economic Development Authority Fund, Street Light Fee, and General Government Sales Tax.

Debt Service Fund – accounts for ad-valorem taxes levied by the City for use in retiring general obligation bonds, and their related interest expenses.

Capital Project Funds:

- Capital Improvement Fund – accounts for assessed fees that help fund capital projects for various functions of the City.
- Downtown Redevelopment Authority – accounts for the lease proceeds from the 29th street redevelopment. Proceeds are used to fund various needs of the City.
- 2002 Street Project Fund – accounts for the proceeds from the 2002 General Obligation Street Bonds which funds capital street projects.
- Dedicated Tax 2012 Fund – accounts for the sales tax restricted for street, parks, trails, sidewalks and public transportation projects.
- 2018 GO Bond Proprietary Fund – accounts for general obligation bond proceeds restricted to proprietary projects.
- Sales Tax Capital Improvement Fund – accounts for sales tax restricted by a vote of the citizens for capital improvements, including debt retirements.
- Capital Outlay Reserve Fund – accounts for funds set aside to fund the five year capital needs projects.

The reconciliation of the governmental funds financial statements to the governmental activities presentation in the government-wide financial statements is the result of the use of the accrual basis of accounting and economic resources measurement focus at the government-wide level.

Proprietary Funds:

When the City charges customers for the services it provides, these services are generally reported in proprietary funds. Proprietary funds include enterprise funds and internal service funds. Enterprise funds are used to account for business-like activities provided to the general public. Internal service funds are used to account for business-like activities provided to other funds or departments of the City. Proprietary funds are reported on the accrual basis of accounting and economic resources measurement focus. For example, proprietary fund capital assets are capitalized and depreciated and principal payments on long-term debt are recorded as a reduction to the liability.

Proprietary funds distinguish operating revenues and expenses from non operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Midwest City Municipal Authority (Municipal Authority), non major enterprise funds and of the City's internal service funds are charges to customers for sales and services. Operating expenses for enterprise funds and internal service funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non operating revenues and expenses.

The City's proprietary funds include the following:

Enterprise Funds

Major:

The Municipal Authority Funds includes the following accounts:

- Water Account (includes the Water Operating Account and the Water Capital Projects Account) accounts for the activities providing water services to the public.
- Sewer Account (includes the Sewer Operating Account and the Sewer Capital Projects Account) accounts for the activities providing sewer services to the public.
- Sanitation Account (includes the Sanitation Operating Account) accounts for the activities providing sanitation services to the public.
- Conference Center/Hotel Account (includes the Conference and Hotel Operating Account) accounts for the activities related to the Conference Center and Hotel.
- Drainage Account (includes the Drainage Operating Fund and the Capital Projects Account) accounts for the activities providing drainage services to the public.
- Debt Service Account accounts for the debt activities related to the 2011 and 2011A Revenue Bonds.
- Utility Services Account – accounts for activities related to billing for water, sewer, sanitation, storm water, and drainage.
- Utilities Capital Account – accounts for capital purchases for the water, sewer, and sanitation systems.
- Customer Deposit Account –accounts for utility customer deposits.
- Golf Course Account –accounts for activities of the John Conrad and the Hidden Creek golf courses.

Non-Major:

- Utilities Authority Fund –accounts for industrial development activities.

Internal Service Funds (aggregated in a single column for reporting purposes)

- Risk Management Fund - accounts for the cost of providing various insurance services (i.e, general liability, vehicle and property) to other funds and departments of the City.
- Public Works Administration Fund - accounts for the cost of centralization of administrative resources to various departments of the City. This fund primarily serves the business-type activities.
- Fleet Services Fund - accounts for fuel, maintenance and repairs for the City's fleet.
- Surplus Property Fund - accounts for the disposal of surplus property on behalf of all departments.
- L&H Benefits Fund - accounts for health and life benefits to employees.
- Workers Compensation Fund – accounts for the cost of providing workers compensation insurance services to the other funds and departments of the city.

1.C. Assets, Liabilities, Deferred Outflows/Inflows of Resources, and Net Position/Fund Balance

Deposits and Investments:

Cash and cash equivalents includes all demand and savings accounts, certificates of deposit or short-term investments with an original maturity of three months or less, and money market investments. Trust account investments in open-ended mutual fund shares are also considered cash equivalents.

Investments, other than Hospital Authority investments, consist of long-term certificates of deposit, U.S. Treasury bonds and notes, and U.S. agency securities. Certificates of deposit are reported at cost, while the U.S. Treasury and agency securities are reported at fair value. Hospital investment consist of mutual funds, equities, and foreign equities. Investments are reported at fair value.

Except where otherwise required, cash resources have been pooled in order to maximize investment opportunities. Income from investments purchased with pooled cash is allocated to individual funds based on the funds' average cash balance and legal requirements.

Restricted Assets:

Certain proceeds of the enterprise funds' promissory notes, as well as certain resources set aside for their repayment, are classified as restricted assets on the Statement of Net Position because they are maintained in separate bank accounts, and their use is limited by applicable loan covenants. The debt service fund accounts are used to segregate resources accumulated for debt service payments over the next 12 months. In addition, amounts held for meter deposit refunds are considered restricted.

Receivables

In the government-wide statements, receivables consist of all revenues earned at year-end and not yet received. Allowances for uncollectible accounts receivable are based upon historical trends and the periodic aging of accounts receivable. Major receivable balances for the governmental activities include sales and use taxes, franchise taxes, grants and court fines. Business-type activities report utilities as its major receivable.

In the fund financial statements, material receivables in governmental funds include revenue accruals such as sales tax, franchise tax, and grants and other similar intergovernmental revenues. Non-exchange transactions collectible but not available are reported as a deferred inflow of resources in the fund financial statements in accordance with the modified accrual basis of accounting, but not reported as a deferred inflow of resources in the government-wide financial statements in accordance with the accrual basis. Interest on investment earnings are recorded when earned only if paid within 60 days since they would be considered both measurable and available. Proprietary fund material receivables consist of all revenues earned at year-end and not yet received. Utility accounts receivable and interest earnings comprise the majority of proprietary fund receivables. Allowances for uncollectible accounts receivable are based upon historical trends and the periodic aging of accounts receivable.

Inventories:

Inventories are valued at average cost. Governmental fund inventory is related to parts of vehicle and equipment maintenance. Proprietary fund inventory is related to material on hand for repairs and improvements to the utility system. The cost of inventories are recorded as expenditures when consumed rather than when purchased.

Land Held for Economic Development:

The Hospital Authority owns land that is being held for future economic development. This land is carried at the lower of cost or fair value.

Capital Assets:

Capital assets, which include property, plant, equipment, and infrastructure assets are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated acquisition value at the date of donation.

The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Depreciable capital assets are depreciated on a straight-line basis over their useful lives. The range of estimated lives by type of assets is as follows:

- Buildings/improvements 25-60 years
- Utility systems 25-99 years
- Infrastructure 25-99 years
- Machinery and equipment 5-20 years
- Vehicles 5-25 years

Depreciation of capital assets is included in total expenses and is charged or allocated to the activities primarily benefiting from the use of the specific asset.

Unearned Revenue

In 1996, the Hospital Authority entered into a long-term lease agreement with a third party to lease the Midwest City Municipal Hospital for a 30 year period. The lessee prepaid the entire amount of the rent for the 30 years, a total of \$26.9 million. This amount is being recognized in income over the 30 year period.

Long-term obligations:

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type Statements of Net Position. Bond premiums and discounts are amortized over the life of the bonds using the effective interest method. Bonds payable are reported net of bond premium or discount. Deferred amount on refundings are amortized over the shorter of the life of the new debt or the remaining life of the refunded debt using the straight line method. Deferred amounts are shown as deferred inflows or outflows.

Long-term obligations of governmental funds are not reported as liabilities in the fund financial statements. The debt proceeds are reported as other financing sources and payment of principal and interest reported as expenditures.

The City's long term debt consists of general obligation bonds, revenue bonds and notes, accrued compensated absences, contracts payable, net pension liability, total OPEB liability, and refundable deposits.

Compensated Absences:

Under the terms of union contracts and City personnel policies, City employees are granted vacation and sick leave in varying amounts. Regular full-time civilian employees earn vacation leave per pay period in varying amounts from 80.08 hours per year to 204.10 hours per year based upon years of service. Upon separation from the city, a civilian employee is paid for accrued vacation up to a maximum of 192 hours plus current year accrual earned to date of separation. Civilian employees earn sick leave per pay period of 3.7 hours, for a total of 96.20 hours per year with the exception of Fire Rookies working 24 hour shifts who earn 5.54 hours per pay period for an annual total of 144.04 hours per year. Civilian employees who separate from employment with the city will be compensated for all accrued but unused sick leave as follows: Upon separation from the city after 10 years of service, a civilian employee is paid for accrued sick leave up to a maximum of 960 hours plus current year accrual earned to date of separation at 1/2 his/her hourly rate of pay. Civilian employees who separate from employment prior to 10 years of service shall receive no compensation for accrued sick leave benefits.

Police union employees earn vacation leave per pay period in varying amounts from 80.08 hours per year to 204.10 hours per year based upon years of service. Upon separation from the city, a police union employee is paid for accrued vacation up to a maximum of 216 hours plus current year accrual earned to date of separation. Police union employees earn sick leave per pay period of 4.6 hours for an annual total of 119.60 hours. Police union employees who separate from employment with the city will be compensated for all accrued but unused sick leave as follows: Upon separation from the city after 10 years or more of service, a police union employee is paid for accrued sick leave up to a maximum of 11,000 hours plus current year accrual earned to date of separation at 1/2 his/her hourly rate of pay. Police union employees who separate from employment prior to 10 years of service shall receive no compensation for accrued sick leave benefits. 100% of the sick leave balance shall be paid to the police union employee's named beneficiary in the event an employee is killed in the line of duty.

Fire union employees earn vacation leave per pay period in varying amounts from 80.08 hours per year to 301.34 hours per year based upon shift worked and years of service. Upon separation from the city, a fire union employee is paid for accrued vacation up to a maximum of 300 hours plus current year accrual earned to date of separation for 24 hour workers; up to a maximum of 216 hours plus current

year accrual earned to date of separation for 8 hour workers. Fire union employees earn sick leave per pay period of 5.54 for a total of 144.04 hours per year for 24 hour workers and 96.20 hours per year for 8 hour workers. Fire union employees who separate from employment with the city will be compensated for all accrued but unused sick leave as follows: Upon separation from the city after 10 years or more of service or with an on-the-job injury, a fire union employee is paid for accrued sick leave up to a maximum of 1,314 hours for 24 hour workers; up to a maximum of 939 hours for 8 hour workers at 1/3 his/her hourly rate of pay. Hours accumulated over the maximum are paid at the rate of 1/2 his/her hourly rate of pay each bi-weekly pay period. Employees, regardless of years of service, will be paid out at 1/2 for separation due to on the job injury. Fire union employees who separate from employment prior to 10 years of service and without an on-the-job injury shall receive no compensation for accrued sick leave benefits.

Deferred Outflow/Inflows of Resources:

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and will not be recognized as an outflow of resources until then. The City has three items that qualify for reporting in this category. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt. The city also reports deferred outflows for pension and OPEB-related amounts.

In addition to liabilities, the financial statements will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and will not be recognized as an inflow of resources (revenues) until that time. The governmental funds report unavailable revenues from court fines and property taxes. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available. In the City's government-wide statements the property tax revenues remain as a deferred inflow under the full accrual basis of accounting and will become an inflow in the year for which they are levied. The government-wide Statement of Net Position also reports deferred inflows for pension and OPEB-related amounts.

Fund Equity:

Government-Wide and Proprietary Fund Financial Statements:

Net position is displayed in three components:

- a. *Net investment in capital assets* - Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvements of those assets, plus the remaining construction proceeds of debt issued for capital improvements.
- b. *Restricted net position* - Consists of net position with constraints placed on the use either by 1) external groups such as creditors, grantors, contributors, or laws and regulations of other governments, or 2) law through constitutional provisions or enabling legislation.
- c. *Unrestricted net position* - All other net position that does not meet the definition of "restricted" or "net investment in capital assets."

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It is the City's policy to first use unrestricted net position prior to the use of restricted net position when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

Governmental Fund Financial Statements:

Governmental fund equity is classified as fund balance. Fund balance is further classified as nonspendable, restricted, committed, assigned and unassigned. These classifications are defined as:

- a. Nonspendable – includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.
- b. Restricted – consists of fund balance with constraints placed on the use of resources either by (1) external groups such as creditors, grantors, contributors, or laws or regulations of other governments, or (2) laws through constitutional provisions or enabling legislation.
- c. Committed – includes amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the city's highest level of decision-making authority. The City's highest level of decision-making authority is made by ordinance. The Hospital Authority and Urban Renewal Authority highest level of decision-making authority is made by resolution.
- d. Assigned – includes amounts that are constrained by the city's intent to be used for specific purposes but are neither restricted nor committed. Assignments of fund balance may be made by city council action or management decision when the city council has delegated that authority. Assignments for revenues in other governmental funds are made through budgetary process.
- e. Unassigned – represents fund balance that has not been assigned to other funds and has not been restricted, committed, or assigned to specific purposes within the General Fund. Deficit fund balances of other governmental funds are also reported as unassigned.

It is the City's policy to first use unrestricted fund balance prior to the use of the restricted fund balance when an expenditure is incurred for purposes for which both restricted and unrestricted resources are available. The City's policy for the use of fund balance amounts require that unassigned amounts would be reduced first followed by assigned amounts and then committed amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

1.D. Revenues, Expenditures and Expenses

Program Revenues:

Program revenues within the Statement of Activities that are derived directly from each activity or from parties outside of the City's taxpayers are reported as program revenues. The City has the following program revenues in each activity:

- Public Safety – Fire, Police, 911 – fines and forfeitures, restricted operating grants, 911 revenue, and restricted capital grants, property seizure, donations, state on-behalf pension contributions
- Streets – commercial vehicle and gasoline excise tax shared by the State.

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- Culture and recreation – pool fees, rental of community center and senior center, programming fees, park fees, softball fees, operating and capital grants
- Health and Welfare – FEMA grants
- Economic Development – rental income and operating grants
- General Government – license and permits, technology and false alarm fees, impact fees, and operating grants

All other governmental revenues are reported as general revenues. All taxes are classified as general revenue even if restricted for a specific purpose.

Sales Tax Revenue:

Sales tax revenue represents a 4.60 cents tax on each dollar of taxable sales which is collected by the Oklahoma Tax Commission and remitted to the City. Upon final allocation the sales tax is broken down as follows:

| | Effective January 2018 | |
|--|-----------------------------------|--------|
| General Government | 1.25 | 27.17% |
| Police | 1.42 | 30.87% |
| Fire | 1.14 | 24.78% |
| 911 | .04 | .87% |
| Capital Improvements | .25 | 5.43% |
| Parks and Recreation | .05 | 1.09% |
| Sewer Plant | .40 | 8.70% |
| Streets/Parks/Sidewalks/Trails/and Public Transportation | .05 | 1.09% |
| Totals | 4.6 | 100% |

Property Tax Revenue:

In accordance with state law, a municipality may only levy a property tax to retire general obligation debt approved by the voters and to pay judgments rendered against the City. Property taxes levied by the City are billed and collected by the County Treasurer's Office and remitted to the City in the month following collection. Property tax is levied each October 1st on the assessed valuation of non-exempt real property located in the City as of the preceding January 1st, the lien date. Property taxes are due on November 1st following the levy date, although they may be paid in two equal installments (if the first installment is paid prior to January 1st, the second installment is not delinquent until April 1st). Property taxes are collected by the County Treasurer and are remitted to the City. Property tax receivables are recorded on the lien date, although the related revenue is reported as a deferred inflow of resources and will not be recognized as revenue until the year for which it is levied. Property taxes unpaid for the fiscal year are attached by an enforceable lien on property in the following October. For the year ended June 30, 2020, the City's net assessed valuation of taxable property was \$352,794,185. The taxes levied by the City per \$1,000 of net assessed valuation for the year ended June 30, 2020 was \$8.08.

Property tax accrued on the lien date of January 1, 2020 and recorded as a deferred inflow of resources was \$3,526,293.

Expenditures and Expenses:

In the government-wide financial statements, expenses, including depreciation of capital assets, are reported by function or activity. In the governmental fund financial statements, expenditures are reported by class as current (further reported by function), capital outlay and debt service. In the proprietary fund financial statements, expenses are reported by object or activity.

1.E. Internal and Interfund Balances and Activities

In the process of aggregating the financial information for the government-wide statement of net position and statement of activities, some amounts reported as interfund activity and balances in the fund financial statements have been eliminated or reclassified.

Government-Wide Financial Statements:

Interfund activity, if any, are eliminated or reclassified in the government-wide financial statements as follows:

1. *Internal balances* – amounts reported in the fund financial statements as interfund receivable and payables are eliminated in the governmental and business-type activities columns of the statement of net position, except for the net residual amounts due between governmental and business-type activities, which are reported as Internal Balances.
2. *Internal activities* - amounts reported in the fund financial statements as interfund transfers are eliminated in the government-wide statement of activities except for the net amount of transfers between governmental and business-type activities, which are reported as Transfers - Internal Activities. The effect of interfund services between funds is not eliminated in the statement of activities.

Fund Financial Statements:

Interfund activity, if any, within and among the governmental and proprietary fund categories is reported as follows in the fund financial statements:

1. Interfund loans - amounts provided with a requirement for repayment are reported as interfund receivables and payables.
2. Interfund services - sales or purchases of goods and services between funds are reported as revenues and expenditures/expenses.
3. Interfund reimbursements - repayments from funds responsible for certain expenditures/expenses to the funds that initially paid for them are not reported as reimbursements but as adjustments to expenditures/expenses in the respective funds.
4. Interfund transfers - flow of assets from one fund to another where repayment is not

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expected are reported as transfers in and out.

1.F. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures; accordingly, actual results could differ from those estimates.

2. Cash and Cash Equivalents, Deposits and Investments

Deposits and Investments Risks

Fair value is the price that would be received to sell an investment in an orderly transaction between market participants at the measurement date. The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

| | Quoted Prices in Active Markets for Identical Assets (Level 1) | Significant Other Observable Inputs (Level 2) | Significant Unobservable Inputs (Level 3) | Total Fair Value |
|------------------------|---|--|--|----------------------|
| US agency securities | \$ - | \$ 34,364,197 | \$ - | \$ 34,364,197 |
| Real Estate | - | - | 554,559 | 554,559 |
| Mutual Fund - equities | 32,783,620 | - | - | 32,783,620 |
| | <u>\$ 32,783,620</u> | <u>\$ 34,364,197</u> | <u>\$ 554,559</u> | <u>\$ 67,702,376</u> |

As of June 30, 2020, the City's investments in U.S. agency securities are valued using Level 2 inputs. The value is determined using quoted prices for similar assets or liabilities in active markets.

Real estate investments classified in Level 3 are valued using the change in assessed property tax land values for similar properties from the county assessor.

Certain investments that do not have a readily determinable fair value are measured at net asset value (NAV), or its equivalent. NAV per share is calculated as of the City's year-end in a manner consistent with the Governmental Accounting Standards Board's measurement principles. There are no unfunded commitments related to these investment vehicles. The valuation method for investments measured at the NAV per share (or its equivalent) is presented on the following table.

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| Investments Measured at Net Asset Value | Fair Value | Redemption Frequency | Redemption Notice Period |
|---|---------------|----------------------|--------------------------|
| US equity index funds ⁽¹⁾ | \$ 50,449,726 | Daily | 2 days |
| US fixed income debt funds ⁽²⁾ | 9,896,626 | Daily | 3 days |
| | \$ 60,346,352 | | |

- (1) **US equity index funds** – The Fund is an index fund that seeks investment results that correspond generally to the S&P 500 Index. The Fund is invested and reinvested in a portfolio of equity securities with the objective of approximating as closely as practicable the capitalization weighted total rate of return of that segment of the U.S. market for publicly traded equity securities represented by the larger capitalized companies. The investment is valued at the net asset value of units held at the end of the period based upon the fair value of the underlying investments.
- (2) **US fixed income debt funds** – The US fixed income debt fund is an index fund that establishes an objective of delivering investment performance approximating as closely as practicable the total rate of return of the market for debt securities as defined by the Barclays U.S. Aggregate Bond Index. The Fund uses a "passive" or indexing approach to try to achieve the Fund's investment objective. The investment is valued at the net asset value of units held at the end of the period based upon the fair value of the underlying investments.

The City of Midwest City primary government and blended component units are governed by the deposit and investment limitations of state law and trust indentures. The deposits and investments held at June 30, 2020 by these entities are as follows:

| Type | Carrying Value | Credit Rating | Maturities in Years | | | | |
|---|----------------|---------------|---------------------|---------------|---------------|-----------|---------------|
| | | | On Demand | Less Than One | 1 - 5 | 6 - 10 | More than 10 |
| Demand deposits | \$ 92,536,352 | n/a | \$ 92,536,352 | \$ - | \$ - | \$ - | \$ - |
| Time deposits | 10,129,812 | n/a | - | 6,500,000 | 3,629,812 | - | - |
| Government Money Market Accounts | 17,789,398 | AAAm | 17,789,398 | - | - | - | - |
| U.S. Agencies Obligations | 34,231,517 | Aaa | - | 10,119,227 | 11,337,629 | 15,857 | 12,758,804 |
| Sub-total | 154,687,079 | | \$ 110,325,750 | \$ 16,619,227 | \$ 14,967,441 | \$ 15,857 | \$ 12,758,804 |
| Real Estate | 554,559 | n/a | | | | | |
| Mutual Funds - equities | 83,233,345 | n/a | | | | | |
| Fixed Income | 9,896,626 | n/a | | | | | |
| Sub-total | 93,684,530 | | | | | | |
| Total Deposits and Investments | \$ 248,371,609 | | | | | | |
| Reconciliation to Financial Statements: | | | | | | | |
| Cash and cash equivalents | \$ 66,661,028 | | | | | | |
| Cash and cash equivalents, restricted | 43,663,960 | | | | | | |
| Investments | 123,800,520 | | | | | | |
| Investments, restricted | 13,687,797 | | | | | | |
| Investments, restricted non-current | 558,304 | | | | | | |
| | \$ 248,371,609 | | | | | | |

Custodial Credit Risk – Exposure to custodial credit risk related to deposits exists when the City holds deposits that are uninsured and uncollateralized; collateralized with securities held by the pledging financial institution, or by its trust department or agent but not in the City's name; or collateralized without a written or approved collateral agreement. Exposure to custodial credit risk related to investments exists when the City holds investments that are uninsured and unregistered, with securities held by the counterparty or by its trust department or agent but not in the City's name.

The City's policy as it relates to custodial credit risk is to secure its uninsured deposits with collateral, valued at no more than market value, at a minimum level of 110% of the uninsured deposits and accrued

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interest thereon. The City's policy limits acceptable collateral to U.S. Treasury securities, federally insured obligations, or direct debt obligations of municipalities, counties, and school districts in Oklahoma. Also, as required by Federal 12 U.S.C.A., Section 1823(e), all financial institutions pledging collateral to the City must have a written collateral agreement

At June 30, 2020, the City had no exposure to custodial credit risk as defined above.

Investment Credit Risk – The City's investment policy limits investments, excluding the Hospital Authority and Municipal Authority, to the following:

- a. Obligations of the U. S. Government, its agencies and instrumentalities;
- b. Collateralized or insured non-negotiable certificates of deposit or other evidences of deposit that are either insured or secured with acceptable collateral with an in-state financial institution, and fully insured deposits in out-of-state institutions;
- c. Insured or fully collateralized negotiable certificates of deposit;
- d. Repurchase agreements that have underlying collateral consisting of those items specified in paragraph a above; and
- e. Money market funds regulated by the SEC and in which investments consist of the investments mentioned in the previous paragraph a.

Investment credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The City has no formal policy limiting investments based on credit rating, but discloses any such credit risk associated with their investments by reporting the credit quality ratings of investments in debt securities as determined by nationally recognized statistical rating organizations—rating agencies—as of the year end. Unless there is information to the contrary, obligations of the U.S. government or obligations explicitly guaranteed by the U.S. government are not considered to have credit risk and do not require disclosure of credit quality.

Investment Interest Rate Risk – Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The City's investment policy indicates that the investment portfolio, shall remain sufficiently liquid to enable the City to meet all operating requirements as anticipated. The City discloses its exposure to interest rate risk by disclosing the maturity dates of its various investments by date range.

At June 30, 2020, the investments held by the City mature between 2020 through 2047.

Concentration of Investment Credit Risk - Exposure to concentration of credit risk is considered to exist when investments in any one issuer represent a significant percent of total investments of the City (any over 5% are disclosed). Investments issued or explicitly guaranteed by the U.S. government and investments in mutual funds, external investment pools, and other pooled investments are excluded from this consideration. The City's investments in Blackrock (classified as mutual funds – equities) and Vanguard mutual funds each exceed 5%.

Hospital Authority Investments:

The Hospital Authority policy provides that assets be invested to preserve its principal, produce a proscribed level of income, and provide for growth of principal with no outside additions to the fund

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being anticipated. Assets are to be invested in a diversified portfolio to achieve attractive real rates of return. The investment policy of the Hospital Authority allows for the investment of funds in domestic and international common stocks, government and corporate bonds, short-term fixed income securities maturing in one year or less (cash equivalents); by utilizing primarily index funds, mutual funds, or collective trust funds. In addition, the Hospital Authority may invest portions of the fund corpus, or income, in real estate. Such real estate investments would typically include developed or undeveloped real property located in Midwest City, Oklahoma or its environs, or commingled funds which invest in various kinds of property located throughout the United States. The overall rate of return objective of the portfolio is a highest possible rate of return consistent with the risk levels established by the Board.

The acceptable long-term rate of return is expected to provide equal or superior results, using a three to five year moving average, relative to the following benchmarks:

1. An absolute return objective of the Consumer Price Index plus 4% compounded annually.
2. An income return sufficient to meet any disbursement requirement as stipulated by the Board.
3. A return exceeding the 90 Day U.S. Treasury Bill rate (risk-free rate).
4. Domestic equity fund returns which exceed the S&P 500 Stock index return by 1% (100 basis points), per year and fixed income return which exceed the Barclays Capital Aggregate Bond Index by ½% per year (50 basis points).
5. Stock and bond returns which fall into the top 25% of the Consultant's Universe (or other representative universe approved by The Board) of common stock and bond funds (referred to as equity and fixed income), with some consistency.
6. Passive domestic returns which replicate the return of the Standard and Poor's 500 Stock Index, passive fixed returns which replicate the return of the Barclays Capital Aggregate Bond Index, and passive international returns which replicate the return of the MSCI EAFE International Index.

Asset allocation guidelines for the Hospital Authority are as follows:

| Class | Target | Maximum | June 2020 Percent |
|---------------------|----------|---------|-------------------|
| Equities - Domestic | 20%-70% | 85% | 75.0% |
| Fixed Income | 2.5%-30% | 80% | 8.9% |
| Cash Equivalents | 0% | 20% | 16.0% |

Restricted Cash and Investments

The amounts reported as restricted assets on the Statement of Net Position are comprised of amounts held for Debt Service accounts by the trustee bank for revenue bond retirement and revenue bond construction funds, and the Customer Deposit Account for refundable deposits held by others. The restricted assets as of June 30, 2020 are as follows:

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| | |
|--|----------------------|
| Cash and Cash Equivalents: | |
| Restricted for Debt Service | \$ 7,740,418 |
| Restricted Construction proceeds | 34,937,890 |
| Restricted for Refundable Deposits | <u>985,652</u> |
| | <u>\$ 43,663,960</u> |
| | |
| Investments: | |
| Restricted for Debt Service | \$ 13,687,797 |
| Investments Restricted for Refundable Deposits | <u>558,304</u> |
| | <u>\$ 14,246,101</u> |

3. Leases Receivable

The Hospital Authority entered into an agreement with the Midwest Regional Medical Center (now known as Alliance Health Midwest) to provide funds up to \$25,000,000 to construct two additional floors onto the existing six floor patient tower. The loan is amortized over a 25 year period with an interest rate of 7.5%, will be repaid within 9 years from December 2010, with a balloon payment due in November 2019. The loan is secured with a lease receivable for future rental of the facility. During fiscal year 2020, the lease and related debt were paid in full.

The Economic Development Authority entered into an agreement with Sooner Town Center, LLC to provide funds up to \$49,155,000 for the Town Center Plaza Project. The loan is amortized over a 30 year period with interest rates of 2.40% to 4.70%. The loan is secured with a lease receivable for future rental of the facility. At the end of the fiscal year, the City reflects a \$43.6 million receivable in the governmental activities. At the end of the fiscal year, the borrower had not drawn \$3.4 million of the available loan proceeds.

4. Capital Assets and Depreciation

Capital Assets:

For the year ended June 30, 2020, capital assets balances changed as follows:

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| | Balance at July 1, 2019 | Additions | Transfers, Retirements, and Disposals | Balance at June 30, 2020 |
|---|----------------------------|-----------------------|---|-----------------------------|
| PRIMARY GOVERNMENT: | | | | |
| <i>Governmental activities:</i> | | | | |
| Capital assets not being depreciated: | | | | |
| Land | \$ 39,949,356 | \$ 1,040 | \$ - | \$ 39,950,396 |
| Construction in progress | 7,095,031 | 5,549,837 | 1,416,585 | 11,228,283 |
| Total capital assets not being depreciated | <u>47,044,387</u> | <u>5,550,877</u> | <u>1,416,585</u> | <u>51,178,679</u> |
| Capital assets being depreciated: | | | | |
| Buildings | 30,058,005 | 1,688,925 | - | 31,746,930 |
| Machinery and equipment | 21,753,300 | 1,059,163 | 579,060 | 22,233,403 |
| Vehicles | 9,977,631 | 621,339 | 159,364 | 10,439,606 |
| Infrastructure | 451,460,264 | 1,050,371 | - | 452,510,635 |
| Total other capital assets | <u>513,249,200</u> | <u>4,419,798</u> | <u>738,424</u> | <u>516,930,574</u> |
| Less accumulated depreciation for: | | | | |
| Buildings | 13,678,290 | 690,243 | - | 14,368,533 |
| Machinery and equipment | 16,469,951 | 946,051 | 567,729 | 16,848,273 |
| Vehicles | 5,932,795 | 618,837 | 141,804 | 6,409,828 |
| Infrastructure | 218,386,456 | 12,328,019 | - | 230,714,475 |
| Total accumulated depreciation | <u>254,467,492</u> | <u>14,583,150</u> | <u>709,533</u> | <u>268,341,109</u> |
| Capital assets being depreciated, net | <u>258,781,708</u> | <u>(10,163,352)</u> | <u>28,891</u> | <u>248,589,465</u> |
| Governmental activities capital assets, net | <u>\$ 305,826,095</u> | <u>\$ (4,612,475)</u> | <u>\$ 1,445,476</u> | <u>\$ 299,768,144</u> |

| | Balance at July 1, 2019 | Additions | Transfers, Retirements, and Disposals | Balance at June 30, 2020 |
|--|----------------------------|---------------------|---|-----------------------------|
| <i>Business-type activities:</i> | | | | |
| Capital assets not being depreciated: | | | | |
| Land | \$ 2,072,449 | \$ - | \$ - | \$ 2,072,449 |
| Water rights | 4,672,610 | 2,280,047 | - | 6,952,657 |
| Construction in progress | 2,283,487 | 2,520,852 | 1,635,141 | 3,169,198 |
| Total capital assets not being depreciated | <u>9,028,546</u> | <u>4,800,899</u> | <u>1,635,141</u> | <u>12,194,304</u> |
| Capital assets being depreciated: | | | | |
| Buildings | 32,562,683 | 125,260 | - | 32,687,943 |
| Machinery and equipment | 14,249,467 | 349,819 | 24,298 | 14,574,988 |
| Vehicles | 10,136,605 | 1,374,047 | 304,816 | 11,205,836 |
| Utility systems | 181,904,071 | 2,345,618 | 187,200 | 184,062,489 |
| Total other capital assets | <u>238,852,826</u> | <u>4,194,744</u> | <u>516,314</u> | <u>242,531,256</u> |
| Less accumulated depreciation for: | | | | |
| Buildings | 12,101,960 | 741,639 | - | 12,843,599 |
| Machinery and equipment | 10,239,695 | 562,064 | 22,078 | 10,779,681 |
| Vehicles | 5,718,310 | 579,131 | 275,173 | 6,022,268 |
| Utility systems | 72,823,723 | 4,146,060 | 65,160 | 76,904,623 |
| Total accumulated depreciation | <u>100,883,688</u> | <u>6,028,894</u> | <u>362,411</u> | <u>106,550,171</u> |
| Capital assets being depreciated, net | <u>137,969,138</u> | <u>(1,834,150)</u> | <u>153,903</u> | <u>135,981,085</u> |
| Business-type activities capital assets, net | <u>\$ 146,997,684</u> | <u>\$ 2,966,749</u> | <u>\$ 1,789,044</u> | <u>\$ 148,175,389</u> |

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Depreciation:

Depreciation expense has been allocated as follows:

Governmental Activities:

| | |
|---|-------------------|
| General government | \$ 478,478 |
| Public safety | 1,243,220 |
| Streets | 12,092,130 |
| Culture and recreation | 357,360 |
| Health and welfare | 21,970 |
| Economic development | 325,286 |
| Sub-total governmental funds depreciation | <u>14,518,444</u> |

| | |
|---|-----------------------------|
| Depreciation on capital assets held by the City's internal service funds is charged to the various functions based upon usage | 64,706 |
| Total | <u><u>\$ 14,583,150</u></u> |

Business-Type Activities:

| | |
|--------------------------------|------------------|
| Water | \$ 1,182,464 |
| Sewer | 2,966,503 |
| Sanitation | 538,784 |
| Drainage | 276,782 |
| Conference center/hotel | 877,723 |
| Golf | 118,406 |
| Industrial park | 57,073 |
| Total Business Type Activities | <u>6,017,735</u> |

| | |
|---|----------------------------|
| Depreciation on capital assets held by the City's internal service funds is charged to the various functions based upon usage | 11,159 |
| Total | <u><u>\$ 6,028,894</u></u> |

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5. Internal and Interfund Balances and Transfers

Internal and Interfund Balances:

Interfund receivables and payables at June 30, 2020 were as follows:

| <u>Receivable Fund</u> | <u>Payable Fund</u> | <u>Amount</u> | <u>Nature of Interfund Balance</u> | | |
|-----------------------------|-------------------------------|---------------------|---|--|--|
| General Gov Sales Tax | Surplus Property | \$ 100,832 | Surplus properties sales proceeds to be distributed | | |
| General Fund | Comm Dev Block Grant | 76,975 | To cover negative balance in pooled cash | | |
| General Fund | Housing Grant | 41,903 | To cover negative balance in pooled cash | | |
| General Fund | Grant | 206,278 | To cover negative balance in pooled cash | | |
| General Fund | Fire Fund | 468,527 | Long-term loan for capital improvements | | |
| Police Fund | General Fund | 3,560,178 | Restricted sales tax payable | | |
| Police Fund | Surplus Property | 75,801 | Surplus properties sales proceeds to be distributed | | |
| Juvenile Fund | Surplus Property | 780 | Surplus properties sales proceeds to be distributed | | |
| Fire Fund | General Fund | 2,878,531 | Restricted sales tax payable | | |
| Fire Fund | Surplus Property | 7,382 | Surplus properties sales proceeds to be distributed | | |
| Welcome Center | Surplus Property | 350 | Surplus properties sales proceeds to be distributed | | |
| Welcome Center | Golf | 70,379 | Long-term loan for capital improvements | | |
| Convention & Visitor Bureau | Surplus Property | 148 | Surplus properties sales proceeds to be distributed | | |
| Emergency Operating Fund | Surplus Property | 3,022 | Surplus properties sales proceeds to be distributed | | |
| Park & Recreation | Golf | 70,379 | Long-term loan for capital improvements | | |
| Grant Fund | Surplus Property | 1,222 | Surplus properties sales proceeds to be distributed | | |
| Hospital Authority | Surplus Property | 2,689 | Surplus properties sales proceeds to be distributed | | |
| Capital Improvements Fund | Debt Service | 50,688 | Revenue accrued to be transferred | | |
| Public Works Administration | Surplus Property | 3 | Surplus properties sales proceeds to be distributed | | |
| Fleet Services Fund | Surplus Property | 3,604 | Surplus properties sales proceeds to be distributed | | |
| Storm Water Quality | Surplus Property | 54 | Surplus properties sales proceeds to be distributed | | |
| Sanitation Fund | Surplus Property | 140,848 | Surplus properties sales proceeds to be distributed | | |
| Water Fund | Surplus Property | 17,948 | Surplus properties sales proceeds to be distributed | | |
| Sewer | Surplus Property | 27,990 | Surplus properties sales proceeds to be distributed | | |
| Hotel | Surplus Property | 13,161 | Surplus properties sales proceeds to be distributed | | |
| Golf | Surplus Property | 2,514 | Surplus properties sales proceeds to be distributed | | |
| Debt Service | Sales Tax Capital Improvement | 798,494 | Revenue accrued to be transferred | | |
| | | <u>\$ 8,620,680</u> | | | |

| | <u>Due From Other Funds</u> | <u>Advance From Other Funds</u> | <u>Due To Other Funds</u> | <u>Advance To Other Funds</u> | <u>Net Internal Balances</u> |
|---|-----------------------------|---------------------------------|---------------------------|-------------------------------|------------------------------|
| Reconciliation to Fund Financial Statements: | | | | | |
| Governmental Funds | \$ 7,147,537 | \$ 468,527 | \$ 7,613,047 | \$ 468,527 | \$ (465,510) |
| Proprietary Funds | 1,001,009 | - | 140,758 | - | 860,251 |
| Internal Service Funds | 3,607 | - | 398,348 | - | (394,741) |
| Total | <u>\$ 8,152,153</u> | <u>\$ 468,527</u> | <u>\$ 8,152,153</u> | <u>\$ 468,527</u> | <u>\$ -</u> |

| | |
|---|---------------------|
| Reconciliation to Statement of Net Position: | |
| Net Internal Balances | \$ 860,251 |
| Internal Service Fund Activity reported in Business-Type Activities | (1,253,281) |
| Net Internal Balances | <u>\$ (393,030)</u> |

Internal and Interfund Transfers:

The City's policy is to eliminate interfund transfers between funds in the Statement of Activities to avoid the grossing up of balances. Only the residual balances transferred between governmental and business-type activities are reported as internal transfers and then offset in the total column. Internal activities between funds and activities for the year ended June 30, 2020 were as follows:

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| Transfer In | Transfer Out | Amount | Nature of Transfer |
|---|---------------------------------------|----------------------|----------------------------|
| General Fund | Storm Water Quality Fund | \$ 41,907 | Indirect Cost Allocation |
| General Fund | Sanitation Fund | 763,936 | Indirect Cost Allocation |
| General Fund | Water Fund | 748,459 | Indirect Cost Allocation |
| General Fund | Sewer Fund | 772,099 | Indirect Cost Allocation |
| General Fund | Capital Improvement Revenue Bond Fund | 8,558,800 | Debt Service Subsidy |
| General Fund | Downtown Redevelopment | 2,100 | Operating Subsidy |
| General Gov Sales Tax | General Fund | 24,549 | Capital Outlay Subsidy |
| General Gov Sales Tax | G.O. Debt Services | 23,624 | Capital Outlay Subsidy |
| Street and Alley Fund | Water Fund | 21,552 | Capital Outlay Subsidy |
| Technology Fund | Emergency Operations Fund | 90,000 | Contract Cost Allocation |
| Police Fund | General Fund | 10,656,218 | Ordinance Obligation |
| Police Fund | Police Impound Fee | 25,000 | Operating Subsidy |
| Juvenile Fund | Grants Fund | 40,000 | Operating Subsidy |
| Fire Fund | Grants Fund | 8,536,232 | Ordinance Obligation |
| Fire Fund | 2018 Election G.O. Bonds | 12,780 | Capital Outlay Subsidy |
| Emergency Management Fund | Grants Fund | 20,000 | Grant Subsidy |
| Community Development Block Grant | General Fund | 188,987 | City Match of CDBG Program |
| Grants Fund | Police Impound Fee | 2,413 | Grant Subsidy |
| Grants Fund | Fire Fund | 21,891 | Grant Subsidy |
| Economic Dev Authority | Hospital Authority | 1,678,654 | Capital Outlay Subsidy |
| Capital Improvement Fund | Revenue Bond Sinking Fund | 486,546 | Capital Outlay Subsidy |
| L&H Benefit | Economic Development Authority | 125,000 | Operating Subsidy |
| Capital Improvement Revenue Bond Fund | Revenue Bond Sinking Fund | 5,494,251 | Debt Service Subsidy |
| Capital Improvement Revenue Bond Fund | General Fund | 8,558,800 | Debt Service Subsidy |
| | | <u>\$ 46,893,798</u> | |
| | | Transfers From | Transfers To Other |
| | | Other Funds | Funds |
| Reconciliation to Fund Financial Statements: | | | Net Transfers |
| Governmental Funds | | \$ 32,715,747 | \$ (3,271,298) |
| Proprietary Funds | | 14,053,051 | (10,906,753) |
| Internal Service Funds | | 125,000 | - |
| Total | | <u>\$ 46,893,798</u> | <u>\$ (46,893,798)</u> |
| | | | <u>\$ -</u> |
| Reconciliation to Statement of Activities: | | | |
| Net Transfers | | | \$ 3,146,298 |
| Capital Contributions to Enterprise Fund | | | 451,912 |
| Transfers - Internal Activity | | | <u>\$ 3,598,210</u> |

6. Long-Term Liabilities and Obligations

The City's long term obligations consist of general obligation bonds, notes payable, revenue bonds payable accrued compensated absences, total OPEB liability and net pension liabilities. For the year ended June 30, 2020, the City's long-term debt balances changed as follows:

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Primary Government:

| <u>Type of Debt</u> | <u>Balance</u> <u>July 1, 2019</u> | <u>Additions</u> | <u>Deductions</u> | <u>Balance</u> <u>June 30, 2020</u> | <u>Due Within</u> <u>One Year</u> |
|---|---------------------------------------|---------------------|----------------------|--|--------------------------------------|
| Governmental Activities: | | | | | |
| General Obligation Bonds | \$ 37,900,000 | \$ 6,550,000 | \$ 325,000 | \$ 44,125,000 | \$ 1,695,000 |
| General Obligation Bonds premium | 495,503 | - | 19,911 | 475,592 | - |
| Notes Payable (direct borrowing) | 19,929,041 | - | 19,929,041 | - | - |
| Revenue Bonds Payable | 67,455,000 | - | 1,290,000 | 66,165,000 | 1,730,000 |
| Accrued Compensated Absences | 5,828,416 | 3,017,449 | 3,078,181 | 5,767,684 | 1,903,840 |
| Refundable Deposits | 46,195 | 294,901 | 226,408 | 114,688 | 114,688 |
| Total Governmental Activities | <u>\$ 131,654,155</u> | <u>\$ 9,862,350</u> | <u>\$ 24,868,541</u> | <u>116,647,964</u> | <u>5,443,528</u> |
| Reconciliation to Statement of Net Position: | | | | | |
| Plus: Total OPEB Liability | | | | 20,667,189 | - |
| Net Pension Liability | | | | 26,774,282 | - |
| | | | | <u>\$ 164,089,435</u> | <u>\$ 5,443,528</u> |
| Business-Type Activities: | | | | | |
| Revenue Bonds Payable | \$ 55,900,000 | \$ - | \$ 4,365,000 | \$ 51,535,000 | \$ 4,525,000 |
| Revenue Bonds Premium | 2,578,682 | - | 298,252 | 2,280,430 | - |
| Notes Payable | - | 2,280,047 | - | 2,280,047 | - |
| Refundable Deposits | 1,523,315 | 486,373 | 452,132 | 1,557,556 | 168,628 |
| Accrued Compensated Absences | 1,525,743 | 1,006,846 | 889,169 | 1,643,420 | 574,457 |
| Total Business-Type Activities | <u>\$ 61,527,740</u> | <u>\$ 3,773,266</u> | <u>\$ 6,004,553</u> | <u>\$ 59,296,453</u> | <u>\$ 5,268,085</u> |
| Reconciliation to Statement of Net Position: | | | | | |
| Plus: Total OPEB Liability | | | | 5,533,034 | - |
| | | | | <u>\$ 64,829,487</u> | <u>\$ 5,268,085</u> |

Accrued compensated absences liability of the governmental activities is liquidated by the General Fund, Police Fund, the Fire Fund, Juvenile Fund, Grant Fund, Welcome Center Fund, Convention and Visitors Bureau Fund, Technology Fund, Park and Recreation Fund, Downtown Redevelopment Fund, Hospital Authority, and the Emergency Operations Fund. Net pension liability and total OPEB liability are paid from the General Fund, Police Fund and Fire Fund.

Governmental activities long-term debt payable from property tax levies or other governmental revenues includes the following:

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General Obligation Bonds:

| | |
|---|----------------------|
| \$4,500,000 general obligation bonds dated May 1, 2006 for public safety, payable in annual installments of \$275,000 the first year and \$325,000, thereafter, with interest rates of 3.75% to 3.95%, repaid by property tax levies. Final maturity in May 2021. | \$ 325,000 |
| | |
| \$20,000,000 general obligation bonds dated April 1, 2019, payable in annual installments of \$795,000 the first year in 2021 and \$835,000, thereafter, with interest rates of 3.00% to 3.50%, repaid by property tax levies. Final maturity April 2044. | 20,000,000 |
| | |
| \$17,250,000 general obligation bonds dated June 1, 2019, payable in annual installments of \$575,000 the first year in 2021 and \$725,000, thereafter, with interest rates of 3.00%, repaid by property tax levies. Final maturity June 2044. | 17,250,000 |
| | |
| \$6,550,000 general obligation bonds dated June 1, 2020, payable in annual installments of 225,000 the first year and \$275,000, thereafter, with interest rates of 2.25% to 2.50%, repaid by property tax levies. Final maturity June 2045. | <u>6,550,000</u> |
| | |
| Total general obligation bonds | <u>\$ 44,125,000</u> |
| Current | \$ 1,695,000 |
| Non-current | <u>42,430,000</u> |
| Total | <u>\$ 44,125,000</u> |

Revenue Bonds Payable:

| | |
|--|----------------------|
| \$49,155,000 Economic Development Revenue Bonds due in annual principal installments of \$795,000 to \$4,265,000 through February 1, 2048; interest rate ranges from 2.40% to 4.70%. Secured by mortgage lien on the property. | \$ 47,450,000 |
| | |
| \$19,250,000 Tax Apportionment Refunding Bonds due in annual principal installments of \$795,000 to \$1,810,000 starting July 1, 2021 through July 1, 2037; interest rate ranges from 3.45% to 4.75%. Repaid by property tax levies and sales/use tax apportioned. | <u>\$ 18,715,000</u> |
| | |
| Total Revenue Bonds, Net | <u>\$ 66,165,000</u> |
| Current | \$ 1,730,000 |
| Non-current | <u>64,435,000</u> |
| Total | <u>\$ 66,165,000</u> |

Business-type activities long-term debt payable from net revenues generated and taxes pledged to the City's business-type activities include the following:

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Revenue Bonds Payable:

\$46,550,000 Series 2011A Capital Improvement Revenue Bonds, due in annual principal installments of \$2,605,000 to \$4,530,000 through June 30, 2025; interest rate from 0.5% to 5.0%.

\$ 20,950,000

\$31,265,000 Series 2019 Capital Improvement Revenue Bonds due in annual principal installments of \$680,000 to \$1,725,000 through April 1, 2048; interest rate ranges from 2.0% to 4.0%.

30,585,000

| | |
|----------------------------------|----------------------|
| Total Revenue Bonds | \$ 51,535,000 |
| Unamortized Revenue Bond Premium | 2,280,430 |
| Total Revenue Bonds, Net | <u>\$ 53,815,430</u> |

| | |
|-------------|----------------------|
| Current | \$ 4,525,000 |
| Non-current | <u>49,290,430</u> |
| Total | <u>\$ 53,815,430</u> |

Note Payable:

\$2,280,047 note payable with the Central Oklahoma Master Conservancy District is the City of Midwest City's estimated share of the cost of a new water facility. The project is a joint project with cities of Norman, Del City and Midwest City. The contract provides the City with a share of the District's water supply (40.45). The construction project is anticipated to be completed in FY20-21. Final debt payments schedule is available once the project is complete. The agreement is dated July 9,

\$ 2,280,047

| | |
|-------------|---------------------|
| Current | \$ - |
| Non-current | <u>2,280,047</u> |
| Total | <u>\$ 2,280,047</u> |

Long-term debt service requirements to maturity are as follows:

| Governmental-Type Activities | | | | | |
|------------------------------|-----------------------|----------------------|----------------------|----------------------|--|
| Year Ending June 30, | Revenue Bonds Payable | | G.O. Bonds Payable | | |
| | Principal | Interest | Principal | Interest | |
| 2021 | \$ 1,730,000 | \$ 2,850,903 | \$ 1,695,000 | \$ 1,310,523 | |
| 2022 | 1,790,000 | 2,796,828 | 1,785,000 | 1,256,585 | |
| 2023 | 1,850,000 | 2,737,143 | 1,835,000 | 1,204,722 | |
| 2024 | 1,910,000 | 2,673,598 | 1,835,000 | 1,151,735 | |
| 2025 | 1,980,000 | 2,605,560 | 1,835,000 | 1,098,748 | |
| 2026-2030 | 11,100,000 | 11,823,077 | 9,175,000 | 4,698,925 | |
| 2031-2035 | 13,690,000 | 9,227,615 | 9,175,000 | 3,373,193 | |
| 2036-2040 | 11,640,000 | 6,146,021 | 9,175,000 | 2,017,194 | |
| 2041-2045 | 11,040,000 | 3,794,225 | 7,615,000 | 610,174 | |
| 2046-2050 | 9,435,000 | 968,670 | - | - | |
| | <u>\$ 66,165,000</u> | <u>\$ 45,623,640</u> | <u>\$ 44,125,000</u> | <u>\$ 16,721,799</u> | |

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| Business-Type Activities | | |
|--------------------------|-----------------------|---------------|
| Year Ending June 30, | Revenue Bonds Payable | |
| | Principal | Interest |
| 2021 | \$ 4,525,000 | \$ 1,972,613 |
| 2022 | 4,715,000 | 1,785,775 |
| 2023 | 4,920,000 | 1,580,275 |
| 2024 | 5,070,000 | 1,430,775 |
| 2025 | 5,270,000 | 1,235,250 |
| 2026-2030 | 4,090,000 | 4,869,525 |
| 2031-2035 | 4,965,000 | 3,992,725 |
| 2036-2040 | 5,915,000 | 3,049,150 |
| 2041-2045 | 7,090,000 | 1,868,000 |
| 2046-2050 | 4,975,000 | 403,200 |
| | \$ 51,535,000 | \$ 22,187,288 |

An amortization schedule will not be available on the note payable until construction of the project is complete.

Pledge of Future Revenues

Sales Tax Pledge - The City has pledged one-fourth of one percent (or .25%) of future sales tax revenues to repay the 2019 Revenue Bonds which are payable through 2048. Proceeds from the bond provided financing to current refund the 2011 Revenue Bonds which were originally used for advance refunding the 2003 series bonds and to provide capital funding. The total principal and interest payable for the remainder of the life of the bond is \$50,174,725. Pledged sales taxes transferred in the current year was \$14,053,051. Debt service payments on 2019 Revenue Bonds of \$1,790,349 for the current fiscal year were 12.74% of pledged sales tax. Other sources of revenues such as water and sewer are also pledged. Total net revenues including utilities and sales tax pledged was \$19,922,255.

Sales Tax Pledge - The City has pledged one-fourth of one percent (or .25%) of future sales tax revenues to repay the 2011A Revenue Bonds which are payable through 2025. Proceeds from the bond provided financing for construction and improvements to the sewer treatment plant. The total principal and interest payable for the remainder of the life of the bond is \$23,547,563. Pledged sales taxes transferred in the current year was \$14,053,051. Debt service payments on the bonds were \$4,708,513 for the current fiscal year or 33.5% of pledged sales tax. Other sources of revenues such as water and sewer are also pledged. Total net revenues including utilities and sales tax pledged was \$19,922,255.

Current Refunding

On April 1, 2012 the City issued \$31,265,000 series 2019 Capital Improvement Refunding Revenue Bonds with interest rates from 2.0 percent to 4.0 percent to current refund \$20,502,048 of outstanding 2011 Series Capital Improvement Refunding Bonds with interest rates from 0.4 percent to 5.0 percent. A portion of the proceeds along with \$531,257 of the 2011 revenue bonds debt service fund were used to current refund the 2011 bonds.

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The current refunding resulted in a difference between the reacquisition price and the net carrying amount of the old debt of \$899,050. This difference, reported in the accompanying financial statements as deferred outflow of resources, is being charged to operations through the year 2034 using the straight line method.

7. Net Position and Fund Balances

The following table shows the governmental activities net position that is restricted:

| Fund | Restricted By | Amount |
|-----------------------------------|------------------------|-----------------------|
| Hospital Authority | Enabling legislation | \$ 109,690,961 |
| Technology Fund | Enabling legislation | 224,251 |
| Police Impound Fund | Enabling legislation | 104,778 |
| Urban Renewal Authority | Enabling legislation | 3,804 |
| Capital Outlay Reserve Fund | Enabling legislation | 746,651 |
| Street Lighting Fund | Enabling legislation | 1,891,284 |
| 2018 GO Bond Proprietary | Enabling legislation | 10,717,679 |
| 2018 GO Bond CIP | Enabling legislation | 26,768,917 |
| Economic Development Authority | Enabling legislation | 4,075,493 |
| | | <u>154,223,818</u> |
| Street and Alley Fund | Statutory requirements | 1,670,606 |
| Juvenile Fund | Statutory requirements | 28,593 |
| Police Special Projects | Statutory requirements | 214,719 |
| Police Lab Fee | Statutory requirements | 23,959 |
| | | <u>1,937,877</u> |
| Grant Fund | External contracts | 120,916 |
| General Fund | External contracts | 2,333,992 |
| Police Fund | External contracts | 10,424,107 |
| Fire Fund | External contracts | 7,767,164 |
| Park and Recreation Fund | External contracts | 704,501 |
| Emergency Operation Fund | External contracts | 814,413 |
| Welcome Center | External contracts | 362,770 |
| Convention and Visitors Bureau | External contracts | 205,605 |
| GO Debt Service Fund | External contracts | 1,999,307 |
| 2002 GO Street Bond | External contracts | 314,872 |
| Downtown Redevelopment | External contracts | 1,818,805 |
| Dedicated Tax Fund | External contracts | 1,915,665 |
| Capital Improvement Fund | External contracts | 2,462,259 |
| General Government Sales Tax Fund | External contracts | 4,125,376 |
| Sooner Rose TIF | External contracts | 1,657,026 |
| | | <u>37,026,778</u> |
| Total Restricted Net Position | | <u>\$ 193,188,473</u> |
| Restricted (by purpose) for: | | |
| Debt service | | \$ 1,999,307 |
| Hospital | | 109,690,961 |
| Capital improvements | | 46,639,705 |
| Public Safety | | 20,173,438 |
| Street operations | | 1,891,284 |
| Culture and recreation | | 1,501,679 |
| Economic Development | | 6,614,991 |
| Other | | 4,677,108 |
| | | <u>\$ 193,188,473</u> |

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The following table shows the fund balance classifications as shown on the Governmental Funds Balance Sheet:

| | General Fund | Major Special Revenue Funds | | | Capital Project Major | Other | Total |
|--|---------------------|-----------------------------|---------------------|-----------------------|-----------------------|----------------------|-----------------------|
| | | Police Fund | Fire Fund | Hospital Authority | 2018 GO Bond CIP | Governmental Fund | |
| Fund Balance: | | | | | | | |
| Nonspendable: | | | | | | | |
| Inventory | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 60,000 | \$ 60,000 |
| Deposits held by others | 468,527 | - | - | 3,521,112 | - | 49,362 | 4,039,001 |
| Prepaid expenses | 3,114 | - | - | - | - | - | 3,114 |
| | <u>471,641</u> | <u>-</u> | <u>-</u> | <u>3,521,112</u> | <u>-</u> | <u>109,362</u> | <u>4,102,115</u> |
| Restricted: | | | | | | | |
| Public safety | 795,705 | 10,424,107 | 7,767,164 | - | - | 1,186,462 | 20,173,438 |
| Hospital | - | - | - | 109,125,327 | - | - | 109,125,327 |
| General obligation debt service | - | - | - | - | - | 1,920,465 | 1,920,465 |
| Capital improvements | - | - | - | - | 26,768,917 | 15,198,800 | 41,967,717 |
| Street improvements | - | - | - | - | - | 4,447,737 | 4,447,737 |
| Street operations | - | - | - | - | - | 1,891,284 | 1,891,284 |
| Technology improvements | - | - | - | - | - | 224,251 | 224,251 |
| Culture and rec programs | 434,408 | - | - | - | - | 1,067,271 | 1,501,679 |
| Economic development | 552,147 | - | - | - | - | 9,912,303 | 10,464,450 |
| Public works | 242,072 | - | - | - | - | - | 242,072 |
| Health and welfare programs | 136,757 | - | - | - | - | - | 136,757 |
| General government | 172,903 | - | - | - | - | 4,125,376 | 4,298,279 |
| Sub-total restricted | <u>2,333,992</u> | <u>10,424,107</u> | <u>7,767,164</u> | <u>109,125,327</u> | <u>26,768,917</u> | <u>39,973,949</u> | <u>196,393,456</u> |
| Committed to: | | | | | | | |
| Economic development | - | - | - | 1,424,055 | - | - | 1,424,055 |
| Assigned to: | | | | | | | |
| Culture and rec programs | 24,747 | - | - | - | - | - | 24,747 |
| Health and welfare programs | 52,857 | - | - | - | - | - | 52,857 |
| Capital improvements | - | - | - | - | - | 772,677 | 772,677 |
| Public safety | 284,500 | - | - | - | - | - | 284,500 |
| Economic development | - | - | - | - | - | 76,565 | 76,565 |
| General government | 288 | - | - | - | - | - | 288 |
| Public works | 85,344 | - | - | - | - | - | 85,344 |
| Appropriation for use in FY 20-21 budget | 98,143 | - | - | - | - | - | 98,143 |
| General government - encumbrances | 20,731 | - | - | - | - | - | 20,731 |
| Public safety - encumbrances | 1,245 | - | - | - | - | - | 1,245 |
| Public works - encumbrances | 43,663 | - | - | - | - | - | 43,663 |
| Culture and rec - encumbrances | 3,697 | - | - | - | - | - | 3,697 |
| Economic development - encumbrances | 30,093 | - | - | - | - | - | 30,093 |
| Health and welfare - encumbrances | 1,866 | - | - | - | - | - | 1,866 |
| Sub-total assigned | <u>647,174</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>849,242</u> | <u>1,496,416</u> |
| Unassigned: | 3,036,047 | - | - | - | - | - | 3,036,047 |
| TOTAL FUND BALANCE | <u>\$ 6,488,854</u> | <u>\$ 10,424,107</u> | <u>\$ 7,767,164</u> | <u>\$ 114,070,494</u> | <u>\$ 26,768,917</u> | <u>\$ 40,932,553</u> | <u>\$ 206,452,089</u> |

The following is a breakdown of encumbrances at June 30, 2020:

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| Fund | Balance |
|--------------------------------|---------------------|
| Major Funds: | |
| General Fund | \$ 229,328 |
| Police Fund | 55,958 |
| Fire Fund | 137,827 |
| Hospital Authority | 72,061 |
| 2018 GO Bond CIP | 8,311,043 |
| | <u>\$ 8,806,217</u> |
| Non Major Fund: | |
| General Govt Sales Tax | \$ 213,972 |
| Street and Alley Fund | 73,447 |
| Police Federal Projects | 180 |
| Juvenile Fund | 305 |
| Police Lab Fund | 2,362 |
| Police Impound Fund | 7,515 |
| Welcome Center Fund | 16 |
| Convention and Visitor Bureau | 5,193 |
| Street Tax Fund | 149,086 |
| Emergency Operations Fund | 12,882 |
| Park and Recreation Fund | 65,335 |
| Grant Fund | 144,149 |
| Capital Improvement Fund | 78,088 |
| Downtown Redevelopment Fund | 453,608 |
| Economic Development Authority | 125,835 |
| 2018 GO Bond CIP Proprietary | 588,681 |
| | <u>\$ 1,920,654</u> |

Per resolution, the City Council has established a minimum fund balance policy for the General Fund equal to ten percent (10%) of the fund's budgetary operating expenditures each fiscal year. In addition, a reserve equal to five percent (5%) of the budgetary operating expenditures for each fund has been established for the following funds: Police Fund, Fire Fund, Welcome Center Fund, Convention and Visitors Bureau Fund and the Juvenile Fund. The reserves are to ensure the fiscal solvency of the City as a safeguard and all or a portion of the reserves may be appropriated by the city council as necessary in the event of a natural disaster or other catastrophic circumstances, or in the event of significant accounting errors.

8. Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, or destruction of assets; errors and omissions; injuries to employees; employee health and life; and natural disasters. The City manages these various risks of loss as follows:

- General Liability – Covered through self-insurance with stop-loss for individual claims in excess of \$250,000 and aggregate stop loss of \$1,000,000.
- Physical Property – Covered through purchased insurance with deductibles, by coverage as follows:

| | |
|-----------|----------|
| Wind/hail | \$10,000 |
|-----------|----------|

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| | |
|----------------------------|-------|
| Miscellaneous equipment | 500 |
| Mobile equipment | 500 |
| Fine arts deductible | 1,000 |
| Automobile physical damage | 1,000 |

- Workers' Compensation – Workers' compensation is covered through self-insurance with the a third party administering the claims process. The City carry's stop-loss insurance for individual claims in excess of \$450,000 for all employees with an aggregate stop loss of \$1,000,000.
- Employee's Group Medical –Covered through self-insurance using a third party administrator to process medical claims. The City uses the third party processor's estimates to record group insurance claims payable. The City also has a stop-loss policy which covers individual claims in excess of \$150,000 during any year with aggregate stop loss of \$7,803,281.

Management believes the insurance coverage listed above is sufficient to preclude any significant uninsured losses to the City. Settled claims have not exceeded this insurance coverage in any of the past three fiscal years.

Claims Liability Analysis

The claims liabilities related to the above noted risks of loss that are retained are determined in accordance with the requirements of GASB Statement No. 10, which requires that a liability for claims be reported if information prior to the issuance of the financial statements indicates that it is probable that a liability has been incurred at the date of the financial statements and the amount of the loss can be reasonably estimated. For the internal service self-insurance funds, changes in the claims liability for the City from June 30, 2018, to June 30, 2020, are as follows:

| | <u>Workers Comp</u> | <u>Health Care</u> | <u>Total</u> |
|---------------------------------|---------------------|--------------------|---------------------|
| Claims liability, June 30, 2018 | \$ 2,042,000 | \$ 268,403 | \$ 2,310,403 |
| Claims and changes in estimates | 1,289,936 | 6,170,306 | 7,460,242 |
| Claims payments | <u>(1,369,936)</u> | <u>(6,181,475)</u> | <u>(7,551,411)</u> |
| Claims liability, June 30, 2019 | 1,962,000 | 257,234 | 2,219,234 |
| Claims and changes in estimates | 1,346,530 | 7,222,973 | 8,569,503 |
| Claims payments | <u>(1,364,530)</u> | <u>(7,095,797)</u> | <u>(8,460,327)</u> |
| Claims liability, June 30, 2020 | <u>\$ 1,944,000</u> | <u>\$ 384,410</u> | <u>\$ 2,328,410</u> |

9. Retirement Plan Participation

The City of Midwest City participates in three pension or retirement plans:

1. Oklahoma Police Pension and Retirement System (OPPRS) - a statewide cost-sharing plan
2. Oklahoma Firefighter’s Pension and Retirement System (OFPRS) – a statewide cost-sharing plan
3. Oklahoma Municipal Retirement Fund (OMRF-DCP) – an agent multiple-employer defined contribution plan

Summary Defined Benefit Plans Balances:

| | Governmental Activities |
|--------------------------------------|----------------------------|
| Net Pension Asset | |
| Police Pension System | \$ 131,036 |
| Net Pension Liability | |
| Firefighter’s Pension System | \$ 26,774,282 |
| Total Net Pension Liability | \$ 26,774,282 |
| Deferred Outflows of Resources | |
| Police Pension System | \$ 2,547,577 |
| Firefighter’s Pension System | 6,437,381 |
| Total Deferred Outflows of Resources | \$ 8,984,958 |
| Deferred Inflows of Resources | |
| Police Pension System | \$ 671,833 |
| Firefighter’s Pension System | 3,961,411 |
| Total Deferred Inflows of Resources | \$ 4,633,244 |

Oklahoma Police Pension and Retirement Systems

Pensions - For purposes of measuring the net pension liability (asset), deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Oklahoma Police Pension & Retirement System (OPPRS) and additions to/deductions from OPPRS’s fiduciary net position have been determined on the same basis as they are reported by OPPRS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Plan description - The City of Midwest City, as the employer, participates in the Oklahoma Police Pension and Retirement Plan—a cost-sharing multiple-employer defined benefit pension plan

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administered by the Oklahoma Police Pension and Retirement System (OPPRS). Title 11 of the Oklahoma State Statutes, through the Oklahoma Legislature, grants the authority to establish and amend the benefit terms to the OPPRS. OPPRS issues a publicly available financial report that can be obtained at www.ok.gov/OPPRS.

Benefits provided - OPPRS provides retirement, disability, and death benefits to members of the plan. The normal retirement date under the Plan is the date upon which the participant completes 20 years of credited service, regardless of age. Participants become vested upon completing 10 years of credited service as a contributing participant of the Plan. No vesting occurs prior to completing 10 years of credited service. Participants' contributions are refundable, without interest, upon termination prior to normal retirement. Participants who have completed 10 years of credited service may elect a vested benefit in lieu of having their accumulated contributions refunded. If the vested benefit is elected, the participant is entitled to a monthly retirement benefit commencing on the date the participant reaches 50 years of age or the date the participant would have had 20 years of credited service had employment continued uninterrupted, whichever is later.

Monthly retirement benefits are calculated at 2.5% of the final average salary (defined as the average paid base salary of the officer over the highest 30 consecutive months of the last 60 months of credited service) multiplied by the years of credited service, with a maximum of 30 years of credited service considered.

Monthly benefits for participants due to permanent disability incurred in the line of duty are 2.5% of the participants' final average salary multiplied by 20 years. This disability benefit is reduced by stated percentages for partial disability based on the percentage of impairment. After 10 years of credited service, participants who retire due to disability incurred from any cause are eligible for a monthly benefit based on 2.5% of their final average salary multiplied by the years of service. This disability benefit is also reduced by stated percentages for partial disability based on the percentage of impairment. Effective July 1, 1998, once a disability benefit is granted to a participant, that participant is no longer allowed to apply for an increase in the dollar amount of the benefit at a subsequent date.

Survivor's benefits are payable in full to the participant's beneficiary upon the death of a retired participant. The beneficiary of any active participant killed in the line of duty is entitled to a pension benefit.

Contributions - The contributions requirements of the Plan are at an established rate determined by Oklahoma Statute and are not based on actuarial calculations. Employees are required to contribute 8% of their annual pay. Participating cities are required to contribute 13% of the employees' annual pay. Contributions to the pension plan from the City were \$906,468. The State of Oklahoma also made on-behalf contributions to OPPRS in the amount of \$838,732 that is reported as both revenue and expenditure in the Police Fund Statement of Revenues, Expenditures, and Changes in Fund Balance. In the government-wide Statement of Activities, revenue is recognized for the state's on-behalf contributions on an accrual basis of \$811,976. These on-behalf payments do not meet the criteria of a special funding situation.

The City's contract with the union provides that member contributions will be 8% and employer contributions will be 13%.

Pension Liabilities (Assets), Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions - At June 30, 2020, the City reported an asset of \$131,036

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for its proportionate share of the net pension asset. The net pension asset was measured as of June 30, 2019, and the total pension liability used to calculate the net pension asset was determined by an actuarial valuation as of June 30, 2019. The City's proportion of the net pension asset was based on the City's contributions received by the pension plan relative to the total contributions received by pension plan for all participating employers as of June 30, 2020. Based upon this information, the City's proportion was 2.053% at June 30, 2019, which was an increase of .010% compared to its proportion at June 2019.

For the year ended June 30, 2020, the City recognized pension expense of \$1,571,413. At June 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

| | Deferred Outflows of Resources | Deferred Inflows of Resources |
|---|-----------------------------------|----------------------------------|
| Differences between expected and actual experience | \$ 78,638 | \$ 618,681 |
| Changes of assumptions | 334,588 | - |
| Net difference between projected and actual earnings on pension plan investments | 1,197,418 | - |
| Changes in proportion and differences between City contributions and proportionate share of contributions | 4,226 | 37,053 |
| City Contributions during measurement period | 26,239 | 16,099 |
| City contributions subsequent to the measurement date | 906,468 | - |
| Total | \$ 2,547,577 | \$ 671,833 |

The \$906,468 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as an increase to or a reduction of the net pension asset in the year ended June 30, 2021. Other deferred outflows and deferred inflows of resources related to pensions are being amortized over a closed period equal to the average of the expected service lives of all employees as of the beginning of the measurement period. The net deferred outflows related to the difference between expected and actual investment earnings and is being amortized over a closed 5-year period as of the beginning of each measurement period. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

| Year ended June 30: | | |
|---------------------|------|------------|
| | 2021 | \$ 574,042 |
| | 2022 | (193,149) |
| | 2023 | 182,316 |
| | 2024 | 393,178 |
| | 2025 | 12,889 |
| | | \$ 969,276 |

Actuarial Assumptions-The total pension liability was determined by an actuarial valuation as of June 30, 2019, using the following actuarial assumptions, applied to all prior periods included in the measurement:

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| | |
|----------------------------|--|
| Inflation: | 2.75% |
| Salary increases: | 3.5% to 12% average, including inflation |
| Investment rate of return: | 7.5% net of pension plan investment expense |
| Mortality rates: | <p>Active employees (pre-retirement) RP-2000 Blue Collar Healthy Combined table with age set back 4 years with fully generational improvement using Scale AA.</p> <p>Active employees (post-retirement) and nondisabled pensioners: RP-2000 Blue Collar Healthy Combined table with fully generational improvement using scale AA.</p> <p>Disabled pensioners: RP-2000 Blue Collar Healthy Combined table with age set forward 4 years with fully generational improvement using Scale AA.</p> |
| Cost-of-living Adjustment: | Police officers eligible to receive increased benefits according to repealed Section 50-150 of Title 11 of the Oklahoma Statutes pursuant to a court order receive and adjustment of 1/3 to 1/2 of the increase or decrease of any adjustment to the base salary of a regular police officer, based on an increase in base salary of 3.5% (wage inflation). |

The actuarial assumptions used in the July 1, 2019, valuation were based on the results of an actuarial experience study for the period July 1, 2012 to June 30, 2017.

The long-term expected rate of return on pension plan investments was determined using a building block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense, and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2019, are summarized in the following table:

| <u>Asset Class</u> | <u>Target Allocation</u> |
|-----------------------------------|------------------------------|
| Equities | 60% |
| Fixed Income | 25% |
| Real Estate and other investments | 15% |
| | <u>100%</u> |

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| <u>Asset Class</u> | <u>Long-Term Expected Real Rate of Return</u> |
|----------------------|---|
| Fixed income | 4.79% |
| Domestic equity | 5.74% |
| International equity | 9.19% |
| Real estate | 7.99% |
| Private equity/debt | 10.20% |
| Commodities | 3.50% |

The current allocation policy is that approximately 60% of assets in equity instruments, including public equity, long-short hedge, venture capital, and private equity strategies; approximately 25% of assets in fixed income to include investment grade bonds, high yield and non-dollar denominated bonds, convertible bonds, and low volatility hedge fund strategies; and 15% of assets in real assets to include real estate, commodities, and other strategies.

Discount Rate-The discount rate used to measure the total pension liability was 7.5%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rate and that contributions from employers will be made at contractually required rates, determined by State statutes. Projected cash flows also assume the State of Oklahoma will continue contributing 14% of the insurance premium, as established by statute. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Net Pension Liability (Asset) to Changes in the Discount Rate-The following presents the net pension liability (asset) of the employers calculated using the discount rate of 7.5%, as well as what the Plan's net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.5%) or 1-percentage-point higher (8.5%) than the current rate:

| | 1% Decrease (6.5%) | Current Discount Rate (7.5%) | 1% Increase (8.5%) |
|--|-----------------------|---------------------------------|-----------------------|
| Employers' net pension liability (asset) | \$ 5,582,088 | \$ (131,036) | \$ (4,961,555) |

Pension plan fiduciary net position - Detailed information about the pension plan's fiduciary net position is available in the separately issued financial report of the OPPRS; which can be located at www.ok.gov/OPPRS .

Oklahoma Fire Pension and Retirement Systems

Pensions - For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Oklahoma Firefighters Pension & Retirement System (FPRS) and additions to/deductions from FPRS's fiduciary net position have been determined on the same basis as they are reported by FPRS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Plan description - The City of Midwest City, as the employer, participates in the Firefighters Pension & retirement—a cost-sharing multiple-employer defined benefit pension plan administered by the Oklahoma Firefighters Pension & Retirement System (FPRS). Title 11 of the Oklahoma State Statutes grants the authority to establish and amend the benefit terms to the FPRS. FPRS issues a publicly available financial report that can be obtained at www.ok.gov/fprs.

Benefits provided - FPRS provides defined retirement benefits based on members' final average compensation, age, and term of service. In addition, the retirement program provides for benefits upon disability and to survivors upon death of eligible members. The Plan's benefits are established and amended by Oklahoma statute. Retirement provisions are as follows:

Normal Retirement:

- Hired Prior to November 1, 2013
Normal retirement is attained upon completing 20 years of service. The normal retirement benefit is equal to 50% of the member's final average compensation. Final average compensation is defined as the monthly average of the highest 30 consecutive months of the last 60 months of participating service. For volunteer firefighters, the monthly pension benefit for normal retirement is \$150.60 per month.
- Hired After November 1, 2013
Normal retirement is attained upon completing 22 years of service. The normal retirement benefit is equal to 55% of the member's final average compensation. Final average compensation is defined as the monthly average of the highest 30 consecutive months of the last 60 months of participating service. Also participants must be age 50 to begin receiving benefits. For volunteer firefighters, the monthly pension benefit for normal retirement is \$165.66 per month.

All firefighters are eligible for immediate disability benefits. For paid firefighters, the disability in-the-line-of-duty benefit for firefighters with less than 20 years of service is equal to 50% of final average monthly compensation, based on the most recent 30 months of service. For firefighters with over 20 years of service, a disability in the line of duty is calculated based on 2.5% of final average monthly compensation, based on the most recent 30 months, per year of service, with a maximum of 30 years of service. For disabilities not in the line of duty, the benefit is limited to only those with less than 20 years of service and is 50% of final average monthly compensation, based on the most recent 60-month salary as opposed to 30 months. For volunteer firefighters, the not-in-the-line-of-duty disability is also limited to only those with less than 20 years of service and is \$7.53 per year of service. For volunteer firefighters, the in-the-line-of-duty pension is \$150.60 with less than 20 years of service or \$7.53 per year of service, with a maximum of 30 years.

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A \$5,000 lump sum death benefit is payable to the qualified spouse or designated recipient upon the participant's death. The \$5,000 death benefit does not apply to members electing the vested benefit.

Contributions - The contributions requirements of the Plan are at an established rate determine by Oklahoma Statute and are not based on actuarial calculations. Employees are required to contribute 9% percent of their annual pay. Participating cities are required to contribute 14% of the employees' annual pay. Contributions to the pension plan from the City were \$1,007,730. The State of Oklahoma also made on-behalf contributions to FPRS in the amount of \$3,663,624 that is reported as both a revenue and an expenditure in the General Fund Statement of Revenues, Expenditures, and Changes in Fund Balance. In the government-wide Statement of Activities, revenue is recognized for the state's on-behalf contributions on an accrual basis of \$2,576,922. These on-behalf payments did not meet the criteria of a special funding situation.

The City's contract with the union provides that member contributions will be 9% and employer contributions will be 14%.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions - At June 30, 2020, the City reported a liability of \$26,774,282 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2019, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2019. The City's proportion of the net pension liability was based on the City's contributions received by the pension plan relative to the total contributions received by pension plan for all participating employers as of June 30, 2019. Based upon this information, the City's proportion was 2.534%, at June 30, 2020, which was an increase of .028% compared to its proportion at June 30, 2019.

For the year ended June 30, 2020, the City recognized pension expense of \$4,484,407. At June 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

| | Deferred Outflows of Resources | Deferred Inflows of Resources |
|---|--------------------------------------|----------------------------------|
| Differences between expected and actual experience | \$ 4,483,344 | \$ 544,599 |
| Changes of assumptions | - | 687,816 |
| Net difference between projected and actual earnings on pension plan investments | - | 1,938,148 |
| Changes in proportion and differences between City contributions and proportionate share of contributions | 809,590 | 762,089 |
| City contributions during the measurement period | 136,717 | 28,759 |
| City contributions subsequent to the measurement date | 1,007,730 | - |
| Total | \$ 6,437,381 | \$ 3,961,411 |

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The \$1,007,730 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2021. Other deferred outflows of resources related to pensions are being amortized over a closed period equal to the average of the expected service lives of all employees as of the beginning of the measurement period. The net deferred outflows of resources related to the difference between expected and actual investment earnings and is being amortized over a closed 5-year period as of the beginning of each measurement period. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

| | | |
|---------------------|------|---------------------|
| Year ended June 30: | | |
| | 2021 | \$ 1,028,708 |
| | 2022 | (85,245) |
| | 2023 | 404,697 |
| | 2024 | 197,174 |
| | 2025 | <u>(77,094)</u> |
| | | <u>\$ 1,468,240</u> |

Actuarial Assumptions-The total pension liability was determined by an actuarial valuation as of June 30, 2019, using the following actuarial assumptions, applied to all prior periods included in the measurement:

| | |
|----------------------------|---|
| Inflation: | 2.75% |
| Salary increases: | 2.75% to 10.5% average, including inflation |
| Investment rate of return: | 7.5% net of pension plan investment expense |

Mortality rates were based on the Pub-2010 Public Safety Table, with adjustments for generational mortality improvement using the MP-2018 scale for healthy lives and no mortality improvement for disabled lives.

The actuarial assumptions used in the July 1, 2019, valuation were based on the results of an actuarial experience study for the period July 1, 2013, to June 30, 2018.

The long-term expected rate of return on pension plan investments was determined using a building block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense, and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2019, are summarized in the following table:

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| <u>Asset Class</u> | <u>Target Allocation</u> | <u>Long-Term Expected Real Rate of Return</u> |
|----------------------|------------------------------|---|
| Fixed income | 20% | 4.90% |
| Domestic equity | 47% | 7.09% |
| International equity | 15% | 9.19% |
| Real estate | 10% | 7.99% |
| Other assets | 8% | 5.57% |

Discount Rate-The discount rate used to measure the total pension liability was 7.5%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current contribution rate and that contributions from employers will be made at contractually required rates, determined by State statutes. Projected cash flows also assume the State of Oklahoma will continue contributing 36% of the insurance premium, as established by statute. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Net Pension Liability to Changes in the Discount Rate-The following presents the net pension liability of the employers calculated using the discount rate of 7.5%, as well as what the Plan's net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower (6.5%) or 1-percentage-point higher (8.5%) than the current rate:

| | 1% Decrease (6.5%) | Current Discount Rate (7.5%) | 1% Increase (8.5%) |
|----------------------------------|-----------------------|---------------------------------|-----------------------|
| Employers' net pension liability | \$ 34,573,136 | \$ 26,774,282 | \$ 18,210,390 |

Pension plan fiduciary net position - Detailed information about the pension plan's fiduciary net position is available in the separately issued financial report of the FPRS; which can be located at www.ok.gov/fprs.

OMRF Defined Contribution Plan:

The City has provided a defined contribution plan and trust known as the City of Midwest City Plan and Trust (the "Plan") in the form of the Oklahoma Municipal Retirement System Master Defined Contribution Plan an agent multiple employer defined contribution plan. OMRF operations are supervised by a nine-member Council of Trustees elected by the participating municipalities. The Plan is administered by JPMorgan Chase of Oklahoma City. The defined contribution plan is available to all full-time employees on a voluntary basis who are not participating in a state sponsored plan. According to City Ordinance, the employee and employer are required to contribute amounts equal to 0.0% and 14%, respectively, of the employee's salary each month. The employer's contributions for each employee are 50% vested after five years, with 10% vesting for each subsequent year thereafter. If an employee terminates before becoming fully vested, the employer's contributions that are forfeited are allocated to the remaining fund participants based on percentage of contribution. The authority to

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establish and amend the provisions of the plan rests with the City Council. For the year ended June 30, 2020, the City contributed \$2,294,189 to the plan, while the employee contributions totaled \$14,027.

OMRF issues separate plan financial statements which may be obtained by contacting the Oklahoma Municipal Retirement Fund, 525 Central Park Drive, Suite 320, Oklahoma City, Oklahoma, 73105, by calling (405) 606-7880, or at www.okmrf.org.

10. Postemployment Healthcare Plan

Plan Description. The City offers post-employment benefit (OPEB) options Medical, Rx, and Dental insurance to qualifying retirees and their dependents. Coverage is provided through self-insurance that collectively operates as a substantive single-employer defined benefit plan. A substantive plan is one in which the plan terms are understood by the employer and the plan members. This understanding is based on communications between the employer and plan member and the historical pattern of practice with regard to the sharing of benefit costs. Qualifying retirees are those employees who are eligible for immediate disability or retirement benefits under the Oklahoma Police Pension and Retirement System, Oklahoma Firefighter’s Pension and Retirement System, or the City of Midwest City Retirement Plan. Retirees may continue coverage with the City by paying the determined rate. Coverage is available for each of the lifetimes of retirees and their spouses. Authority to establish and amend benefit provisions rest with the City Council. Retirees may continue coverage with the City by paying 50% of the premium rate. Benefits are paid from general operating assets of the City as assessed by the self-insurance fund. No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement 75. The plan does not issue separate financial statements.

Benefits provided - The Plan covers all current retirees of the City who elected postretirement medical coverage through the City Health Plan and future retired employees of the City fully self-insured health plan. In accordance with administrative policy, the benefit levels are the same as those afforded to active employees; this creates an implicit rate subsidy. The benefits offered by the City to retirees include health, RX, and dental benefits. The retiree retains coverage with the City, by making an election within 30 days of termination of service and have 10+ years of creditable service in with the City and are at least 55 years old at the time of termination.

The amount of benefit payments during fiscal year June 30, 2020 were \$881,386.

Employees Covered by Benefit Terms

| | |
|--|------------|
| Active Employees | 458 |
| Inactive not yet receiving benefits | 100 |
| Inactive or beneficiaries receiving benefits | <u>140</u> |
| Total | <u>698</u> |

Total OPEB Liability – The total OPEB liability was determined based on actuarial valuation performed as of June 30, 2019 which is also the measurement date.

Actuarial Assumptions- The total OPEB liability in the June 30, 2019 valuation, was determined using the following actuarial assumptions:

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- Actuarial Cost Method - Entry Age Normal
- Discount Rate – 3.50% based on the 20 year municipal bond yield (Bond Buyers’ index)
- Retirement Age – Civilians - 55 with 10 years of service, Police and Fire 20 years of service
- Medical Trend Rates

| <u>Year</u> | <u>Rate</u> |
|-------------|-------------|
| 2020 | 5.99% |
| 2025 | 5.86% |
| 2030 | 5.99% |
| 2035 | 5.87% |
| 2040 | 5.33% |
| 2045 | 5.15% |
| 2050 | 5.03% |
| 2060 | 4.87% |

Changes in Total OPEB Liability –

| | Total OPEB Liability |
|--|-----------------------------|
| Balances at Beginning of Year | \$ 22,894,776 |
| Changes for the Year: | |
| Service cost | 861,255 |
| Interest expense | 919,357 |
| Differences between expected and actual experience | 373,421 |
| Change in assumptions | 2,032,800 |
| Benefits paid | (881,386) |
| Net Changes | 3,305,447 |
| Balances End of Year | \$ 26,200,223 |

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB - For the year ended June 30, 2020, the City recognized OPEB expense of \$1,799,787. At June 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

| | Deferred Outflows of Resources | Deferred Inflows of Resources |
|--|-----------------------------------|----------------------------------|
| Differences between expected and actual experience | \$ 308,023 | \$ 94,211 |
| Changes of assumptions | 1,676,793 | 1,089,021 |
| Change in porportion and contributions during the measurement period | 1,519,736 | 1,519,730 |
| City Contributions (benefit payments) subsequent to the measurement date | 860,385 | - |
| Total | \$ 4,364,937 | \$ 2,702,962 |

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The \$860,385 reported as deferred outflows of resources related to OPEB resulting from City benefit payments subsequent to the measurement date will be recognized as a reduction of the OPEB liability in the year ended June 30, 2021. Any other amounts reported as deferred outflows or resources and deferred inflows of resources related to OPEB will be recognized in pension expense as follows:

| Year Ended June 30: | | |
|----------------------------|-----------|----------------|
| 2021 | \$ | 19,174 |
| 2022 | | 19,174 |
| 2023 | | 118,895 |
| 2024 | | 345,145 |
| 2025 | | 299,202 |
| | <u>\$</u> | <u>801,590</u> |

Sensitivity of the City's total OPEB liability to changes in the discount rate- The following presents the City's total net OPEB liability, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.50 percent) or 1-percentage-point higher (4.50 percent) than the current discount rate:

| | 1% Decrease (2.50%) | Current Discount Rate (3.50%) | 1% Increase (4.50%) |
|---------------------------------|----------------------|--------------------------------|----------------------|
| Employers' total OPEB liability | \$ 32,286,409 | \$ 26,200,223 | \$ 21,608,830 |

Sensitivity of the City's total OPEB liability to changes in the healthcare cost trend rates - The following presents the City's total OPEB liability, as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower (5.09 percent decreasing to 3.876 percent) or 1-percentage-point higher (7.09 percent decreasing to 5.87 percent) than the current healthcare cost trend rates:

| | 1% Decrease (5.09 % decreasing to 3.87%) | Current Discount Rate (6.09 % decreasing to 4.87%) | 1% Increase (7.09% decreasing to 5.87%) |
|---------------------------------|---|---|---|
| Employers' total OPEB liability | \$ 21,768,527 | \$ 26,200,223 | \$ 31,913,110 |

11. Commitments and Contingencies

Litigation

The City is a party to various legal proceedings which normally occur in the course of governmental operations. The financial statements do not include accruals or provisions for loss contingencies that may result from these proceedings. State statutes provide for the levy of an ad valorem tax over a three-year period by a City Sinking Fund for the payment of any court assessed judgment rendered against the City. While the outcome of the above noted proceedings cannot be predicted, due to the insurance coverage maintained by the City and the State statute relating to judgments, the City feels that any settlement or judgment not covered by insurance would not have a material adverse effect on the financial condition of the City.

Grant Programs

The City of Midwest City participates in various federal or state grant/loan programs from year to year. The grant/loan programs are often subject to additional audits by agents of the granting or loaning agency, the purpose of which is to ensure compliance with the specific conditions of the grant or loan. The City has not been notified of any noncompliance with federal or state award requirements. Any liability for reimbursement which may arise as a result of these audits cannot be reasonably determined at this time, although it is believed the amount, if any, would not be material.

Asset Retirement Obligation

The City has incurred certain asset retirement obligations related to the operation of its sewer utility system. The estimated liability of the legally required closure costs for the sewer utility system cannot be reasonably estimated as of June 30, 2020, since the specific legally required costs of retirement have not yet been identified. The City anticipates identifying those specific legally required costs and obtaining an estimate of those costs in the subsequent fiscal year.

12. Subsequent Events

On December 3, 2020, the Municipal Authority issued the Series 2020 Capital Improvement Refunding Revenue Note, principal of \$18,455,000. The note has a fixed interest rate of 1.16% and matures March 1, 2025. Proceeds along with debts service funds of \$3,179,730 were used to refund \$20,950,000 of the outstanding Capital Improvement Revenue Bonds, Series 2011A.

REQUIRED SUPPLEMENTARY INFORMATION

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Budgetary Comparison Schedules – Year Ended June 30, 2020

| | GENERAL FUND | | | |
|--|---------------------|-----------------------|---------------------|-------------------------------------|
| | Budgeted Amounts | | Actual Amounts | Variance with |
| | Original | Final | (Budget Basis) | Final Budget Positive (Negative) |
| Beginning Budgetary Fund Balance: | \$ 1,180,133 | \$ (216,449) | \$ 5,811,138 | \$ 6,027,587 |
| Resources (Inflows): | | | | |
| Taxes | 23,991,464 | 24,459,464 | 24,502,414 | 42,950 |
| Charges for services | 792,560 | 705,807 | 673,974 | (31,833) |
| Fines and forfeitures | 1,371,969 | 1,371,970 | 1,075,276 | (296,694) |
| Licenses and permits | 463,620 | 463,620 | 569,507 | 105,887 |
| Investment income | 179,771 | 179,771 | 165,678 | (14,093) |
| Intergovernmental | 468,360 | 871,740 | 880,888 | 9,148 |
| Miscellaneous | 364,909 | 476,774 | 498,639 | 21,865 |
| Total Resources (Inflows) | <u>27,632,653</u> | <u>28,529,146</u> | <u>28,366,376</u> | <u>(162,770)</u> |
| Amounts available for appropriation | <u>28,812,786</u> | <u>28,312,697</u> | <u>34,177,514</u> | <u>5,864,817</u> |
| Charges to Appropriations (Outflows): | | | | |
| CITY CLERK | 102,173 | 102,420 | 100,029 | 2,391 |
| HUMAN RESOURCES | 414,900 | 430,900 | 346,970 | 83,930 |
| CITY ATTORNEY | 57,035 | 59,638 | 56,524 | 3,114 |
| COMMUNITY DEVELOPMENT | 2,148,804 | 2,501,821 | 2,017,750 | 484,071 |
| PARK & REC | 631,859 | 657,221 | 469,668 | 187,553 |
| FINANCE | 717,767 | 766,695 | 699,111 | 67,584 |
| STREETS | 3,227,546 | 3,498,022 | 2,622,779 | 875,243 |
| ANIMAL WELFARE | 487,773 | 592,241 | 352,479 | 239,762 |
| MUNICIPAL COURT | 541,307 | 542,483 | 473,373 | 69,110 |
| GENERAL GOVT | 21,500 | 193,007 | 44,608 | 148,399 |
| NEIGHBORHOOD SVCS | 1,592,230 | 1,632,283 | 1,502,659 | 129,624 |
| INFORMATION TECHNOLOGY | 694,684 | 715,322 | 653,271 | 62,051 |
| EMERGENCY RESPONSE | 1,083,582 | 1,101,306 | 1,066,551 | 34,755 |
| SWIMMING POOLS | 302,108 | 308,966 | 285,501 | 23,465 |
| COMMUNICATIONS | 199,365 | 299,804 | 215,490 | 84,314 |
| SENIOR CENTER | 222,392 | 222,392 | 161,795 | 60,597 |
| Total Charges to Appropriations | <u>12,445,025</u> | <u>13,624,521</u> | <u>11,068,558</u> | <u>2,555,963</u> |
| Other financing sources (uses) | | | | |
| Transfers from other funds | 10,779,441 | 11,029,315 | 10,897,332 | (131,983) |
| Transfers to other funds | (26,259,387) | (27,092,236) | (26,669,970) | 422,266 |
| Total other financing sources (uses) | <u>(15,479,946)</u> | <u>(16,062,921)</u> | <u>(15,772,638)</u> | <u>290,283</u> |
| Ending Budgetary Fund Balance | <u>\$ 887,815</u> | <u>\$ (1,374,745)</u> | <u>\$ 7,336,318</u> | <u>\$ 8,711,063</u> |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020**

| POLICE FUND | | | | |
|--|-------------------------|-------------------|--|---|
| | Budgeted Amounts | | Actual Amounts (Budget Basis) | Variance with Final Budget Positive (Negative) |
| | Original | Final | | |
| Beginning Budgetary Fund Balance: | \$ 1,203,803 | \$ 709,495 | \$ 4,481,332 | \$ 3,771,837 |
| Resources (Inflows): | | | | |
| Taxes | 5,877,981 | 5,877,981 | 6,049,861 | 171,880 |
| Intergovernmental | 8,202 | 8,202 | 8,761 | 559 |
| Charges for services | 181,425 | 181,425 | 144,313 | (37,112) |
| License and permits | - | 2,178 | 2,300 | 122 |
| Investment income | 82,252 | 82,252 | 98,143 | 15,891 |
| Fines and forfeitures | 67,342 | 67,342 | 87,960 | 20,618 |
| Miscellaneous | 2,178 | 23,913 | 60,861 | 36,948 |
| Total Resources (Inflows) | 6,219,380 | 6,243,293 | 6,452,199 | 208,906 |
| Amounts available for appropriation | 7,423,183 | 6,952,788 | 10,933,531 | 3,980,743 |
| Charges to Appropriations (Outflows): | | | | |
| Public Safety | 15,147,465 | 15,626,518 | 14,617,728 | 1,008,790 |
| Total Charges to Appropriations | 15,147,465 | 15,626,518 | 14,617,728 | 1,008,790 |
| Other financing sources (uses) | | | | |
| Transfers from other funds | 9,792,831 | 9,792,831 | 9,896,349 | 103,518 |
| Transfers to other funds | (700,000) | (700,000) | (700,000) | - |
| Total other financing sources (uses) | 9,092,831 | 9,092,831 | 9,196,349 | 103,518 |
| Ending Budgetary Fund Balance | \$ 1,368,549 | \$ 419,101 | \$ 5,512,152 | \$ 5,093,051 |

| FIRE FUND | | | | |
|--|-------------------------|-------------------|--|---|
| | Budgeted Amounts | | Actual Amounts (Budget Basis) | Variance with Final Budget Positive (Negative) |
| | Original | Final | | |
| Beginning Budgetary Fund Balance: | \$ (5,759,128) | \$ 270,473 | \$ 3,431,003 | \$ 3,160,530 |
| Resources (Inflows): | | | | |
| Taxes | 4,631,143 | 4,631,143 | 4,765,630 | 134,487 |
| Charges for services | 21,279 | 21,279 | 16,315 | (4,964) |
| Investment income | 72,559 | 72,559 | 77,106 | 4,547 |
| Licenses and permits | 9,107 | 9,107 | 9,875 | 768 |
| Miscellaneous | 9,720 | 67,682 | 77,145 | 9,463 |
| Total Resources (Inflows) | 4,743,808 | 4,801,770 | 4,946,071 | 144,301 |
| Amounts available for appropriation | (1,015,320) | 5,072,243 | 8,377,074 | 3,304,831 |
| Charges to Appropriations (Outflows): | | | | |
| Public Safety | 11,884,229 | 12,424,683 | 11,308,986 | 1,115,697 |
| Total Charges to Appropriations | 11,884,229 | 12,424,683 | 11,308,986 | 1,115,697 |
| Other financing sources (uses) | | | | |
| Transfers from other funds | 7,817,940 | 7,817,940 | 7,914,417 | 96,477 |
| Transfers to other funds | (250,000) | (250,000) | (271,891) | (21,891) |
| Total other financing sources (uses) | 7,567,940 | 7,567,940 | 7,642,526 | 74,586 |
| Ending Budgetary Fund Balance | \$ (5,331,609) | \$ 215,500 | \$ 4,710,614 | \$ 4,495,114 |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020**

Footnotes to Budgetary Comparison Schedule:

1. The budgetary comparison schedules and budgetary fund balance amounts are reported on the modified cash basis of accounting. In addition, obligations that are required to be funded from ending budgetary fund balances are subtracted from total ending budgetary fund balances to arrive at the unreserved budgetary fund balance. This presentation of unreserved fund balances on a budgetary basis is used to demonstrate compliance with Article 10, § 26 of the Oklahoma State Constitution.
2. The legal level of appropriation control is the department level within a fund. Transfers of appropriation between departments and object categories require the approval of the City Manager. All supplemental appropriations require the approval of the City Council. Supplemental appropriations must be filed with the Office of the State Auditor and Inspector.
3. The Hospital Authority does not present a budget to actual comparison because it is a Title 60 Public Trust. Title 60 Trust are only required to prepare a budget and submit to the beneficiary, but there are no requirements related to form, content or monitoring, and it is not considered a legal annual budget.
4. The budgetary basis differs from the modified accrual (GAAP) basis as shown in the schedules below:

| GENERAL FUND | Fund Balance | Net Change in | Fund Balance |
|---------------------------------------|----------------------|----------------------|----------------------|
| | June 30, 2019 | Fund Balance | June 30, 2020 |
| Budget to GAAP Reconciliation: | | | |
| Fund Balance - GAAP Basis | \$ 6,244,287 | \$ 244,567 | \$ 6,488,854 |
| Increases (Decreases): | | | |
| Revenues: | | | |
| Receivable | (5,375,769) | (556,645) | (5,932,414) |
| Change in fair value of investments | 927 | (6,013) | (5,086) |
| Other misc items | 688,064 | 435,442 | 1,123,506 |
| Expenditures: | | | |
| Payables | 6,914,163 | 1,719,838 | 8,634,001 |
| Encumbrances | (142,651) | 41,356 | (101,295) |
| Impact of combining accounts: | | | |
| Reimbursed Projects Account | (887,585) | (372,440) | (1,260,025) |
| Employee Activity Account | (20,232) | (35) | (20,267) |
| Activity Account | (350,655) | 1,816 | (348,839) |
| Animals Best Friend Account | (80,941) | (7,045) | (87,986) |
| 29th and Douglas Account | (283) | (5) | (288) |
| Disaster Relief Account | (1,178,187) | 124,374 | (1,053,813) |
| Fund Balance - Budgetary Basis | \$ 5,811,138 | \$ 1,625,210 | \$ 7,436,348 |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020**

| POLICE FUND | <u>Fund Balance June 30, 2019</u> | <u>Net Change in Fund Balance</u> | <u>Fund Balance June 30, 2020</u> |
|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Budget to GAAP Reconciliation: | | | |
| Fund Balance - GAAP Basis | \$ - | \$ - | \$ - |
| Increases (Decreases): | | | |
| Revenues: | | | |
| Receivable | (3,725,505) | (890,427) | (4,615,932) |
| Change in fair value of investments | 769 | (5,352) | (4,583) |
| Other misc items | (318,516) | (737,951) | (1,056,467) |
| Expenditures: | | | |
| Payables | 731,821 | 33,206 | 765,027 |
| Fund Balance - Budgetary Basis | <u>\$ (3,311,431)</u> | <u>\$ (1,600,524)</u> | <u>\$ (4,911,955)</u> |
| | | | |
| FIRE FUND | <u>Fund Balance June 30, 2019</u> | <u>Net Change in Fund Balance</u> | <u>Fund Balance June 30, 2020</u> |
| Budget to GAAP Reconciliation: | | | |
| Fund Balance - GAAP Basis | \$ - | \$ - | \$ - |
| Increases (Decreases): | | | |
| Revenues: | | | |
| Receivable | (2,862,929) | (728,998) | (3,591,927) |
| Change in fair value of investments | 502 | (3,603) | (3,101) |
| Other misc items | (323,140) | (176,555) | (499,695) |
| Expenditures: | | | |
| Payables | 1,185,891 | (147,718) | 1,038,173 |
| Fund Balance - Budgetary Basis | <u>\$ (1,999,676)</u> | <u>\$ (1,056,874)</u> | <u>\$ (3,056,550)</u> |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020**

Required Supplementary Information – Pensions

**Schedules of Required Supplementary Information
SCHEDULE OF THE CITY OF MIDWEST CITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY (ASSET)
OKLAHOMA POLICE PENSION & RETIREMENT SYSTEM
Last 10 Fiscal Years***

| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> | <u>2020</u> |
|--|---------------|---------------|---------------|---------------|---------------|---------------|
| Measurement date | June 30, 2014 | June 30, 2015 | June 30, 2016 | June 30, 2017 | June 30, 2018 | June 30, 2019 |
| City's proportion of the net pension liability (asset) | 2.2929% | 2.3249% | 2.2789% | 2.0280% | 2.0430% | 2.0530% |
| City's proportionate share of the net pension liability (asset) | \$ (772,001) | \$ 94,795 | \$ 3,490,072 | \$ 155,991 | \$ (973,201) | \$ (131,036) |
| City's covered payroll | \$ 6,171,257 | \$ 6,571,604 | \$ 6,720,857 | \$ 6,047,423 | \$ 6,230,526 | \$ 6,683,330 |
| City's proportionate share of the net pension liability (asset) as a percentage of its covered payroll | 12.51% | 1.44% | 51.93% | 2.58% | 15.62% | 1.96% |
| Plan fiduciary net position as a percentage of the total pension liability | 101.53% | 99.82% | 93.50% | 99.68% | 101.89% | 100.24% |

Notes to Schedule:

Only six fiscal years are presented because 10-year data is not yet available.

**SCHEDULE OF CITY CONTRIBUTIONS
OKLAHOMA POLICE PENSION & RETIREMENT SYSTEM
Last 10 Fiscal Years**

| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> | <u>2020</u> |
|--|--------------|--------------|--------------|--------------|--------------|--------------|
| Statutorily required contribution | \$ 854,309 | \$ 873,711 | \$ 786,165 | \$ 813,621 | \$ 868,833 | \$ 868,833 |
| Contributions in relation to the statutorily required contribution | 1,021,780 | 873,705 | 786,167 | 813,621 | 869,006 | 906,468 |
| Contribution deficiency (excess) | \$ (167,471) | \$ 6 | \$ (2) | \$ - | \$ (173) | \$ (37,635) |
| City's covered payroll | \$ 6,571,604 | \$ 6,720,857 | \$ 6,047,423 | \$ 6,230,526 | \$ 6,683,330 | \$ 6,971,293 |
| Contributions as a percentage of covered payroll | 15.55% | 13.00% | 13.00% | 13.06% | 13.00% | 13.00% |

*The amounts presented for each fiscal year were determined as of 6/30

Notes to Schedule:

Only six fiscal years are presented because 10-year data is not yet available.

The City's contract with the union provides that member contributions will be 3% and employer contributions will be 18% for years 2015-2018

There were no changes in the trends that affected the amounts reported in the schedules.

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020

Schedules of Required Supplementary Information

SCHEDULE OF THE CITY OF MIDWEST CITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
OKLAHOMA FIREFIGHTERS PENSION & RETIREMENT SYSTEM

Last 10 Fiscal Years*

| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> | <u>2020</u> |
|--|---------------|---------------|---------------|---------------|---------------|---------------|
| Measurement date | June 30, 2014 | June 30, 2015 | June 30, 2016 | June 30, 2017 | June 30, 2018 | June 30, 2019 |
| City's proportion of the net pension liability | 2.392% | 2.613% | 2.627% | 2.554% | 2.506% | 2.534% |
| City's proportionate share of the net pension liability | \$ 24,598,661 | \$ 27,733,504 | \$ 32,089,584 | \$ 32,124,179 | \$ 28,208,718 | \$ 26,774,282 |
| City's covered payroll | \$ 6,734,825 | \$ 7,151,904 | \$ 6,922,999 | \$ 7,259,523 | \$ 7,458,084 | \$ 7,834,624 |
| City's proportionate share of the net pension liability as a percentage of its covered payroll | 365% | 388% | 464% | 443% | 378% | 342% |
| Plan fiduciary net position as a percentage of the total pension liability | 68.12% | 68.27% | 64.87% | 66.61% | 70.73% | 72.58% |

Notes to Schedule:

Only six fiscal years are presented because 10-year data is not yet available.

SCHEDULE OF CITY CONTRIBUTIONS
OKLAHOMA FIREFIGHTERS PENSION & RETIREMENT SYSTEM
Last 10 Fiscal Years

| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> | <u>2020</u> |
|--|--------------------|----------------|------------------|------------------|------------------|-------------------|
| Measurement date | June 30, 2014 | June 30, 2015 | June 30, 2016 | June 30, 2017 | June 30, 2018 | June 30, 2019 |
| Statutorily required contribution | \$ 1,001,267 | \$ 969,220 | \$ 1,016,333 | \$ 1,164,029 | \$ 1,096,847 | \$ 1,152,988 |
| Contributions in relation to the statutorily required contribution | <u>1,064,424</u> | <u>969,270</u> | <u>1,016,378</u> | <u>1,164,029</u> | <u>1,096,998</u> | <u>1,007,730</u> |
| Contribution deficiency (excess) | <u>\$ (63,157)</u> | <u>\$ (50)</u> | <u>\$ (45)</u> | <u>\$ -</u> | <u>\$ (151)</u> | <u>\$ 145,258</u> |
| City's covered payroll | \$ 7,151,904 | \$ 6,922,999 | \$ 7,259,523 | \$ 7,458,084 | \$ 7,834,624 | \$ 8,235,629 |
| Contributions as a percentage of covered payroll | 14.88% | 14.00% | 14.00% | 15.61% | 14.00% | 12.24% |

*The amounts presented for each fiscal year were determined as of 6/30

Notes to Schedule:

Only six fiscal years are presented because 10-year data is not yet available.

The City's contract with the union provides that member contributions will be 5% and employer contributions will be 18% for years 2015-2018

There were no changes in the trends that affected the amounts reported in the schedules.

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020

Required Supplementary Information – Other Post Employment Benefit (OPEB)

Schedule of Changes in Total OPEB Liability and Related Ratios
Postemployment Health Insurance Implicit Rate Subsidy Plan

| | <u>2018</u> | <u>2019</u> | <u>2020</u> |
|---|----------------------|----------------------|----------------------|
| Total OPEB Liability | | | |
| Service cost | \$ 948,825 | \$ 929,222 | \$ 861,255 |
| Interest | 671,955 | 390,053 | 919,357 |
| Differences between expected and actual experience | - | (145,135) | 373,421 |
| Changes in assumptions | (2,572,581) | (475,835) | 2,032,800 |
| Experience Gain/(Loss) | (862,742) | (869,660) | (881,386) |
| Net increase (decrease) in total OPEB liability | <u>(1,814,543)</u> | <u>(171,355)</u> | <u>3,305,447</u> |
| Balances at Beginning of Year | <u>24,880,674</u> | <u>23,066,131</u> | <u>22,894,776</u> |
| Balances End of Year | <u>\$ 23,066,131</u> | <u>\$ 22,894,776</u> | <u>\$ 26,200,223</u> |
| | | | |
| Covered payroll | \$ 27,950,000 | \$ 28,460,000 | \$ 28,560,000 |
| | | | |
| Total OPEB liability as a percentage of covered payroll | 82.53% | 80.45% | 91.74% |

Notes to Schedule:

Only the three fiscal years are presented because 10-year data is not yet available

OTHER SUPPLEMENTARY INFORMATION

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020**

Combining Balance Sheet – General Fund Accounts – June 30, 2020

| | General Fund Accounts | | | | | | | Totals |
|--|-----------------------|--------------------------------|------------------------------|-------------------|--------------------------------|-----------------------------|----------------------------|----------------------|
| | General Fund | Reimbursed Projects Account | Employee Activity Account | Activity Account | Animals Best Friend Account | 29th and Douglas Account | Disaster Relief Account | |
| ASSETS | | | | | | | | |
| Cash and cash equivalents | \$ 4,020,484 | \$ 787,907 | \$ 20,356 | \$ 225,129 | \$ 89,075 | \$ 288 | \$ 661,045 | \$ 5,804,284 |
| Investments | 2,398,739 | 434,883 | - | 124,259 | - | - | 364,862 | 3,322,743 |
| Accounts receivable | 1,590,385 | 38,639 | - | - | 25,093 | - | 234,715 | 1,888,832 |
| Accrued interest receivable | 9,306 | - | - | - | - | - | - | 9,306 |
| Other receivable | 14,511 | - | - | 2,630 | - | - | - | 17,141 |
| Due from other governments | 3,521,415 | - | - | - | - | - | 438 | 3,521,853 |
| Due from other funds | 325,156 | - | - | - | - | - | - | 325,156 |
| Prepaid items | 3,114 | - | - | - | - | - | - | 3,114 |
| Advance from other funds | 468,527 | - | - | - | - | - | - | 468,527 |
| Total assets | <u>\$ 12,351,637</u> | <u>\$ 1,261,429</u> | <u>\$ 20,356</u> | <u>\$ 352,018</u> | <u>\$ 114,168</u> | <u>\$ 288</u> | <u>\$ 1,261,060</u> | <u>\$ 15,360,956</u> |
| LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES | | | | | | | | |
| Liabilities: | | | | | | | | |
| Accounts payable and accrued liabilities | \$ 114,414 | \$ 1,404 | \$ 89 | \$ 2,320 | \$ 2,493 | \$ - | \$ 7,215 | \$ 127,935 |
| Wages payable | 513,303 | - | - | 859 | - | - | 9,029 | 523,191 |
| Due to other governments | 10,467 | - | - | - | - | - | - | 10,467 |
| Refundable deposits | 114,688 | - | - | - | - | - | - | 114,688 |
| Due to other funds | 6,438,709 | - | - | - | - | - | - | 6,438,709 |
| Total liabilities | <u>7,191,581</u> | <u>1,404</u> | <u>89</u> | <u>3,179</u> | <u>2,493</u> | <u>-</u> | <u>16,244</u> | <u>7,214,990</u> |
| DEFERRED INFLOWS OF RESOURCES | | | | | | | | |
| Unavailable revenue | 1,442,420 | - | - | - | 23,689 | - | 191,003 | 1,657,112 |
| Fund balances: | | | | | | | | |
| Nonspendable | 471,641 | - | - | - | - | - | - | 471,641 |
| Restricted | 10,510 | 1,170,201 | - | 348,839 | 35,129 | - | 769,313 | 2,333,992 |
| Assigned | 199,438 | 89,824 | 20,267 | - | 52,857 | 288 | 284,500 | 647,174 |
| Unassigned | 3,036,047 | - | - | - | - | - | - | 3,036,047 |
| Total fund balances | <u>3,717,636</u> | <u>1,260,025</u> | <u>20,267</u> | <u>348,839</u> | <u>87,986</u> | <u>288</u> | <u>1,053,813</u> | <u>6,488,854</u> |
| Total liabilities, deferred inflows and fund balances | <u>\$ 12,351,637</u> | <u>\$ 1,261,429</u> | <u>\$ 20,356</u> | <u>\$ 352,018</u> | <u>\$ 114,168</u> | <u>\$ 288</u> | <u>\$ 1,261,060</u> | <u>\$ 15,360,956</u> |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
For the Year Ended June 30, 2020

Combining Schedule of Revenues, Expenditures and Changes in Fund Balance – General Fund
Accounts – Year Ended June 30, 2020

| General Fund Accounts | | | | | | | | |
|---|---------------------|-----------------------------------|------------------------------|-------------------|--------------------------------|-----------------------------|----------------------------|---------------------|
| | General Fund | Reimbursed Projects Account | Employee Activity Account | Activity Account | Animals Best Friend Account | 29th and Douglas Account | Disaster Relief Account | Totals |
| REVENUES | | | | | | | | |
| Taxes | \$ 24,945,429 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 24,945,429 |
| Intergovernmental | 517,573 | 153,653 | - | - | - | - | - | 671,226 |
| Charges for services | 2,178,710 | 98,879 | - | 49,632 | - | - | 61,290 | 2,388,511 |
| Investment income | 169,876 | 16,450 | 333 | 5,845 | 1,435 | 5 | 18,093 | 212,037 |
| Fines & forfeitures | 987,817 | - | - | - | 16,304 | - | - | 1,004,121 |
| Licenses & permits | 565,106 | 4,400 | - | - | - | - | - | 569,506 |
| Miscellaneous | 242,755 | 283,727 | 2,331 | 87,124 | 3,359 | - | 121,218 | 740,514 |
| Total revenues | 29,607,266 | 557,109 | 2,664 | 142,601 | 21,098 | 5 | 200,601 | 30,531,344 |
| EXPENDITURES | | | | | | | | |
| Current: | | | | | | | | |
| General government | 4,627,247 | 85,354 | 11,629 | - | - | - | 306,015 | 5,030,245 |
| Public Safety | 1,074,367 | - | - | - | - | - | - | 1,074,367 |
| Streets | 2,536,504 | - | - | - | - | - | - | 2,536,504 |
| Culture and recreation | 775,023 | - | - | 137,417 | - | - | - | 912,440 |
| Health & welfare | 336,467 | - | - | - | 14,053 | - | - | 350,520 |
| Economic development | 3,139,941 | 42,642 | - | - | - | - | - | 3,182,583 |
| Capital outlay | - | 56,673 | - | 7,000 | - | - | 18,960 | 82,633 |
| Debt service: | | | | | | | | |
| Interest and fiscal charges | - | - | - | - | - | - | - | - |
| Total expenditures | 12,489,549 | 184,669 | 11,629 | 144,417 | 14,053 | - | 324,975 | 13,169,292 |
| Revenues over (under) expenditures | 17,117,717 | 372,440 | (8,965) | (1,816) | 7,045 | 5 | (124,374) | 17,362,052 |
| OTHER FINANCING SOURCES (USES) | | | | | | | | |
| Transfers in | 10,887,301 | - | - | - | - | - | - | 10,887,301 |
| Transfers out | (28,004,786) | - | - | - | - | - | - | (28,004,786) |
| Transfers in - interaccount | - | - | 9,000 | - | - | - | - | 9,000 |
| Transfers out - interaccount | (9,000) | - | - | - | - | - | - | (9,000) |
| Total other financing sources (uses) | (17,126,485) | - | 9,000 | - | - | - | - | (17,117,485) |
| Net change in fund balances | (8,768) | 372,440 | 35 | (1,816) | 7,045 | 5 | (124,374) | 244,567 |
| Fund balances - beginning of year | 3,726,404 | 887,585 | 20,232 | 350,655 | 80,941 | 283 | 1,178,187 | 6,244,287 |
| Fund balances - end of year | \$ 3,717,636 | \$ 1,260,025 | \$ 20,267 | \$ 348,839 | \$ 87,986 | \$ 288 | \$ 1,053,813 | \$ 6,488,854 |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Combining Balance Sheet – Nonmajor Governmental Funds – June 30, 2020

| | <u>Special Revenue Funds</u> | | | | | | | | | | | |
|--|------------------------------|----------------------|-----------------------------------|----------------------------------|------------------------|----------------------------|----------------------------|--------------------------------|-------------------------------------|----------------------------|--|------------------------|
| | <u>Grant Fund</u> | <u>Juvenile Fund</u> | <u>Park & Recreation Fund</u> | <u>Emergency Operations Fund</u> | <u>Technology Fund</u> | <u>Welcome Center Fund</u> | <u>Police Impound Fund</u> | <u>Street & Alley Fund</u> | <u>Police Special Projects Fund</u> | <u>Police Lab Fee Fund</u> | <u>Convention/Visitors Bureau Fund</u> | <u>Sooner Rose TIF</u> |
| ASSETS | | | | | | | | | | | | |
| Cash and cash equivalents | \$ 144,245 | \$ 27,943 | \$ 366,300 | \$ 492,694 | \$ 201,307 | \$ 182,488 | \$ 109,036 | \$ 1,034,357 | \$ 214,719 | \$ 23,424 | \$ 184,975 | \$ 1,355,177 |
| Investments | - | - | 202,178 | 271,941 | - | 100,724 | - | 585,892 | - | - | - | 299,051 |
| Accrued interest receivable | - | - | - | - | - | - | - | 2,273 | - | - | - | - |
| Deposits held by others | - | - | - | - | - | - | - | - | - | - | - | - |
| Other receivable | 50,089 | 72,648 | 800 | 559 | 303,513 | - | - | - | - | 12,128 | - | 2,798 |
| Due from other governments | 490,434 | - | 74,530 | 65,308 | - | 15,398 | - | 48,084 | - | - | 28,744 | - |
| Due from other funds | 1,222 | 780 | 70,379 | 3,022 | - | 70,729 | - | - | - | - | 148 | - |
| Inventory | 60,000 | - | - | - | - | - | - | - | - | - | - | - |
| Total assets | <u>745,990</u> | <u>101,371</u> | <u>714,187</u> | <u>833,524</u> | <u>504,820</u> | <u>369,339</u> | <u>109,036</u> | <u>1,670,606</u> | <u>214,719</u> | <u>35,552</u> | <u>213,867</u> | <u>1,657,026</u> |
| LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES | | | | | | | | | | | | |
| Liabilities: | | | | | | | | | | | | |
| Accounts payable and accrued liabilities | 130,121 | - | 5,217 | 1,500 | - | 770 | 4,258 | - | - | 59 | 1,803 | - |
| Wages payable | 26,864 | 4,233 | 4,319 | 17,611 | 4,888 | 5,799 | - | - | - | - | 6,459 | - |
| Due to other funds | 325,156 | - | - | - | - | - | - | - | - | - | - | - |
| Total liabilities | <u>482,141</u> | <u>4,233</u> | <u>9,536</u> | <u>19,111</u> | <u>4,888</u> | <u>6,569</u> | <u>4,258</u> | <u>-</u> | <u>-</u> | <u>59</u> | <u>8,262</u> | <u>-</u> |
| Deferred inflows: | | | | | | | | | | | | |
| Unavailable revenue | 38,871 | 68,545 | 150 | - | 275,681 | - | - | - | - | 11,534 | - | - |
| Fund balances: | | | | | | | | | | | | |
| Nonspendable | 104,062 | - | - | - | - | - | - | - | - | - | - | - |
| Restricted | 120,916 | 28,593 | 704,501 | 814,413 | 224,251 | 362,770 | 104,778 | 1,670,606 | 214,719 | 23,959 | 205,605 | 1,657,026 |
| Assigned | - | - | - | - | - | - | - | - | - | - | - | - |
| Total fund balances | <u>224,978</u> | <u>28,593</u> | <u>704,501</u> | <u>814,413</u> | <u>224,251</u> | <u>362,770</u> | <u>104,778</u> | <u>1,670,606</u> | <u>214,719</u> | <u>23,959</u> | <u>205,605</u> | <u>1,657,026</u> |
| Total liabilities, deferred inflows, and fund balances | <u>\$ 745,990</u> | <u>\$ 101,371</u> | <u>\$ 714,187</u> | <u>\$ 833,524</u> | <u>\$ 504,820</u> | <u>\$ 369,339</u> | <u>\$ 109,036</u> | <u>\$ 1,670,606</u> | <u>\$ 214,719</u> | <u>\$ 35,552</u> | <u>\$ 213,867</u> | <u>\$ 1,657,026</u> |

(continued)

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Combining Balance Sheet – Nonmajor Governmental Funds – June 30, 2020

| | Special Revenue Funds | | | | Capital Project Funds | | | | Debt Service Fund | | | Totals | |
|--|-------------------------|--------------------------------|-----------------------------------|---------------------|--------------------------------|--------------------------|-------------------------|--------------------------|------------------------------------|--------------------------|-----------------------------|---------------------|------------------------|
| | Urban Renewal Authority | Economic Development Authority | General Government Sales Tax Fund | Street Light Fee | Downtown Development Authority | 2002 Street Project Fund | Dedicated Tax 2012 Fund | 2018 GO Bond Proprietary | Sales Tax Capital Improvement Fund | Capital Improvement Fund | Capital Outlay Reserve Fund | | G.O. Debt Service Fund |
| ASSETS | | | | | | | | | | | | | |
| Cash and cash equivalents | \$ 81,862 | \$ 6,668,163 | \$ 2,364,461 | \$ 1,185,666 | \$ 1,517,114 | \$ 202,888 | \$ 1,178,733 | \$ 6,842,460 | \$ - | \$ 1,612,772 | \$ 565,942 | \$ 1,202,149 | \$ 27,758,875 |
| Investments | - | 1,046,777 | 1,339,304 | 671,598 | 859,340 | 111,984 | 667,671 | 3,875,782 | - | 913,524 | 312,370 | 680,935 | 11,939,071 |
| Accrued interest receivable | - | 4,061 | 5,196 | 2,606 | 3,334 | - | 2,590 | 15,037 | - | 3,544 | - | 2,642 | 41,283 |
| Deposits held by others | - | - | - | - | 500 | 300 | - | - | - | 4,500 | - | - | 5,300 |
| Other receivable | - | 250,779 | - | 81,142 | - | - | - | - | - | - | - | - | 774,456 |
| Due from other governments | - | - | 354,770 | - | - | - | 66,671 | - | 849,182 | 28,315 | - | 3,640,197 | 5,661,633 |
| Due from other funds | - | - | 100,832 | - | - | - | - | - | - | 50,688 | - | - | 297,800 |
| Inventory | - | - | - | - | - | - | - | - | - | - | - | - | 60,000 |
| Total assets | <u>81,862</u> | <u>7,969,780</u> | <u>4,164,563</u> | <u>1,941,012</u> | <u>2,380,288</u> | <u>315,172</u> | <u>1,915,665</u> | <u>10,733,279</u> | <u>849,182</u> | <u>2,613,343</u> | <u>878,312</u> | <u>5,525,923</u> | <u>46,538,418</u> |
| LIABILITIES, DEFERRED INFLOWS AND FUND BALANCES | | | | | | | | | | | | | |
| Liabilities: | | | | | | | | | | | | | |
| Accounts payable and accrued liabilities | 1,493 | 43,238 | 10,243 | 48,665 | 13,502 | - | - | 15,600 | - | 53,049 | - | - | 329,518 |
| Wages payable | - | - | 28,944 | 1,063 | - | - | - | - | - | - | - | - | 100,180 |
| Due to other funds | - | - | - | - | - | - | - | - | 849,182 | - | - | - | 1,174,338 |
| Total liabilities | <u>1,493</u> | <u>43,238</u> | <u>39,187</u> | <u>49,728</u> | <u>13,502</u> | <u>-</u> | <u>-</u> | <u>15,600</u> | <u>849,182</u> | <u>53,049</u> | <u>-</u> | <u>-</u> | <u>1,604,036</u> |
| Deferred inflows: | | | | | | | | | | | | | |
| Unavailable revenue | - | 1,590 | - | - | - | - | - | - | - | - | - | 3,605,458 | 4,001,829 |
| Fund balances: | | | | | | | | | | | | | |
| Nonspendable | - | - | - | - | 500 | 300 | - | - | - | 4,500 | - | - | 109,362 |
| Restricted | 3,804 | 7,924,952 | 4,125,376 | 1,891,284 | 1,818,805 | 314,872 | 1,915,665 | 10,717,679 | - | 2,462,259 | 746,651 | 1,920,465 | 39,973,949 |
| Assigned | 76,565 | - | - | - | 547,481 | - | - | - | - | 93,535 | 131,661 | - | 849,242 |
| Total fund balances | <u>80,369</u> | <u>7,924,952</u> | <u>4,125,376</u> | <u>1,891,284</u> | <u>2,366,786</u> | <u>315,172</u> | <u>1,915,665</u> | <u>10,717,679</u> | <u>-</u> | <u>2,560,294</u> | <u>878,312</u> | <u>1,920,465</u> | <u>40,932,553</u> |
| Total liabilities, deferred inflows, and fund balances | <u>\$ 81,862</u> | <u>\$ 7,969,780</u> | <u>\$ 4,164,563</u> | <u>\$ 1,941,012</u> | <u>\$ 2,380,288</u> | <u>\$ 315,172</u> | <u>\$ 1,915,665</u> | <u>\$ 10,733,279</u> | <u>\$ 849,182</u> | <u>\$ 2,613,343</u> | <u>\$ 878,312</u> | <u>\$ 5,525,923</u> | <u>\$ 46,538,418</u> |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Combining Statement of Revenues, Expenditures and Changes in Fund Balance - Nonmajor Governmental Funds – Year Ended June 30, 2020

| | Special Revenue Funds | | | | | | | | | | | |
|---------------------------------------|-----------------------|---------------|------------------------|---------------------------|-----------------|---------------------|---------------------|---------------------|------------------------------|---------------------|---------------------------------|------------------|
| | Grant Fund | Juvenile Fund | Park & Recreation Fund | Emergency Operations Fund | Technology Fund | Welcome Center Fund | Police Impound Fund | Street & Alley Fund | Police Special Projects Fund | Police Lab Fee Fund | Convention/Visitors Bureau Fund | Sooner Rose TIF |
| REVENUES | | | | | | | | | | | | |
| Taxes | \$ - | \$ - | \$ 547,954 | \$ 521,226 | \$ - | \$ 160,655 | \$ - | \$ - | \$ - | \$ - | \$ 299,888 | \$ 582,129 |
| Intergovernmental | 1,272,519 | - | - | - | - | - | - | 506,178 | - | - | - | - |
| Charges for services | - | - | 300 | 4,542 | 242,687 | - | 43,800 | - | - | - | - | - |
| Investment income | 10 | 276 | 11,254 | 12,608 | 2,896 | 6,191 | 2,242 | 31,383 | 3,220 | 390 | 3,639 | 60,754 |
| Fines & forfeitures | - | 43,213 | - | - | 8,231 | - | - | - | 1,256 | 8,731 | - | - |
| Licenses & permits | - | - | - | - | 23,400 | - | - | - | - | - | - | - |
| Miscellaneous | 17,468 | - | 6,257 | 1,725 | - | 37,552 | - | 1,424 | 32,440 | - | 7,050 | 5,654 |
| Total revenues | 1,289,997 | 43,489 | 565,765 | 540,101 | 277,214 | 204,398 | 46,042 | 538,985 | 36,916 | 9,121 | 310,577 | 648,537 |
| EXPENDITURES | | | | | | | | | | | | |
| Current: | | | | | | | | | | | | |
| General government | - | - | - | - | 321,623 | - | - | - | - | - | - | - |
| Public safety | 162,726 | 85,012 | - | 407,922 | - | - | 69,957 | - | 29,677 | 7,980 | - | - |
| Streets | - | - | - | - | - | - | - | 51,733 | - | - | - | - |
| Culture and recreation | - | - | 303,505 | - | - | 189,062 | - | - | - | - | - | - |
| Economic development | 765,029 | - | - | - | - | - | - | - | - | - | 336,681 | 4,758,376 |
| Capital outlay | 554,369 | 1,493 | 220,823 | 1,987 | - | 817 | - | 141,936 | 5,000 | - | - | - |
| Debt service: | | | | | | | | | | | | |
| Principal retirement | - | - | - | - | - | - | - | - | - | - | - | 380,000 |
| Interest and fiscal charges | - | - | - | - | - | - | - | - | - | - | - | 839,918 |
| Total expenditures | 1,482,124 | 86,505 | 524,328 | 409,909 | 321,623 | 189,879 | 69,957 | 193,669 | 34,677 | 7,980 | 336,681 | 5,978,294 |
| Revenues over (under) expenditures | (192,127) | (43,016) | 41,437 | 130,192 | (44,409) | 14,519 | (23,915) | 345,316 | 2,239 | 1,141 | (26,104) | (5,329,757) |
| OTHER FINANCING SOURCES (USES) | | | | | | | | | | | | |
| Transfers in | 213,291 | 40,000 | - | 20,000 | 90,000 | - | - | 21,552 | - | - | - | - |
| Transfers out | (20,000) | - | - | (90,000) | - | - | (27,413) | - | - | - | - | - |
| Total other financing sources (uses) | 193,291 | 40,000 | - | (70,000) | 90,000 | - | (27,413) | 21,552 | - | - | - | - |
| Net change in fund balances | 1,164 | (3,016) | 41,437 | 60,192 | 45,591 | 14,519 | (51,328) | 366,868 | 2,239 | 1,141 | (26,104) | (5,329,757) |
| Fund balances - beginning of year | 223,814 | 31,609 | 663,064 | 754,221 | 178,660 | 348,251 | 156,106 | 1,303,738 | 212,480 | 22,818 | 231,709 | 6,986,783 |
| Fund balances - end of year | \$ 224,978 | \$ 28,593 | \$ 704,501 | \$ 814,413 | \$ 224,251 | \$ 362,770 | \$ 104,778 | \$ 1,670,606 | \$ 214,719 | \$ 23,959 | \$ 205,605 | \$ 1,657,026 |

(continued)

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Combining Statement of Revenues, Expenditures and Changes in Fund Balance - Nonmajor Governmental Funds – Year Ended June 30, 2020

| | Special Revenue Funds | | | | | Capital Project Funds | | | | | Debt Service Fund | | Totals |
|---------------------------------------|-------------------------|--------------------------------|-----------------------------------|------------------|--------------------------------|--------------------------|-------------------------|--------------------------|------------------------------------|--------------------------|-----------------------------|------------------------|-------------------|
| | Urban Renewal Authority | Economic Development Authority | General Government Sales Tax Fund | Street Light Fee | Downtown Development Authority | 2002 Street Project Fund | Dedicated Tax 2012 Fund | 2018 GO Bond Proprietary | Sales Tax Capital Improvement Fund | Capital Improvement Fund | Capital Outlay Reserve Fund | G.O. Debt Service Fund | |
| REVENUES | | | | | | | | | | | | | |
| Taxes | \$ - | \$ - | \$ 2,498,473 | \$ - | \$ - | \$ - | \$ 468,252 | \$ - | \$ 5,976,795 | \$ 186,161 | \$ - | \$ 2,779,749 | \$ 14,021,282 |
| Intergovernmental | - | - | - | - | - | - | - | - | - | 10,794 | - | - | 1,789,491 |
| Charges for services | - | 4,667,092 | - | 579,271 | - | - | - | - | - | - | - | - | 5,537,692 |
| Investment income | 806 | 53,544 | 80,829 | 42,842 | 54,605 | 6,710 | 39,385 | 250,958 | 4,002 | 57,005 | 15,048 | 31,797 | 772,394 |
| Fines & forfeitures | - | - | - | - | - | - | - | - | - | - | - | - | 61,431 |
| Licenses & permits | - | - | - | - | - | - | - | - | - | 76,673 | - | - | 100,073 |
| Miscellaneous | 50,500 | 1,090 | 58,545 | 4,200 | - | - | 11,500 | - | - | - | - | 3,250 | 238,655 |
| Total revenues | 51,306 | 4,721,726 | 2,637,847 | 626,313 | 54,605 | 6,710 | 519,137 | 250,958 | 5,980,797 | 330,633 | 15,048 | 2,814,796 | 22,521,018 |
| EXPENDITURES | | | | | | | | | | | | | |
| Current: | | | | | | | | | | | | | |
| General government | - | - | 1,666,751 | - | - | - | - | - | - | - | - | - | 1,988,374 |
| Public safety | - | - | - | - | - | - | - | - | - | - | - | - | 763,274 |
| Streets | - | - | - | 418,490 | - | - | 33,899 | - | - | 33,382 | - | - | 537,504 |
| Culture and recreation | - | - | - | - | - | - | - | - | - | - | - | - | 492,567 |
| Economic development | 1,493 | 671,251 | - | - | 11,365 | - | - | - | - | - | - | - | 6,544,195 |
| Capital outlay | 3,115 | 1,674,236 | 391,543 | - | 8,457 | 135,856 | 142,783 | 282,014 | - | 493,308 | 34,256 | - | 4,091,993 |
| Debt service: | | | | | | | | | | | | | |
| Principal retirement | - | 910,000 | - | - | - | - | - | - | - | - | - | 325,000 | 1,615,000 |
| Interest and fiscal charges | - | 2,059,838 | - | - | - | - | - | - | - | - | - | 1,137,260 | 4,037,016 |
| Total expenditures | 4,608 | 5,315,325 | 2,058,294 | 418,490 | 19,822 | 135,856 | 176,682 | 282,014 | - | 526,690 | 34,256 | 1,462,260 | 20,069,923 |
| Revenues over (under) expenditures | 46,698 | (593,599) | 579,553 | 207,823 | 34,783 | (129,146) | 342,455 | (31,056) | 5,980,797 | (196,057) | (19,208) | 1,352,536 | 2,451,095 |
| OTHER FINANCING SOURCES (USES) | | | | | | | | | | | | | |
| Transfers in | - | 1,678,654 | 48,173 | - | - | - | - | - | - | 486,546 | - | - | 2,598,216 |
| Transfers out | - | (125,000) | - | - | (2,100) | - | - | - | (5,980,797) | - | - | (23,624) | (6,268,934) |
| Total other financing sources (uses) | - | 1,553,654 | 48,173 | - | (2,100) | - | - | - | (5,980,797) | 486,546 | - | (23,624) | (3,670,718) |
| Net change in fund balances | 46,698 | 960,055 | 627,726 | 207,823 | 32,683 | (129,146) | 342,455 | (31,056) | - | 290,489 | (19,208) | 1,328,912 | (1,219,623) |
| Fund balances - beginning of year | 33,671 | 6,964,897 | 3,497,650 | 1,683,461 | 2,334,103 | 444,318 | 1,573,210 | 10,748,735 | - | 2,269,805 | 897,520 | 591,553 | 42,152,176 |
| Fund balances - end of year | \$ 80,369 | \$ 7,924,952 | \$ 4,125,376 | \$ 1,891,284 | \$ 2,366,786 | \$ 315,172 | \$ 1,915,665 | \$ 10,717,679 | \$ - | \$ 2,560,294 | \$ 878,312 | \$ 1,920,465 | \$ 40,932,553 |

CITY OF MIDWEST CITY, OKLAHOMA
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As of and for the Year Ended June 30, 2020

Combining Schedule of Net Position – Midwest City Municipal Authority Accounts – June 30, 2020

| Midwest City Municipal Authority | | | | | | | | | | | |
|--|---------------|---------------|--------------------|---------------------------------|------------------|----------------------|--------------------------|---------------------------|--------------------------|----------------------|----------------|
| | Water Account | Sewer Account | Sanitation Account | Conference Center/Hotel Account | Drainage Account | Debt Service Account | Utility Services Account | Utilities Capital Account | Customer Deposit Account | Golf Courses Account | Total |
| ASSETS | | | | | | | | | | | |
| Current assets: | | | | | | | | | | | |
| Cash and cash equivalents | \$ 3,792,444 | \$ 4,302,316 | \$ 1,753,502 | \$ 788,148 | \$ 384,135 | \$ - | \$ 275,695 | \$ 1,941,073 | \$ - | \$ 197,169 | \$ 13,434,882 |
| Cash and cash equivalents, restricted | - | - | - | - | - | 12,879,819 | - | - | 985,652 | - | 13,865,471 |
| Investments | 2,134,872 | 2,310,500 | 993,238 | 197,017 | 212,022 | - | 152,169 | 1,099,484 | - | 107,654 | 7,206,956 |
| Accounts receivable, net | 1,293,455 | 1,164,498 | 1,019,396 | 66,538 | 64,400 | - | 65,440 | - | 30 | - | 3,673,757 |
| Other receivable | - | - | - | 82,903 | - | - | - | 80,465 | - | 4,766 | 168,134 |
| Accrued interest receivable | 6,319 | 6,173 | 3,853 | - | - | - | - | 4,266 | 2,166 | - | 22,777 |
| Prepaid items | - | - | - | 6,454 | - | - | - | - | - | - | 6,454 |
| Inventory | 175,581 | 96,462 | - | - | - | - | - | - | - | 3,040 | 275,083 |
| Due from other funds - interaccount | - | 15,233 | - | - | - | - | - | - | 3,803 | - | 19,036 |
| Due from other funds | 17,948 | 28,044 | 140,848 | 13,161 | - | 798,494 | - | - | - | 2,514 | 1,001,009 |
| Total current assets | 7,420,619 | 7,923,226 | 3,910,837 | 1,154,221 | 660,557 | 13,678,313 | 493,304 | 3,125,288 | 991,651 | 315,143 | 39,673,159 |
| Non-current assets: | | | | | | | | | | | |
| Investments, restricted | - | - | - | - | - | - | - | - | 558,304 | - | 558,304 |
| Due from other funds - interaccount | 822,169 | - | - | - | - | - | - | - | - | - | 822,169 |
| Land, construction in progress, and water rights | 8,165,433 | 932,121 | 700,000 | 1,224,414 | 1,250 | - | - | 262,000 | - | 232,057 | 11,517,275 |
| Other capital assets, net | 18,332,002 | 71,327,907 | 4,206,271 | 19,408,732 | 13,165,779 | - | 30,967 | 5,521,118 | - | 1,276,578 | 133,269,354 |
| Total non-current assets | 27,319,604 | 72,260,028 | 4,906,271 | 20,633,146 | 13,167,029 | - | 30,967 | 5,783,118 | 558,304 | 1,508,635 | 146,167,102 |
| Total assets | 34,740,223 | 80,183,254 | 8,817,108 | 21,787,367 | 13,827,586 | 13,678,313 | 524,271 | 8,908,406 | 1,549,955 | 1,823,778 | 185,840,261 |
| DEFERRED OUTFLOWS OF RESOURCES | | | | | | | | | | | |
| Deferred amount on refunding | - | - | - | - | - | 821,097 | - | - | - | - | 821,097 |
| Deferred amount related to OPEB | 253,625 | 197,854 | 161,910 | - | 14,266 | - | 126,458 | - | - | 29,025 | 783,138 |
| Total deferred inflows | 253,625 | 197,854 | 161,910 | - | 14,266 | 821,097 | 126,458 | - | - | 29,025 | 1,604,235 |
| LIABILITIES | | | | | | | | | | | |
| Current liabilities: | | | | | | | | | | | |
| Accounts payable and accrued liabilities | 272,289 | 248,185 | 176,303 | 469,699 | 22 | - | 13,404 | 344,245 | - | 10,038 | 1,534,185 |
| Wages payable | 125,723 | 166,348 | 58,040 | 36,406 | 11,287 | - | 44,337 | - | - | 38,446 | 480,587 |
| Due to other funds - interaccount | 3,803 | - | - | - | - | 15,233 | - | - | - | - | 19,036 |
| Due to other funds | - | - | - | - | - | - | - | - | - | 140,758 | 140,758 |
| Accrued interest payable | - | - | - | - | - | 565,102 | - | - | - | - | 565,102 |
| Accrued compensated absences | 150,997 | 164,931 | 40,299 | 46,158 | 15,388 | - | 49,064 | - | - | 38,917 | 505,754 |
| Refundable deposits | - | - | - | 14,303 | - | - | - | - | 154,325 | - | 168,628 |
| Revenue bonds payable | - | - | - | - | - | 4,525,000 | - | - | - | - | 4,525,000 |
| Total current liabilities | 552,812 | 579,464 | 274,642 | 566,566 | 26,697 | 5,105,335 | 106,805 | 344,245 | 154,325 | 228,159 | 7,939,050 |
| Non-current liabilities: | | | | | | | | | | | |
| Accrued compensated absences | 301,994 | 329,861 | 80,597 | 12,367 | 30,776 | - | 98,128 | - | - | 77,833 | 931,556 |
| Total OPEB liability | 1,595,094 | 1,589,109 | 961,672 | - | 117,538 | - | 643,252 | - | - | 213,705 | 5,120,370 |
| Due to other funds - interaccount | - | - | - | - | - | - | - | 822,169 | - | - | 822,169 |
| Refundable deposits | - | - | - | - | - | - | - | - | 1,388,928 | - | 1,388,928 |
| Notes payable | 2,280,047 | - | - | - | - | - | - | - | - | - | 2,280,047 |
| Revenue bonds payable, net | - | - | - | - | - | 49,290,430 | - | - | - | - | 49,290,430 |
| Total non-current liabilities | 4,177,135 | 1,918,970 | 1,042,269 | 12,367 | 148,314 | 49,290,430 | 741,380 | 822,169 | 1,388,928 | 291,538 | 59,833,500 |
| Total liabilities | 4,729,947 | 2,498,434 | 1,316,911 | 578,933 | 175,011 | 54,395,765 | 848,185 | 1,166,414 | 1,543,253 | 519,697 | 67,772,550 |
| DEFERRED INFLOW OF RESOURCES | | | | | | | | | | | |
| Deferred amount related to OPEB | 290,960 | 777,505 | 124,800 | - | 47,170 | - | 147,075 | - | - | 173,167 | 1,560,677 |
| NET POSITION | | | | | | | | | | | |
| Net investment in capital assets | 24,217,389 | 72,260,027 | 4,906,273 | 20,633,150 | 13,167,029 | (58,478,682) | 30,967 | 5,783,118 | - | 1,508,635 | 84,027,906 |
| Restricted for debt service | - | - | - | - | - | 1,541,810 | - | - | - | - | 1,541,810 |
| Restricted for other purposes | - | - | - | - | - | - | 55,501 | - | - | 50,660 | 106,161 |
| Unrestricted (deficit) | 5,755,552 | 4,845,142 | 2,631,034 | 575,284 | 452,642 | 17,040,517 | (430,999) | 1,958,874 | 6,702 | (399,356) | 32,435,392 |
| Total net position | \$ 29,972,941 | \$ 77,105,169 | \$ 7,537,307 | \$ 21,208,434 | \$ 13,619,671 | \$ (39,896,355) | \$ (344,531) | \$ 7,741,992 | \$ 6,702 | \$ 1,159,939 | \$ 118,111,269 |

CITY OF MIDWEST CITY, OKLAHOMA
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As of and for the Year Ended June 30, 2020

Combining Schedule of Revenues, Expenses and Changes in Net Position – Midwest City Municipal Authority Accounts – Year Ended June 30, 2020

| Midwest City Municipal Authority | | | | | | | | | | | |
|--|----------------------|----------------------|---------------------------|--|-------------------------|-----------------------------|---------------------------------|----------------------------------|---------------------------------|-----------------------------|-----------------------|
| | Water Account | Sewer Account | Sanitation Account | Conference Center/Hotel Account | Drainage Account | Debt Service Account | Utility Services Account | Utilities Capital Account | Customer Deposit Account | Golf Courses Account | Total |
| OPERATING REVENUES | | | | | | | | | | | |
| Charges for services | \$ 7,637,906 | \$ 8,198,499 | \$ 7,209,685 | \$ 3,682,760 | \$ 460,432 | \$ - | \$ 1,094,821 | \$ - | \$ - | \$ 1,101,994 | \$ 29,386,097 |
| Fees, licenses and permits | 9,825 | 16,360 | - | - | - | - | - | - | - | - | 26,185 |
| Miscellaneous | 42,501 | 905 | 8,961 | 45,151 | 800 | - | 5,583 | 212,700 | - | 252 | 316,853 |
| Total operating revenues | <u>7,690,232</u> | <u>8,215,764</u> | <u>7,218,646</u> | <u>3,727,911</u> | <u>461,232</u> | <u>-</u> | <u>1,100,404</u> | <u>212,700</u> | <u>-</u> | <u>1,102,246</u> | <u>29,729,135</u> |
| OPERATING EXPENSES | | | | | | | | | | | |
| Personal services | 2,363,791 | 3,305,772 | 1,300,504 | 1,694,517 | 254,709 | - | 931,510 | - | - | 686,353 | 10,537,156 |
| Materials and supplies | 838,698 | 807,021 | 1,160,797 | 855,417 | 81,252 | - | 25,958 | - | - | 197,658 | 3,966,801 |
| Other services and charges | 1,654,989 | 1,336,333 | 2,532,714 | 1,222,155 | 35,596 | - | 172,260 | 54,513 | - | 77,727 | 7,086,287 |
| Depreciation and amortization | 740,505 | 2,966,503 | 538,784 | 877,723 | 276,782 | - | 4,083 | 437,876 | - | 118,406 | 5,960,662 |
| Total operating expenses | <u>5,597,983</u> | <u>8,415,629</u> | <u>5,532,799</u> | <u>4,649,812</u> | <u>648,339</u> | <u>-</u> | <u>1,133,811</u> | <u>492,389</u> | <u>-</u> | <u>1,080,144</u> | <u>27,550,906</u> |
| Operating income (loss) | <u>2,092,249</u> | <u>(199,865)</u> | <u>1,685,847</u> | <u>(921,901)</u> | <u>(187,107)</u> | <u>-</u> | <u>(33,407)</u> | <u>(279,689)</u> | <u>-</u> | <u>22,102</u> | <u>2,178,229</u> |
| NON-OPERATING REVENUES (EXPENSES) | | | | | | | | | | | |
| Investment income | 136,248 | 133,564 | 56,494 | - | 9,168 | 162,383 | 7,484 | 296,072 | 32,018 | 2,442 | 835,873 |
| Interest expense and fiscal charges | - | - | - | - | - | (1,853,433) | - | (33,577) | - | - | (1,887,010) |
| Gain (loss) on asset retirement | 175 | (2,192) | 36,189 | 316 | - | - | - | (122,042) | - | - | (87,554) |
| Other non-operating revenue | - | 5,000 | 49,834 | - | - | 4,690 | - | - | - | - | 59,524 |
| Total non-operating revenue (expenses) | <u>136,423</u> | <u>136,372</u> | <u>142,517</u> | <u>316</u> | <u>9,168</u> | <u>(1,686,360)</u> | <u>7,484</u> | <u>140,453</u> | <u>32,018</u> | <u>2,442</u> | <u>(1,079,167)</u> |
| Income (loss) before contributions and transfers | <u>2,228,672</u> | <u>(63,493)</u> | <u>1,828,364</u> | <u>(921,585)</u> | <u>(177,939)</u> | <u>(1,686,360)</u> | <u>(25,923)</u> | <u>(139,236)</u> | <u>32,018</u> | <u>24,544</u> | <u>1,099,062</u> |
| Capital contributions | - | 380,702 | - | - | - | - | - | - | - | 52,535 | 433,237 |
| Transfers in - interaccount | 87,758 | - | - | 892,973 | - | 981,668 | - | 167,958 | - | - | 2,130,357 |
| Transfers out - interaccount | (167,958) | (981,668) | - | - | - | (892,973) | - | - | (87,758) | - | (2,130,357) |
| Transfers in | - | - | - | - | - | 14,053,051 | - | - | - | - | 14,053,051 |
| Transfers out | (770,011) | (814,006) | (763,936) | - | - | (8,558,800) | - | - | - | - | (10,906,753) |
| Change in net position | 1,378,461 | (1,478,465) | 1,064,428 | (28,612) | (177,939) | 3,896,586 | (25,923) | 28,722 | (55,740) | 77,079 | 4,678,597 |
| Total net position - beginning | 28,594,480 | 78,583,634 | 6,472,879 | 21,237,046 | 13,797,610 | (43,792,941) | (318,608) | 7,713,270 | 62,442 | 1,082,860 | 113,432,672 |
| Total net position - ending | <u>\$ 29,972,941</u> | <u>\$ 77,105,169</u> | <u>\$ 7,537,307</u> | <u>\$ 21,208,434</u> | <u>\$ 13,619,671</u> | <u>\$ (39,896,355)</u> | <u>\$ (344,531)</u> | <u>\$ 7,741,992</u> | <u>\$ 6,702</u> | <u>\$ 1,159,939</u> | <u>\$ 118,111,269</u> |

CITY OF MIDWEST CITY, OKLAHOMA
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As of and for the Year Ended June 30, 2020

Combining Schedule of Cash Flows – Midwest City Municipal Authority Accounts – June 30, 2020

| | Midwest City Municipal Authority | | | | | | | | | | |
|--|----------------------------------|---------------------|---------------------|---------------------------------|-------------------|----------------------|--------------------------|---------------------------|--------------------------|----------------------|----------------------|
| | Water Account | Sewer Account | Sanitation Account | Conference Center/Hotel Account | Drainage Account | Debt Service Account | Utility Services Account | Utilities Capital Account | Customer Deposit Account | Golf Courses Account | Total |
| CASH FLOWS FROM OPERATING ACTIVITIES | | | | | | | | | | | |
| Receipts from customers | \$ 7,440,947 | \$ 8,190,830 | \$ 7,242,533 | \$ 3,956,781 | \$ 461,521 | \$ 4,690 | \$ 1,106,357 | \$ 271,722 | \$ 2,594 | \$ 1,104,503 | \$ 29,782,478 |
| Payments to suppliers | (2,766,335) | (2,297,924) | (3,685,818) | (1,939,866) | (159,231) | - | (198,512) | 216,336 | - | (277,632) | (11,108,982) |
| Payments to employees | (2,276,564) | (3,352,903) | (1,246,453) | (1,661,648) | (262,945) | - | (915,716) | - | - | (737,855) | (10,454,084) |
| Receipts (payments) from interfund loans | (59,873) | (1,337) | (65,832) | (316) | - | (95,449) | - | - | 59,698 | 100,350 | (62,759) |
| Receipt of customer deposits | - | - | - | - | - | - | - | - | 486,373 | - | 486,373 |
| Return of customer deposits | - | - | - | - | - | - | - | - | (439,639) | - | (439,639) |
| Net cash provided by (used in) operating activities | 2,338,175 | 2,538,666 | 2,244,430 | 354,951 | 39,345 | (90,759) | (7,871) | 488,058 | 109,026 | 189,366 | 8,203,387 |
| CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES | | | | | | | | | | | |
| Transfers from other funds - interaccount | 87,758 | - | - | 892,973 | - | 981,668 | - | 167,958 | - | - | 2,130,357 |
| Transfers to other funds - interaccount | (167,958) | (981,668) | - | - | - | (892,973) | - | - | (87,758) | - | (2,130,357) |
| Transfers from other funds | - | - | - | - | - | 14,053,051 | - | - | - | - | 14,053,051 |
| Transfers to other funds | (770,011) | (814,006) | (763,936) | - | - | (8,558,800) | - | - | - | - | (10,906,753) |
| Net cash provided by (used in) noncapital financing activities | (850,211) | (1,795,674) | (763,936) | 892,973 | - | 5,882,946 | - | 167,958 | (87,758) | - | 3,146,298 |
| CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES | | | | | | | | | | | |
| Capital assets purchased | (3,451,632) | (495,166) | (838,196) | (1,360,436) | (3,376) | - | - | (752,750) | - | - | (6,901,556) |
| Principal paid on capital debt | - | - | - | - | - | (4,365,000) | - | - | - | - | (4,365,000) |
| Proceeds issuance of debt | 2,280,047 | - | - | - | - | - | - | - | - | - | 2,280,047 |
| Payments of interfund loan for capital purchases | 134,382 | - | - | - | - | - | - | (134,382) | - | - | - |
| Interest and fiscal charges paid on capital debt | - | - | - | - | - | (2,139,860) | - | (33,577) | - | - | (2,173,437) |
| Proceeds from sale of capital assets | 175 | (2,192) | 65,833 | 316 | - | - | - | - | - | - | 64,132 |
| Net cash provided by (used in) capital and related financing activities | (1,037,028) | (497,358) | (772,363) | (1,360,120) | (3,376) | (6,504,860) | - | (920,709) | - | - | (11,095,814) |
| CASH FLOWS FROM INVESTING ACTIVITIES | | | | | | | | | | | |
| Sale (purchase) of investments | 384,851 | 583,917 | (54,079) | 105,859 | 44,468 | - | 47,174 | 324,700 | 137,769 | (105,743) | 1,468,916 |
| Interest and dividends | 131,374 | 128,432 | 52,774 | - | 9,168 | 162,383 | 7,484 | 292,874 | 28,668 | 2,441 | 815,598 |
| Net cash provided by (used in) investing activities | 516,225 | 712,349 | (1,305) | 105,859 | 53,636 | 162,383 | 54,658 | 617,574 | 166,437 | (103,302) | 2,284,514 |
| Net increase (decrease) in cash and cash equivalents | 967,161 | 957,983 | 706,826 | (6,337) | 89,605 | (850,290) | 46,787 | 352,881 | 187,705 | 86,064 | 2,538,385 |
| Balances - beginning of year | 2,825,283 | 3,344,333 | 1,046,676 | 794,485 | 294,530 | 13,730,109 | 228,908 | 1,588,192 | 797,947 | 111,105 | 24,761,568 |
| Balances - end of year | \$ 3,792,444 | \$ 4,302,316 | \$ 1,753,502 | \$ 788,148 | \$ 384,135 | \$ 12,879,819 | \$ 275,695 | \$ 1,941,073 | \$ 985,652 | \$ 197,169 | \$ 27,299,953 |
| Reconciliation to Statement of Net Position: | | | | | | | | | | | |
| Cash and cash equivalents | \$ 3,792,444 | \$ 4,302,316 | \$ 1,753,502 | \$ 788,148 | \$ 384,135 | \$ - | \$ 275,695 | \$ 1,941,073 | \$ - | \$ 197,169 | \$ 13,434,482 |
| Restricted cash and cash equivalents | - | - | - | - | - | 12,879,819 | - | - | 985,652 | - | 13,865,471 |
| Total cash and cash equivalents | \$ 3,792,444 | \$ 4,302,316 | \$ 1,753,502 | \$ 788,148 | \$ 384,135 | \$ 12,879,819 | \$ 275,695 | \$ 1,941,073 | \$ 985,652 | \$ 197,169 | \$ 27,299,953 |
| Reconciliation of operating income (loss) to net cash provided by (used in) operating activities: | | | | | | | | | | | |
| Operating income (loss) | \$ 2,092,249 | \$ (199,865) | \$ 1,685,847 | \$ (921,901) | \$ (187,107) | \$ - | \$ (33,407) | \$ (279,689) | \$ - | \$ 22,102 | \$ 2,178,229 |
| Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities: | | | | | | | | | | | |
| Depreciation expense | 740,505 | 2,966,503 | 538,784 | 877,723 | 276,782 | 4,690 | 4,083 | 437,876 | - | 118,406 | 5,965,352 |
| Other nonoperating revenue | - | 5,000 | 49,834 | - | - | - | - | - | - | - | 54,834 |
| Change in assets and liabilities: | | | | | | | | | | | |
| Receivables, net | (254,339) | (29,934) | (25,947) | 244,195 | 289 | - | 5,953 | - | 2,594 | 2,257 | (54,932) |
| Other receivable | 5,054 | - | (2,832) | - | - | - | - | 59,022 | - | - | 61,244 |
| Due from other funds | (175) | (1,337) | (65,832) | (316) | - | (96,759) | - | - | 59,698 | - | (104,721) |
| Prepaid items | - | - | - | (965) | - | - | - | - | - | - | (965) |
| Inventory | 9,467 | (3,125) | - | - | - | - | - | - | - | - | (763) |
| Accounts payable | (282,115) | (151,445) | 7,693 | 138,671 | (42,383) | - | (294) | 270,849 | - | (1,484) | (60,508) |
| Deferred outflows OPEB | (193,661) | (113,573) | (56,712) | - | (8,484) | - | (33,159) | - | - | (14,689) | (420,278) |
| Due to other funds | (59,698) | - | - | - | - | 1,310 | - | - | - | - | 100,350 |
| Due to employees | 19,063 | 14,001 | 7,023 | 8,477 | (1,807) | - | 3,639 | - | - | - | 52,532 |
| Refundable deposits | - | - | - | (12,493) | - | - | - | - | 46,734 | - | 34,241 |
| Total OPEB liability | 283,935 | (502,578) | 31,206 | - | (28,678) | - | (50,610) | - | - | (105,312) | (372,037) |
| Accrued compensated absences | 52,483 | 31,158 | 14,565 | 24,392 | (1,878) | - | (802) | - | - | (25,198) | 94,720 |
| Deferred inflows OPEB | (74,593) | 523,861 | 57,969 | - | 32,611 | - | 96,726 | - | - | 91,561 | 728,135 |
| Net cash provided by (used in) operating activities | \$ 2,338,175 | \$ 2,538,666 | \$ 2,244,430 | \$ 354,951 | \$ 39,345 | \$ (90,759) | \$ (7,871) | \$ 488,058 | \$ 109,026 | \$ 189,366 | \$ 8,203,387 |
| Noncash activities: | | | | | | | | | | | |
| Contributed capital assets - from governmental funds | \$ - | \$ 380,702 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ 52,535 | \$ 433,237 |

CITY OF MIDWEST CITY, OKLAHOMA
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Combining Statement of Net Position– Internal Service Funds – June 30, 2020

| | Public Works Administration | Fleet Services Fund | Surplus Property Fund | Risk Management Fund | L & H Benefits Fund | Worker's Comp Fund | Totals |
|--|--------------------------------|------------------------|--------------------------|----------------------------|------------------------|-----------------------|---------------------|
| ASSETS | | | | | | | |
| Current assets: | | | | | | | |
| Cash and cash equivalents | \$ 416,931 | \$ 394,451 | \$ 302,574 | \$ 854,342 | \$ 1,130,263 | \$ 2,139,980 | \$ 5,238,541 |
| Investments | 230,124 | 217,716 | 165,896 | 471,552 | 640,216 | 1,212,151 | 2,937,655 |
| Receivables: | | | | | | | |
| Accounts receivable | - | - | 39,068 | 11,147 | 24,595 | 16,567 | 91,377 |
| Accrued interest receivable | - | - | - | - | 2,484 | 4,703 | 7,187 |
| Due from other funds | 3 | 3,604 | - | - | - | - | 3,607 |
| Inventories | - | 41,545 | - | - | - | - | 41,545 |
| Total current assets | <u>647,058</u> | <u>657,316</u> | <u>507,538</u> | <u>1,337,041</u> | <u>1,797,558</u> | <u>3,373,401</u> | <u>8,319,912</u> |
| Non-current assets: | | | | | | | |
| Capital Assets: | | | | | | | |
| Non-depreciable | - | - | - | - | - | - | - |
| Depreciable, net of accumulated depreciation | 131,881 | 703,292 | 81,642 | - | - | - | 916,815 |
| Total non-current assets | <u>131,881</u> | <u>703,292</u> | <u>81,642</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>916,815</u> |
| Total assets | <u>778,939</u> | <u>1,360,608</u> | <u>589,180</u> | <u>1,337,041</u> | <u>1,797,558</u> | <u>3,373,401</u> | <u>9,236,727</u> |
| DEFERRED OUTFLOW OF RESOURCES | | | | | | | |
| Deferred amount related to OPEB | 47,316 | 68,845 | 2,594 | 16,173 | - | - | 134,928 |
| LIABILITIES | | | | | | | |
| Current liabilities: | | | | | | | |
| Accounts payable and accrued liabilities | - | 104,805 | 276 | 1,926 | 147,317 | 6,758 | 261,082 |
| Claims liability | - | - | - | 217,000 | 384,410 | 506,000 | 1,107,410 |
| Wages payable | 48,747 | 44,585 | 1,517 | 10,429 | 2,450 | - | 107,728 |
| Due to other funds | - | - | 398,348 | - | - | - | 398,348 |
| Accrued compensated absences | 68,703 | 32,807 | 1,922 | 14,780 | 880 | - | 119,092 |
| Total current liabilities | <u>117,450</u> | <u>182,197</u> | <u>402,063</u> | <u>244,135</u> | <u>535,057</u> | <u>512,758</u> | <u>1,993,660</u> |
| Non-current liabilities: | | | | | | | |
| Accrued compensated absences | 137,407 | 65,614 | 3,844 | 29,559 | 1,760 | - | 238,184 |
| Total OPEB liability | 412,664 | 624,018 | 21,370 | 72,660 | - | - | 1,130,712 |
| Claims liability | - | - | - | 369,000 | - | 852,000 | 1,221,000 |
| Total non-current liabilities | <u>550,071</u> | <u>689,632</u> | <u>25,214</u> | <u>471,219</u> | <u>1,760</u> | <u>852,000</u> | <u>2,589,896</u> |
| Total liabilities | <u>667,521</u> | <u>871,829</u> | <u>427,277</u> | <u>715,354</u> | <u>536,817</u> | <u>1,364,758</u> | <u>4,583,556</u> |
| DEFERRED INFLOW OF RESOURCES | | | | | | | |
| Deferred amount related to OPEB | 89,363 | 58,764 | 8,577 | 38,968 | - | - | 195,672 |
| NET POSITION | | | | | | | |
| Net investment in capital assets | 131,881 | 703,292 | 81,642 | - | - | - | 916,815 |
| Unrestricted (deficit) | (62,510) | (204,432) | 74,278 | 598,892 | 1,260,741 | 2,008,643 | 3,675,612 |
| Total net position | <u>\$ 69,371</u> | <u>\$ 498,860</u> | <u>\$ 155,920</u> | <u>\$ 598,892</u> | <u>\$ 1,260,741</u> | <u>\$ 2,008,643</u> | <u>\$ 4,592,427</u> |

CITY OF MIDWEST CITY, OKLAHOMA
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Combining Statement of Revenues, Expenses and Changes in Net Position – Internal Service Funds – Year Ended June 30, 2020

| | <u>Public Works Administration</u> | <u>Fleet Services Fund</u> | <u>Surplus Property Fund</u> | <u>Risk Management Fund</u> | <u>L & H Benefits Fund</u> | <u>Worker's Comp Fund</u> | <u>Totals</u> |
|--|--|--------------------------------|----------------------------------|---------------------------------|------------------------------------|-------------------------------|---------------------|
| OPERATING REVENUES | | | | | | | |
| Charges for services | \$ 1,173,104 | \$ 2,725,445 | \$ 46,973 | \$ 854,148 | \$ 6,153,735 | \$ 852,099 | \$ 11,805,504 |
| Miscellaneous | - | 12,806 | 946 | 3,263 | 454,732 | 17,965 | 489,712 |
| Total operating revenues | <u>1,173,104</u> | <u>2,738,251</u> | <u>47,919</u> | <u>857,411</u> | <u>6,608,467</u> | <u>870,064</u> | <u>12,295,216</u> |
| OPERATING EXPENSES | | | | | | | |
| Personal services | 856,931 | 899,452 | 34,937 | 195,860 | 38,545 | - | 2,025,725 |
| Materials and supplies | 8,288 | 1,560,005 | 1,377 | 3,388 | - | - | 1,573,058 |
| Other services and charges | 50,449 | 98,343 | 8,017 | 981,101 | 11,963 | - | 1,149,873 |
| Insurance claims and expenses | - | - | - | - | 7,095,798 | 460,961 | 7,556,759 |
| Depreciation and amortization | 11,159 | 58,257 | 6,449 | - | - | - | 75,865 |
| Total operating expenses | <u>926,827</u> | <u>2,616,057</u> | <u>50,780</u> | <u>1,180,349</u> | <u>7,146,306</u> | <u>460,961</u> | <u>12,381,280</u> |
| Operating income (loss) | <u>246,277</u> | <u>122,194</u> | <u>(2,861)</u> | <u>(322,938)</u> | <u>(537,839)</u> | <u>409,103</u> | <u>(86,064)</u> |
| NON-OPERATING REVENUES | | | | | | | |
| Investment income | 8,021 | 8,197 | 7,628 | 22,929 | 40,390 | 71,843 | 159,008 |
| Total non-operating revenue | <u>8,021</u> | <u>8,197</u> | <u>7,628</u> | <u>22,929</u> | <u>40,390</u> | <u>71,843</u> | <u>159,008</u> |
| Income (loss) before contributions and transfers | <u>254,298</u> | <u>130,391</u> | <u>4,767</u> | <u>(300,009)</u> | <u>(497,449)</u> | <u>480,946</u> | <u>72,944</u> |
| Capital contributions | 18,675 | - | - | - | - | - | 18,675 |
| Transfers in | - | - | - | - | 125,000 | - | 125,000 |
| Change in net position | <u>272,973</u> | <u>130,391</u> | <u>4,767</u> | <u>(300,009)</u> | <u>(372,449)</u> | <u>480,946</u> | <u>216,619</u> |
| Total net position - beginning | (203,602) | 368,469 | 151,153 | 898,901 | 1,633,190 | 1,527,697 | 4,375,808 |
| Total net position - ending | <u>\$ 69,371</u> | <u>\$ 498,860</u> | <u>\$ 155,920</u> | <u>\$ 598,892</u> | <u>\$ 1,260,741</u> | <u>\$ 2,008,643</u> | <u>\$ 4,592,427</u> |

CITY OF MIDWEST CITY, OKLAHOMA
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As of and for the Year Ended June 30, 2020

Combining Statement of Cash Flows – Internal Service Funds – Year Ended June 30, 2020

| | Public Works Administration | Fleet Services Fund | Surplus Property Fund | Risk Management Fund | L & H Benefits Fund | Worker's Comp Fund | Totals |
|--|--------------------------------|------------------------|--------------------------|----------------------------|------------------------|-----------------------|---------------------|
| CASH FLOWS FROM OPERATING ACTIVITIES | | | | | | | |
| Receipts from interfund services | \$ 1,173,104 | \$ 2,738,251 | \$ 9,873 | \$ 851,391 | \$ 6,637,922 | \$ 875,572 | \$ 12,286,113 |
| Payments to suppliers | (58,737) | (1,623,954) | (10,057) | (19,973) | (11,963) | - | (1,724,684) |
| Payments to employees | (819,610) | (901,238) | (34,457) | (193,312) | (36,796) | - | (1,985,413) |
| Claims and benefits paid | - | - | - | (880,101) | (6,956,182) | (603,420) | (8,439,703) |
| Payment from (to) other funds | - | (1,283) | 73,310 | - | - | - | 72,027 |
| Net cash provided by (used in) operating activities | 294,757 | 211,776 | 38,669 | (241,995) | (367,019) | 272,152 | 208,340 |
| CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES | | | | | | | |
| Operating transfers in | - | - | - | - | 125,000 | - | 125,000 |
| Net cash provided by noncapital financing activities | - | - | - | - | 125,000 | - | 125,000 |
| CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES | | | | | | | |
| Capital assets purchased | (6,729) | (44,484) | - | - | - | - | (51,213) |
| Net cash provided by (used in) capital and related financing activities | (6,729) | (44,484) | - | - | - | - | (51,213) |
| CASH FLOWS FROM INVESTING ACTIVITIES | | | | | | | |
| Sale (Purchase) of investments | (66,737) | (14,450) | 27,746 | 257,417 | 292,826 | 211,987 | 708,789 |
| Interest and dividends | 8,021 | 8,197 | 7,629 | 24,671 | 38,776 | 67,968 | 155,262 |
| Net cash provided by investing activities | (58,716) | (6,253) | 35,375 | 282,088 | 331,602 | 279,955 | 864,051 |
| Net increase in cash and cash equivalents | 229,312 | 161,039 | 74,044 | 40,093 | 89,583 | 552,107 | 1,146,178 |
| Balances - beginning of year | 187,619 | 233,412 | 228,530 | 814,249 | 1,040,680 | 1,587,873 | 4,092,363 |
| Balances - end of year | \$ 416,931 | \$ 394,451 | \$ 302,574 | \$ 854,342 | \$ 1,130,263 | \$ 2,139,980 | \$ 5,238,541 |
| Reconciliation to Statement of Net Position: | | | | | | | |
| Cash and cash equivalents | \$ 416,931 | \$ 394,451 | \$ 302,574 | \$ 854,342 | \$ 1,130,263 | \$ 2,139,980 | \$ 5,238,541 |
| Total cash and cash equivalents | \$ 416,931 | \$ 394,451 | \$ 302,574 | \$ 854,342 | \$ 1,130,263 | \$ 2,139,980 | \$ 5,238,541 |
| Reconciliation of operating income (loss) to net cash provided by (used in) operating activities: | | | | | | | |
| Operating income (loss) | \$ 246,277 | \$ 122,194 | \$ (2,861) | \$ (322,938) | \$ (537,839) | \$ 409,103 | \$ (86,064) |
| Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities: | | | | | | | |
| Depreciation expense | 11,159 | 58,257 | 6,449 | - | - | - | 75,865 |
| Change in assets and liabilities: | | | | | | | |
| Receivables, net | - | - | (38,046) | (6,020) | 29,455 | 5,508 | (9,103) |
| Due from other funds | - | (1,283) | - | - | - | - | (1,283) |
| Inventory | - | 20,418 | - | - | - | - | 20,418 |
| Deferred outflows OPEB | (30,339) | (46,515) | (1,543) | (3,281) | - | - | (81,678) |
| Accounts payable | - | 13,976 | (663) | (16,585) | 12,440 | (23,459) | (14,291) |
| Claims liability | - | - | - | 101,000 | 127,176 | (119,000) | 109,176 |
| Due to employees | 15,718 | 7,860 | 334 | 1,731 | 483 | - | 26,126 |
| Due to other funds | - | - | 73,310 | - | - | - | 73,310 |
| Total OPEB liability | 5,652 | 60,422 | (5,215) | (31,021) | - | - | 29,838 |
| Accrued compensated absences | 22,957 | (24,948) | 974 | 3,638 | 1,266 | - | 3,887 |
| Deferred in flows OPEB | 23,333 | 1,395 | 5,930 | 31,481 | - | - | 62,139 |
| Net cash provided by (used in) operating activities | \$ 294,757 | \$ 211,776 | \$ 38,669 | \$ (241,995) | \$ (367,019) | \$ 272,152 | \$ 208,340 |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Debt Service Coverage Schedule - Year Ended June 30, 2020

| | 2011A and 2019 Revenue Bonds |
|--|---|
| GROSS REVENUE AVAILABLE: | |
| Water revenue | \$ 7,690,232 |
| Wastewater revenue | 8,215,764 |
| Pledged sales tax | 14,053,051 |
| Investment income | 269,812 |
| Total Gross Revenue Available | 30,228,859 |
| OPERATING EXPENSES: | |
| Total Operating Expenses | 10,306,604 |
| Net Revenue Available for Debt Service | \$ 19,922,255 |
| Average Annual Debt Service | |
| 2019 Revenue Bonds | \$ 1,791,954 |
| 2011A Revenue Bonds | 4,709,513 |
| | \$ 6,501,467 |
| Computed Coverage | 306% |
| Coverage Requirement | 125% |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020**

STATISTICAL INFORMATION

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

General Government Expenditures by Function
Last Ten Fiscal Years

| <u>Fiscal Year</u> | <u>General Government</u> | <u>Public Safety</u> | <u>Streets</u> | <u>Health and Welfare</u> | <u>Culture & Recreation</u> | <u>Economic Development</u> | <u>Debt Services</u> | <u>Total</u> |
|--------------------|---------------------------|----------------------|----------------|---------------------------|---------------------------------|-----------------------------|----------------------|---------------|
| 2010-11 | \$ 6,459,976 | \$ 25,157,469 | \$ 6,006,443 | \$ 160,983 | \$ 1,120,863 | \$ 4,915,834 | \$ 3,679,296 | \$ 47,500,864 |
| 2011-12 | 5,423,037 | 27,570,275 | 3,702,871 | 629 | 1,989,113 | 4,813,173 | 3,745,698 | 47,244,796 |
| 2012-13 | 5,216,187 | 27,388,784 | 3,460,381 | 110,935 | 2,841,490 | 4,704,086 | 3,856,073 | 47,577,936 |
| 2013-14 | 6,972,885 | 27,386,699 | 4,382,912 | 463,886 | 2,112,589 | 5,028,554 | 3,753,029 | 50,100,554 |
| 2014-15 | 6,704,404 | 28,657,862 | 5,138,517 | 410,969 | 1,746,966 | 3,792,050 | 3,650,604 | 50,101,372 |
| 2015-16 | 7,714,835 | 27,494,864 | 4,865,569 | 755,691 | 2,037,909 | 4,644,064 | 3,505,294 | 51,018,226 |
| 2016-17 | 8,009,505 | 27,757,453 | 7,336,480 | 387,911 | 1,647,320 | 6,686,814 | 3,426,604 | 55,252,087 |
| 2017-18 | 8,766,825 | 28,544,968 | 3,800,063 | 441,065 | 1,797,029 | 58,846,663 | 19,166,464 | 121,363,077 |
| 2018-19 | 11,598,632 | 31,442,455 | 5,333,914 | 471,306 | 2,038,872 | 6,598,803 | 5,972,196 | 63,456,178 |
| 2019-20 | 10,044,375 | 33,644,444 | 6,922,740 | 414,655 | 2,146,210 | 11,740,737 | 25,974,546 | 90,887,707 |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Governmental Revenues By Source
Last Ten Fiscal Years

| Fiscal Year | Taxes | Intergov- ernmental | Licenses & Permits | Charges for Services | Fines & Forfeitures | Investment Income | Misc Revenues | Total |
|-------------|---------------|------------------------|-----------------------|-------------------------|------------------------|----------------------|------------------|---------------|
| 2010-11 | \$ 33,566,216 | \$ 6,440,504 | \$ 395,511 | \$ 2,193,602 | \$ 2,001,322 | \$ 14,546,261 | \$ 552,201 | \$ 59,695,617 |
| 2011-12 | 36,586,145 * | 5,462,968 | 330,553 | 2,636,087 | 2,170,041 | 2,749,217 | 742,978 | 50,677,989 |
| 2012-13 | 39,796,809 | 5,205,283 | 392,512 | 2,249,961 | 1,960,694 | 10,846,574 | 1,492,193 | 61,944,026 |
| 2013-14 | 40,546,435 | 5,668,145 | 304,395 | 2,545,726 | 1,976,580 | 15,736,403 | 2,367,115 | 69,144,799 |
| 2014-15 | 39,781,445 | 5,543,732 | 349,439 | 3,662,747 | 2,045,294 | 8,377,665 | 2,381,400 | 62,141,722 |
| 2015-16 | 40,296,979 | 5,367,958 | 567,942 | 4,259,051 | 1,971,146 | 3,546,362 | 1,938,936 | 57,948,374 |
| 2016-17 | 37,327,650 | 5,011,809 | 504,832 | 4,564,074 | 1,581,638 | 13,120,184 | 2,856,002 | 64,966,189 |
| 2017-18 | 41,659,607 ** | 4,812,098 | 589,264 | 5,412,604 | 1,428,723 | 13,120,759 | 2,177,963 | 69,201,018 |
| 2018-19 | 46,376,451 | 6,698,979 | 725,993 | 8,027,000 | 1,364,493 | 11,671,810 | 2,240,169 | 77,104,895 |
| 2019-20 | 51,081,891 | 6,971,834 | 681,754 | 8,086,831 | 1,118,840 | 8,972,977 | 2,157,587 | 79,071,714 |

* A new sales/use Tax became effective January 1, 2012 changing the rate from 3.3 to 3.85

** A new sales/use Tax became effective January 1, 2018 changing the rate from 3.85 to 4.60

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020**

**Assessed Value of Taxable Property
Last Ten Fiscal Years**

| Fiscal Year | Real Property | Personal Property | Public Service Property | Veteran and Homestead Exemption | Total Actual | | Ratio of Total Assessed Value to Total Estimated Actual Value |
|-------------|----------------|-------------------|----------------------------|---------------------------------------|----------------|---------------------------|---|
| | | | | | Assessed Value | Estimated Actual Value | |
| 2011 | \$ 258,517,927 | \$ 27,728,562 | \$ 13,697,571 | \$ 15,338,968 | \$ 284,605,074 | \$ 2,587,318,855 | 11% |
| 2012 | 259,775,001 | 27,954,136 | 13,431,063 | 15,275,338 | 285,884,862 | 2,598,953,291 | 11% |
| 2013 | 263,908,805 | 28,917,523 | 11,834,175 | 15,286,274 | 289,374,229 | 2,630,674,809 | 11% |
| 2014 | 267,452,466 | 28,135,094 | 11,407,389 | 15,250,420 | 291,744,529 | 2,652,222,991 | 11% |
| 2015 | 272,926,268 | 26,469,753 | 11,878,425 | 15,244,120 | 296,030,326 | 2,691,184,782 | 11% |
| 2016 | 283,028,134 | 25,089,341 | 11,544,013 | 15,602,335 | 304,059,153 | 2,764,174,118 | 11% |
| 2017 | 296,756,210 | 35,937,171 | 13,524,628 | 16,061,439 | 330,156,570 | 3,001,423,364 | 11% |
| 2018 | 309,104,061 | 35,772,442 | 13,613,786 | 16,492,553 | 341,997,736 | 3,109,070,327 | 11% |
| 2019 | 320,771,362 | 36,281,363 | 13,177,361 | 17,435,901 | 352,794,185 | 3,207,219,864 | 11% |
| 2020 | 328,772,814 | 37,385,359 | 13,789,090 | 18,528,802 | 361,418,461 | 3,285,622,373 | 11% |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Property Tax Rates – All Overlapping Governments
(Per \$1,000 of Assessed Value)
Last Ten Fiscal Years

| Fiscal Year | City Sinking Fund | MWC Schools | Rose State College | Oklahoma County | Total Midwest City Resident | Choctaw Schools | Total Midwest City Resident | OKC Schools | Total Midwest City Resident |
|-------------|-------------------------|----------------|-----------------------|--------------------|--------------------------------------|--------------------|--------------------------------------|----------------|--------------------------------------|
| 2011 | 6.62 | 64.64 | 17.18 | 24.06 | 112.50 | 70.22 | 118.08 | 62.09 | 109.95 |
| 2012 | 6.09 | 66.55 | 17.10 | 23.97 | 113.71 | 72.49 | 119.65 | 59.29 | 106.45 |
| 2013 | 5.78 | 64.98 | 17.02 | 23.87 | 111.65 | 76.19 | 122.86 | 60.39 | 107.06 |
| 2014 | 5.44 | 70.32 | 20.33 | 23.58 | 119.67 | 76.18 | 125.53 | 59.36 | 108.71 |
| 2015 | 5.18 | 71.03 | 19.88 | 23.72 | 119.81 | 76.17 | 124.95 | 59.71 | 108.49 |
| 2016 | 0.96 | 70.64 | 19.65 | 23.81 | 115.06 | 76.17 | 120.59 | 59.36 | 103.78 |
| 2017 | 0.92 | 65.54 | 19.21 | 23.28 | 108.95 | 76.16 | 119.57 | 59.36 | 102.77 |
| 2018 | 0.94 | 66.72 | 18.92 | 23.64 | 110.22 | 76.15 | 119.65 | 58.84 | 102.34 |
| 2019 | 8.08 | 67.38 | 18.54 | 23.49 | 117.49 | 76.15 | 126.26 | 58.76 | 108.84 |
| 2020 | 9.76 | 71.23 | 18.39 | 23.39 | 122.79 | 76.15 | 127.68 | 59.44 | 110.97 |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020**

Computation of Legal Debt Margin
June 30, 2020

| | |
|------------------------------------|---------------|
| Net assessed valuation | \$361,418,461 |
| Debt limit (a) | \$36,141,846 |
| Applicable bonds outstanding | \$28,160,000 |
| Inapplicable bonds outstanding (b) | \$15,965,000 |
| Legal debt margin | \$7,981,846 |

(a) Article 10, Section 26 of the Constitution of the State of Oklahoma limits municipal debt to 10% of net assessed valuation for certain types of general obligation bonds.

(b) Per article 10, section 27 of the Constitution of the State of Oklahoma, there is not a limit on the amount of General Obligation bonds for the purpose of purchasing, constructing, or repairing public utilities or streets.

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Ratio of Annual Debt Service Expenditures for General Obligation Bonded Debt
To Total General Governmental Expenditures
Last Ten Fiscal Years

| Fiscal Year | Principal | Interest (1) | Total Debt Service | Total General Governmental Expenditures | Ratio of Debt Service to Government Expenditures |
|-------------|--------------|--------------|-----------------------|---|---|
| 2010-11 | \$ 1,400,000 | \$ 503,685 | \$ 1,903,685 | \$ 47,500,864 | 4.01% |
| 2011-12 | 1,400,000 | 437,342 | 1,837,342 | 47,244,796 | 3.89% |
| 2012-13 | 1,400,000 | 370,754 | 1,770,754 | 47,577,936 | 3.72% |
| 2013-14 | 1,400,000 | 304,167 | 1,704,167 | 50,100,554 | 3.40% |
| 2014-15 | 1,400,000 | 259,975 | 1,659,975 | 50,101,372 | 3.31% |
| 2015-16 | 1,400,000 | 190,700 | 1,590,700 | 51,018,226 | 3.12% |
| 2016-17 | 1,400,000 | 121,425 | 1,521,425 | 57,389,574 | 2.65% |
| 2017-18 | 325,000 | 51,750 | 376,750 | 121,363,077 | 0.31% |
| 2018-19 | 325,000 | 38,913 | 363,913 | 63,456,178 | 0.57% |
| 2019-20 | 325,000 | 1,137,260 | 1,462,260 | 90,887,707 | 1.61% |

(1) Excludes bond issuance and other costs

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Ratio of Annual Debt Service Expenditures for General Obligation Bonded Debt
To Assessed Value and Net General Obligation Bonded Debt Per Capita
Last Ten Fiscal Years

| <u>Fiscal Year</u> | <u>Population</u> | <u>Assessed Value</u> | <u>Gross Bonded Debt</u> | <u>Less Debt Service Money Available</u> | <u>Net Bonded Debt</u> | <u>Ratio of Net Bonded Debt to Assessed Value</u> | <u>Net Bonded Debt Per Capita</u> |
|--------------------|-------------------|-----------------------|--------------------------|--|------------------------|---|-----------------------------------|
| 2010-11 | 54,371 | 284,605,074 | 9,700,000 | 1,504,457 | 8,195,543 | 2.88% | 151 |
| 2011-12 | 54,371 | 285,884,862 | 8,300,000 | 1,551,565 | 6,748,435 | 2.36% | 124 |
| 2012-13 | 54,371 | 289,374,229 | 6,900,000 | 1,428,884 | 5,471,116 | 1.89% | 101 |
| 2013-14 | 54,371 | 291,744,529 | 5,500,000 | 1,373,216 | 4,126,784 | 1.41% | 76 |
| 2014-15 | 54,371 | 296,030,326 | 4,100,000 | 1,364,980 | 2,735,020 | 0.92% | 50 |
| 2015-16 | 54,371 | 304,059,153 | 2,700,000 | 1,392,720 | 1,307,280 | 0.43% | 24 |
| 2016-17 | 54,371 | 330,156,570 | 1,300,000 | 189,868 | 1,110,132 | 0.34% | 20 |
| 2017-18 | 54,371 | 341,997,736 | 975,000 | 131,132 | 843,868 | 0.25% | 16 |
| 2018-19 | 54,371 | 352,794,185 | 37,900,000 | 591,553 | 37,308,447 | 10.58% | 686 |
| 2019-20 | 54,371 | 361,418,461 | 44,125,000 | 1,883,084 | 42,241,916 | 11.69% | 777 |

CITY OF MIDWEST CITY, OKLAHOMA
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As of and for the Year Ended June 30, 2020

Revenue Bond and Note Coverage
Last Ten Fiscal Years

| <u>Fiscal Year</u> | <u>Gross Revenues</u> | <u>Direct Operating Expenses</u> | <u>Net Revenue Available for Debt Service</u> | <u>Average Annual Debt Service</u> | <u>Debt Service Coverage</u> |
|--------------------|-----------------------|----------------------------------|---|------------------------------------|------------------------------|
| 2010-11 | \$ 15,207,582 | \$ 8,004,126 | \$ 7,203,456 | \$ 2,000,344 | 3.60 |
| 2011-12 | 17,702,453 | 8,669,659 | 9,032,794 | 6,517,879 | 1.39 |
| 2012-13 | 27,258,461 | 9,443,537 | 17,814,924 | 6,517,879 | 2.73 |
| 2013-14 | 28,567,824 | 9,583,902 | 18,983,922 | 6,517,879 | 2.91 |
| 2014-15 | 28,465,993 | 9,581,604 | 18,884,389 | 6,517,879 | 2.70 |
| 2015-16 | 28,685,573 | 11,425,998 | 17,259,575 | 6,517,879 | 2.65 |
| 2016-17 | 28,580,650 | 9,823,029 | 18,757,621 | 6,517,879 | 2.88 |
| 2017-18 | 28,790,824 | 9,797,575 | 18,993,249 | 6,517,879 | 2.91 |
| 2018-19 | 29,537,013 | 10,020,017 | 19,516,996 | 6,501,399 | 3.00 |
| 2019-20 | 30,228,859 | 10,306,604 | 19,922,255 | 6,501,467 | 3.06 |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Demographic Statistics

| <u>Year</u> | <u>Population</u> | <u>Population Percent Change</u> |
|-------------|-------------------|--|
| 1950 | 10,166 | 0.00% |
| 1960 | 36,058 | 254.69% |
| 1970 | 48,212 | 33.71% |
| 1980 | 49,559 | 2.79% |
| 1990 | 52,267 | 5.46% |
| 2000 | 54,088 | 3.48% |
| 2010 | 54,371 | 0.50% |

Population is taken from US Census conducted every 10 years.

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

New Construction
Last Ten Fiscal Years

| Fiscal Year | Commercial Construction | | Residential Construction | | Total Construction |
|-------------|-------------------------|------------|--------------------------|------------|--------------------|
| | Number of Units | Value | Number of Units | Value | |
| 2010-11 | 98 | 14,052,174 | 203 | 23,937,338 | 37,989,512 |
| 2011-12 | 28 | 97,003,650 | 237 | 20,332,200 | 117,335,850 |
| 2012-13 | 27 | 54,561,650 | 120 | 19,020,411 | 73,582,061 |
| 2013-14 | 8 | 6,398,000 | 69 | 11,878,466 | 18,276,466 |
| 2014-15 | 15 | 6,748,210 | 103 | 16,365,722 | 23,113,932 |
| 2015-16 | 26 | 69,362,500 | 126 | 23,727,017 | 93,089,517 |
| 2016-17 | 14 | 22,360,831 | 94 | 14,092,784 | 36,453,615 |
| 2017-18 | 195 | 26,137,283 | 19 | 28,127,450 | 54,264,733 |
| 2018-19 | 32 | 48,395,772 | 160 | 23,481,840 | 71,877,612 |
| 2019-20 | 17 | 10,777,000 | 133 | 22,503,689 | 33,280,689 |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020**

Miscellaneous Statistics
June 30, 2020

| | |
|--|------------------|
| Date of Incorporation | 1943 |
| Form of government | Council-manager |
| Square miles in city limits | 24.37 |
| Miles of streets | 791.77 one miles |
| | |
| Education | |
| Number of primary schools | 8 |
| Number of secondary schools | 3 |
| Number of High schools | 2 |
| Number of colleges | 1 |
| | |
| Police Protection | |
| Number of officers | 98 |
| | |
| Fire Protection | |
| Number of stations | 6 |
| Number of headquarters | 1 |
| Number of personnel per shift | 26 |
| | |
| Public Works | |
| Water storage capacity (millions of gallons) | 9.5 |
| Miles of water lines | 312.69 |
| Miles of sanitary sewer lines | 290.79 |

**CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020**

Miscellaneous Statistics, Continued
June 30, 2020

City Employees

| <u>Fiscal Year</u> | <u>Full Time Government</u> | <u>Full Time Hotel/Conference Center</u> |
|--------------------|---------------------------------|--|
| 2010-11 | 494 | 62 |
| 2011-12 | 493 | 62 |
| 2012-13 | 491 | - |
| 2013-14 | 489 | - |
| 2014-15 | 477 | - |
| 2015-16 | 472 | - |
| 2016-17 | 470 | - |
| 2017-18 | 471 | - |
| 2018-19 | 478 | - |
| 2019-20 | 485 | - |

CITY OF MIDWEST CITY, OKLAHOMA
ANNUAL FINANCIAL REPORT
As of and for the Year Ended June 30, 2020

Miscellaneous Statistics, Continued
June 30, 2020
City Water Usage (Gallons)

| <u>Fiscal Year</u> | <u>Annual Usage</u> | <u>Average Daily Usage</u> |
|--------------------|---------------------|--------------------------------|
| 2009-10 | 1,910,755,000 | 5,234,945 |
| 2010-11 | 1,953,204,878 | 5,351,246 |
| 2011-12 | 2,025,176,197 | 5,548,428 |
| 2012-13 | 1,902,831,000 | 5,213,236 |
| 2013-14 | 1,699,549,985 | 4,656,301 |
| 2014-15 | 1,604,378,570 | 4,395,558 |
| 2015-16 | 1,778,171,000 | 4,871,701 |
| 2016-17 | 2,193,795,000 | 6,010,397 |
| 2017-18 | 1,993,392,000 | 5,461,348 |
| 2018-19 | 1,695,978,000 | 4,646,515 |
| 2019-20 | 1,900,570,000 | 5,207,041 |



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December 23, 2020

City Council and Management
City of Midwest City, Oklahoma

This letter is to inform the City Council of the City of Midwest City about significant matters related to the conduct of our audit as of and for the year ended June 30, 2020, so that it can appropriately discharge its oversight responsibility and we comply with our professional responsibilities.

Generally accepted auditing standards (AU-C 260, *The Auditor's Communication With Those Charged With Governance*) require the auditor to promote effective two-way communication between the auditor and those charged with governance. Consistent with this requirement, the following summarizes our responsibilities regarding the financial statement audit as well as observations arising from our audit that are significant and relevant to your responsibility to oversee the financial reporting process.

Our Responsibilities With Regard to the Financial Statement Audit

Our responsibility under auditing standards generally accepted in the United States of America and *Government Auditing Standards* issued by the Comptroller General of the United States have been described to you in our arrangement letter dated July 9, 2020. The audit of the basic financial statements does not relieve management or those charged with governance of their responsibilities, which are also described in that letter.

Overview of the Planned Scope and Timing of the Financial Statement Audit

We have issued a separate communication dated June 26, 2020 regarding the planned scope and timing of our audit and identified significant risks.

Significant Accounting Practices, Including Policies, Estimates and Disclosures

In our meeting with you, we will discuss our views about the qualitative aspects of the City's significant accounting practices, including accounting policies, accounting estimates and financial statement disclosures. The following is a list of the matters that will be discussed, including the significant estimates, which you may wish to monitor for your oversight responsibilities of the financial reporting process:

- Significant Accounting Estimates:
 - Allowance for doubtful accounts
 - Depreciable life of capital assets
 - Net pension liability (NPL) assumptions
 - Fair value of investments
 - Other post-employment benefits (OPEB) liability
 - Worker's compensation, healthcare and other risk management liabilities

Audit Adjustments and Uncorrected Misstatements

Management corrected the following material misstatements that were identified as a result of our audit procedures

- \$19,120,761 for the reclassification of payment received to payoff lease receivable from investment income to other financing sources.

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We identified the following uncorrected misstatements that management has concluded are not, individually or in the aggregate, material to the financial statements. We agree with management's conclusion in that regard.

- Reclassification of IBNR workers compensation and general liabilities recorded in the Internal Service Funds of \$93,700 from short-term liabilities to long-term liabilities.

Internal Control Matters and Compliance Findings

We have separately issued a report on internal control over financial reporting and on compliance and other matters during our audit of the financial statements, as required by *Government Auditing Standards*, and this report is attached.

Disagreements with Management

We encountered no significant difficulties with management over the application of significant accounting principles, the basis of management's judgments on any significant matters, the scope of the audit or significant disclosures to be included in the financial statements.

Consultation With Other Accountants

We are not aware of any consultations management had with other accountants about accounting or auditing matters, other than those services provided by Crawford and Associates to prepare the year-end financial statements.

Significant Issues Discussed with Management

No significant issues arising from the audit were discussed or were the subject of correspondence with management.

Difficulties Encountered in Performing the Audit

We did not encounter any significant difficulties in dealing with management during the audit.

Management Representations

Attached is a copy of the management representation letter.

Closing

We will be pleased to respond to any questions you have about the foregoing. We appreciate the opportunity to continue to be of service to the City of Midwest City, Oklahoma.

This report is intended solely for the information and use of the City Council and management and is not intended to be, and should not be, used by anyone other than these specified parties.

RSM US LLP

CITY OF MIDWEST CITY, OKLAHOMA

December 23, 2020

RSM US LLP
210 Park Avenue, Suite 1725
Oklahoma City, Oklahoma 73102

This representation letter is provided in connection with your audit of the basic financial statements of the City of Midwest City, Oklahoma (the "City") as of and for the year ended June 30, 2020 for the purpose of expressing an opinion on whether the financial statements are presented fairly, in all material respects in accordance with accounting principles generally accepted in the United States (U.S. GAAP).

We confirm, to the best of our knowledge and belief, as of December 23, 2020:

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit arrangement letter dated July 9, 2020, for the preparation and fair presentation of the financial statements referred to above in accordance with U.S. GAAP.
2. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
4. Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable and reflect our judgment based on our knowledge and experience about past and current events and our assumptions about conditions we expect to exist and courses of action we expect to take.
5. Related-party transactions have been recorded in accordance with the economic substance of the transaction and appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP. Types of related party transactions engaged in by the City include:
 - a. Interfund transactions, including interfund accounts and advances receivable and payable, sale and purchase transactions, interfund transfers, long-term loans, leasing arrangements and guarantees.
 - b. Those with component units for which the City is accountable.
 - c. Those with jointly governed organizations in which the City participates. This consists of Central Oklahoma Master Conservancy District.
6. The financial statements properly classify all funds and activities in accordance with GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, as amended.
7. All events subsequent to the date of the financial statements for which U.S. GAAP requires adjustment or disclosure, have been adjusted or disclosed.
8. The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.

9. We have no direct or indirect, legal or moral obligation for any debt of any organization, public or private, or to special assessment bond holders that is not disclosed in the financial statements.
10. We have complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
11. The City has satisfactory title to all owned assets.
12. Net positions (net investment in capital assets; restricted; and unrestricted) are properly classified and when applicable, approved.
13. Expenses or expenditures have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
14. Revenues are appropriately classified in the statements of activities within program revenues and general revenues.
15. Capital assets, including infrastructure assets, are properly capitalized, reported, and depreciated.
16. We agree with the findings of specialists in evaluating the City's investment valuations, self-insurance liabilities, and other postemployment benefits liability and disclosures under GASB Statement No. 75, and have adequately considered the qualifications of the specialists in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give instructions, or cause any instructions to be given, to specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an impact on the independence or objectivity of the specialists.
17. We have informed you of all uncorrected misstatements.

As of and for the year ended June 30, 2020, we believe that the effects of the uncorrected misstatements aggregated by you and summarized below are immaterial, both individually and in the aggregate to the consolidated financial statements taken as a whole. For purposes of this representation, we consider items to be material, regardless of their size, if they involve the misstatement or omission of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

- Reclassification of IBNR workers compensation and general liabilities recorded in the Internal Service Funds of \$93,700 from short-term liabilities to long-term liabilities.

Information Provided

18. We have provided you with:
 - a. Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the basic financial statements such as records, documentation, and other matters;
 - b. Additional information that you have requested from us for the purpose of the audit;
 - c. Unrestricted access to persons within the City from whom you determined it necessary to obtain audit evidence.
 - d. Minutes of the meetings of the governing boards and committees, or summaries of actions of recent meetings for which minutes have not yet been prepared.

19. All transactions have been recorded in the accounting records and are reflected in the basic financial statements.
20. We have disclosed to you the results of our assessment of risk that the financial statements may be materially misstated as a result of fraud.
21. It is our responsibility to establish and maintain internal control over financial reporting. One of the components of internal control is risk assessment. We hereby represent that our risk assessment process includes identification and assessment of risks of material misstatement due to fraud. We have shared with you our fraud risk assessment, including a description of the risks, our assessment of the magnitude and likelihood of misstatements arising from those risks, and the controls that we have designed and implemented in response to those risks.
22. We have no knowledge of allegations of fraud or suspected fraud, affecting the City's financial statements involving:
 - a. Management.
 - b. Employees who have significant roles in the internal control.
 - c. Others where the fraud could have a material effect on the basic financial statements.
23. We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statements received in communications from employees, former employees, analysts, regulators, or others.
24. We have no knowledge of noncompliance or suspected noncompliance with laws and regulations.
25. We have disclosed to you all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements.
26. We have disclosed to you the identity of the City's related parties and all the related-party relationships and transactions of which we are aware.
27. We are aware of no significant deficiencies, including material weaknesses in the design or operation of internal controls that could adversely affect the City's ability to record, process, summarize and report financial data.
28. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
29. During the course of your audit, you may have accumulated records containing data that should be reflected in our books and records. All such data have been so reflected. Accordingly, copies of such records in your possession are no longer needed by us.

Supplementary Information

30. With respect to supplementary information presented in relation to the financial statements as a whole:
 - a. We acknowledge our responsibility for the presentation of such information.
 - b. We believe such information, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America.
 - c. The methods of measurement have not changed from the prior period.
 - d. Underlying significant assumptions or interpretations regarding the measurement or presentation of such information are disclosed in the financial statements.

- e. When supplementary information is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance of the supplementary information and the auditor's report thereon.
31. With respect to the required supplementary information presented as required by the Governmental Accounting Standards Board to supplement the basic financial statements:
- a. We acknowledge our responsibility for the presentation of such required supplementary information.
 - b. We believe such required supplementary information is measured and presented in accordance with guidelines prescribed by U.S. GAAP and/or budgetary accounting principles as described in the financial statements.
 - c. The methods of measurement or presentation have not changed from those used in the prior period.
 - d. Underlying significant assumptions or interpretations regarding the measurement or presentation of such information are disclosed in the financial statements, including the notes to the required supplementary information.

Compliance Considerations

32. In connection with your audit conducted in accordance with *Government Auditing Standards*, we confirm that management:
- a. Is responsible for the preparation and fair presentation of the financial statements in accordance with the applicable financial reporting framework.
 - b. Is responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to the auditee.
 - c. Is not aware of any instances that have occurred, or are likely to have occurred, of fraud and noncompliance with provisions of laws and regulations that have a material effect on the financial statements or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance.
 - d. Is aware of no instances that have occurred, or are likely to have occurred, of noncompliance with provisions of contracts and grant agreements that have a material effect on the determination of financial statements or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance.
 - e. Is aware of no instances that have occurred, or are likely to have occurred, of waste or abuse that could be quantitatively or qualitatively material to the financial statements.
 - f. Is responsible for the design, implementation and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
 - g. Acknowledges its responsibility for the design, implementation and maintenance of internal controls to prevent and detect fraud.
 - h. If applicable, has taken timely and appropriate steps to remedy fraud; noncompliance with provisions of laws, regulations, contracts and grant agreements; or waste or abuse that the auditor reports.

- i. Has a process to track the status of audit findings and recommendations, if any.
 - j. Has identified for the auditor previous audits, attestation engagements and other studies related to the audit objectives and whether related recommendations have been implemented.
33. With respect to the schedule of expenditures of federal awards, as required by the Single Audit Act and Subpart F of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), which will be presented in relation to the city's basic financial statements as a whole, in the separately issued compliance report:
- a. We acknowledge our responsibility for the presentation of such information.
 - b. We believe such information, including its form and content, is fairly presented in accordance with U.S. GAAP and the Uniform Guidance.
 - c. The methods of measurement or presentation have not changed from those used in the prior period.
 - d. Management will make the audited financial statements readily available to the intended users of the schedule no later than the issuance date by the City of the schedule of expenditures of federal awards and the auditor's report thereon.
 - e. Management has identified and disclosed all of its government programs and related activities subject to the Uniform Guidance compliance audit and these programs have been properly included in the schedule of expenditures of federal awards.

City of Midwest City, Oklahoma

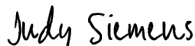
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Tim Lyon
City Manager

DocuSigned by:



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Judy Siemens
Interim Finance Director

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Frank Chen
Deputy Finance Director



RSM US LLP

**Internal Control Over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial
Statements Performed in Accordance with *Government Auditing Standards***

Independent Auditors' Report

Honorable Mayor and Members of City Council
City of Midwest City, Oklahoma

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Midwest City, Oklahoma, (the City) as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated December 23, 2020.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

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Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

RSM US LLP

Oklahoma City, Oklahoma
December 23, 2020



Finance Department
100 N. Midwest Boulevard
Midwest City, OK 73110
cbarron@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Mayor and City Council
FROM: Judy Siemens, Interim Finance Director
DATE: January 26, 2021
SUBJECT: Discussion and consideration of accepting the City Manager's Report for the month of December 2020.

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

December had three pay periods causing a decline in the following funds:

| | |
|--------------|-------------|
| General (10) | <\$88,727> |
| Police (20) | <\$163,271> |
| Fire (40) | <\$224,198> |

Hotel/Conference Center (195) had an operational loss of \$41,577 in December.

Golf (197) had an operational loss of \$34,993 in December.

2018 Election G.O. Bonds (270) decreased due to the payments for:

| | |
|---------------------------------|-------------|
| Various Capital Outlay Payments | <\$843,476> |
|---------------------------------|-------------|

Disaster Relief (310) decreased because of the ice storm cleaning payments to:

| | |
|--------------------------|---------------|
| Silver Star Construction | <\$2,119,492> |
| Debris Tech LLC | <\$105,207> |

G.O. Debt Services (350) increased due to receipt of:

| | |
|------------------|-----------|
| Ad Valorem Taxes | \$687,307 |
|------------------|-----------|

Sooner Rose TIF (352) decreased because of the payment for:

| | |
|--------------|-------------|
| Debt service | <\$690,965> |
|--------------|-------------|

MWC Hospital Authority (425) activities for December:

| | |
|---|-------------|
| Compounded Principal (9010) - realized gain on investment | \$2,417,137 |
| - unrealized gain on investment | \$829,831 |
| Discretionary (9050) - realized gain on investment | \$624,419 |
| - unrealized gain on investment | \$214,370 |
| In Lieu of/ ROR/ Misc. (9060) - in lieu of tax revenue | \$1,153,542 |
| - payment to ODOT | <\$539,128> |

Judy Siemens

Judy Siemens
Interim Finance Director

City of Midwest City
Financial Summary by Fund
for Period Ending December, 2020

(Unaudited)

| Fund Number | Fund Description | Assets | Liabilities | 6/30/2020 Fund Balance | Revenues | Expenditures | Gain or (Loss) | Fund Balance |
|-------------|------------------------------|-----------|-------------|------------------------|------------|--------------|----------------|--------------|
| 9 | GENERAL GOVERNMENT SALES TAX | 4,202,383 | - | 3,692,885 | 1,366,767 | (857,268) | 509,499 | 4,202,383 |
| 10 | GENERAL | 8,336,385 | (148,416) | 7,257,964 | 20,679,556 | (19,749,551) | 930,005 | 8,187,969 |
| 11 | CAPITAL OUTLAY RESERVE | 880,925 | - | 878,312 | 2,613 | - | 2,613 | 880,925 |
| 13 | STREET AND ALLEY FUND | 1,735,291 | - | 1,615,489 | 275,037 | (155,235) | 119,802 | 1,735,291 |
| 14 | TECHNOLOGY FUND | 282,051 | - | 207,826 | 163,307 | (89,082) | 74,224 | 282,051 |
| 15 | STREET LIGHT FEE | 1,815,754 | - | 1,874,909 | 298,187 | (357,342) | (59,155) | 1,815,754 |
| 16 | REIMBURSED PROJECTS | 1,175,141 | (2) | 1,247,928 | 66,486 | (139,274) | (72,788) | 1,175,140 |
| 17 | 29TH & DOUGLAS PROPERTY | 289 | - | 288 | 1 | - | 1 | 289 |
| 20 | MWC POLICE DEPARTMENT | 6,597,416 | - | 5,969,836 | 8,706,334 | (8,078,754) | 627,581 | 6,597,416 |
| 21 | POLICE CAPITALIZATION | 1,497,697 | - | 448,160 | 1,167,321 | (117,784) | 1,049,537 | 1,497,697 |
| 25 | JUVENILE FUND | 31,512 | - | 27,943 | 43,758 | (40,188) | 3,569 | 31,512 |
| 30 | POLICE STATE SEIZURES | 76,725 | - | 72,260 | 4,716 | (251) | 4,465 | 76,725 |
| 31 | SPECIAL POLICE PROJECTS | 93,828 | - | 93,392 | 6,436 | (6,000) | 436 | 93,828 |
| 33 | POLICE FEDERAL PROJECTS | 48,426 | - | 49,067 | 64 | (705) | (641) | 48,426 |
| 34 | POLICE LAB FEE FUND | 26,573 | - | 23,424 | 3,408 | (259) | 3,149 | 26,573 |
| 35 | EMPLOYEE ACTIVITY FUND | 27,827 | - | 20,356 | 9,621 | (2,150) | 7,471 | 27,827 |
| 36 | JAIL | 148,072 | - | 144,218 | 26,175 | (22,321) | 3,854 | 148,072 |
| 37 | POLICE IMPOUND FEE | 95,573 | - | 109,036 | 23,542 | (37,005) | (13,463) | 95,573 |
| 40 | MWC FIRE DEPARTMENT | 4,701,335 | (4) | 4,029,690 | 6,707,646 | (6,036,005) | 671,641 | 4,701,331 |
| 41 | FIRE CAPITALIZATION | 1,318,505 | - | 1,180,917 | 318,523 | (180,935) | 137,588 | 1,318,505 |
| 45 | MWC WELCOME CENTER | 262,747 | 3 | 353,512 | 86,504 | (177,266) | (90,762) | 262,750 |
| 46 | CONV / VISITORS BUREAU | 241,052 | - | 184,975 | 150,722 | (94,644) | 56,078 | 241,052 |
| 50 | DRAINAGE TAX FUND | - | - | - | - | - | - | - |
| 60 | CAPITAL DRAINAGE IMP | 669,399 | - | 614,336 | 234,822 | (179,759) | 55,063 | 669,399 |
| 61 | STORM WATER QUALITY | 1,092,246 | - | 1,014,388 | 392,123 | (314,264) | 77,858 | 1,092,246 |
| 65 | STREET TAX FUND | 1,829,491 | - | 1,840,981 | 258,598 | (270,088) | (11,490) | 1,829,491 |
| 70 | EMERGENCY OPER FUND | 805,917 | - | 765,195 | 284,019 | (243,297) | 40,722 | 805,917 |
| 75 | PUBLIC WORKS ADMIN | 560,004 | - | 647,055 | 536,586 | (623,637) | (87,050) | 560,004 |
| 80 | INTERSERVICE FUND | 615,425 | - | 638,120 | 1,254,583 | (1,277,277) | (22,695) | 615,425 |
| 81 | SURPLUS PROPERTY | 535,662 | (421,816) | 108,739 | 27,116 | (22,010) | 5,107 | 113,846 |
| 115 | ACTIVITY FUND | 338,170 | (38) | 351,549 | 29,425 | (42,841) | (13,416) | 338,132 |
| 123 | PARK & RECREATION | 657,869 | (150) | 639,507 | 310,734 | (292,522) | 18,212 | 657,719 |
| 141 | COMM. DEV. BLOCK GRANT | 9,779 | (3,750) | 6,029 | 462,471 | (462,471) | - | 6,029 |
| 142 | GRANTS/HOUSING ACTIVITIES | 177,634 | (8,357) | 142,535 | 109,502 | (82,759) | 26,743 | 169,278 |
| 143 | GRANT FUNDS | 100,417 | (40,417) | 60,000 | 4,775,995 | (4,775,995) | - | 60,000 |

City of Midwest City
Financial Summary by Fund
for Period Ending December, 2020

(Unaudited)

| Fund Number | Fund Description | Assets | Liabilities | 6/30/2020 Fund Balance | Revenues | Expenditures | Gain or (Loss) | Fund Balance |
|-------------|------------------------------|-------------|---------------|------------------------|-------------|--------------|----------------|--------------|
| 157 | CAPITAL IMPROVEMENTS | 2,374,493 | - | 2,523,375 | 414,254 | (563,136) | (148,881) | 2,374,493 |
| 172 | CAP. WATER IMP-WALKER | 1,622,866 | - | 1,440,837 | 272,518 | (90,489) | 182,029 | 1,622,866 |
| 178 | CONST LOAN PAYMENT REV | 3,226,575 | (15,358) | 2,876,857 | 421,139 | (86,778) | 334,361 | 3,211,217 |
| 184 | SEWER BACKUP FUND | 84,020 | - | 83,771 | 250 | - | 250 | 84,020 |
| 186 | SEWER CONSTRUCTION | 4,904,523 | (175,000) | 4,285,350 | 726,769 | (282,596) | 444,173 | 4,729,523 |
| 187 | UTILITY SERVICES | 518,080 | (924) | 494,006 | 584,996 | (561,846) | 23,150 | 517,156 |
| 188 | CAP. SEWER IMP.-STROTH | 406,541 | - | 121,949 | 285,977 | (1,385) | 284,592 | 406,541 |
| 189 | UTILITIES CAPITAL OUTLAY | 2,093,945 | (88,881) | 3,009,651 | 607,500 | (1,612,087) | (1,004,587) | 2,005,064 |
| 190 | MWC SANITATION DEPARTMENT | 3,864,041 | - | 3,020,287 | 3,786,669 | (2,942,915) | 843,754 | 3,864,041 |
| 191 | MWC WATER DEPARTMENT | 3,497,872 | - | 2,749,260 | 3,798,388 | (3,049,777) | 748,612 | 3,497,872 |
| 192 | MWC SEWER DEPARTMENT | 1,744,081 | (9) | 1,282,446 | 3,342,297 | (2,880,671) | 461,626 | 1,744,072 |
| 193 | MWC UTILITIES AUTHORITY | 950,085 | - | 952,584 | 2,818 | (5,316) | (2,498) | 950,085 |
| 194 | DOWNTOWN REDEVELOPMENT | 1,927,030 | (28,685) | 2,364,928 | 6,538 | (473,121) | (466,583) | 1,898,345 |
| 195 | HOTEL/CONFERENCE CENTER | 420,337 | (490,661) | 86,188 | 907,517 | (1,064,029) | (156,511) | (70,324) |
| 196 | HOTEL 4% FF&E | 823,027 | (39,561) | 672,955 | 1,150,772 | (1,040,261) | 110,511 | 783,466 |
| 197 | JOHN CONRAD REGIONAL GOLF | 465,149 | (144,252) | 164,931 | 630,494 | (474,527) | 155,966 | 320,897 |
| 201 | URBAN RENEWAL AUTHORITY | 80,999 | - | 81,862 | 25,237 | (26,100) | (863) | 80,999 |
| 202 | RISK MANAGEMENT | 1,049,407 | (37) | 1,337,005 | 476,392 | (764,026) | (287,634) | 1,049,370 |
| 204 | WORKERS COMP | 3,474,957 | - | 3,342,285 | 487,491 | (354,818) | 132,673 | 3,474,957 |
| 220 | ANIMALS BEST FRIEND | 88,555 | - | 89,075 | 10,586 | (11,106) | (521) | 88,555 |
| 225 | HOTEL MOTEL FUND | - | - | - | 267,361 | (267,361) | - | - |
| 230 | CUSTOMER DEPOSITS | 1,522,885 | (1,522,885) | - | 4,574 | (4,574) | - | - |
| 235 | MUNICIPAL COURT | 97,068 | (97,068) | - | 246 | (246) | - | - |
| 240 | L & H BENEFITS | 1,305,701 | (106,009) | 1,519,039 | 4,602,610 | (4,921,957) | (319,347) | 1,199,692 |
| 250 | CAPITAL IMP REV BOND | 33,112,276 | (72,846,591) | (40,619,738) | 7,891,969 | (7,006,546) | 885,423 | (39,734,315) |
| 269 | 2002 G.O. STREET BOND | 316,108 | - | 315,172 | 937 | - | 937 | 316,108 |
| 270 | 2018 ELECTION G.O. BOND | 24,607,309 | (83,683) | 27,003,375 | 474,267 | (2,954,016) | (2,479,749) | 24,523,626 |
| 271 | 2018 G.O. BONDS PROPRIETARY | 10,499,790 | - | 10,686,758 | 31,473 | (218,441) | (186,968) | 10,499,790 |
| 310 | DISASTER RELIEF | 3,225,848 | (185,573) | 1,072,308 | 4,537,319 | (2,569,351) | 1,967,968 | 3,040,276 |
| 340 | REVENUE BOND SINKING FUND | - | - | - | 3,217,549 | (3,217,549) | - | - |
| 350 | G. O. DEBT SERVICES | 2,038,112 | - | 1,877,552 | 746,149 | (585,589) | 160,560 | 2,038,112 |
| 352 | SOONER ROSE TIF | 1,028,344 | - | 1,654,228 | 68,581 | (694,465) | (625,884) | 1,028,344 |
| 353 | ECONOMIC DEV AUTHORITY | 54,509,628 | (50,968,357) | 2,884,708 | 845,275 | (188,712) | 656,563 | 3,541,271 |
| 425-9010 | MWC HOSP AUTH-COMP PRINCIPAL | 113,555,835 | (6,205,384) | 93,145,527 | 16,191,954 | (1,987,029) | 14,204,925 | 107,350,453 |
| 425-9020 | MWC HOSP AUTH-LOAN RESERVE | 559,708 | (559,708) | - | - | - | - | - |
| 425-9050 | MWC HOSP AUTH-DISCRETIONARY | 16,813,331 | (3,883) | 11,287,755 | 5,779,397 | (257,705) | 5,521,693 | 16,809,447 |
| 425-9060 | MWC HOSP IN LIEU OF/ROR/MISC | 9,316,012 | - | 8,746,405 | 1,153,737 | (584,128) | 569,609 | 9,316,013 |
| 425-9080 | MWC HOSP AUTH GRANTS | 429,155 | - | 28,398 | 496,757 | (96,000) | 400,757 | 429,155 |
| | TOTAL | 347,541,215 | (134,185,453) | 186,891,905 | 113,031,451 | (86,567,591) | 26,463,860 | 213,355,765 |



Finance Department
100 N. Midwest Boulevard
Midwest City, OK 73110
cbarron@midwestcity.org
Office: 405-739-1245
www.midwestcityok.org

TO: Honorable Mayor and City Council

FROM: Judy Siemens, City Treasurer

DATE: January 26, 2021

SUBJECT: Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Grant Funds, revenue/ Intergovernmental (62) \$32,820; expenditures/Police (62) \$32,820. CDBG Fund, revenue/Intergovernmental (00) \$321,726; expenditures/Grants Management (39) \$321,726.

The first supplement is needed to budget revenue and expenditures for the Oklahoma Highway Safety Grant. This grant pays for the overtime hours for high visibility enforcement for statewide traffic safety. The second supplement is needed to budget additional funding for the additional revenue and expenditures for Fiscal Year CDBG-CV Substantial Amendment PY 2019 from the U.S. Department of Housing and Urban Development.

Judy Siemens

Judy Siemens
City Treasurer

SUPPLEMENTS
January 26, 2021

| Fund GRANT FUNDS (143) | | BUDGET AMENDMENT FORM Fiscal Year 2020-2021 | | | |
|--|------------------------|--|-----------------|-----------------------|-----------------|
| | | Estimated Revenue | | Budget Appropriations | |
| <u>Dept Number</u> | <u>Department Name</u> | <u>Increase</u> | <u>Decrease</u> | <u>Increase</u> | <u>Decrease</u> |
| 62 | Intergovernmental | 32,820 | | | |
| 62 | Police | | | 32,820 | |
| | | <u>32,820</u> | <u>0</u> | <u>32,820</u> | <u>0</u> |
| Explanation: | | | | | |
| This supplement is needed to budget revenue & expenditures for the Oklahoma Highway Safety Grant. This grant pays for overtime hours for high visibility enforcement for statewide traffic safety. | | | | | |

| Fund CDBG (141) | | BUDGET AMENDMENT FORM Fiscal Year 2020-2021 | | | |
|--|------------------------|--|-----------------|-----------------------|-----------------|
| | | Estimated Revenue | | Budget Appropriations | |
| <u>Dept Number</u> | <u>Department Name</u> | <u>Increase</u> | <u>Decrease</u> | <u>Increase</u> | <u>Decrease</u> |
| 00 | Intergovernmental | 321,726 | | | |
| 39 | Grants Management | | | 321,726 | |
| | | <u>321,726</u> | <u>0</u> | <u>321,726</u> | <u>0</u> |
| Explanation: | | | | | |
| This supplement is needed to budget the additional revenue & expenditures for Fiscal Year CDBG-CV Substantial Amendment PY 2019 from U.S. Department of Housing and Urban Development. | | | | | |



Human Resources
100 N. Midwest Boulevard
Midwest City, OK 73110
office 405.739.1235

Memorandum

TO: Honorable Mayor and Council

FROM: Troy Bradley, Human Resources Director

DATE: January 26, 2021

RE: Discussion and consideration of accepting the monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager and action as deemed necessary by the Council to maintain the plan.

This item is placed on the agenda at the request of the Council. Attached to this memo is information regarding the current financial condition of the City Employees' Health Benefits Plan for the month of December 2020 which is the sixth (6) period of the FY 2020/2021.

A handwritten signature in black ink that reads "Troy Bradley".

Troy Bradley, Human Resources Director

| FISCAL YEAR 2020-2021 | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 | Jan-21 | Feb-21 | Mar-21 | Apr-21 | May-21 | Jun-21 |
|---------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| PLAN INCOME | | | | | | | | | | | | |
| Projected Budgeted (MTD) | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 | 729,416 |
| Actual (MTD) | 662,819 | 704,904 | 753,466 | 689,432 | 1,065,534 | 727,062 | | | | | | |
| Projected Budgeted (YTD) | 729,416 | 1,458,832 | 2,188,248 | 2,917,664 | 3,647,080 | 4,376,496 | 5,105,912 | 5,835,328 | 6,564,744 | 7,294,160 | 8,023,576 | 8,752,992 |
| Actual (YTD) | 662,819 | 1,367,723 | 2,121,189 | 2,810,621 | 3,876,155 | 4,603,217 | | | | | | |
| | | | | | | | | | | | | |
| PLAN CLAIMS/ADMIN COSTS | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 | Jan-21 | Feb-21 | Mar-21 | Apr-21 | May-21 | Jun-21 |
| Projected Budgeted (MTD) | 691,492 | 864,366 | 691,492 | 691,492 | 864,366 | 691,492 | 691,492 | 691,492 | 864,366 | 691,492 | 864,366 | 691,492 |
| Actual (MTD) | 548,997 | 965,005 | 927,589 | 766,622 | 859,038 | 854,726 | | | | | | |
| Projected Budgeted (YTD) | 691,492 | 1,555,858 | 2,247,350 | 2,938,842 | 3,803,208 | 4,494,700 | 5,186,192 | 5,877,684 | 6,742,050 | 7,433,542 | 8,297,908 | 8,989,400 |
| Actual (YTD) | 548,997 | 1,514,002 | 2,441,591 | 3,208,213 | 4,067,251 | 4,921,977 | | | | | | |
| | | | | | | | | | | | | |
| EXCESS INCOME vs. EXPENDITURES | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 | Jan-21 | Feb-21 | Mar-21 | Apr-21 | May-21 | Jun-21 |
| Projected Budgeted (MTD) | 37,924 | -134,950 | 37,924 | 37,924 | -134,950 | 37,924 | 37,924 | 37,924 | -134,950 | 37,924 | -134,950 | 37,924 |
| Actual (MTD) | 113,822 | -260,101 | -174,123 | -77,190 | 206,496 | -127,664 | 0 | 0 | 0 | 0 | 0 | 0 |
| Projected Budgeted (YTD) | 37,924 | -97,026 | -59,102 | -21,178 | -156,128 | -118,204 | -80,280 | -42,356 | -177,306 | -139,382 | -274,332 | -236,408 |
| Actual (YTD) | 113,822 | -146,279 | -320,402 | -397,592 | -191,096 | -318,760 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | | | | | |
| FISCAL YEAR 2019-2020 | Jul-19 | Aug-19 | Sep-19 | Oct-19 | Nov-19 | Dec-19 | Jan-20 | Feb-20 | Mar-20 | Apr-20 | May-20 | Jun-20 |
| PLAN INCOME | | | | | | | | | | | | |
| Projected Budgeted (MTD) | 674,837 | 674,837 | 674,837 | 674,837 | 674,837 | 674,837 | 674,837 | 674,837 | 674,837 | 674,836 | 674,836 | 674,836 |
| Actual (MTD) | 627,213 | 652,720 | 650,545 | 655,169 | 734,359 | 715,169 | 723,236 | 970,288 | 715,536 | 649,274 | 675,554 | 732,160 |
| Projected Budgeted (YTD) | 674,837 | 1,349,674 | 2,024,511 | 2,699,348 | 3,374,185 | 4,049,022 | 4,723,859 | 5,398,696 | 6,073,533 | 6,748,369 | 7,423,205 | 8,098,041 |
| Actual (YTD) | 627,213 | 1,279,933 | 1,930,478 | 2,585,647 | 3,320,007 | 4,035,176 | 4,758,412 | 5,728,700 | 6,444,236 | 7,093,510 | 7,769,064 | 8,501,224 |
| | | | | | | | | | | | | |
| PLAN CLAIMS/ADMIN COSTS | Jul-19 | Aug-19 | Sep-19 | Oct-19 | Nov-19 | Dec-19 | Jan-20 | Feb-20 | Mar-20 | Apr-20 | May-20 | Jun-20 |
| Projected Budgeted (MTD) | 727,655 | 640,699 | 727,655 | 640,699 | 640,699 | 727,655 | 640,699 | 640,699 | 727,655 | 640,698 | 640,698 | 640,698 |
| Actual (MTD) | 646,453 | 673,397 | 845,354 | 678,761 | 893,068 | 996,518 | 825,669 | 776,712 | 849,727 | 629,694 | 538,458 | 736,771 |
| Projected Budgeted (YTD) | 727,655 | 1,368,354 | 2,096,009 | 2,736,708 | 3,377,407 | 4,105,062 | 4,745,761 | 5,386,460 | 6,114,115 | 6,754,813 | 7,395,511 | 8,036,209 |
| Actual (YTD) | 646,453 | 1,319,850 | 2,165,204 | 2,843,965 | 3,737,033 | 4,733,551 | 5,559,220 | 6,335,932 | 7,185,659 | 7,815,353 | 8,353,811 | 9,090,582 |
| | | | | | | | | | | | | |
| EXCESS INCOME vs. EXPENDITURES | Jul-19 | Aug-19 | Sep-19 | Oct-19 | Nov-19 | Dec-19 | Jan-20 | Feb-20 | Mar-20 | Apr-20 | May-20 | Jun-20 |
| Projected Budgeted (MTD) | -52,818 | 34,138 | -52,818 | 34,138 | 34,138 | -52,818 | 34,138 | 34,138 | -52,818 | 34,138 | 34,138 | 34,138 |
| Actual (MTD) | -19,240 | -20,677 | -194,809 | -23,592 | -158,708 | -281,349 | -102,433 | 193,576 | -134,191 | 19,580 | 137,096 | -4,611 |
| Projected Budgeted (YTD) | -52,818 | -18,680 | -71,498 | -37,360 | -3,222 | -56,040 | -21,902 | 12,236 | -40,582 | -6,444 | 27,694 | 61,832 |
| Actual (YTD) | -19,240 | -39,917 | -234,726 | -258,318 | -417,026 | -698,375 | -800,808 | -607,232 | -741,423 | -721,843 | -584,747 | -589,358 |

Dec 6/FY 2021: \$1,199,238
 Dec 6/FY 2020: \$1,408,960
 Dec 6/FY 2019: \$1,995,105
 Dec 6/FY 2018: \$1,937,893

** HAD FIVE MONDAYS WITH REPORTED MEDICAL CLAIMS PAID**



CITY of MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, P.E., City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNER
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

TO : Honorable Mayor and Council

FROM : Billy Harless, Community Development Director

DATE : January 26th, 2021

SUBJECT : Discussion and consideration to approve Amendment #1 to the professional design services contract with Olsson, Inc. in the amount of \$10,045 plus \$600 per easement for the W.P. Bill Atkinson Park, a 2018 General Obligation project.

The original agreement was approved at the regular Council Meeting on September 24th, 2019. Since that time, Olsson has continued the design of the W.P. Bill Atkinson Park, a 2018 General Obligation project. The plans are nearly complete with expectations to go to bid within a few months. After the contract was signed, City Staff identified the extremely deteriorated condition of the adjacent roadway and requested that improvements be incorporated into the plans which Olsson has agreed to provide for \$10,045. The original contract was for \$303,525.

This agreement will be funded with already budgeted funds in project #9219G1

Billy Harless, AICP
Community Development Director

Attachment

January 13, 2021

City of Midwest City
Mr. Billy Harless, Community Development Director
100 N Midwest Boulevard
Midwest City, OK 73110

Mr. Harless,

This correspondence is intended to provide background information on the proposed contract amendment, requested by Olsson, for services rendered in support of City requested plan revisions to the East Mid-America Boulevard roadway segment within the W.P. Bill Atkinson Park Construction Document set.

During the course of the 90% Construction Document review, it was brought to Olsson's attention that the City desired improvements to several segments of roadway adjacent to the project boundary that were above and beyond the current scope of services. From there, the roadway segment priorities of the City were identified, and discussion was narrowed down to focus on Olsson providing roadway improvements to East Mid-America Boulevard, due to the extremely deteriorated condition of the existing roadway paving and curb and gutter, within the current plan set.

To accomplish this, it was specified that Olsson would update the segment of roadway along East Mid-America Boulevard to incorporate the City standard pavement section into the current park Construction Documents. This process entailed a substantial amount of time and effort to update the current plan set to provide buildable roadway plans that reflect the City standard pavement section, tie into existing grades within the surrounding residential properties, and ensure positive drainage along East Mid-America Boulevard. Please see the accompanying fee breakdown that identifies time spent in performing this task.

Respectfully,



Darren Varner,
Senior Landscape Architect

W.P. Bill Atkinson Park Amendment #1 Fee Breakdown

Midwest City, OK Original Mile January 13, 2021

| Task Description | Project Engineer \$132 | Project Landscape Architect \$125 | Senior Project Manager \$162 | Team Leader \$183 |
|--|---------------------------|--------------------------------------|---------------------------------|----------------------|
| Update grading model to include E. Mid-America Blvd. | 6.5 | | | |
| Revise base files to include new paving, curb and gutter | 9.5 | | | |
| Revise Demolition, Site, Grading, and Paving Plans | 18.5 | | | |
| Revise details, enlargements, and integrate MWC Standard Paving Section into set | 15 | | | |
| Revise Eng. Cost estimate and Civil Pay Quantities | 3 | | | |
| Quality Control QA-QC review | 3.5 | | | |
| Internal Olsson Design Team coordination meetings concerning additional paving | 3 | 3 | 3 | 1 |
| Meeting with City of Midwest City staff to discuss additional paving | 2 | 2 | 2 | |
| Project Management | | 3 | | |
| | \$8,052 | \$1,000 | \$810 | \$183 |
| | | | TASK TOTAL | \$10,045 |

LETTER AGREEMENT AMENDMENT #1

Date: January 14, 2021

This AMENDMENT ("Amendment") shall amend and become a part of the Letter Agreement for Professional Services dated September 9, 2019 between City of Midwest City, Oklahoma ("Client") and Olsson, Inc. dba Ochsner Hare & Hare the Olsson Studio ("Olsson") providing for professional services for the following Project (the "Agreement"):

PROJECT DESCRIPTION AND LOCATION

Project is located at: Mid-America Boulevard between Rickenbacker Drive and Boeing Drive

Project Description: W.P. Bill Atkinson Park – Paving improvements at Mid-America Boulevard

SCOPE OF SERVICES

Client and Olsson hereby agree that Olsson's Scope of Services under the Agreement is amended by adding the services specifically described below for the additional compensation set forth below:

Pavement Replacement at Mid-America Boulevard

Revised Civil Construction Documents **\$10,045.00**

Olsson shall prepare revised construction plans to include additional civil design for the construction of paving improvements at East and West Mid-America Boulevard. Design shall be consistent with requirements outlined by the Client for paving improvements. Revisions will include additional site, paving, grading, and drainage information for the replacement of existing street pavement at East and West Mid-America Boulevard. New pavement will extend from Lockheed Drive, south to the north end of the City's proposed Auto-Court. Revised plans will specify and refer to Client's typical asphalt street section for construction. Plans will be prepared as one (1) complete package and shall include all required information for Client permitting and construction.

Legal Descriptions and Exhibits

Utility Easement Exhibits and Descriptions **\$600.00/Easement**

Olsson shall prepare legal descriptions and easement exhibits requested by Client. All easement documents shall contain a legal description and an exhibit graphically depicting the location and dimensions of the easement. For each easement or description needed below, Olsson shall charge \$600.00. This cost includes filling out any provided standard form by the City or Utility company. If no standard form is available or provided, it will be the responsibility of City or Utility company to take Olsson's exhibit/description and complete forms as necessary with the proper information.

ASSUMPTIONS

- Street paving plan and profile sheets are not required for City review and project construction documents
- Street paving design is based upon Client paving standards and specifications
- Construction requests for information (RFIs) related to the installation of City standard street paving will be addressed by Client
- Warranty or Quit-Claim deed for Property transfers shall be prepared by a Client's lawyer and are not included in this scope.

EXCLUSIONS

- Geotechnical borings and analysis of existing streets

SCHEDULE FOR OLSSON'S SERVICES

Unless otherwise agreed, Olsson expects to perform its services covered by this Amendment as follows:

Anticipated Start Date: December 1, 2020
Anticipated Completion Date: January 8, 2021

Olsson will endeavor to start its services on the Anticipated Start Date and to complete its services on the Anticipated Completion Date. However, the Anticipated Start Date, the Anticipated Completion Date, and any milestone dates are approximate only, and Olsson reserves the right to adjust its schedule and any or all of those dates at its sole discretion, for any reason, including, but not limited to, delays caused by Client or delays caused by third parties.

COMPENSATION

For the additional Scope of Services specifically set forth in this Amendment, Client shall pay Olsson the following fee in addition to the fee(s) set forth in the Agreement:

Pavement Replacement: Client shall pay to Olsson for the performance of the Scope of Services a lump sum of Ten Thousand Forty-Five Dollars (\$10,045.00). Olsson's reimbursable expenses for this project are included in the lump sum. Olsson shall submit invoices on a monthly basis, and payment is due within 30 calendar days of invoice date.

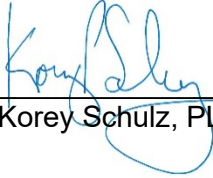
Legal Descriptions and Exhibits: Client shall pay Olsson a fixed fee of Six Hundred Dollars (\$600.00) per easement. Olsson shall submit invoices on a monthly basis and payment is due within 30 calendar days of invoice date.

TERMS AND CONDITIONS OF SERVICE

All provisions of the original Agreement not specifically amended herein shall remain unchanged.

If this Contract Amendment satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of 30 days from the date set forth above, unless changed by us in writing.

OLSSON, INC. DBA OCHSNER HARE & HARE THE OLSSON STUDIO

By 
Korey Schulz, PLA, ASLA

By 
C. Kelly Thompson, PLA

By signing below, you acknowledge that you have full authority to bind Client to the terms of this Amendment. If you accept this Amendment, please sign:

CITY OF MIDWEST CITY, OKLAHOMA

By _____
Signature

By _____
Signature

Printed Name _____

Printed Name _____

Title _____

Title _____

Dated: _____

Dated: _____



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

TO: Honorable Mayor and City Council

FROM: Terri L. Craft, Grants Manager

DATE: January 26, 2021

SUBJECT: Discussion and consideration of awarding bid to Top Tier Tactical for Police Department Respirator Equipment in the amount of \$38,100.

Bids were advertised on December 23, 2020 and two bids were opened on January 5, 2021 at 2:00 p.m. by the City Clerk, for respirator equipment consisting of first responder Respirator Mask Assemblies, Powered Air Purifying Respirators and CBRN canisters. After review, only one bid was complete. Staff recommends award to Top Tier Tactical as the best and responsible bid. Top Tier Tactical is an existing vendor and has proven to be a dependable supplier, available to address any maintenance and follow up issues.

Funding for the purchase was provided by a Coronavirus Emergency Supplemental Funding (CESF) grant from the Department of Justice Office of Justice Programs to address law enforcement needs presented by the COVID-19 epidemic. Action is at the discretion of the council.

A handwritten signature in cursive script that reads "Terri L. Craft".

Terri L. Craft
Grants Manager

RESPIRATOR EQUIPMENT
BID TAB
01-05-21

Bidder

Total Net Price

Federal Eastern International

\$ 37,620.00

Top Tier Tactical

\$ 38,100.00



Public Works Administration

R. Paul Streets, Director
pstreets@midwestcityok.org
405-739-1061

Patrick Menefee, Assistant Director
pmenefee@midwestcityok.org
405-739-1062
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

To: Honorable Mayor and Council

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

Date: January 26th, 2021

Subject: Discussion and consideration of entering into a contract agreement with Great Plains Consulting in the amount of \$148,080.00 for the inspection of the construction and installation of the new Booster Pump Station and Storage Tank Reconstruction funded by the 2018 G.O. Bond proposal.

The accompanying proposed agreement is for inspection of the construction and installation of the new Booster Pump Station and Storage Tank Reconstruction. The facility will be located approximately at 1605 Felix Place. The facility's construction and this inspection agreement is funded through the 2018 G.O. Bond proposal.

Entering into the contract agreement is at the discretion of the City Council.

Patrick Menefee, P.E.,

City Engineer

Attachment

CONTRACT

THIS CONTRACT AND AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2021, by and between the City of Midwest City, Oklahoma, hereinafter termed "City", acting by and through the City Council, and **Great Plains Consulting of Hominy, Oklahoma**, hereinafter termed "Consultant."

WITNESSETH

WHEREAS, the City has entered into agreement with Downey Construction, herein termed "Contractor," and his surety for the construction of the project generally described as Booster Pump Station and Storage Tanks for the construction of a new Booster Pump Station and Ground Storage Tank, and has caused said agreement to become effective on January 12, 2021 and such work to commence on January 13, 2021. Additionally, the City has hired Great Plains Consulting an engineering consultant, herein termed "Engineer," to perform professional services associated with the Booster Pump Station and Storage Tanks project ("Project").

WHEREAS, the City has examined the proposed services submitted by Consultant to provide inspections of the Booster Pump Station.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

AGREEMENT

Each of the recitals set forth about is hereby incorporated into the Agreement in its entirety.

1. **Basic Services.** Consultant will perform services generally described within their proposal, including inspections of the boiler and other items identified for inspection at the City's Booster Pump Station, attached as Exhibit A. Any additional services beyond those identified within the proposal or this agreement shall only be provided upon prior written and clearly detailed direction from the Consultant's point of contact within the City, identified below, acting within the limits of State law, and policies established by the City.
2. **Agreement Prevails.** In the event of a conflict between any of the terms in Consultant's proposal and this Agreement, the terms in this agreement will govern.
3. **Standard of Care.** In providing the services herein, Consultant agrees to perform such services with a reasonable standard of care, skill, diligence and professional competency normally employed by professionals performing the same or similar services situated in the same community. The Consultant further agrees to furnish its professional skill and judgment with due care and in accordance with any specific requirements of this Contract. The services to be provided by the Consultant are to be performed in cooperation with and in reliance upon the work and services to be performed by The City staff. City staff is responsible for coordinating Consultant's services with the services of the City's staff, any and all regulatory and/or funding agencies that may be involved in the project, and with the City.

For additional services outside the scope of services described in Exhibit A, Consultant and the City agree to negotiate the fees and related time extensions, if required, in accordance with the scope of services to be determined prior to start of the additional services.

4. **Corrections in Services and Deliverables.** The Consultant agrees to make any necessary corrections to services or deliverables furnished under this Contract, when such services or deliverables contain any errors, deficiencies or inadequacies, which Consultant could have reasonably foreseen, and which were caused by the negligence or willful acts or omissions of the Consultant, at no cost to The City. Consultant shall not be liable for the failures or deficiencies of Architects, Third Party Consultants, Contractors or Construction Managers.

5. **Ownership of Work Product.** Upon payment for services involved in its production, creation or accumulation, title to the work product produced, created or accumulated in performing this Contract shall pass to and remain the property of The City, including but not limited to the work product reflected in or contained in any and all documents, notes, drawings, specifications, reports, estimates, summaries, computer files, renderings, models, photographs, field notes, as-built drawings, information, survey results, plans, computer files and any other materials ("Intellectual Property").

All Intellectual Property shall be considered to be "Work for Hire" and may be reproduced, distributed and published by The City in whole or in part without permission or any additional payments or fees to the Consultant. Any reuse of said Intellectual Property by The City shall be at The City' own risk and responsibility and not that of the Consultant. The City hereby authorizes the Consultant to use and reproduce Intellectual Property so long as such use does not include data developed which is specific to The City.

6. **Hazardous Materials.** The Consultant shall have no responsibility for the discovery, presence, handling, removal, disposal of or exposure of persons to hazardous materials of any type or in any form at the Project sites. However, the Consultant agrees to notify the City of any hazardous materials identified during the performance of the work.

7. **No Extra Work.** No claims for extra work of any kind or nature or character shall be recognized by or be binding upon The City unless such work or service is first approved in writing by The City.

8. **Stop Work Order.** Upon notice to the Consultant, the City may issue a Stop Work Order suspending the performance of work and/or services under this Contract. The Stop Work Order shall not terminate or suspend any of the required provisions of the Indemnity and Insurance paragraph of this Contract.

9. **Independent Contractor.** The Parties agree that the Consultant is an independent contractor and not an employee or joint venturer with The City. No third party beneficiary relationship is hereby established. All contracts relating to the design, engineering and construction regarding the Booster Pump Station & Water Tank Project shall be entered into by The City, and not Consultant.

10. **Sub-consultants and Conflicts of Interest.** The Consultant agrees to provide to the City, for pre-engagement approval, a list of any sub-consultants the Consultant intends to engage to perform services related to this Contract. Such approval may not be unreasonably

withheld by the City. The Consultant will fully inform and advise all sub-consultants hired of the provisions contained in this Contract and of The City requirements hereunder, and will not enter into any contracts inconsistent with the provisions hereof, and will secure performance of the services to be rendered by such sub-consultants in accordance with and as required by the provisions of this Contract. Notwithstanding the approval of any sub-consultant hired by the City, the Consultant shall be solely responsible for the fees of such sub-consultant, the services performed by such sub-consultant, and directing and supervising such sub-consultant. Only upon approval in writing by the City, shall the Consultant and any of its sub-consultants be permitted to provide Additional Services to The City.

11. **Conflict.** The Consultant shall require all employees, sub-consultants and subcontractors engaged by the Consultant to advise the City of any business relationships, formal or otherwise, which may pertain directly or indirectly to the Program and which may, in any way, be construed to be a conflict of interest.
12. **Compensation and Payment.** The Consultant will be paid twelve thousand three hundred forty dollars (\$12,340/month) these payments shall not exceed \$148,080 over the length of the contract duration of one year. Consultant shall present two (2) copies of the invoice with two (2) properly executed claim vouchers to the City for payment. Invoices shall be submitted monthly. Invoices submitted by the Consultant shall meet the standards of quality established under this Contract. The City agrees to pay the Consultant through the normal invoice payment processes to be initiated within thirty (30) days after the receipt and approval of the invoice. Payment of any invoice for any work or services shall not be deemed to be recognition of satisfactory performance of said work or services or a waiver of any right of The City or any obligation of the Consultant should it be determined later that said work or services were not performed or provided in accordance with the standards required by the Contract. Final payment shall not be deemed to waive any rights or obligations of the Parties to this Contract.

13. Indemnity and Insurance.

Indemnity. The Consultant hereby agrees to release, defend, indemnify, and save harmless The City, and its officers, agents, and employees, (i) from and against any and all loss of, or damage to, property, or injuries to, or death of, any person or persons, as well as, (ii) from and against any and all claims, damages, suits, costs, expense, liability, actions, or proceedings of any kind or nature whatsoever arising out of or resulting from loss of, or damage to, property, or injuries to, or death of, any person or persons but only to the extent caused by the negligence or omissions of the Consultant, including, without limiting the generality of the foregoing, negligence or willful acts and omissions of Consultant's officers, employees, representatives, suppliers, invitees, contractors, or agents in connection with this Contract. Provided, however, the Consultant shall not be liable hereunder for any loss solely occasioned by the wrongful acts of The City or its officers, agents, and employees or any one for whom Consultant is not legally responsible. This Indemnity provision does not apply to Workers' Compensation claims by The City employees. Each party agrees to give the other party(s) hereto prompt notice of any claims, suits, actions or proceedings.

14. **Legal Claim Conflict.** In the event The City determines there is a conflict of interest between the Consultant and The City with respect to legal representation in the defense of third party claims, the Consultant will provide and pay for separate legal counsel to the interests of The

City. The minimum insurance requirements set forth below shall not be deemed to limit or define the obligations of the Consultant hereunder.

15. **Insurance.** Prior to beginning work, the Consultant shall obtain and furnish to the Consultant current copies of certificates of insurance required below. The required insurance shall be maintained in full force and effect until completion and acceptance by The City of the Program. The Consultant shall maintain insurance, written with an insurance company acceptable to The City, for the coverages and amounts of coverages not less than those set forth below. Except for professional liability insurance, no claims made policy shall be accepted. Certification of insurance shall be provided by the Consultant. Said insurance certificates shall provide that there may be no termination, non-renewal by the Insurer or reduction of the policy limits by endorsement of such coverage without thirty (30) days prior written notice to The City, in conformance with the provisions of this Contract. The amounts of such coverage shall be:

| | |
|--|-----------------|
| Worker's Compensation | Statutory Limit |
| Automobile Liability (Combined Property Damage and Bodily Injury) | \$500,000.00 |
| General Liability (Combined Property Damage and Bodily Injury) | \$1,000,000.00 |
| Professional Liability | \$2,000,000.00 |

16. The requirements of the insurance provisions listed above shall survive the completion, expiration, cancellation or termination of this Contract. All policies, unless specified otherwise, shall remain in full force and effect until the completion of the Program or one (1) year after the termination of the Consultant's services under this Contract.
17. The lapse of any of the insurance coverages required above is deemed to be a breach of this Contract. The City may at its option suspend, cancel or terminate this Contract until there is full compliance with this paragraph, or cancel and/or seek damages for the breach of this Contract.
18. **Prohibition Against Collusion.** The Consultant warrants it has not employed or retained any company or person other than a bona fide employee working solely for the Consultant to solicit or secure this Contract, and the Consultant further warrants it has not paid nor agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for the Consultant, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Contract.
19. **Nondiscrimination.** In connection with the performance of work under this Contract the Consultant agrees as follows:

The Consultant agrees not to discriminate against any employee or applicant for employment because of age, race, creed, color, sex, national origin, ancestry, or disability. The Consultant shall take affirmative action to ensure that employees or applicants for employment are treated without regard to their age, race, creed, color, national origin, sex, ancestry, or disability as defined by the Americans with Disabilities Act. Such

actions shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruiting or recruitment, advertising, layoff or termination, rates of pay, or other forms of compensation and selection for training, including apprenticeship. Consultant shall agree to post in a conspicuous place in its corporate office, available to employees and applicants for employment, notices to be provided by The City setting forth provisions of this section.

In the event of the Consultant's non-compliance with this nondiscrimination clause, the Contract may be canceled or terminated by The City. The Consultant may be declared by The City ineligible for further contracts with The City until satisfactory proof of intent to comply shall be made by the Consultant.

The Consultant agrees to include this nondiscrimination clause in any subcontracts connected with the performance of the Contract.

20. **Reporting to The City.** The Consultant shall report to The City through the Consultant on a regular basis as further described in Attachment A and as reasonably requested by City.

21. **Notices.** All notices and orders given pursuant to this Contract shall be in writing and may be delivered (a) by deposit in the U.S. Mail, marked certified or registered mail, return receipt requested, with postage prepaid; or (b) by delivery to a reputable national overnight courier service addressed to the parties at the addresses set forth below in accordance with this Section:

To The City:

City of Midwest City
Attn: Mr. Vaughn Sullivan, Assistant City Manager
100 N. Midwest Blvd.
Midwest City, OK 73110
Phone: 405.739.1207

Attn: Mr. Patrick Menefee, City Engineer
8730 SE 15th Street
Midwest City, OK 73110
Phone 405.739.1062

And to Great Plains Consulting:

Attn: Phil Visconti, President
Great Plains Consulting,
5025 State Hwy 99, P.O. Box 201,
Hominy, OK 74035

The address of any person or party may be changed by notice to the other party given in the manner described above. All such notices and orders shall be deemed received when delivered or when deposited in the United States mail.

22. **Compliance with Law, Ordinances, Specifications and Regulations.** The Consultant shall comply with all existing federal, state and local laws, standards, codes, ordinances,

administrative regulations, and all amendments and additions thereto, pertaining in any manner to the services provided under the provisions of this Contract.

23. **Construction and Enforcement.** This Contract shall be construed and enforced in accordance with the laws of the State of Oklahoma. In the event of ambiguity in any of the terms of this Contract, it shall not be construed for or against any party on the basis that such party did or did not authorize the same.
24. **Records and Accounts.** During the Term of this Contract and continuing for a period of the longer of three (3) years after the final completion of this Contract, or until the final resolution of any outstanding disputes between The City and Consultant, the Consultant shall maintain its internal accounting records and other supporting documents pertaining to the invoicing for costs of all services for this Contract. The Consultant shall maintain its records in accordance with generally accepted accounting principles consistently applied, and shall permit periodic audits by The City and The City authorized representative. The periodic audits of the records in support of invoices for the Contract shall be performed at times and places mutually agreed upon by the Program Coordinator and the Consultant. Verification of the Consultant's pay claims will be limited to time sheets, payroll records, receipts and related documents that support the Consultant's monthly invoices.
25. **Entire Contract; Modification.** This Contract expresses the entire understanding of The City and the Consultant concerning the Contract, and neither The City nor the Consultant has made or shall be bound by any agreement or any representation to the other concerning this Contract which is not expressly set forth herein. This Contract may be modified only by a written amendment of subsequent date hereto, approved by The City and the Consultant.
26. **Amendment.** This Contract may be amended, as needed, to provide for additional services by Consultant. Any amendment to the Contract must be in writing and be approved by the Parties.

27. **Termination of Contract.**

Discretionary Termination. This Contract may be terminated in whole or in part by The City, in its sole discretion, with or without cause, upon thirty (30) days written notice to the Consultant. Such notice of termination shall be effectuated by delivery of a Notice to the Consultant pursuant to the Notices paragraph hereof.

Termination for Default. This Contract may be terminated by either party upon fourteen (14) days written notice should the other party fail substantially to perform in accordance with the Contract terms after due notice and thirty (30) days within which to correct the default.

Payment upon Termination. In the event of the termination of this Contract, not the fault of the Consultant, the Consultant shall be compensated for all services performed to the date of termination. The rights and remedies of The City provided in this paragraph are in addition to any other rights and remedies provided by law or under this Contract. Termination herein shall not terminate or suspend any of the required provisions of the Indemnity and Insurance paragraph of this Contract.

Method of Termination. Upon receipt of the notice of termination, the Consultant shall (i) immediately discontinue all work and services affected unless the notice directs otherwise,

and (ii) within seven (7) days following Consultant's receipt of payment as provided in the Payment upon Termination paragraph of this Contract, deliver to the City copies of all documents, data, drawings, specifications, reports, calculations, field notes, computer files, and other information and materials accumulated in performing this Contract, whether complete or incomplete, unless the notice directs otherwise.

Assignment upon Termination. In the event of the termination of this Contract prior to completion of the Program, regardless of the reason for said termination, the Consultant shall immediately assign to The City those contracts between Consultant and the Consultant's sub-consultants, as The City may designate in writing. With respect to those contracts assigned to and accepted by The City, The City shall only be required to compensate such Consultant's sub-consultants for compensation accruing to such parties under the terms of their agreements with the Consultant from and after the date of such assignment to and acceptance by The City. All sums claimed by such Consultant's sub-consultants to be due and owing for services performed prior to such assignment and acceptance by The City shall not constitute a debt of The City, and The City shall in no way be deemed liable for such sums. The Consultant shall include this provision and The City's rights and obligations hereunder in all agreements or contracts entered into with the Consultant's sub-consultants.

28. **Assignment.** Inasmuch as this Contract is a personal service agreement which relies on the personal integrity, financial standing and unique ability and expertise of the Consultant to assist in the development and management of all phases of the Program, it has been agreed by both The City and the Consultant that the Consultant may not assign its interest in said Contract without prior written consent of The City.

The Consultant may not assign this Contract or any interest therein by operation of law, process, or proceeding of any court or otherwise; or assign any portion thereof without first obtaining the prior written approval of The City; moreover, at least thirty (30) days prior to any contemplated assignment of this Contract by any operation of law, process, or proceeding of any court or otherwise, the Consultant shall submit a written request to The City, and the Consultant shall submit evidence showing good and sufficient financial worth and adequate experience in the operation of the Program on the part of the contemplated assignee. In any event, no assignment shall be made or shall be effective unless the Consultant shall not be in default on any of the terms, provisions, covenants and conditions herein contained. Further, in no event shall any assignment be effective, regardless of any submissions to The City, without the prior written approval of The City. The party to whom such assignment is made shall expressly assume in writing and agree to be bound by and fulfill all of the terms, covenants, obligations, and agreements contained in this Contract.

Moreover, no assignment shall release the Consultant from any of the terms, covenants, or conditions herein contained on the part of the Consultant to be performed, kept and observed. Further, in the event of an approved assignment, the assignee shall not assign any portion of the Contract except with the prior approval of The City and the Consultant herein, and any assignment by the Consultant shall contain a clause to this effect.

29. **Severability.** In the event that any provision, clause, portion or section of this Contract is unenforceable or invalid for any reason, such unenforceability or invalidity shall not affect the enforceability or validity of the remainder of this Contract.
30. **Survival of Representations.** All representations and covenants of the Parties shall survive the expiration of the Term of the Contract.

- 31. **Parties Bound.** This Contract shall be binding upon and inure to the benefit of all parties and their respective successors and permitted assigns. This Contract is solely for the benefit of the Parties, and none of the provisions hereof are intended to benefit third parties.
- 32. **Venue of Actions.** The Parties agree that if any legal action is brought pursuant to this Contract, such action shall be instituted in the district court of Oklahoma County.
- 33. **Effective Date.** The effective date of this Contract shall be the date of execution of this Contract by The City.
- 34. **Term.** It is understood and agreed by and between the parties that it is the intent of the parties that the term of this agreement is for a term of one year, effective when the City endorses the contract.

IN WITNESS WHEREOF, the Parties hereto have executed this Contract the day and year first written above .

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in four duplicate originals, the day and year first above written.

CONSULTANT:

BY _____

TITLE _____

STATE OF _____)
)SS

COUNTY OF _____)

_____, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by Consultant to submit the above Contract to the City of Midwest City. Affiant further states that Consultant has not paid, given, or donated or agreed to pay, give or donate to any officer or employee of the City of Midwest City any money or other thing of value, either directly or indirectly, in the procuring of this Contract.

Subscribed and sworn to before me this _____ day of _____, 2021.

 Notary Public

My Commission Expires: _____

CITY OF MIDWEST CITY, acting by and through its City Council

Matthew D. Dukes, II, Mayor

ATTEST:

Sara Hancock, City Clerk

Approved as to form this _____ day of January, 2021.

Heather Poole, City Attorney



Great Plains Consulting

December 9, 2020

Mr. Patrick Menefee P.E.
City Engineer
Midwest City, OK
405-739-1060

RE: **Construction Inspection Services (Full-Time)**
Midwest City- Ground Storage Tank & Booster Pump Station

Please Review and Sign our CONTRACT for Professional Services for the referenced project as follows.

Exhibit 'A' - Contract Proposal

| <u>ITEM</u> | <u>DESCRIPTION</u> | <u>PRICE</u> |
|-------------|--|-------------------|
| A) | CONSULTING SERVICES (Full-Time): | |
| 1. | Provide full time, Professional Management, Construction Inspection, & Quality Control services on site as required. (The monthly full-time cost quoted is a flat monthly fee for the services of <u>one</u> Great Plains Professional working on this project. However, access to all of our company's resources is never more than a phone call or e-mail away.) (a*. <u>Great Plains does not charge for overtime or travel.</u>) | \$12,340.00/month |

Matthew Dukes
Honorable Mayor
Midwest City

Phil Visconti

Phil Visconti
President
Great Plains Consulting

B) SERVICES INCLUDED:

- **Soils:**
 - Visually confirm proper placement of fill material.
 - Comprehensive Drilled Pier inspection.
 - Footing inspection & penetrometer testing as needed.
 - Lime and cement stabilization inspection
- **Reinforcing Steel:**
 - Review of rebar shop drawings for compliance.
 - Inspection of placed rebar to verify grade, size, length, spacing, ties, laps, clearance, & orientation.
- **Concrete: (A.C.I. accredited)**
 - Sampling of freshly mixed concrete.
 - Water/cement ratio determination.
 - Temperature, Slump, Entrained air content.
 - Casting of specimens for compressive strength testing.
 - Concrete Batch Plant pour observation & inspection.
 - Floor flatness inspection.

-Asphalt:

- Sampling of freshly batched hot asphalt.
- Temperature determination.
- Asphalt placement & rolling pattern observation.

- Structural Steel:

- Verification of structural steel shop drawings for compliance.
- Observation of handling & placing of structural steel elements.
- Inspection of structural fasteners:
 - bolt grade and size
 - threads revealed
 - torque
- Verification of decking grade and thickness.

- Masonry:

- Sampling of mortar / grout.
- Casting of mortar / grout test specimens.
- Masonry unit placement inspection.
- Observe test prism construction.

- Mechanical:

- Verification of process pipe shop drawings for compliance.
- Pipe routing inspection. (water, drain, sewer, process, & storm water pipe)
- Process pipe connection, bracing, tightening... inspection.
- Leak & pressure test inspection of water and drainpipes.
- Thrust block inspection. - Trenching, bedding, & backfill inspection of all pipe.

- Electrical:

- Conduit routing and installation inspection.
- Duct bank inspection - Backfill inspection.
- Control panel frame inspection.
- SCADA review and reporting. (*Available)

- Coatings:

- Field applied coatings inspections.
- Verification of Millage & Holiday Testing. (*Available)
- NACE Level III Coatings Inspections. (*Available)

2. Contractors' Construction **schedule review** and maintenance.
3. Maintenance of the following **files** (as needed):
 - Architects addendums, Submittals, & Change orders
 - R.F.I.'s (requests for information) & CMR's (Contract Modification Requests)
 - Testing and Start-up schedule, documents, and results.
 - Non-compliance reporting / resolution
 - Final Punch-list & resolution.
4. Great Plains will manage outside test laboratory services for maximum efficiency and performance while always maintaining a **daily inspection & testing log**, as well as a database of **digital images** of key elements and construction progress.
5. **Daily commuting to and from Great Plains office and project location(s) will always be provided at no charge.** Great Plains may charge \$0.35 per mile for project related travel out of town.
6. **a***. Great Plains does not charge overtime. As part of our proposal package we include occasional weekends and/or 10+ hour days. However if work on site regularly includes weekends and/or days over 10 hours in length, we reserve the right to seek additional reasonable compensation.

Great Plains Consulting

Headquarters
5025 State Highway 99
(P.O. Box 201)
Hominy, OK
74035

Texas Office
550 No. Central Expressway
Suite 1431
McKinney, Texas
75070



Public Works Administration

R. Paul Streets, Director
pstreets@midwestcityok.org

405-739-1061

Patrick Menefee, Public Works City Engineer

pmenefee@midwestcityok.org

405-739-1062

8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

To: Honorable Mayor and Council

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

Date: January 26, 2021

Subject: Discussion and consideration of accepting maintenance bonds from Turning Point Industries, Inc. in the amount of \$9,744.30, respectively.

The five year maintenance bonds from Turning Point Industries, Inc. are for the paving improvements constructed for the Ryan Ridge Subdivision located on S.E. 10th Street east of Post Road.

Acceptance is at the discretion of the council.

Patrick Menefee, P.E.,

Public Works City Engineer

Attachment

DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

MAINTENANCE BOND #GR49341

KNOW ALL BY THESE PRESENTS that we, Turning Point Industries, Inc., PO Box 1805, Blanchard, OK 83010, as Principal, and Granite Re, Inc., as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation in the state of Oklahoma, in the full and just sum of Nine Thousand Seven Hundred Forty Four & .30/100** dollars (\$ 9,744.30), such sum being not less than ten percent (10%) of the total contract price to construct or install Ryan's Ridge Paving - SE 15th & Post Road (1/4 Mile East) (the "Improvement"), for a period of Five (5) years after acceptance of the Improvement by the City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the Principal and Mr. Kevin Ergenbright KDE Developments, LLC, dated the 16th day of September, 20 20, agreed to construct or install the Improvement in the city of Midwest City and to maintain the Improvement against any failures due to defective materials or workmanship during the Maintenance Period.

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

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

Signed, sealed and delivered this 28th day of September, 20 20.

ATTEST:

Ronda Bush
Secretary

Turning Point Industries, Inc.
Principal

By [Signature]

Granite Re, Inc.
Surety

By [Signature]
Lisa Sherman, Attorney-in-Fact

ATTEST:

Vicki Walters
Secretary Witness

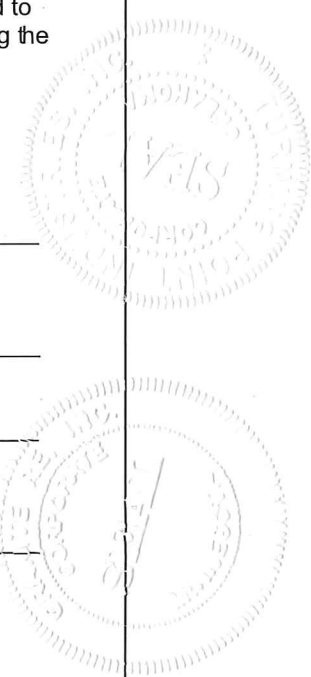
APPROVED as to form and legality this _____ day of _____, 20____.

City Attorney

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

City Clerk

Mayor



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

PROJECT NAME: RYAN'S RIDGE
PROJECT LOCATION: 10332 SE 10th St, MWC, OK 73110
TYPE OF CONSTRUCTION: RESIDENTIAL PERMS

OWNER'S AFFIDAVIT OF ACCEPTANCE

I, the undersigned, hereby certify that the above construction was performed in an acceptable manner satisfactory to the owner of the above project and certify the cost of such project is \$ 77,073.⁰⁰ less the City of Midwest City, Engineering Division Inspection Fees.

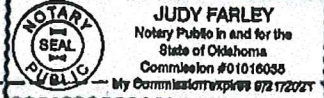
By *Kevin Eganbright*
OWNER

Date: 11/12/20

STATE OF Oklahoma
COUNTY OF Oklahoma)ss.

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 17 day of Nov, 2020, personally appeared KEVIN EGANBRIGHT, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that HE executed the same as HIS free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: 9-21-2021



Judy Farley
NOTARY PUBLIC

CONTRACTOR'S LIEN WAIVER

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

By *[Signature]*
CONTRACTOR

Date: 11-10-2020

STATE OF Oklahoma
COUNTY OF Cleveland)ss.



Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 10th day of November, 2020, personally appeared Aaron Zike, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he executed the same as a free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: 10-12-21

[Signature]
NOTARY PUBLIC



Public Works Administration

R. Paul Streets, Director
pstreets@midwestcityok.org

405-739-1061

Patrick Menefee, Public Works City Engineer

pmenefee@midwestcityok.org

405-739-1062

8730 S.E. 15th Street,

Midwest City, Oklahoma 73110

To: Honorable Mayor and Council

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

Date: January 26, 2021

Subject: Discussion and consideration of accepting maintenance bonds from Holland Backhoe, Inc. in the amount of \$4,708.50, \$4,004.50, and \$4,065.50, respectively.

The one year maintenance bonds from Holland Backhoe, Inc. are for the water line and sewer line improvements, the five year maintenance bonds are for the storm sewer line improvements constructed for the Ryan Ridge Subdivision located on S.E. 10th Street east of Post Road.

Acceptance is at the discretion of the council.

Patrick Menefee, P.E.,

Public Works City Engineer

Attachment

DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

Bond No. GR48361

MAINTENANCE BOND

KNOW ALL BY THESE PRESENTS that we, Holland Backhoe, Inc.,
as Principal, and Granite Re, Inc.,
as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation
in the state of Oklahoma, in the full and just sum of Four Thousand Seven Hundred Eight & 50/100 dollars
(\$4,708.50), such sum being not less than ten percent (10%) of the total contract price to
construct or install Waterline to serve Ryan's Ridge Residential Sub Division (the
"Improvement"), for a period of one years after acceptance of the Improvement by the
City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and
truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and
severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the
Principal and KDE Developments, LLC, dated the 14th day of
July, 2020, agreed to construct or install the Improvement in the city of
Midwest City and to maintain the Improvement against any failures due to defective materials or
workmanship during the Maintenance Period.

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

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

Signed, sealed and delivered this 17th day of August, 2020.

Holland Backhoe, Inc.
Principal

ATTEST:
Angela Holland
Secretary

By [Signature]

Granite Re, Inc.
Surety

ATTEST:
Vicki Wilson
Secretary

By Carey L. Kennemer
Carey L. Kennemer, Attorney-in-Fact

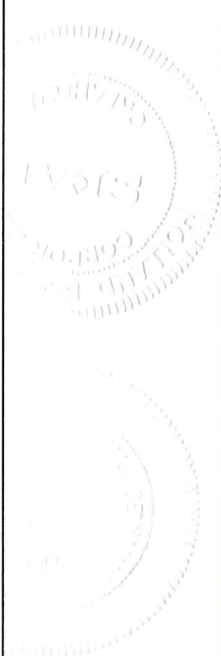
APPROVED as to form and legality this _____ day of _____, 20____.

City Attorney

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

City Clerk

Mayor



DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

Bond No. GR48360

MAINTENANCE BOND

KNOW ALL BY THESE PRESENTS that we, Holland Backhoe, Inc.,
as Principal, and Granite Re, Inc.,
as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation
in the state of Oklahoma, in the full and just sum of Four Thousand Four & 50/100 dollars
(\$4,004.50), such sum being not less than ten percent (10%) of the total contract price to
construct or install Sanitary Sewer to serve Ryan's Ridge Residential Sub Division (the
"Improvement"), for a period of one years after acceptance of the Improvement by the
City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and
truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and
severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the
Principal and KDE Developments, LLC, dated the 14th day of
July, 2020, agreed to construct or install the Improvement in the city of
Midwest City and to maintain the Improvement against any failures due to defective materials or
workmanship during the Maintenance Period.

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

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

Signed, sealed and delivered this 17th day of August, 2020.

Holland Backhoe, Inc.
Principal

ATTEST:
Angela Holland
Secretary

By [Signature]

Granite Re, Inc.
Surety

ATTEST:
Vicki Wilson
Secretary

By Carey L. Kennemer
Carey L. Kennemer, Attorney-in-Fact

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

City Attorney

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

City Clerk

Mayor

DEVELOPMENT - PAVING, WATER MAINS, STORM AND SANITARY SEWERS

Bond No. GR48362

MAINTENANCE BOND

KNOW ALL BY THESE PRESENTS that we, Holland Backhoe, Inc.,
as Principal, and Granite Re, Inc.,
as Surety, are held and firmly bound unto the City of Midwest City, Oklahoma, a municipal corporation
in the state of Oklahoma, in the full and just sum of Four Thousand Sixty-Five Dollars & 50/100 dollars
(\$4,065.50), such sum being not less than ten percent (10%) of the total contract price to
construct or install Storm Sewer to serve Ryan's Ridge Residential Sub Division (the
"Improvement"), for a period of five years after acceptance of the Improvement by the
City Council of the City of Midwest City (the "Maintenance Period"), for the payment of which, well and
truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, jointly and
severally, firmly by these presents:

The conditions of this obligation are such that the Principal has by a certain contract between the
Principal and KDE Developments, LLC, dated the 14th day of
July, 2020, agreed to construct or install the Improvement in the city of
Midwest City and to maintain the Improvement against any failures due to defective materials or
workmanship during the Maintenance Period.

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

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

Signed, sealed and delivered this 17th day of August, 2020.

Holland Backhoe, Inc.
Principal

ATTEST:
Angela Holland
Secretary

By [Signature]

Granite Re, Inc.
Surety

ATTEST:
Vicki Wilson
Secretary

By Carey L. Kennemer
Carey L. Kennemer, Attorney-in-Fact

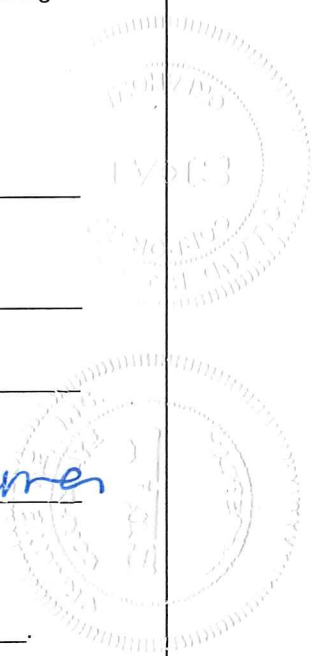
APPROVED as to form and legality this _____ day of _____, 20____.

City Attorney

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

City Clerk

Mayor



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

PROJECT NAME: RYAN'S RIDGE
PROJECT LOCATION: 10332 SE 10th St MWC, OK, 73130
TYPE OF CONSTRUCTION: RESIDENTIAL - WATER/SEWER/STORM

OWNER'S AFFIDAVIT OF ACCEPTANCE

I, the undersigned, hereby certify that the above construction was performed in an acceptable manner satisfactory to the owner of the above project and certify the cost of such project is \$ 129,288.00 less the City of Midwest City, Engineering Division Inspection Fees.

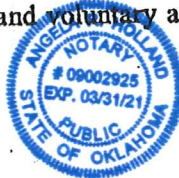
By Kemi Ergenbrigit
OWNER

Date: 10/29/20

STATE OF Oklahoma
COUNTY OF Oklahoma)ss.

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 29 day of October, 2020, personally appeared Kemi Ergenbrigit, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: 3/31/21



Angela P. Holland
NOTARY PUBLIC

CONTRACTOR'S LIEN WAIVER

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

By Ma Hilde
CONTRACTOR

Date: 10-29-20

STATE OF Oklahoma
COUNTY OF Oklahoma)ss.

Before me, the undersigned Notary Public in and for the state and county aforesaid, on this 29 day of October, 2020, personally appeared Wes Holland, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes herein set forth.

My Commission expires: 3/31/21



Angela P. Holland
NOTARY PUBLIC



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2021

Subject: Discussion and consideration of reappointing Russell Smith to the Planning Commission for an additional three-year term.

The term of Russell Smith expired January 13, 2021 and Mr. Smith wishes to be considered for reappointment.

In accordance with Section 6.2.2(B) of the Zoning Ordinance, the members shall be nominated by the Mayor and confirmed by the City Council.

The Planning Commission meets on the first Tuesday of each month. Members of the Commission serve 3-year terms and are as follows:

Dean Hinton (appointment expired 8/11/23)
Jess Huskey (appointment expires 3/8/22)
Russell Smith (appointment expires 1/13/21)
Dee Collins (appointment expires 3/8/22)
Jim Smith (appointment expires 8/11/23)
Jim Campbell (appointment expires 8/11/23)
Rick Dawkins (appointment expires 9/4/23)

Billy Harless, AICP
Community Development Director

KG

MEMO

To: Honorable Mayor and City Council

From: Bert Norton, Fire Chief

Date: January 26, 2021

Subject: Discussion and consideration of declaring used fire hose as surplus and authorizing their disposal by public auction, sealed bid or destruction, if necessary.

Staff respectfully requests that the Council declare as surplus various sections of used fire hose. These sections of hose no longer have any operational value to the Fire Department as the department has replaced hose with new sections.

Staff recommends approval.



Bert Norton
Fire Chief



DISCUSSION ITEMS





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Planning Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2021

Subject: (PC – 2056) Public hearing with discussion and consideration of approval of a resolution for a Special Use Permit (SUP) to allow the use of communication services in the R-6, Single Family Detached Residential District for the property described as a part of the NW/4 of section 36 T-12-N, R-2-W, located at 600 N. Douglas Boulevard. This item was continued from the October 27, 2020, November 10, 2020 and January 12, 2021 City Council meetings.

Executive Summary: This is a request for a Special Use Permit to allow for the placement of a 110' monopole cell tower with 10' lightning rod for Verizon Wireless. Included within the agenda packet is a "Determination of No Hazard to Air Navigation" from the FAA. Staff received an email from Tinker Planning Staff on August 25, 2020 stating that this location is outside the APZ zone and does not violate the imaginary surfaces. If approved, the base of the tower should be locked to the public. Several residents spoke in opposition of this request at the Planning Commission meeting. Action is at the discretion of the City Council.

Dates of Hearing: Planning Commission – October 6, 2020
City Council – October 27, 2020, November 10, 2020,
January 12, 2021 and January 26, 2021

Owner: Highland Park Baptist Church, Inc.

Applicant: Verizon Wireless

Representative: Faulk & Foster by Ralph Wyngarden

Proposed Use: site for the placement of a 110' cell tower and associated equipment buildings

Size:

The pad site for the proposed cell tower is 49' X 49' with an easement from E. Cardinal Pl. to the pad site.

Development Proposed by Comprehensive Plan:

Area of Request – PSP, Public/Semi-Public
North and East – LDR, Low Density Residential
South and West – LDR, Low Density Residential

Zoning Districts:

Area of Request – R-6, Single Family Detached Residential with SUP, Special Use Permit for a Church

North – R-6, Single Family Detached Residential

East – R-6, Single Family Detached Residential

South – R-HD, Residential High Density

West – R-6, Single Family Detached Residential



Land Use:

Area of Request – Highland Park Missionary Baptist

North – Single Family Residence

East – Single Family Residences

South – Multifamily Residences

West – Single Family Residences

Municipal Code Citation:

2.7.1. R-6, Single Family Detached Residential District

The R-6, Single-Family Detached Residential District is intended for single-family residences on lots of not less than 6,000 square feet in size. This district is estimated to yield a maximum density of 5.1 gross dwelling units per acre (DUA).

Additional uses for the district shall include churches, schools and public parks in logical neighborhood units.

7.6 Special Use Permit

7.6.1 General Description and Authorization

The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district.

A. Consideration for compatibility

With consideration given to setting, physical features, compatibility with surrounding land uses, traffic and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.

B. Review and approval

The Planning Commission shall review each case on its own merit, apply the criteria established herein and recommend either approval or denial of the special use permit to the City Council. Following the Planning Commission's recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.

C. Use identified by individual zoning district

If a special use permit is granted it shall be for all the uses permitted in the specified districted plus the special use permit requested.

History:

1. A Special Use Permit was approved prior to the adoption of the 2010 Zoning Map
2. This area has been zoned R-6, Single Family Residential since the adoption of the 2010 Zoning Ordinance.
3. The Planning Commission recommended approval of this item October 6, 2020.
4. This item was continued from the October 27, 2020 and November 12, 2020 Council meetings.

Staff Comments:

Engineering Division Comments:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the west of N Douglas Boulevard bordering the western edge of the parcel. Municipal Code 43-32 does not apply since the proposed improvement does not have facilities which use water or wastewater.

Sanitary Sewerage Collection and Disposal

A twelve (12) inch public sanitary sewer is located on the south side of Cardinal Place from approximately the midpoint of the parcel to the west and then running along the east end of N Douglas Boulevard. Municipal Code 43-109 does not apply since the proposed improvement does not have facilities which use water or wastewater.

Streets and Sidewalks

Access to the area of request is available off of Cardinal Place which is classified as a collector street in the 2008 Comprehensive Plan.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is developed with commercial businesses bordering residential to the southwest.

The area of request is shown to be in an “Area of Minimal Flood Hazard” meaning no floodplain on Flood Insurance Rate map (FIRM) number 40109C0330H, dated December 18th, 2009.

Drainage and detention improvements are not required with this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Marshal’s Comments:

PC-2056 is a request for a 110' cell tower with a 10' lightning rod at 600 N. Douglas.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Planning Division Comments:

The criteria for special use permit approval is outlined in Section 7.6.3. of the Midwest City Zoning Ordinance and listed below.

7.6.3 Criteria for Special Use Permit Approval

A. Special use permit criteria

The Planning Commission and City Council shall use the following criteria to evaluate a special use permit:

- (1) Whether the proposed use shall be in harmony with the policies of the Comprehensive Plan.
- (2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) Whether the proposed use shall not adversely affect the use of neighboring properties.
- (4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
- (5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.

B. Specific conditions

The City Council may impose specific conditions regarding location, design, operation and screening to assure safety, to prevent a nuisance and to control the noxious effects of excessive sound, light, odor, dust or similar conditions.

Regarding the Comprehensive Plan, the only reference to telecommunications and broadcasting towers is in Chapter 1, Baseline Analysis. This section indicates that telecommunications and broadcasting towers are commercial uses.

With regard to the Zoning Ordinance, the use of Communication Services:
Tower/Antennas require a Special Use Permit in all zoning districts within Midwest City.

There are currently cell towers in a variety of zoning districts within Midwest City including commercial and residential.

Action is at the discretion of the City Council.

Action Required: Approve or reject the resolution for a Special Use Permit to allow the use of a cell tower for the property noted in this report and subject to staff's comments as found in the January 26, 2021, agenda packet, and as noted in PC – 2056 file.

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

Billy Harless, AICP
Community Development Director
KG

The City of
MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Current Planning Manager

From: Brandon Bundy, City Engineer

Date: September 15th, 2020

Subject: Engineering staff comments for pc-2056 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2056:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the west of N Douglas Boulevard bordering the western edge of the parcel. Municipal Code 43-32 does not apply since the proposed improvement does not have facilities which use water or wastewater.

Sanitary Sewerage Collection and Disposal

A twelve (12) inch public sanitary sewer is located on the south side of Cardinal Place from approximately the midpoint of the parcel to the west and then running along the east end of N Douglas Boulevard. Municipal Code 43-109 does not apply since the proposed improvement does not have facilities which use water or wastewater.

Streets and Sidewalks

Access to the area of request is available off Cardinal Place which is classified as a collector street in the 2008 Comprehensive Plan.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is developed with commercial businesses bordering residential to the southwest.

The area of request is shown to be in an "Area of Minimal Flood Hazard" meaning no floodplain on Flood Insurance Rate map (FIRM) number 40109C0330H, dated December 18th, 2009.

Drainage and detention improvements are not required with this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC - 2056

Date: 18 September 2020

PC-2056 is a request for a 110' cell tower with a 10' lightning rod at 600 N. Douglas.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Helmberger".

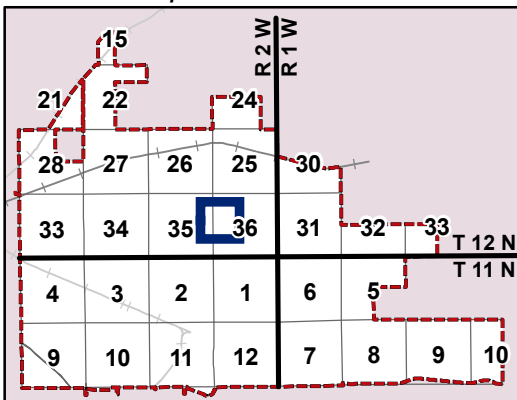
Duane Helmberger
Fire Marshal
Midwest City Fire Department

The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.

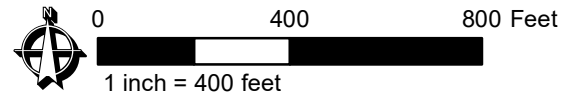


Copyright nearmap 2015

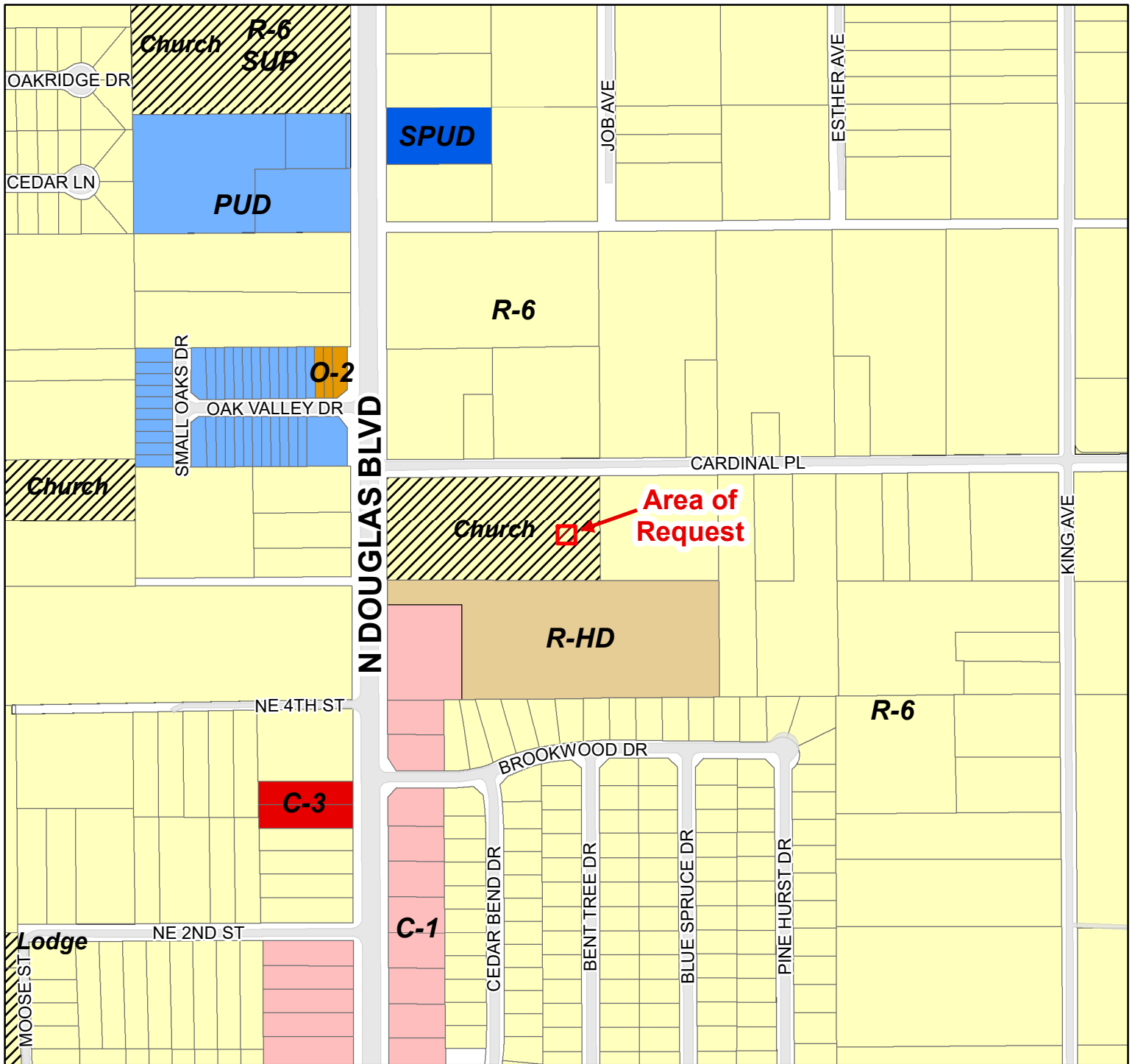
Locator Map



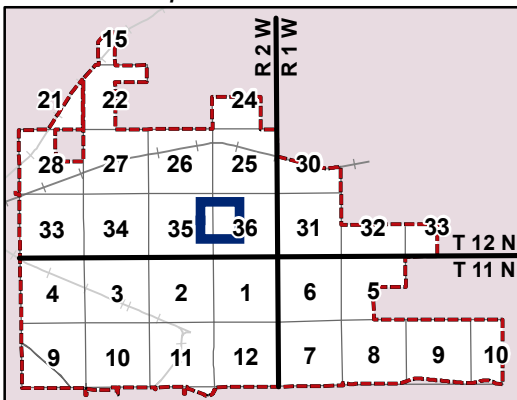
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2056
(NW/4, Sec. 36, T12N, R2W)**



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Locator Map



Current Zoning Legend

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

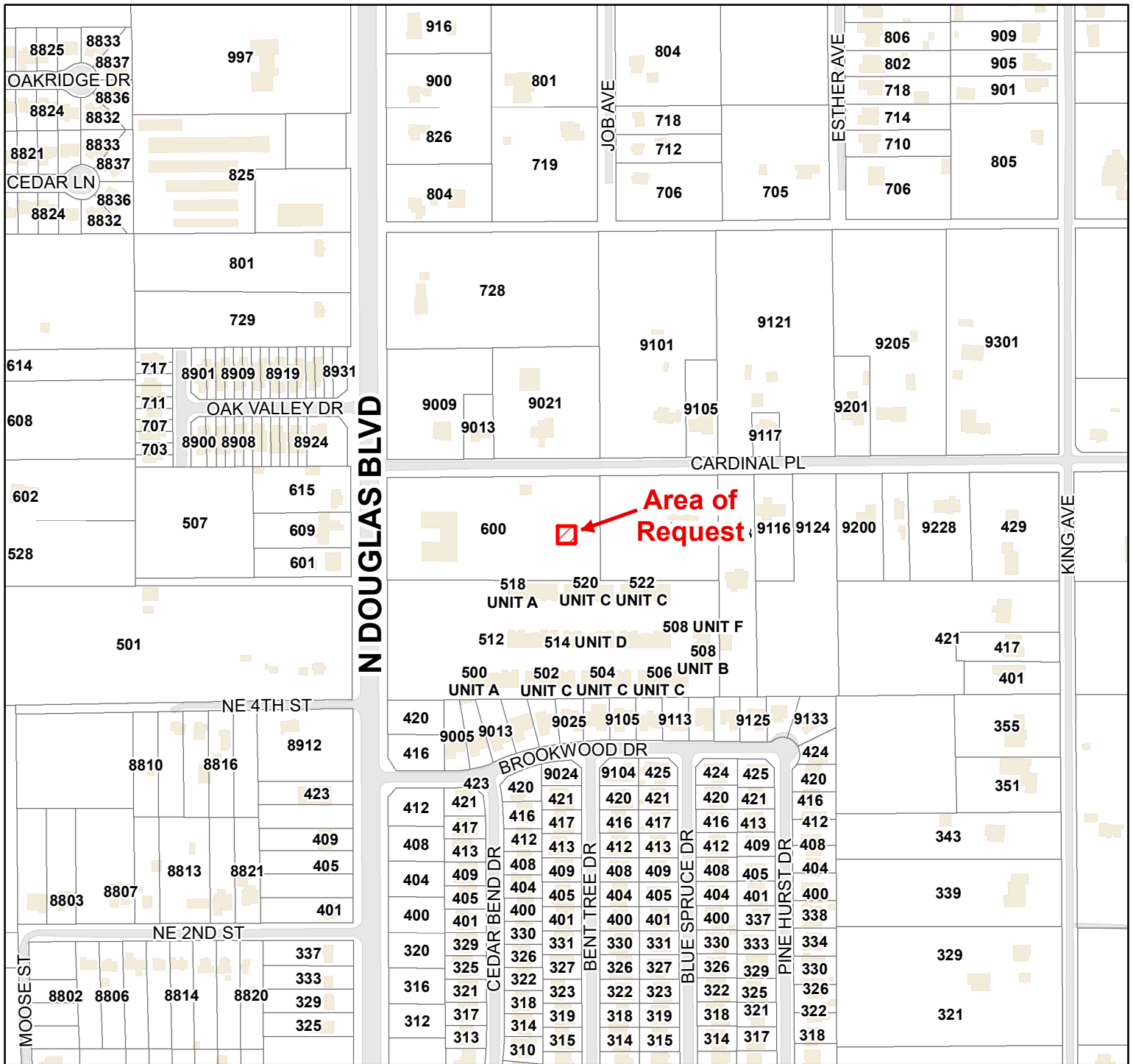
**ZONING MAP FOR
PC-2056
(NW/4, Sec. 36 T12N, R2W)**



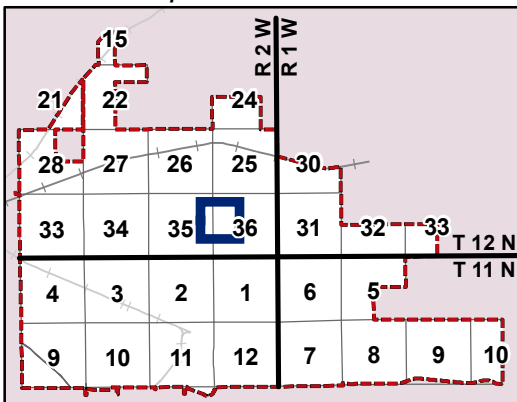
0 400 800 Feet

1 inch = 400 feet








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Locator Map



General Map Legend

-  Area of Request
-  Parcels with Addresses
-  Buildings
-  Edge of Pavement
-  MWC City Limits
- Railroads**
-  Active
-  Inactive / Closed

**GENERAL MAP FOR
PC-2056**

(NW/4, Sec. 36, T12N, R2W)



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E. CARDINAL PLACE
20' ASPHALT ROAD
50' PUBLIC RIGHT-OF-WAY

ROW - - - - - ROW - - - - - ROW - - - - - ROW - - - - - ROW - - - - -

PARENT TRACT
ACCT #R156552097
HIGHLAND PARK BAPTIST CHURCH
(BOOK 4121, PAGE 472)

PROPOSED 12' GRAVEL ACCESS
ROAD (APPROX. 250LF)

ACCT #R156552050
PARKS, JACQUELYN
(BOOK 12873, PAGE 9)

LANDSCAPE BUFFER
TREES TO BE PLANTED
@ 10 O.C. AROUND
PROPOSED COMPOUND.
MATURE HEIGHT TO BE
NOT LESS THAN 6 FEET.

PROPOSED 30'
INGRESS/EGRESS &
UTILITY EASEMENT
6,750.3 SQ. FT.±
0.15 ACRES±

LANDSCAPE BUFFER SHRUBS
TO BE PLANTED AS NEEDED
AROUND PROPOSED
COMPOUND MATURE HEIGHT TO
BE NOT MORE THAN 3 FEET.

PROPOSED 50'x50'
LEASE AREA
2,500.0 SQ. FT.±
0.06 ACRES±
(SEE SHEET C2)

PROPOSED 110' MONOPOLE TOWER
PROPOSED 110' RAD CENTER

EXISTING TREELINE
TO BE TRIMMED
WITHIN LEASE AREA
AS NECESSARY

PROPOSED 8'
WOODEN FENCE
(49'x49')

PROPOSED EQUIPMENT
LEASE AREA (24'x11.5')



CALL "CALL OKIE"
1-800-522-6543
THREE WORKING DAYS
BEFORE ANY CONSTRUCTION
BEGINS.
OKLAHOMA ONE CALL SYSTEM, INC

THE UTILITIES AS SHOWN ON THIS
DRAWING WERE DEVELOPED FROM THE
INFORMATION AVAILABLE. THIS IS NOT
IMPLIED NOR INTENDED TO BE THE
COMPLETE INVENTORY OF UTILITIES
IN THIS AREA. IT IS THE CONTRACTORS
RESPONSIBILITY TO VERIFY THE
LOCATION OF ALL UTILITIES (WHETHER
SHOWN OR NOT) AND PROTECT SAID
UTILITIES FROM ANY DAMAGE.

SUBJECT PROPERTY IS LOCATED IN PANEL #
40109C0330H, DATED DECEMBER 18, 2009
AND IS IN THE BASE FLOOD ZONE X AND
IS NOT IN A SPECIAL FLOOD HAZARD AREA.



SCALE: 1" = 30' (11x17 PRINT)

**PRELIMINARY
DRAWING**
(NOT VALID UNLESS
STAMPED AND SIGNED)



| REVISIONS | NO. | DESCRIPTION | DATE |
|-----------|-----|--------------------------|----------|
| | 0 | ISSUED FOR CLIENT REVIEW | 07/08/20 |
| | | | |
| | | | |



RENO & DOUGLAS OK
E911 ADDRESS NOT PROVIDED
MIDWEST CITY, OK 73130
OVERALL SITE PLAN

| | |
|--------------|---------|
| CA #: | OK 5140 |
| DESIGNED BY: | JDS |
| DRAWN BY: | DTT |
| CHECKED BY: | JDS |

| | |
|-------------|------------|
| SITE NO. | 267589 |
| DATE | 07/08/2020 |
| PROJECT NO. | 19-10483 |

C1



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2020-ASW-11992-OE

Issued Date: 09/08/2020

Network Regulatory
 Alltel Corporation
 5055 North Point Pkwy
 NP2NE Network Engineering
 Alpharetta, GA 30022

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Monopole Reno and Douglas OK - B-15965725
 Location: Midwest City, OK
 Latitude: 35-28-21.18N NAD 83
 Longitude: 97-22-08.18W
 Heights: 1219 feet site elevation (SE)
 120 feet above ground level (AGL)
 1339 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 03/08/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-4848, or Brian.Oliver@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-ASW-11992-OE.

Signature Control No: 449355575-450292688

(DNE)

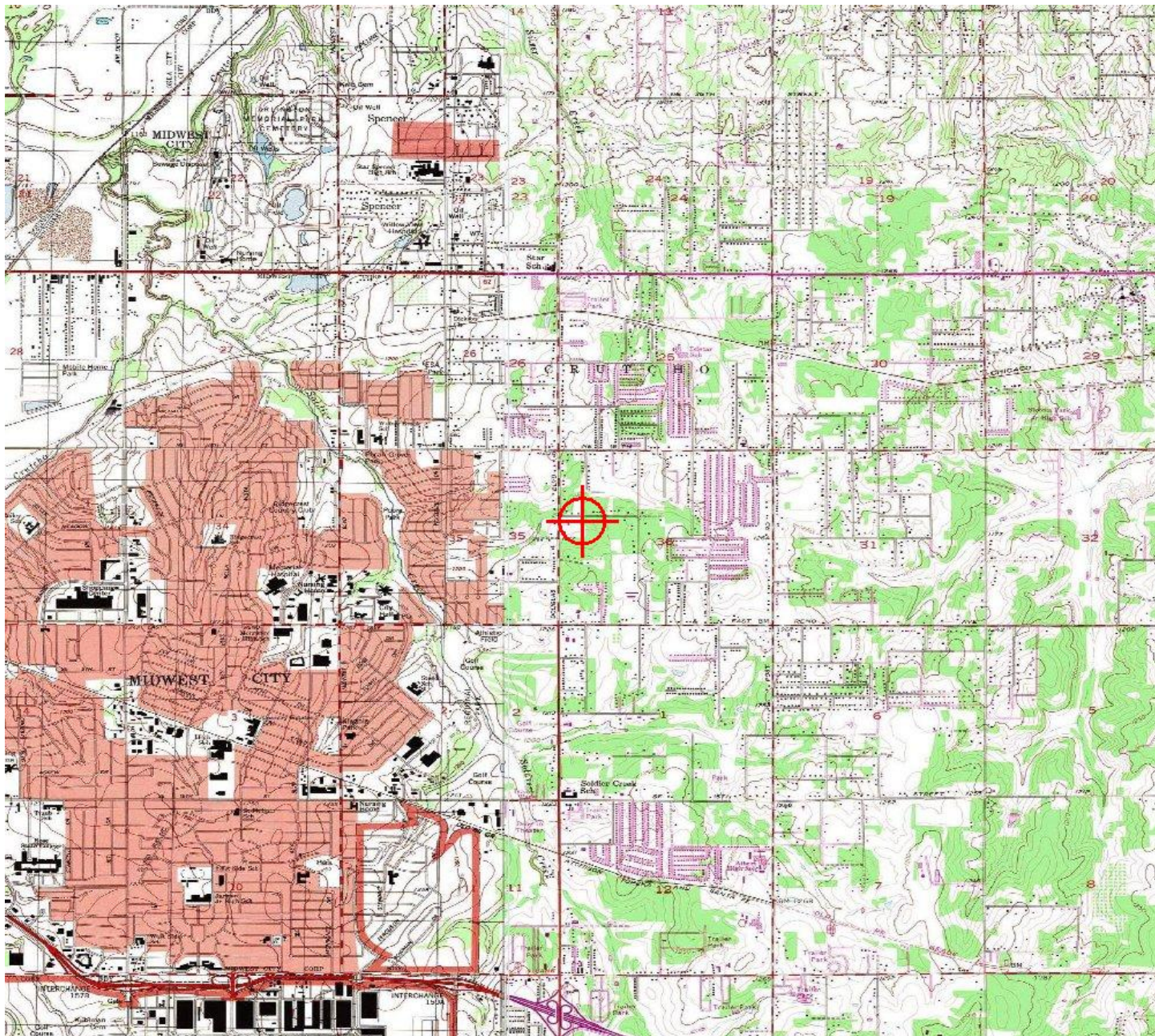
Brian Oliver
Specialist

Attachment(s)
Frequency Data
Map(s)

cc: FCC

Frequency Data for ASN 2020-ASW-11992-OE

| LOW FREQUENCY | HIGH FREQUENCY | FREQUENCY UNIT | ERP | ERP UNIT |
|------------------|-------------------|-------------------|------|-------------|
| 6 | 7 | GHz | 55 | dBW |
| 6 | 7 | GHz | 42 | dBW |
| 10 | 11.7 | GHz | 55 | dBW |
| 10 | 11.7 | GHz | 42 | dBW |
| 17.7 | 19.7 | GHz | 55 | dBW |
| 17.7 | 19.7 | GHz | 42 | dBW |
| 21.2 | 23.6 | GHz | 55 | dBW |
| 21.2 | 23.6 | GHz | 42 | dBW |
| 614 | 698 | MHz | 2000 | W |
| 614 | 698 | MHz | 1000 | W |
| 698 | 806 | MHz | 1000 | W |
| 806 | 824 | MHz | 500 | W |
| 806 | 901 | MHz | 500 | W |
| 824 | 849 | MHz | 500 | W |
| 851 | 866 | MHz | 500 | W |
| 869 | 894 | MHz | 500 | W |
| 896 | 901 | MHz | 500 | W |
| 901 | 902 | MHz | 7 | W |
| 929 | 932 | MHz | 3500 | W |
| 930 | 931 | MHz | 3500 | W |
| 931 | 932 | MHz | 3500 | W |
| 932 | 932.5 | MHz | 17 | dBW |
| 935 | 940 | MHz | 1000 | W |
| 940 | 941 | MHz | 3500 | W |
| 1670 | 1675 | MHz | 500 | W |
| 1710 | 1755 | MHz | 500 | W |
| 1850 | 1990 | MHz | 1640 | W |
| 1850 | 1910 | MHz | 1640 | W |
| 1930 | 1990 | MHz | 1640 | W |
| 1990 | 2025 | MHz | 500 | W |
| 2110 | 2200 | MHz | 500 | W |
| 2305 | 2360 | MHz | 2000 | W |
| 2305 | 2310 | MHz | 2000 | W |
| 2345 | 2360 | MHz | 2000 | W |
| 2496 | 2690 | MHz | 500 | W |
| 27500 | 28350 | MHz | 75 | dBm |
| 29100 | 29250 | MHz | 75 | dBm |
| 31000 | 31225 | MHz | 75 | dBm |
| 31225 | 31300 | MHz | 75 | dBm |
| 38600 | 40000 | MHz | 75 | dBm |





From: [TURNBULL, HEARTSONG GS-11 USAF AFMC 72 ABW/CENPD](#)
To: [Kellie Gilles](#)
Cc: [Ralph Wyngarden](#); [RHODES, STEVEN B NH-03 USAF AFMC 72 ABW/CENPD](#)
Subject: FW: Tinker AFB Clearance for Proposed Verizon Wireless Tower at 600 N. Douglas, Midwest City, OK
Date: Tuesday, August 25, 2020 4:16:57 PM

Good afternoon,

I have shared the below information with our Flight Operations group as well as Flight Safety. The location indicated is outside of our APZ zones and the height does not violate the imaginary surfaces. However, it is our recommendation that a notice be filed with the FAA.

Let me know if you have further questions.

Very respectfully,

Heartsong Turnbull

Community Planner, 72 ABW/CENPL
Tinker Air Force Base
405-734-2074

From: Ralph Wyngarden <ralph.wyngarden@faulkandfoster.com>
Sent: Tuesday, August 11, 2020 12:40 PM
To: TURNBULL, HEARTSONG GS-11 USAF AFMC 72 ABW/CENPD <heartsong.turnbull@us.af.mil>
Subject: [Non-DoD Source] Tinker AFB Clearance for Proposed Verizon Wireless Tower at 600 N. Douglas, Midwest City, OK

Good afternoon,

I had a pre-application meeting with Midwest City Planner Kellie Gilles about a Conditional Use Permit for a proposed Verizon Wireless monopole tower at 600 N. Douglas. She indicated one of the application requirements was to present documentation from Tinker Air Force Base indicating the proposed height and location would not interfere with base operations and she gave me your name as a contact point.

The proposed height and location information is as follows:

Latitude: 35-28-21.184 N

Longitude: 97-22-8.181 W

Monopole Tower Height: 110' AGL + 10' Lightning Rod = Total Tip Height of 120' AGL

Ground Elevation: 1218.7' AMSL

Tip Elevation (including lightning rod): 1338.7 AMSL

Please let me know if you have questions or need any additional information to address this request. Thanks very much for your assistance.

Best Regards,

Ralph

Ralph Wyngarden | Sr. Zoning Specialist

678 Front Avenue NW, Suite 215 | Grand Rapids, MI 49504

Cell 616.490.9804 | Desk 616.647.3720 x115

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Please reply to sender if you cannot access the hyperlink.

2 RESOLUTION NO. _____

3 A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW THE USE OF
4 COMMUNICATION SERVICES: TOWERS/ANTENNAS IN THE R-6 SINGLE FAM-
5 ILY DETACHED RESIDENTIAL DISTRICT AND DIRECTING AMENDMENT OF
6 THE OFFICIAL ZONING DISTRICT MAP TO REFLECT THE RECLASSIFICATION
7 OF THE PROPERTY'S ZONING DISTRICT; AND PROVIDING FOR REPEALER
8 AND SEVERABILITY

9 WHEREAS, the Zoning Map of Midwest City, Oklahoma, 2010, shows the following described
10 property with a classification of **R-6, Single Family Detached Residential with a Special Use**
11 **Permit for a church:**

12 A tract of land lying in and being a part of the SE/4 of Section 31, Township 12 North,
13 Range 1 West, Indian Base and Meridian and being further described in Book 9387, Page
14 505, Deed Records of Oklahoma County, Oklahoma; Said tract of land being more par-
15 ticularly described as follows:

16 Commencing at a PK Nail found for the Southwest corner of said SE/4; Thence N
17 89°32'56" E on the South line of said SE/4, a distance of 749.83 feet to a point; Thence N
18 00°27'04" W perpendicular to said South line, a distance of 141.00 feet to a 1/2" Iron Rod
19 with cap set for the Southwest corner, said corner being the point of beginning; Thence
20 continuing N 00°27'04" W a distance of 50.00 feet to a 1/2" Iron Rod with cap set for the
21 Northwest corner; Thence N 89°32'56" E parallel to said South line, a distance of 50.00
22 feet to a 1/2" Iron Rod with cap set for the Northeast corner; Thence S 00°27'04" E per-
23 pendicular to said South line, a distance of 50.00 feet to a 1/2" Iron Rod with cap set for
24 the Southeast corner; Thence S 89°32'56" W parallel to said South line, a distance of
25 50.00 feet to the Point of Beginning, containing 2,500.00 square feet or 0.057 acres, more
26 or less.

27 WHEREAS, it is the desire of the Midwest City Council to grant a Special Use
28 Permit for said property.

29 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MID-
30 WEST CITY, OKLAHOMA COUNTY, STATE OF OKLAHOMA:

31 That the above described property located in Midwest City, Oklahoma be and is
32 hereby granted a Special Use Permit to allow the use of **Communication Services: Tow-**
33 **ers/Antennas.**

34 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Okla-
35 homa, on the _____ day of _____, 2021.

36 THE CITY OF MIDWEST CITY, OKLA-
HOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney



**Federal
Communications
Commission**

Submitted to staff by
the applicant 10/7/20

**Local and State
Government
Advisory
Committee**

**A Local Government Official's Guide to
Transmitting Antenna RF Emission Safety:
Rules, Procedures, and Practical Guidance**



June 2, 2000

A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance

Over the past two years, the Federal Communications Commission (FCC) and its Local and State Government Advisory Committee (LSGAC) have been working together to prepare a voluntary guide to assist state and local governments in devising efficient procedures for ensuring that the antenna facilities located in their communities comply with the FCC's limits for human exposure to radiofrequency (RF) electromagnetic fields. The attached guide is the product of this joint effort.

We encourage state and local government officials to consult this guide when addressing issues of facilities siting within their communities. This guide contains basic information, in a form accessible to officials and citizens alike, that will alleviate misunderstandings in the complex area of RF emissions safety. This guide is not intended to replace OET Bulletin 65, which contains detailed technical information regarding RF issues, and should continue to be used and consulted for complex sites. The guide contains information, tables, and a model checklist to assist state and local officials in identifying sites that do not raise concerns regarding compliance with the Commission's RF exposure limits. In many cases, the model checklist offers a quick and effective way for state and local officials to establish that particular RF facilities are unlikely to exceed specific federal guidelines that protect the public from the environmental effects of RF emissions. Thus, we believe this guide will facilitate federal, state, and local governments working together to protect the public while bringing advanced and innovative communications services to consumers as rapidly as possible. We hope and expect that use of this guide will benefit state and local governments, service providers, and, most importantly, the American public.

We wish all of you good luck in your facilities siting endeavors.

William E. Kennard, Chairman
Federal Communications Commission

Kenneth S. Fellman, Chair
Local and State Government
Advisory Committee

A LOCAL GOVERNMENT OFFICIAL'S GUIDE TO TRANSMITTING ANTENNA RF EMISSION SAFETY: RULES, PROCEDURES, AND PRACTICAL GUIDANCE

A common question raised in discussions about the siting of wireless telecommunications and broadcast antennas is, "Will this tower create any health concerns for our citizens?" We have designed this guide to provide you with information and guidance in devising efficient procedures for assuring that the antenna facilities located in your community comply with the Federal Communication Commission's (FCC's) limits for human exposure to radiofrequency (RF) electromagnetic fields.¹

We have included a checklist and tables to help you quickly identify siting applications that do not raise RF exposure concerns. Appendix A to this guide contains a checklist that you may use to identify "categorically excluded" facilities that are unlikely to cause RF exposures in excess of the FCC's guidelines. Appendix B contains tables and figures that set forth, for some of the most common types of facilities, "worst case" distances beyond which there is no realistic possibility that exposure could exceed the FCC's guidelines.

As discussed below, FCC rules require transmitting facilities to comply with RF exposure guidelines. The limits established in the guidelines are designed to protect the public health with a very large margin of safety. These limits have been endorsed by federal health and safety agencies such as the Environmental Protection Agency and the Food and Drug Administration. The FCC's rules have been upheld by a Federal Court of Appeals.² As discussed below, most facilities create maximum exposures that are only a small fraction of the limits. Moreover, the limits themselves are many times below levels that are generally accepted as having the potential to cause adverse health effects. Nonetheless, it is recognized that any instance of noncompliance with the guidelines is potentially very serious, and the FCC has therefore implemented procedures to enforce compliance with its rules. At the same time, state and local governments may wish to verify compliance with the FCC's exposure limits in order to protect their own citizens. As a state or local government official, you can play an important role in ensuring that innovative and beneficial communications services are provided in a manner that is consistent with public health and safety.

This document addresses only the issue of compliance with RF exposure limits established by the FCC. It does not address other issues such as construction, siting, permits, inspection, zoning, environmental review, and placement of antenna facilities within communities. Such issues fall generally under the jurisdiction of states and local governments, within the limits imposed for personal wireless service facilities by Section 332(c)(7) of the Communications Act.³

¹ This guide is intended to complement, but not to replace, the FCC's OET Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields," August 1997. Bulletin 65 can be obtained from the FCC's Office of Engineering and Technology (phone: 202-418-2464 or e-mail: rfsafety@fcc.gov). Bulletin 65 can also be accessed and downloaded from the FCC's "RF Safety" website: <http://www.fcc.gov/oet/rfsafety>.

² See *Cellular Phone Taskforce v. FCC*, 205 F.3d 82 (2d Cir. 2000).

This document is not intended to provide legal guidance regarding the scope of state or local government authority under Section 332(c)(7) or any other provision of law. Section 332(c)(7)⁴ generally preserves state and local authority over decisions regarding the placement, construction, and modification of personal wireless service facilities,⁵ subject to specific limitations set forth in Section 332(c)(7). Among other things, Section 332(c)(7) provides that “[n]o State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [FCC’s] regulations concerning such emissions.” The full text of Section 332(c)(7) is set forth in Appendix C.

State and local governments and the FCC may differ regarding the extent of state and local legal authority under Section 332(c)(7) and other provisions of law. To the extent questions arise regarding such authority, they are being addressed by the courts. Rather than address these legal questions, this document recognizes that, as a practical matter, state and local governments have a role to play in ensuring compliance with the FCC’s limits, and it provides guidance to assist you in effectively fulfilling that role. The twin goals of this document are: (1) to define and promote locally-adaptable procedures that will provide you, as a local official concerned about transmitting antenna emissions, with adequate assurance of compliance, while (2), at the same time, avoiding the imposition of unnecessary burdens on either the local government process or the FCC’s licensees.

First, we'll start with a summary of the FCC’s RF exposure guidelines and some background information that you'll find helpful. Next, we'll review the FCC’s procedures for verifying compliance with the guidelines and enforcing its rules. Finally, we'll offer you some practical guidance to help you determine if personal wireless service facilities may raise compliance concerns. Note, however, that this guide is only intended to help you distinguish sites that are unlikely to raise compliance concerns from those that may raise compliance concerns, not to identify sites that are out of compliance. Detailed technical information necessary to determine compliance for individual sites is contained in the FCC’s OET Bulletin 65 (see footnote 1, above).

³ 47 U.S.C. § 332(c)(7). Under limited circumstances, the FCC also plays a role in the siting of wireless facilities. Specifically, the FCC reviews applications for facilities that fall within certain environmental categories under the National Environmental Policy Act of 1969 (NEPA), *see* 47 C.F.R. § 1.1307(a). Antenna structures that are over 200 feet in height or located near airport runways must be marked or lighted as specified by the Federal Aviation Administration and must be registered with the FCC, *see* 47 C.F.R. Part 17.

⁴ Section 332(c)(7) of the Communications Act is identical to Section 704(a) of the Telecommunications Act of 1996.

⁵ “Personal wireless services” generally includes wireless telecommunications services that are interconnected with the public telephone network and are offered commercially to the public. Examples include cellular and similar services (such as Personal Communications Service or “PCS”), paging and similar services, certain dispatch services, and services that use wireless technology to provide telephone service to a fixed location such as a home or office.

Before we start, however, let's take a short tour of the radiofrequency spectrum. RF signals may be transmitted over a wide range of frequencies. The frequency of an RF signal is expressed in terms of cycles per second or "Hertz," abbreviated "Hz." One kilohertz (kHz) equals one thousand Hz, one megahertz (MHz) equals one million Hz, and one gigahertz (GHz) equals one billion Hz. In the figure below, you'll see that AM radio signals are at the lower end of the RF spectrum, while other radio services, such as analog and digital TV (DTV), cellular and PCS telephony, and point-to-point microwave services are much higher in frequency.

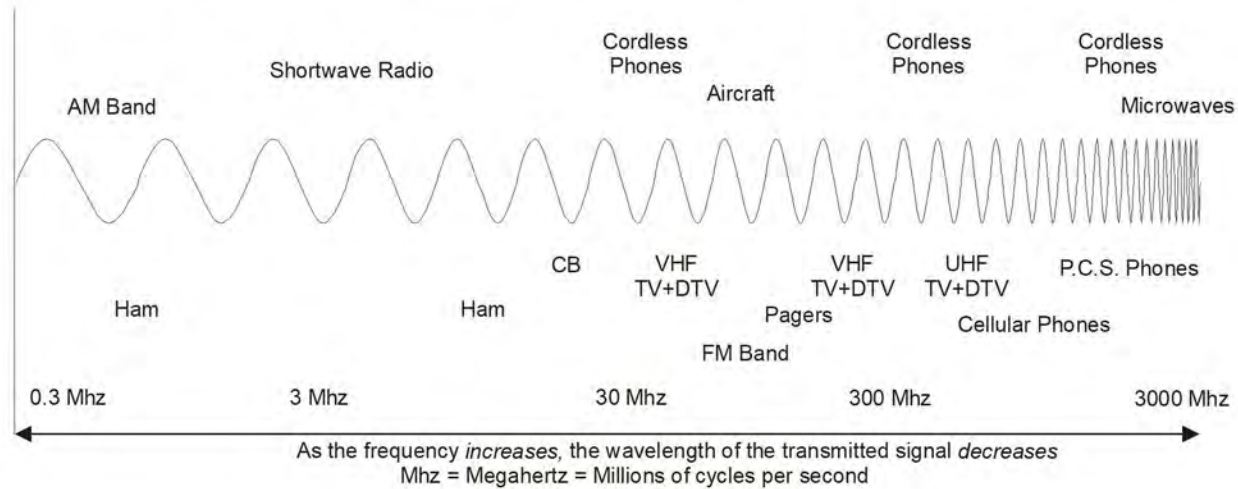


Illustration 1

The FCC's limits for maximum permissible exposure (MPE) to RF emissions depend on the frequency or frequencies that a person is exposed to. Different frequencies may have different MPE levels. Later in this document we'll show you how this relationship of frequency to MPE limit works.

I. The FCC's RF Exposure Guidelines and Rules.

Part 1 of the FCC's Rules and Regulations contains provisions implementing the National Environmental Policy Act of 1969 (NEPA). NEPA requires all federal agencies to evaluate the potential environmental significance of an agency action. Exposure to RF energy has been identified by the FCC as a potential environmental factor that must be considered before a facility, operation or transmitter can be authorized or licensed. The FCC's requirements dealing with RF exposure can be found in Part 1 of its rules at 47 C.F.R. § 1.1307(b). The exposure limits themselves are specified in 47 C.F.R. § 1.1310 in terms of frequency, field strength, power density and averaging time. Facilities and transmitters licensed and authorized by the FCC must either comply with these guidelines or else an applicant must file an Environmental Assessment (EA) with the FCC as specified in 47 C.F.R. § 1.1301 *et seq.* An EA is an official document required by the FCC's rules whenever an action may have a significant environmental impact (see discussion below). In practice, however, a potential environmental RF exposure problem is typically resolved before an EA would become necessary. Therefore, compliance with the FCC's RF guidelines constitutes a *de facto* threshold for obtaining FCC approval to construct or operate a station or transmitter. The FCC guidelines are based on exposure criteria

recommended in 1986 by the National Council on Radiation Protection and Measurements (NCRP) and on the 1991 standard developed by the Institute of Electrical and Electronics Engineers (IEEE) and later adopted as a standard by the American National Standards Institute (ANSI/IEEE C95.1-1992).

The FCC's guidelines establish separate MPE limits for "general population/uncontrolled exposure" and for "occupational/controlled exposure." The general population/uncontrolled limits set the maximum exposure to which most people may be subjected. People in this group include the general public not associated with the installation and maintenance of the transmitting equipment. Higher exposure limits are permitted under the "occupational/controlled exposure" category, but only for persons who are exposed as a consequence of their employment (*e.g.*, wireless radio engineers, technicians). To qualify for the occupational/controlled exposure category, exposed persons must be made fully aware of the potential for exposure (*e.g.*, through training), and they must be able to exercise control over their exposure. In addition, people passing through a location, who are made aware of the potential for exposure, may be exposed under the occupational/controlled criteria. The MPE limits adopted by the FCC for occupational/controlled and general population/uncontrolled exposure incorporate a substantial margin of safety and have been established to be well below levels generally accepted as having the potential to cause adverse health effects.

Determining whether a potential health hazard could exist with respect to a given transmitting antenna is not always a simple matter. Several important factors must be considered in making that determination. They include the following: (1) What is the frequency of the RF signal being transmitted? (2) What is the operating power of the transmitting station and what is the actual power radiated from the antenna?⁶ (3) How long will someone be exposed to the RF signal at a given distance from the antenna? (4) What other antennas are located in the area, and what is the exposure from those antennas? We'll explore each of these issues in greater detail below.

For all frequency ranges at which FCC licensees operate, Section 1.1310 of the FCC's rules establishes maximum permissible exposure (MPE) limits to which people may be exposed. The MPE limits vary by frequency because of the different absorptive properties of the human body at different frequencies when exposed to whole-body RF fields. Section 1.1310 establishes MPE limits in terms of "electric field strength," "magnetic field strength," and "far-field equivalent power density" (power density). For most frequencies used by the wireless services, the most relevant measurement is power density. The MPE limits for power density are given in terms of "milliwatts per square centimeter" or mW/cm^2 . One milliwatt equals one thousandth of one watt (1/1000 of a watt).⁷ In terms of power density, for a given frequency the FCC MPE limits can be interpreted as specifying the maximum rate that energy can be transferred (*i.e.*, the power) to a square centimeter of a person's body over a period of time (either 6 or 30 minutes, as explained

⁶ Power travels from a transmitter through cable or other connecting device to the radiating antenna. "Operating power of the transmitting station" refers to the power that is fed from the transmitter (transmitter output power) into the cable or connecting device. "Actual power radiated from the antenna" is the transmitter output power minus the power lost (power losses) in the connecting device plus an apparent increase in power (if any) due to the design of the antenna. Radiated power is often specified in terms of "effective radiated power" or "ERP" or "effective isotropic radiated power" or "EIRP" (see footnote 14).

⁷ Thus, by way of illustration, it takes 100,000 milliwatts of power to fully illuminate a 100 watt light bulb.

below). In practice, however, since it is unrealistic to measure separately the exposure of each square centimeter of the body, actual compliance with the FCC limits on RF emissions should be determined by “spatially averaging” a person’s exposure over the projected area of an adult human body (this concept is discussed in the FCC’s OET Bulletin 65).

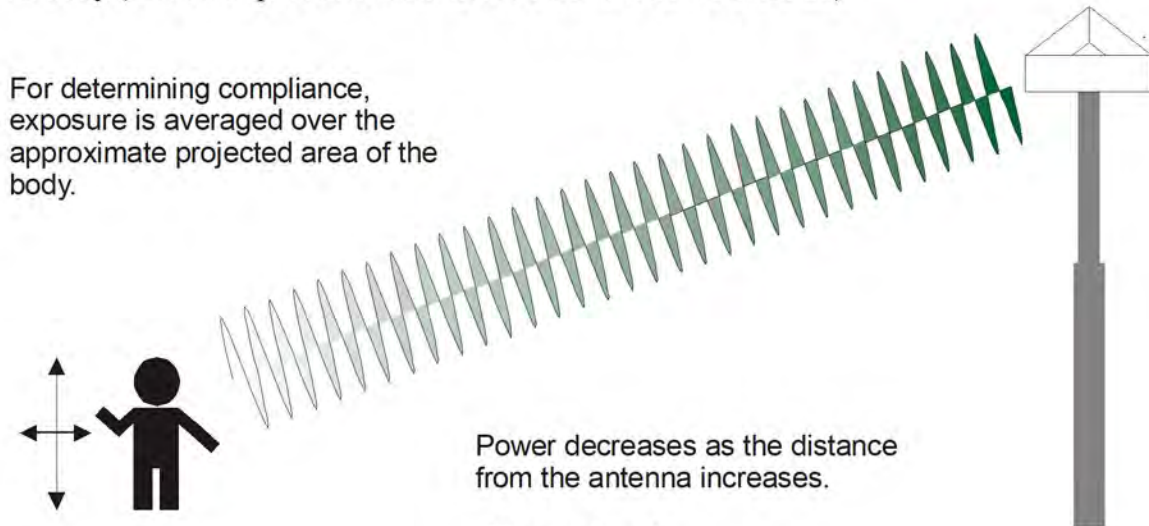


Illustration 2

Electric field strength and magnetic field strength are used to measure “near field” exposure. At frequencies below 300 MHz, these are typically the more relevant measures of exposure, and power density values are given primarily for reference purposes. However, evaluation of far-field equivalent power density exposure may still be appropriate for evaluating exposure in some such cases. For frequencies above 300 MHz, only one field component need be evaluated, and exposure is usually more easily characterized in terms of power density. Transmitters and antennas that operate at 300 MHz or lower include radio broadcast stations, some television broadcast stations, and certain personal wireless service facilities (*e.g.*, some paging stations). Most personal wireless services, including all cellular and PCS, as well as some television broadcast stations, operate at frequencies above 300 MHz. (See Illustration 1.)

As noted above, the MPE limits are specified as time-averaged exposure limits. This means that exposure can be averaged over the identified time interval (30 minutes for general population/uncontrolled exposure or 6 minutes for occupational/controlled exposure). However, for the case of exposure of the general public, time averaging is usually not applied because of uncertainties over exact exposure conditions and difficulty in controlling time of exposure. Therefore, the typical conservative approach is to assume that any RF exposure to the general public will be continuous. The FCC’s limits for exposure at different frequencies are shown in Illustration 3, below:

Illustration 3. FCC Limits for Maximum Permissible Exposure (MPE)**(A) Limits for Occupational/Controlled Exposure**

| Frequency Range (MHz) | Electric Field Strength (E) (V/m) | Magnetic Field Strength (H) (A/m) | Power Density (S) (mW/cm ²) | Averaging Time E ² , H ² or S (minutes) |
|-----------------------|-----------------------------------|-----------------------------------|---|---|
| 0.3-3.0 | 614 | 1.63 | (100)* | 6 |
| 3.0-30 | 1842/f | 4.89/f | (900/f ²)* | 6 |
| 30-300 | 61.4 | 0.163 | 1.0 | 6 |
| 300-1500 | -- | -- | f/300 | 6 |
| 1500-100,000 | -- | -- | 5 | 6 |

(B) Limits for General Population/Uncontrolled Exposure

| Frequency Range (MHz) | Electric Field Strength (E) (V/m) | Magnetic Field Strength (H) (A/m) | Power Density (S) (mW/cm ²) | Averaging Time E ² , H ² or S (minutes) |
|-----------------------|-----------------------------------|-----------------------------------|---|---|
| 0.3-1.34 | 614 | 1.63 | (100)* | 30 |
| 1.34-30 | 824/f | 2.19/f | (180/f ²)* | 30 |
| 30-300 | 27.5 | 0.073 | 0.2 | 30 |
| 300-1500 | -- | -- | f/1500 | 30 |
| 1500-100,000 | -- | -- | 1.0 | 30 |

f = frequency in MHz

*Plane-wave equivalent power density

NOTE 1: Occupational/controlled limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure.

NOTE 2: General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.

Finally, it is important to understand that the FCC's limits apply cumulatively to all sources of RF emissions affecting a given area. A common example is where two or more wireless operators have agreed to share the cost of building and maintaining a tower, and to place their antennas on that joint structure. In such a case, the total exposure from the two facilities taken together must be within the FCC guidelines, or else an EA will be required.

A. Categorically Excluded Facilities

The Commission has determined through calculations and technical analysis that due to their low power or height above ground level, many facilities by their very nature are highly unlikely to

cause human exposures in excess of the guideline limits, and operators of those facilities are exempt from routinely having to determine compliance. Facilities with these characteristics are considered "categorically excluded" from the requirement for routine environmental processing for RF exposure.

Section 1.1307(b)(1) of the Commission's rules sets forth which facilities are categorically excluded.⁸ If a facility is categorically excluded, an applicant or licensee may ordinarily assume compliance with the guideline limits for exposure. However, an applicant or licensee must evaluate and determine compliance for a facility that is otherwise categorically excluded if specifically requested to do so by the FCC.⁹ If potential environmental significance is found as a result, an EA must be filed with the FCC.

No radio or television broadcast facilities are categorically excluded. Thus, broadcast applicants and licensees must affirmatively determine their facility's compliance with the guidelines before construction, and upon every facility modification or license renewal application. With respect to personal wireless services, a cellular facility is categorically excluded if the total effective radiated power (ERP) of all channels operated by the licensee at a site is 1000 watts or less. If the facility uses sectorized antennas, only the total effective radiated power in each direction is considered. Examples of a 3 sector and a single sector antenna array are shown below:

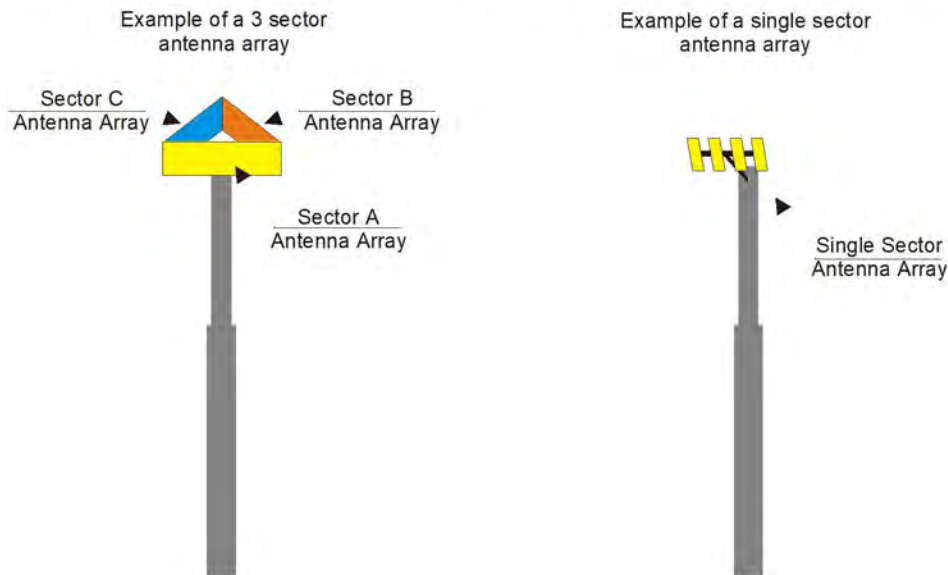


Illustration 4

⁸ "The appropriate exposure limits . . . are generally applicable to all facilities, operations and transmitters regulated by the Commission. However, a determination of compliance with the exposure limits . . . (routine environmental evaluation), and preparation of an EA if the limits are exceeded, is necessary only for facilities, operations and transmitters that fall into the categories listed in table 1 [of §1.1307], or those specified in paragraph (b)(2) of this section. All other facilities, operations and transmitters are categorically excluded from making studies or preparing an EA . . ."

⁹ See 47 C.F.R §1.1307(c) and (d).

In addition, a cellular facility is categorically excluded, regardless of its power, if it is not mounted on a building and the lowest point of the antenna is at least 10 meters (about 33 feet) above ground level. A broadband PCS antenna array is categorically excluded if the total effective radiated power of all channels operated by the licensee at a site (or all channels in any one direction, in the case of sectorized antennas) is 2000 watts or less. Like cellular, another way for a broadband PCS facility to be categorically excluded is if it is not mounted on a building and the lowest point of the antenna is at least 10 meters (about 33 feet) above ground level. The power threshold for categorical exclusion is higher for broadband PCS than for cellular because broadband PCS operates at a higher frequency where exposure limits are less restrictive. For categorical exclusion thresholds for other personal wireless services, consult Table 1 of Section 1.1307(b)(1).¹⁰

For your convenience, we have developed the checklist in Appendix A that may be used to streamline the process of determining whether a proposed facility is categorically excluded. You are encouraged to adopt the use of this checklist in your jurisdiction, although such use is not mandatory.

B. What If An Applicant Or Licensee Wants To Exceed The Limits Shown In Illustration 3?

Any FCC applicant or licensee who wishes to construct or operate a facility that, by itself or in combination with other sources of emissions (*i.e.*, other transmitting antennas), may cause human exposures in excess of the guideline limits must file an Environmental Assessment (EA) with the FCC. Where more than one antenna is collocated (for example, on a single tower or rooftop or at a hilltop site), the applicant must take into consideration all of the RF power transmitted by all of the antennas when determining maximum exposure levels. Compliance at an existing site is the shared responsibility of all licensees whose transmitters produce exposure levels in excess of 5% of the applicable exposure limit. A new applicant is responsible for compliance (or submitting an EA) at a multiple-use site if the proposed transmitter would cause non-compliance and if it would produce exposure levels in excess of 5% of the applicable limit.¹¹

An applicant or licensee is not permitted to construct or operate a facility that would result in exposure in excess of the guideline limits until the FCC has reviewed the EA and either found no significant environmental impact, or pursued further environmental processing including the preparation of a formal Environmental Impact Statement. As a practical matter, however, this process is almost never invoked for RF exposure issues because applicants and licensees normally undertake corrective actions to ensure compliance with the guidelines before submitting an application to the FCC.

Unless a facility is categorically excluded (explained above), the FCC's rules require a licensee to evaluate a proposed or existing facility's compliance with the RF exposure guidelines and to

¹⁰ Table 1 of §1.1307(b)(1) is reproduced in Appendix A to this guide.

¹¹ For more information, see OET Bulletin 65, or see 47 CFR §1.1307(b)(3).

determine whether an EA is required. In the case of broadcast licensees, who are required to obtain a construction permit from the FCC, this evaluation is required before the application for a construction permit is filed, or the facility is constructed. In addition, if a facility requires the filing of an EA for any reason other than RF emissions, the RF evaluation must be performed before the EA is filed. Factors other than RF emissions that may require the filing of an EA are set out in 47 C.F.R. § 1.1307(a). Otherwise, new facilities that do not require FCC-issued construction permits should be evaluated before they are placed in operation. The FCC also requires its licensees to evaluate existing facilities and operations that are not categorically excluded if the licensee seeks to modify its facilities or renew its license. These requirements are intended to enhance public safety by requiring periodic site compliance reviews.

All facilities that were placed in service before October 15, 1997 (when the current RF exposure guidelines became effective) are expected to comply with the current guidelines no later than September 1, 2000, or the date of a license renewal, whichever is earlier.¹² If a facility cannot meet the September 1, 2000, date, the licensee of that facility must file an EA by that date. Section 1.1307(b) of the FCC's rules requires the licensee to provide the FCC with technical information showing the basis for its determination of compliance upon request.

II. How the FCC Verifies Compliance with and Enforces Its Rules.

A. Procedures Upon Initial Construction, Modification, and Renewal.

The FCC's procedures for verifying that a new facility, or a facility that is the subject of a facility modification or license renewal application, will comply with the RF exposure rules vary depending upon the service involved. Applications for broadcast services (for example, AM and FM stations, and television stations) are reviewed by the FCC's Mass Media Bureau (MMB). As part of every relevant application, the MMB requires an applicant to submit an explanation of what steps will be taken to limit RF exposure and comply with FCC guidelines. The applicant must certify that RF exposure procedures will be coordinated with all collocated entities (usually other stations at a common transmitter site or hill or mountain peak). If the submitted explanation does not adequately demonstrate a facility's compliance with the guidelines, the MMB will require additional supporting data before granting the application.

The Wireless Telecommunications Bureau (WTB) reviews personal wireless service applications (for cellular, PCS, SMR, etc.). For those services that operate under blanket area licenses, including cellular and PCS, the license application and renewal form require the applicant to certify whether grant of the application would have a significant environmental impact so as to require submission of an EA. The applicant's answer to this question covers all of the facilities sites included within the area of the license.

For those services that continue to be licensed by site (*e.g.*, certain paging renewals), the WTB requires a similar certification on the application form for each site. To comply with the FCC's rules, an applicant must determine its own compliance before completing this certification for

¹² Prior to October 15, 1997, the Commission applied a different set of substantive guidelines.

every site that is not categorically excluded. The WTB does not, however, routinely require the submission of any information supporting the determination of compliance.

B. Procedures For Responding To Complaints About Existing Facilities.

The FCC frequently receives inquiries from members of the public as to whether a particular site complies with the RF exposure guidelines. Upon receiving these inquiries, FCC staff may ask the inquiring party to describe the site at issue. In many instances, the information provided by the inquiring party does not raise any concern that the site could exceed the limits in the guidelines. FCC staff will then inform the inquiring party of this determination.

In some cases, the information provided by the inquiring party does not preclude the possibility that the limits could be exceeded. Under these circumstances, FCC staff may ask the licensee who operates the facility to supply information demonstrating its compliance. FCC staff may also inspect the site to determine whether it is accessible to the public, and examine other relevant physical attributes. Usually, the information obtained in this manner is sufficient to establish compliance. If compliance is established in this way, FCC staff will inform the inquiring party of this determination.

In some instances, a licensee may be unable to provide information sufficient to establish compliance with the guideline limits. In these cases, FCC staff may test the output levels of individual facilities and evaluate the physical installation. Keep in mind, however, that instances in which physical testing is necessary to verify compliance are relatively rare.

If a site is found to be out of compliance with the RF guidelines, the FCC will require the licensees at the site to remedy the situation. Depending on the service and the nature and extent of the violation, these remedies can include, for example, an immediate reduction in power, a modification of safety barriers, or a modification of the equipment or its installation. Actions necessary to bring a site into compliance are the shared responsibility of all licensees whose facilities cause exposures in that area that exceed 5% of the applicable MPE limit. In addition, licensees may be subject to sanctions for violating the FCC's rules and/or for misrepresentation.

The FCC is committed to responding fully, promptly, and accurately to all inquiries regarding compliance with the RF exposure guidelines, and to taking swift and appropriate action whenever the evidence suggests potential noncompliance. To perform this function effectively, however, the FCC needs accurate information about potentially problematic situations. By applying the principles discussed in this guide about RF emissions, exposure and the FCC's guidelines, state and local officials can fulfill a vital role in identifying and winnowing out situations that merit further attention.

III. Practical Guidance Regarding Compliance.

This section is intended to provide some general guidelines that can be used to identify sites that should not raise serious questions about compliance with FCC RF exposure guidelines. Sites that don't fall into the categories described here may still meet the guidelines, but the determination

of compliance will not be as straightforward. In such cases, a detailed review may be required. The tables and graphs shown in Appendix B are intended only to assist in distinguishing sites that should not raise serious issues from sites that may require further inquiry. They are not intended for use in identifying sites that are out of compliance. As noted above, the factors that can affect exposure at any individual site, particularly a site containing multiple facilities, are too numerous and subtle to be practically encompassed within this framework.

Applying the basic principles discussed in this guide should allow you to eliminate a large number of sites from further consideration with respect to health concerns. You may find it useful to contact a qualified radio engineer to assist you in your inquiry. Many larger cities and counties, and most states, have radio engineers on staff or under contract. In smaller jurisdictions, we recommend you seek initial assistance from other jurisdictions, universities that have RF engineering programs, or perhaps the engineer in charge of your local broadcast station(s).

We'll exclude any discussion of broadcast sites. As explained before, broadcast licensees are required to submit site-specific information on each facility to the FCC for review, and that information is publicly available at the station as long as the application is pending. The focus in this section is on personal wireless services, particularly cellular and broadband PCS, the services that currently require the largest numbers of new and modified facilities. Many other personal wireless services, however, such as paging services, operate in approximately the same frequency ranges as cellular and broadband PCS.¹³ Much of the information here is broadly applicable to those services as well, and specific information is provided in Appendix B for paging and narrowband PCS operations over frequency bands between 901 and 940 MHz.

Finally, this section only addresses the general population/uncontrolled exposure guidelines, since compliance with these guidelines generally causes the most concern to state and local governments. Compliance with occupational/controlled exposure limits should be examined independently.

A. Categorically Excluded Facilities.

As a first step in evaluating a siting application for compliance with the FCC's guidelines, you will probably want to consider whether the facility is categorically excluded under the FCC's rules from routine evaluation for compliance. The checklist in Appendix A will guide you in making this determination. Because categorically excluded facilities are unlikely to cause any exposure in excess of the FCC's guidelines, determination that a facility is categorically excluded should generally suffice to end the inquiry.

B. Single Facility Sites.

If a wireless telecommunications facility is not categorically excluded, you may want to evaluate potential exposure using the methods discussed below and the tables and figures in Appendix B.

¹³ The major exception is fixed wireless services, which often operate at much higher frequencies. In addition, some paging and other licensees operate at lower frequencies

If you "run the numbers" using the conservative approaches promoted in this paper and the site in question does not exceed these values, then you generally need look no further. Alternately, if the "numbers" don't pass muster, you may have a genuine concern. But remember, there may be other factors (*i.e.*, power level, height, blockages, etc.) that contribute to whether the site complies with FCC guidelines.

Where a site contains only one antenna array, the maximum exposure at any point in the horizontal plane can be predicted by calculations. The tables and graphs in Appendix B show the maximum distances in the horizontal plane from an antenna at which a person could possibly be exposed in excess of the guidelines at various levels of effective radiated power (ERP).¹⁴ Thus, if people are not able to come closer to an antenna than the applicable distance shown in Appendix B, there should be no cause for concern about exposure exceeding the FCC guidelines. The tables and graphs apply to the following wireless antennas: (1) cellular omni-directional antennas (Table B1-1 and Figure B1-1); (2) cellular sectorized antennas (Table B1-2 and Figure B1-2); (3) broadband PCS sectorized antennas (Table B1-3 and Figure B1-3);¹⁵ and (4) high-power (900 MHz-band) paging antennas (Table B1-4 and Figure B1-4). Table B1-4 and Figure B1-4 can also be used for omni-directional, narrowband (900 MHz) PCS antennas. Note that both tables and figures in Appendix B have been provided. In some cases it may be easier to use a table to estimate exposure distances, but figures may also be used when a more precise value is needed that may not be listed in a table.

It's important to note that the predicted distances set forth in Appendix B are based on a very conservative, "worst case" scenario. In other words, Appendix B identifies the furthest distance from the antenna that presents even a remote realistic possibility of RF exposure that could exceed the FCC guidelines. The power levels are based on the approximate maximum number of channels that an operator is likely to operate at one site. It is further assumed that each channel operates with the maximum power permitted under the FCC's rules and that all of these channels are "on" simultaneously, an unlikely scenario. This is a very conservative assumption. In reality, most sites operate at a fraction of the maximum permissible power and many sites use fewer than the maximum number of channels. Therefore, actual exposure levels would be expected to be well below the predicted values. Another mitigating factor could be the presence of intervening structures, such as walls, that will reduce RF exposure by variable amounts. For all these reasons, the values given in these tables and graphs are considered to be quite conservative and should over-predict actual exposure levels.

¹⁴ ERP is the apparent effective amount of power leaving the transmit antenna. The ERP is determined by factors including but not limited to transmitter output power, coaxial line loss between the transmitter and the antenna, and the "gain" (focusing effect) of the antenna. In some cases, power may also be expressed in terms of EIRP (effective isotropically radiated power). Therefore, for convenience, the tables in Appendix B also include a column for EIRP. ERP and EIRP are related by the mathematical expression: $(1.64) \times \text{ERP} = \text{EIRP}$.

¹⁵ Because broadband PCS antennas are virtually always sectorized, no information is provided for omni-directional PCS antennas.

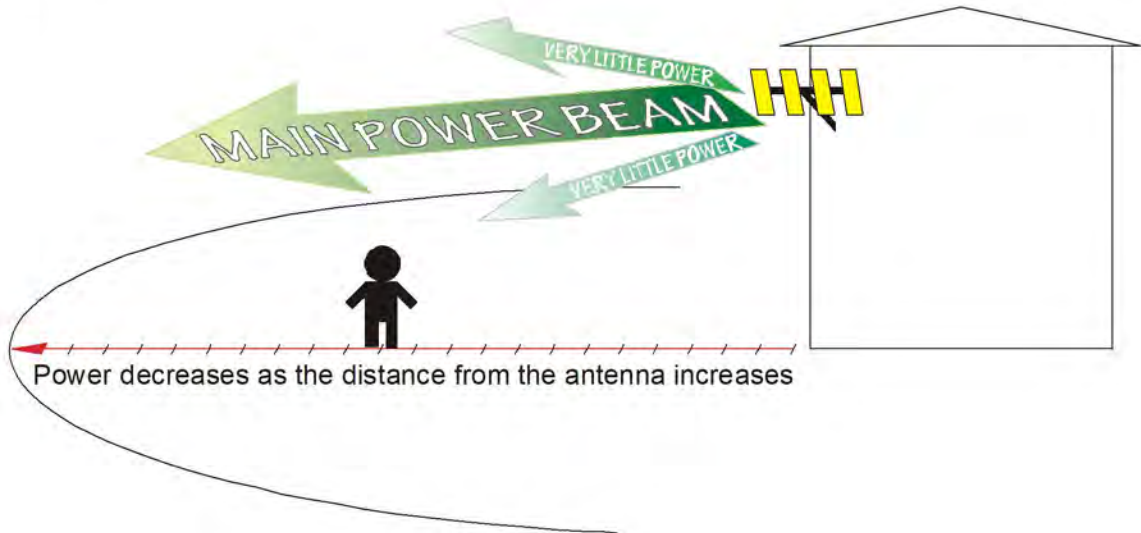


Illustration 5

Personal wireless service antennas typically do not emit high levels of RF energy directed above or below the horizontal plane of the antenna. Although the precise amount of energy transmitted outside the horizontal plane will depend upon the type of antenna used, we are aware of no wireless antennas that produce significant non-horizontal transmissions. Thus, exposures even a small distance below the horizontal plane of these antennas would be significantly less than in the horizontal plane. As discussed above, the tables and figures in Appendix B show distances in the horizontal plane from typical antennas at which exposures could potentially exceed the guidelines, assuming “worst case” operating conditions at maximum possible power levels. In any direction other than horizontal, including diagonal or straight down, these “worst case” distances would be significantly less.

Where unidirectional antennas are used, exposure levels within or outside the horizontal plane in directions other than those where the antennas are aimed will typically be insignificant. In addition, many new antennas are being designed with shielding capabilities to minimize emissions in undesired directions.

C. Multiple Facility Sites.

Where multiple facilities are located at a single site, the FCC’s rules require the total exposure from all facilities to fall within the guideline limits, unless an EA is filed and approved. In such cases, however, calculations of predicted exposure levels and overall evaluation of the site may become much more complicated. For example, different transmitters at a site may operate different numbers of channels, or the operating power per channel may vary from transmitter to transmitter. Transmitters may also operate on different frequencies (for example, one antenna array may belong to a PCS operator, while the other belongs to a cellular operator). A large number of variables such as these make the calculations more time consuming, and make it difficult to apply a simple rule-of-thumb test. See the following illustration.

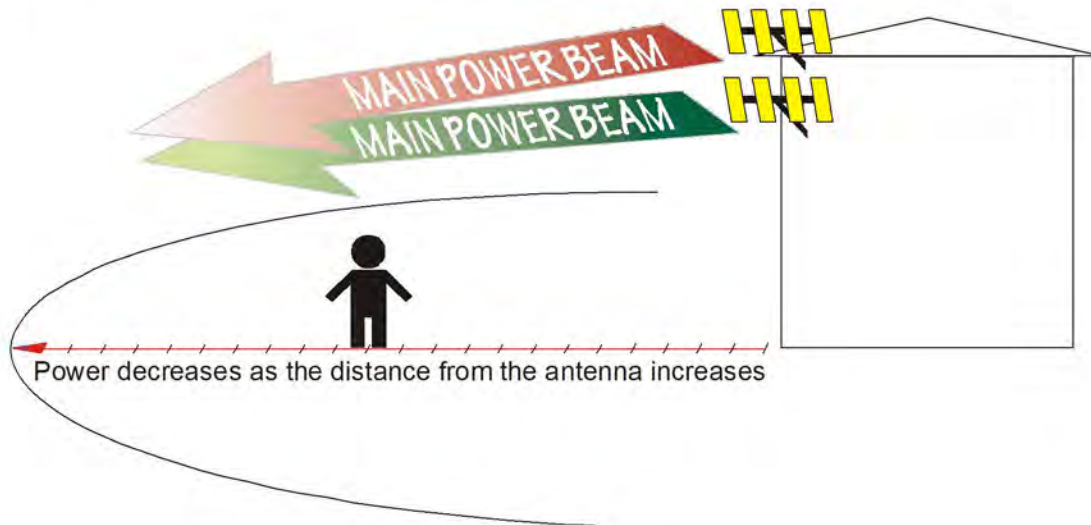


Illustration 6

However, we can be overly conservative and estimate a "worst case" exposure distance for compliance by assuming that the total power (e.g., ERP) of all transmitting antennas at the site is concentrated in the antenna that is closest to the area in question. (In the illustration above, this would be the antenna that is mounted lower on the building.) Then the values in the tables and graphs in Appendix B may be used as if this were the only antenna at the site, with radiated power equal to the sum of the actual radiated power of all antennas at the site. Actual RF exposure at any point will always be less than the exposure calculated using these assumptions. Thus, if people are not able to come closer to a group of antennas than the applicable distance shown in Appendix B using these assumptions, there should be no cause for concern about exposure exceeding the FCC guidelines. This is admittedly an extremely conservative procedure, but it may be of assistance in making a "first cut" at eliminating sites from further consideration.

IV. Conclusion.

We've highlighted many of the most common concerns and questions raised by the siting of wireless telecommunications and broadcast antennas. Applying the principles outlined in this guide will allow you to make initial conservative judgments about whether RF emissions are or should be of concern, consistent with the FCC's rules.

As we have explained, when first evaluating a siting application for compliance with the FCC's guidelines, you will probably want to consider whether the facility is categorically excluded under the FCC's rules from routine evaluation for compliance. The checklist in Appendix A will guide you in making this determination. Because categorically excluded facilities are unlikely to cause any exposure in excess of the FCC's guidelines, determination that a facility is categorically excluded should generally suffice to end the inquiry.

If a wireless telecommunications facility is not categorically excluded, you may want to evaluate potential exposure using the methods discussed in Part III of this paper and the tables and figures in Appendix B. If the site in question does not exceed the values, then you generally need look no further. Alternately, if the values don't pass muster, you may have a genuine concern. But

remember, there may be other factors (*i.e.*, power level, height, blockages, etc.) that contribute to whether the site complies with FCC guidelines.

If you have questions about compliance, your initial point of exploration should be with the facilities operator in question. That operator is required to understand the FCC's rules and to know how to apply them in specific cases at specific sites. If, after diligently pursuing answers from the operator, you still have genuine questions regarding compliance, you should contact the FCC at one of the numbers listed below. Provision of the information identified in the checklist in Appendix A may assist the FCC in evaluating your inquiry.

General Information: Compliance and Information Bureau, (888) CALL-FCC

Concerns About RF Emissions Exposure at a Particular Site: Office of Engineering and Technology, RF Safety Program, phone (202) 418-2464, FAX (202) 418-1918, e-mail rfsafety@fcc.gov

Licensing and Site Information Regarding Wireless Telecommunications Services: Wireless Telecommunications Bureau, Commercial Wireless Division, (202) 418-0620

Licensing and Site Information Regarding Broadcast Radio Services: Mass Media Bureau, Audio Services Division, (202) 418-2700

Licensing and Site Information Regarding Television Service (Including DTV): Mass Media Bureau, Video Services Division, (202) 418-1600

Also, note that the RF Safety Program Web site is a valuable source of general information on the topic of potential biological effects and hazards of RF energy. For example, OET recently updated its OET Bulletin 56 ("Questions and Answers about Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields"). This latest version is available from the program and can be accessed and downloaded from the FCC's web site at:

<http://www.fcc.gov/oet/rfsafety/>

APPENDIX A

*Optional Checklist for Determination
Of Whether a Facility is Categorically Excluded*

**Optional Checklist for Local Government
To Determine Whether a Facility is Categorically Excluded**

Purpose: The FCC has determined that many wireless facilities are unlikely to cause human exposures in excess of RF exposure guidelines. Operators of those facilities are exempt from routinely having to determine their compliance. These facilities are termed "categorically excluded." Section 1.1307(b)(1) of the Commission's rules defines those categorically excluded facilities. This checklist will assist state and local government agencies in identifying those wireless facilities that are categorically excluded, and thus are highly unlikely to cause exposure in excess of the FCC's guidelines. Provision of the information identified on this checklist may also assist FCC staff in evaluating any inquiry regarding a facility's compliance with the RF exposure guidelines.

BACKGROUND INFORMATION

1. Facility Operator's Legal Name: _____
2. Facility Operator's Mailing Address: _____
3. Facility Operator's Contact Name/Title: _____
4. Facility Operator's Office Telephone: _____
5. Facility Operator's Fax: _____
6. Facility Name: _____
7. Facility Address: _____
8. Facility City/Community: _____
9. Facility State and Zip Code: _____
10. Latitude: _____
11. Longitude: _____

continue
→

Optional Local Government Checklist (page 2)

EVALUATION OF CATEGORICAL EXCLUSION

12. Licensed Radio Service (see attached Table 1): _____
13. Structure Type (free-standing or building/roof-mounted): _____
14. Antenna Type [omnidirectional or directional (includes sectored)]: _____
15. Height above ground of the lowest point of the antenna (in meters): _____
16. Check if all of the following are true:
- (a) This facility will be operated in the Multipoint Distribution Service, Paging and Radiotelephone Service, Cellular Radiotelephone Service, Narrowband or Broadband Personal Communications Service, Private Land Mobile Radio Services Paging Operations, Private Land Mobile Radio Service Specialized Mobile Radio, Local Multipoint Distribution Service, or service regulated under Part 74, Subpart I (see question 12).
 - (b) This facility will not be mounted on a building (see question 13).
 - (c) The lowest point of the antenna will be at least 10 meters above the ground (see question 15).

If box 16 is checked, this facility is categorically excluded and is unlikely to cause exposure in excess of the FCC's guidelines. The remainder of the checklist need not be completed. If box 16 is not checked, continue to question 17.

17. Enter the power threshold for categorical exclusion for this service from the attached Table 1 in watts ERP or EIRP* (note: $EIRP = (1.64) \times ERP$): _____
18. Enter the total number of channels if this will be an omnidirectional antenna, or the maximum number of channels in any sector if this will be a sectored antenna: _____
19. Enter the ERP or EIRP per channel (using the same units as in question 17): _____
20. Multiply answer 18 by answer 19: _____
21. Is the answer to question 20 less than or equal to the value from question 17 (yes or no)? _____

If the answer to question 21 is YES, this facility is categorically excluded. It is unlikely to cause exposure in excess of the FCC's guidelines.

If the answer to question 21 is NO, this facility is not categorically excluded. Further investigation may be appropriate to verify whether the facility may cause exposure in excess of the FCC's guidelines.

*"ERP" means "effective radiated power" and "EIRP" means "effective isotropic radiated power"

TABLE 1: TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION

| SERVICE (TITLE 47 CFR RULE PART) | EVALUATION REQUIRED IF: |
|---|--|
| Experimental Radio Services (part 5) | power > 100 W ERP (164 W EIRP) |
| Multipoint Distribution Service (subpart K of part 21) | <u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP <u>building-mounted antennas</u> : power > 1640 W EIRP |
| Paging and Radiotelephone Service (subpart E of part 22) | <u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : power > 1000 W ERP (1640 W EIRP) |
| Cellular Radiotelephone Service (subpart H of part 22) | <u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : total power of all channels > 1000 W ERP (1640 W EIRP) |

TABLE 1 (cont.)

| SERVICE (TITLE 47 CFR RULE PART) | EVALUATION REQUIRED IF: |
|--|--|
| <p>Personal Communications Services (part 24)</p> | <p>(1) Narrowband PCS (subpart D): <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u>: total power of all channels > 1000 W ERP (1640 W EIRP)</p> <p>(2) Broadband PCS (subpart E): <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 2000 W ERP (3280 W EIRP) <u>building-mounted antennas</u>: total power of all channels > 2000 W ERP (3280 W EIRP)</p> |
| <p>Satellite Communications (part 25)</p> | <p>all included</p> |
| <p>General Wireless Communications Service (part 26)</p> | <p>total power of all channels > 1640 W EIRP</p> |
| <p>Wireless Communications Service (part 27)</p> | <p>total power of all channels > 1640 W EIRP</p> |
| <p>Radio Broadcast Services (part 73)</p> | <p>all included</p> |

TABLE 1 (cont.)

| SERVICE (TITLE 47 CFR RULE PART) | EVALUATION REQUIRED IF: |
|---|---|
| Experimental, auxiliary, and special broadcast and other program distributional services (part 74) | subparts A, G, L: power > 100 W ERP subpart I: <u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP <u>building-mounted antennas</u> : power > 1640 W EIRP |
| Stations in the Maritime Services (part 80) | ship earth stations only |
| Private Land Mobile Radio Services Paging Operations (part 90) | <u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : power > 1000 W ERP (1640 W EIRP) |
| Private Land Mobile Radio Services Specialized Mobile Radio (part 90) | <u>non-building-mounted antennas</u> : height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u> : total power of all channels > 1000 W ERP (1640 W EIRP) |

TABLE 1 (cont.)

| SERVICE (TITLE 47 CFR RULE PART) | EVALUATION REQUIRED IF: |
|--|--|
| Amateur Radio Service (part 97) | transmitter output power > levels specified in § 97.13(c)(1) of this chapter |
| Local Multipoint Distribution Service (subpart L of part 101) | <p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP</p> <p><u>building-mounted antennas</u>: power > 1640 W EIRP</p> <p>LMDS licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, <i>e.g.</i>, information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310 of this chapter.</p> |

APPENDIX B

*Estimated "Worst Case" Distances that Should be Maintained from
Single Cellular, PCS, and Paging Base Station Antennas*

Table B1-1. Estimated "worst case" horizontal* distances that should be maintained from a single, omni-directional, **cellular base-station** antenna to meet FCC RF exposure guidelines

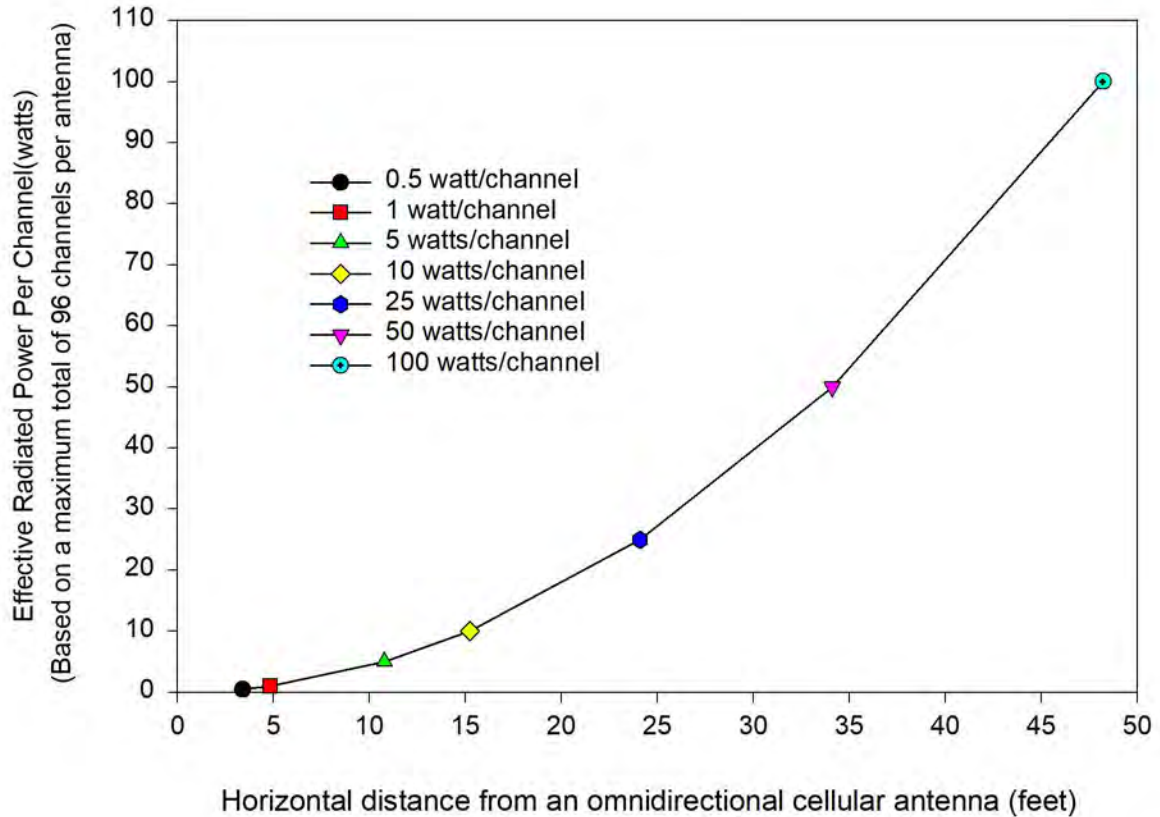
| Effective Radiated Power (watts) per channel based on maximum total of 96 channels per antenna | Effective Isotropic Radiated Power (watts) per channel based on a maximum total of 96 channels per antenna | Horizontal* distance (feet) that should be maintained from a single omni-directional cellular antenna |
|--|--|---|
| 0.5 | 0.82 | 3.4 |
| 1 | 1.6 | 4.8 |
| 5 | 8.2 | 10.8 |
| 10 | 16.4 | 15.2 |
| 25 | 41 | 24.1 |
| 50 | 82 | 34.1 |
| 100 | 164 | 48.2 |

For intermediate values not shown on this table, please refer to the Figure B1-1

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are worst case, assuming an omnidirectional antenna using 96 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular omnidirectional antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for “non-horizontal” distances, for example, distances directly below an antenna.

Figure B1-1. Estimated "worst case" horizontal* distances that should be maintained from a single omni-directional **cellular base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are worst case, assuming an omnidirectional antenna using 96 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular omnidirectional antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy directly toward the ground.

Table B1-2. Estimated "worst case" horizontal* distances that should be maintained from a single, sectorized, **cellular base-station** antenna to meet FCC RF exposure guidelines

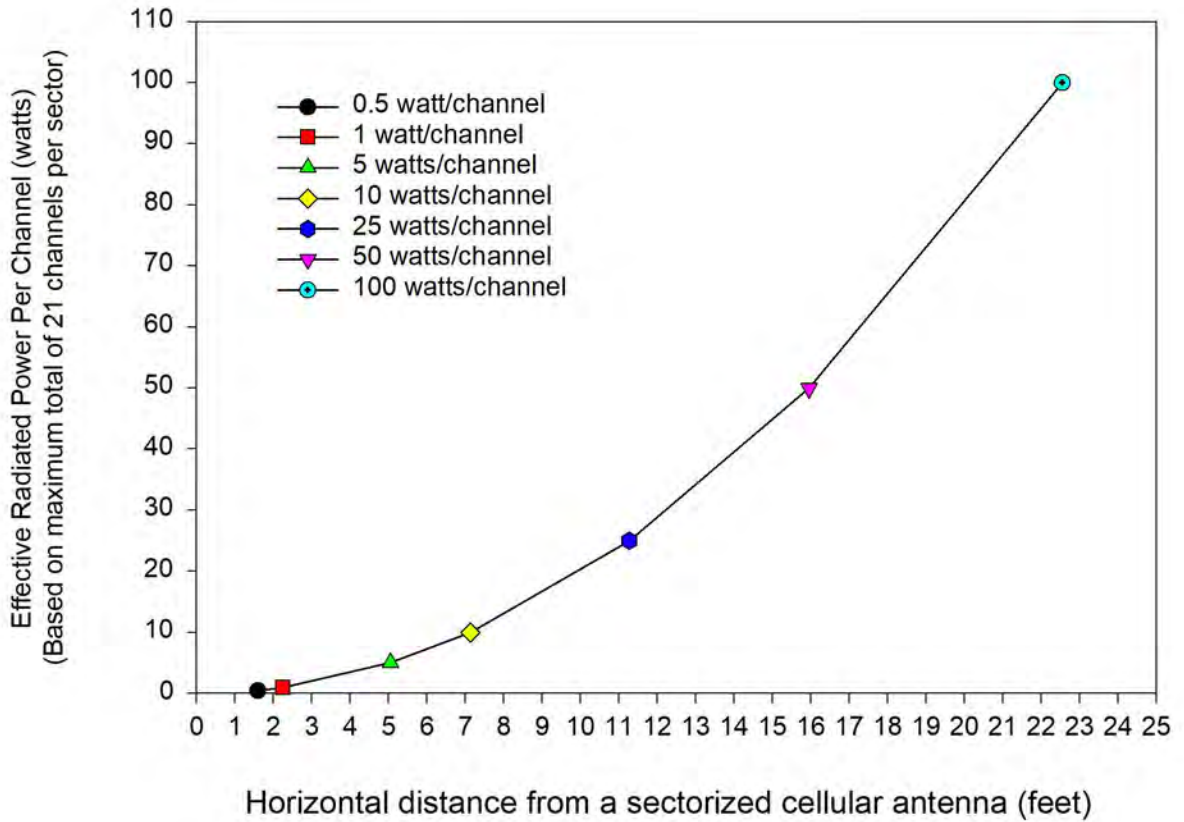
| Effective Radiated Power (watts) per channel based on maximum total of 21 channels per sector | Effective Isotropic Radiated Power (watts) per channel based on maximum total of 21 channels per sector | Horizontal* distance (feet) that should be maintained from a single sectorized cellular antenna |
|---|---|---|
| 0.5 | 0.82 | 1.6 |
| 1 | 1.6 | 2.3 |
| 5 | 8.2 | 5 |
| 10 | 16.4 | 7.1 |
| 25 | 41 | 11.3 |
| 50 | 82 | 16 |
| 100 | 164 | 22.6 |

For intermediate values not shown on this table, please refer to the Figure B1-2

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case," assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-2. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized, **cellular base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case", assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground.

Table B1-3. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized **Broadband PCS base station** antenna to meet FCC RF exposure guidelines

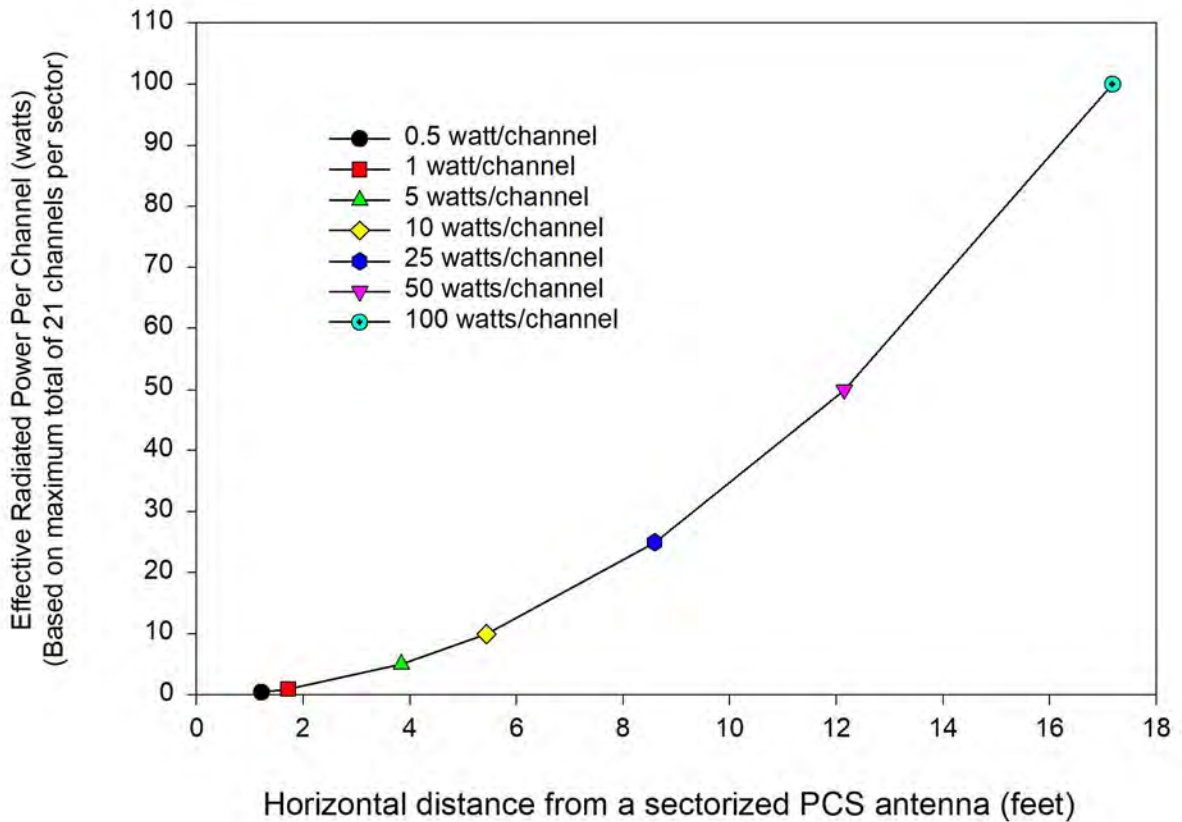
| Effective Radiated Power (watts) per channel based on maximum total of 21 channels per sector | Effective Isotropic Radiated Power (watts) per channel based on maximum total of 21 channels per sector | Horizontal* distance (feet) that should be maintained from a single sectorized Broadband PCS antenna |
|---|---|--|
| 0.5 | 0.82 | 1.2 |
| 1 | 1.6 | 1.7 |
| 5 | 8.2 | 3.8 |
| 10 | 16.4 | 5.4 |
| 25 | 41 | 8.6 |
| 50 | 82 | 12.1 |
| 100 | 164 | 17.2 |

For intermediate values not shown on this table, please refer to the Figure B1-3

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case," assuming a sectorized antenna using 21 channels. If the system is using fewer than 21 channels, the actual horizontal distances that must be maintained will be less. PCS sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-3. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized, **PCS base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case", assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. PCS sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground.

Table B1-4. Estimated "worst case" horizontal* distances that should be maintained from a single omnidirectional **paging** or **narrowband PCS** antenna to meet FCC RF exposure guidelines. Note: this table and the associated figure only apply to the 900-940 MHz band; paging antennas at other frequencies are subject to different values.

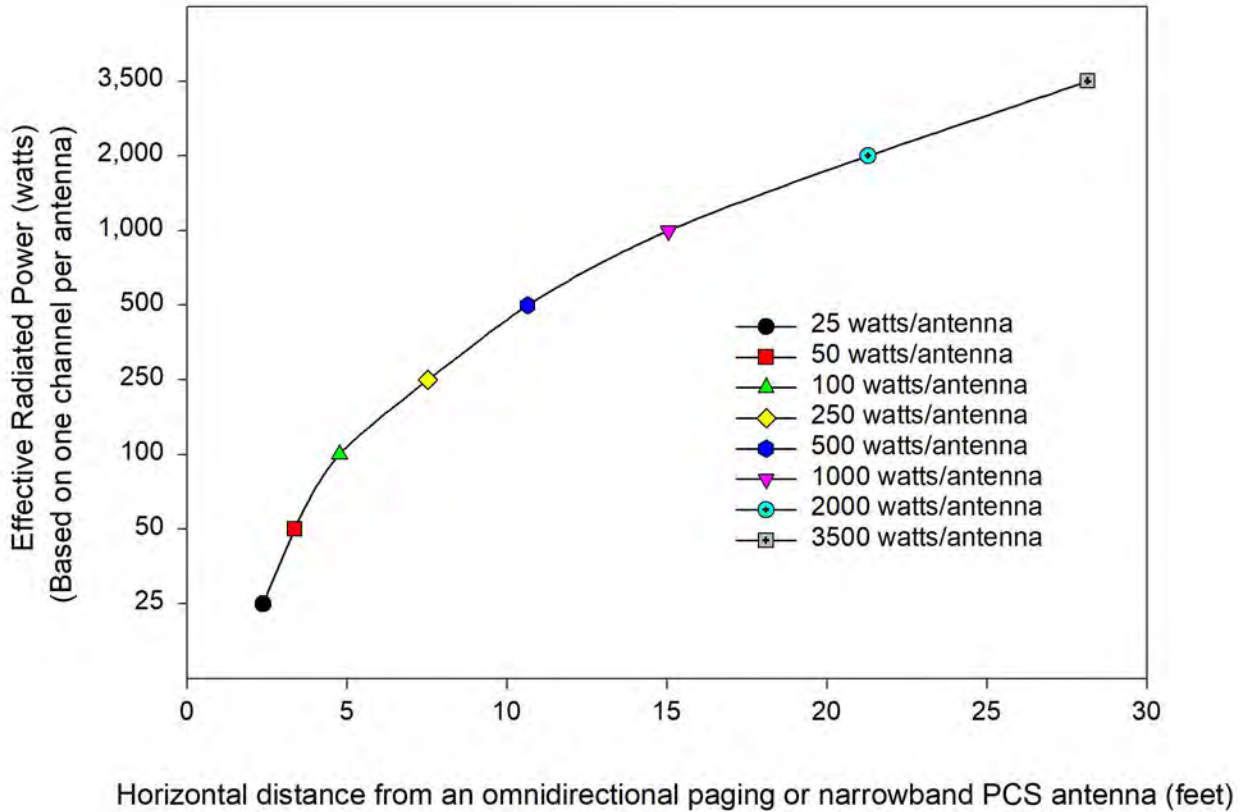
| Effective Radiated Power (watts) based on one channel per antenna | Effective Isotropic Radiated Power (watts) | Horizontal* distance (feet) that should be maintained from a single omnidirectional paging or narrowband PCS antenna |
|---|--|--|
| 50 | 82 | 3.4 |
| 100 | 164 | 4.8 |
| 250 | 410 | 7.5 |
| 500 | 820 | 10.6 |
| 1,000 | 1,640 | 15.1 |
| 2,000 | 3,280 | 21.3 |
| 3,500 | 5,740 | 28.2 |

For intermediate values not shown on this table, please refer to the Figure B1-4

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These distances assume only one frequency (channel) per antenna. Distances would be greater if more than one channel is used per antenna. Omnidirectional paging and narrowband PCS antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy toward the ground. Therefore, these distances are even more conservative for “non-horizontal” distances, for example, distances directly below an antenna.

Figure B1-4. Estimated "worst case" horizontal* distances that should be maintained from a single omnidirectional **paging** or **narrowband PCS** antenna to meet FCC RF exposure guidelines.
 Note: this figure and the associated table only apply to the 900-940 MHz band; paging antennas at other frequencies are subject to different values



* These distances are based on exposure at the same level as the antenna, for example, on a rooftop or building directly across from and at the same height as the antenna.

Note: These distances assume only one frequency (channel) per antenna. Distances would be greater if more than one channel is used per antenna. Omnidirectional paging and narrowband PCS antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy towards the ground.

APPENDIX C

Text of 47 U.S.C. § 332(c)(7)

(7) PRESERVATION OF LOCAL ZONING AUTHORITY.

- (A) GENERAL AUTHORITY. Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.
- (B) LIMITATIONS.
- (i) The regulation of the placement, construction, and modification of personal wireless service facilities by and State or local government or instrumentality thereof (I) shall not unreasonably discriminate among providers of functionally equivalent services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.
 - (ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.
 - (iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.
 - (iv) No State or local government or instrumentality thereof may regulate the placement, construction, or modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.
 - (v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.
- (C) DEFINITIONS. For purposes of this paragraph
- (i) the term "personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;
 - (ii) the term "personal wireless service facilities" means facilities for the provision of personal wireless services; and
 - (iii) the term "unlicensed wireless service" means the offering of telecommunications service using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).

October 14, 2020

The City Council of Midwest City
Attn: Ms. Espaniola Bowen
City Council Member, Ward 3
100 N. Midwest Boulevard
Midwest City, OK 73110

Re: Cellular Tower in Our Neighborhood

Dear Ms. Bowen:

Because of health reasons, I was unable to attend the Planning Commission meeting held on Tuesday, October 6, 2020 to discuss the prospect of erecting a cellular tower in our community. As I understand it, the motion was passed to consider erecting such tower. This issue will again be discussed in the City Council meeting on October 27, 2020 and it is my intention to attend with our neighbors to oppose this measure from being passed.

As the neighborhood spokesperson, I want to inform you that our community of neighbors (on E. Cardinal Place from Woodland Dr. to N. Douglas Blvd. and N. King Ave. from NE 10th St. to E. Reno Ave.) are intensely opposed to the construction of a cellular tower in our midst for several reasons as follows:

(1) Too High of a Risk to Our Health

Many studies have been conducted to determine if cellular tower radiation poses a significant risk to humans and animals alike. Most of the conclusions reached are inconclusive while others point to its dangers to life and health.

In its Technology News report of April 12, 2017, the World Health Organization (WHO) stated on page two (**attachment #1**) that “long-term exposure to mobile phones and cell tower radiation – an average of 30 minutes per day for a decade – increases the risk of brain cancer.” It adds that “WHO has also classified EMF (electromagnetic frequencies-FG) radiation from mobiles, mobile towers and wi-fi as category 2(B), or possibly carcinogenic.”

In addition, it reported that a professor at IIT Bombay and one of the advocates of cell phone towers’ health hazards, had told the Hindustan Times, “Being exposed to a mobile tower located within 50 meters of your home or workplace is like being in a microwave oven for 24 hours.” Can you imagine the peril these cell towers cause to our health?

In the Workers Health & Safety Centre June 2, 2016 report, it mentioned that “exposure to RF (radiofrequency energy-FG) radiation can result in the heating of tissue, the ‘thermal’ effect, which can cause damage in humans.” See **attachment #2**. It also reported on April 6, 2018 (**attachment #3**) that “a new study, billed as the largest of its kind, has shown that

radiofrequency radiation (RFR) emitted from cell towers increases cancer rates in rats.” It mentioned that “governments need to strengthen regulations to protect the public from these harmful non-thermal exposures.”

All the neighbors to be affected by erecting and operating the proposed cell tower, me included, believe that their health will be placed at risk and that is simply unacceptable. We are all in favor of having better services and welcome companies who bring such services, but not at the expense of our health or our family’s. We recognize that other industries pose risk to life and health, such as the gas and oil industry, but such risks are well known and controlled posing minimum danger. However, this is not the case with the cell towers and the radiation they constantly emit. Many of the aforementioned studies regarding the radiation danger those cell towers pose to people and animals are inconclusive. More studies and time is needed to determine if there is truly a danger or not. According to the experts, it cannot be said at this time with any certainty that it poses a danger to humans, but neither can it be said that it does not. Therefore, we need to wait to install cell towers in residential areas until more conclusive evidence is attained to be certain its risks and peril to human and animal life is minimal or none.

(2) Real Estate Property Values Will Undoubtedly Decrease

The neighbors are also concerned that, if a cell tower is erected in our residential neighborhood, our property values will decline. This concern is a valid one according to a very well-respected Real Estate Agent and Broker in Oklahoma City. Please see **attachment #4**. When prospective buyers see a cell tower where they are considering purchasing real estate property, they automatically become apprehensive in continuing to consider the purchase. Who can blame them? Instinctively, people know cell towers do pose a high risk to their life and health as well as their family’s. After all, perception is reality, is it not?

A Science ABC article (**attachment #5**) said it best, “The notion of whether phone towers pose a health risk has been speculated for decades. The presence of towers and cell phones concerned people even at times when mobile devices were a luxury...The situation today seems to cause even more apprehension...radio towers are planted more often than trees.”

To prevent a decline of property values, it is our position that cell towers should not be constructed in residential areas, certainly not in our residential neighborhood. We suggest those type of towers be constructed somewhere in the country away from residential areas with boosters within the city in specific unoccupied areas as is the case in London U.K. to minimize or eliminate the risk of radiation exposure to humans and animals.

(3) An Eyesore

A cell tower is ugly. There is no other way to describe it. It will destroy our scenery and country-like atmosphere which is the reason many of us purchased here to begin with. No matter how companies try to camouflage them, they are still an unwelcomed sight. Again, as soon as a potential buyer sees the tower, the sale of a property inside our community is shot.

These, in a nutshell, are our reasons why we oppose a cell tower in our community. It is our hope that the City Council will consider our legitimate reasons for opposing the construction of a cellular tower in our community and will not vote to override those concerns expressed by our neighbors. It is our expectation that the City Council will look to protect the health of its citizens, which is much more valuable, rather than profits or convenience.

Should you have any questions or if I can be of any assistance, please do not hesitate to contact the undersigned.

With Much Respect,



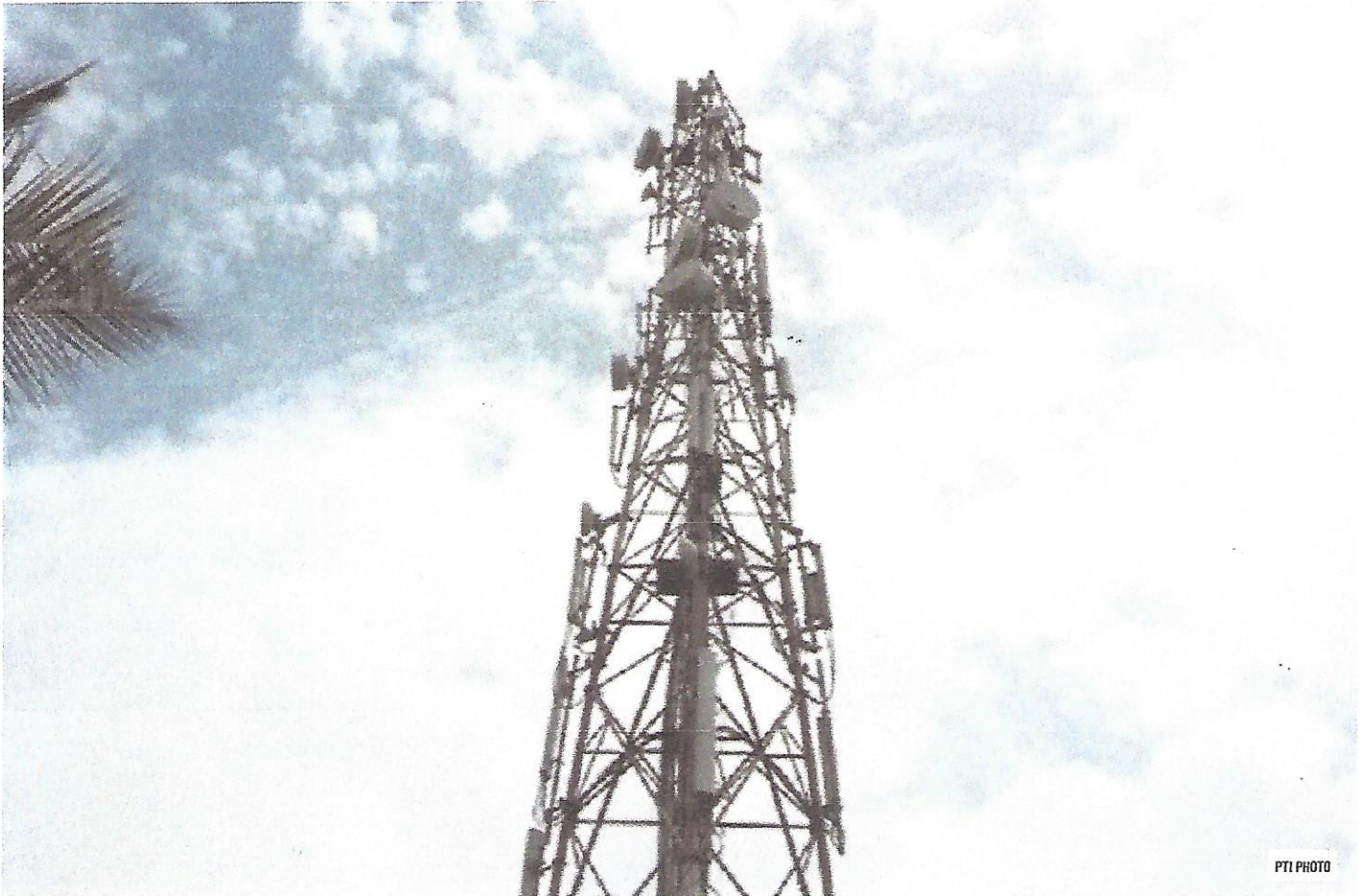
FELIX I. GARCIA
Community Spokesman
9201 E. Cardinal Place
Midwest City, OK 73130
(405) 227-7861
cristianosolo2@yahoo.com

Atch (5)

Cc Matt Dukes, Mayor, Midwest City
Kellie Gilles, Planning Commission Manager

Can radiation from mobile towers cause cancer? The scientific and legal debate continues

The Supreme Court recently ordered deactivation of mobile tower after a cancer-stricken man said the radiation was responsible for his ill health.



PTI PHOTO

NEWS TECHNOLOGY | WEDNESDAY, APRIL 12, 2017 - 19:29

TNM Staff [Follow @thenewsminute](#)



In a landmark ruling, the Supreme Court recently ordered in favour of a man who said that the radiation from a mobile tower had affected his health. According to Dhananjay Mahapatra's report in [TOI](#), Harish Chandra Tiwari has Hodgkin's Lymphoma, a type of cancer, and he claimed that the harmful radiations from a mobile tower near his workplace affected him.

Not only did the court rule in Tiwari's favour, the SC also asked for the tower to be deactivated in a week.

At a time when there is plenty of research about radiation and how it affects the human body - and plenty that counters it - the SC's decision has thrown open the gate yet again for the debate on the health hazards posed by electromagnetic radiation of mobile towers.

While activists and some organisations have registered strong concerns about it, the government has continued to [maintain](#) that low Electro Magnetic Frequency (EMF) from mobile towers does not have adverse health consequences.

The debate

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1 of 3

are harmful to the body and can cause cancer. Non-ionizing radiation on the other hand is a low energy radiation which generates heat. This is the category into which mobile tower radiation falls.



SKIP AD

Over the years, there have been many studies refuting the connection between non-ionizing radiation given out by cell phone towers, and cancer. Oncologists have also said that these radiations are not carcinogenic, but not everyone from the science fraternity agrees.

For instance, Dariusz Leszczynski, a Finnish scientist on WHO's International Agency for Research on Cancer's (IARC) expert committee, said that long-term exposure to mobile phones and cell tower radiation - an average of 30 minutes per day for a decade - increases the risk of brain cancer.

WHO has also classified EMF radiation from mobiles, mobile towers and wi-fi as category 2(B), or possibly carcinogenic.

According to Malini Bhupta's report in Business Standard, the safety standards followed in India are 10 times more stringent than a majority of the world's countries. Mobile handsets emitting over 1.6 watt/kilogram radiation are not allowed in India. This limit is called the Specific Absorption Rate or SAR.

But like Tiwari, other individuals have also alleged that exposure to cell phone towers has had serious health consequences for them.

For instance, a Hindustan Times report from 2012 tells the story of a family in Jaipur. Two of its members were diagnosed with brain cancer, incidentally after three cell phone towers were erected in their neighbourhood.

Girish Kumar, a professor at IIT Bombay and one of the advocates of cell phone towers' health hazards, had told HT then, "Being exposed to a mobile tower located within 50m of your home or workplace is like being in a microwave oven for 24 hours."

Legally speaking

Tiwari's case is not the first time that the matter has been taken up by the higher judiciary. Bollywood actor Juhi Chawla has been campaigning for a more stringent mobile tower policy for many years now. She and activist Prakash Munshi filed a PII in the Bombay High Court in 2015 regarding increasing radiation levels as well as illegal towers across the country.

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the Rajasthan High Court had held mobile towers as a health hazard, and asked operators in the state to remove towers in close proximity of hospitals, schools, colleges and playgrounds, or relocate them.

The matter moved to the Supreme Court where telecom operators challenged the Rajasthan High Court's order. Speaking to Kalyan Parbat and Gulveen Aulakh for Economic Times, a spokesperson for the World Health Organisation (WHO) said in the regard that while the electromagnetic fields produced by mobile phones had been classified as "possibly carcinogenic", there was no conclusive evidence to prove adverse health effects.

He conceded however that "lack of data on the impact of prolonged mobile phone use in excess of 15 years warrants further research."

The Supreme Court ultimately upheld the Rajasthan High Court's decision in June 2013.

However, concerns about the radiation from mobile phones and towers continued to be raised in the following years as well. Just last year, the apex court heard a "batch of appeals from various High Courts relating to erection of mobile towers in towns and cities."

Counsel Prashant Bhushan had submitted that in cities like London, there were no cell phone towers - they were erected outside the city and boosters were used in the city. This wasn't being done in India.

The CJI, one of the judges hearing the case, observed that a retired judge had said in his book that he used mobile phones for long hours, which could have been one of the reasons behind his cancer and subsequent death. However, the CJI also said that unless the lawyer could submit scientific proof about harmful effects of radiation from the mobile towers, the court could not pass an order against them.

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This auto-driver and his wife are struggling to save their daughter's life, and you can help them

While Pouviarassy and Venkatesan have waited over a decade for their daughter's health to improve, pouring money into various treatments, Aarthi's worsening condition has left them deeply dejected.

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Workers Health & Safety Centre

U.S. researchers release landmark study on cell phones and cancer

Submitted to
staff by Felix
Garcia
10/15/2020

June 02, 2016 WHSC, Training, Legislation, Statistics and Trends, Work hazards, Prevention, Vulnerable Workers

[Go to News Index](#) ▶



The U.S. National Toxicology Program has released partial results of a new animal study which finds cell phone radiation poses an increased risk for certain cancers.

The \$25 million [study](#), the most expensive in the NTP's history, **may be a turning point** in a decades-old debate about the possible link between cell phones and cancer. As reported by [Microwave News](#), the study may also set a new standard for research on the topic. Until now, the research produced conflicting results and often failed to assess long-term health effects like cancer.

Increased risk of brain and heart tumours

Communication devices such as cell phones operate on **radiofrequency (RF) energy**, a type of non-ionizing radiation, consisting of electric and magnetic fields. Worker and public exposure to RF radiation can also include wireless internet (WiFi), broadcast towers, MRI machines, radar guns, and heating equipment such as induction heaters and microwave ovens.

Exposure to RF radiation can result in the heating of tissue, the **"thermal" effect, which can cause damage in humans**. Much of the current research and existing exposure levels are designed to address this health risk.

The comprehensive NTP animal study, underway for 10 years, not only controls for the thermal effect but assesses longer term exposure. Researchers exposed rats and mice to two types of cell phone radiation at three different exposure levels, in 10-minute on and off increments, for nine hours a day from birth to two years of age. While no effect was observed among the mice, the exposed male rats experienced **higher rates of two types of cancer, glioma (a type of brain cancer) and a rare malignant schwannoma of the heart**. None of the unexposed rats developed either cancer.

Importantly, the authors note, the increased incidence of brain and heart tumors, "are of a type **similar to tumors observed in some epidemiology (human) studies** of cell phone use." The NTP research supports earlier work by the International Agency for Research on Cancer. In 2011, IARC evaluated and classified radiofrequency electromagnetic fields as [possibly carcinogenic to humans](#) based upon evidence of increased risk for glioma linked to cell phone use.

Regulating the hazard

The complete NTP study will be available by the end of 2017 however these partial results have **significant implications for worker and public health**. The findings will be reviewed by the Food and Drug Administration and the Federal Communications Commission, both of which regulate cell phone radiation exposure in the U.S.

The **new data could also result in changes to Canadian guidelines**. Health Canada's [Safety Code 6](#) (Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz) sets out human exposure limits to RF radiation. The Ontario Ministry of Labour adopts and uses this guideline.

Last year, as part of a regular review of Safety Code 6, a [federal government standing committee report](#) warned about the **health impacts of wireless technology** and argued for more protective exposure guideline.

Other related resources:

atch#2
1 of 2

Download the NTP study [press release](#).

[National Toxicology Program cell phone research](#)

[Fact Sheet – What is Safety Code 6?](#)

[CAREX Canada Radiofrequency Radiation exposure profile](#)

WHSC offers a range of [training programs](#), including one on EMF's and Dirty Electricity, and [resources](#) to help workplace parties understand their legal duties and responsibilities related to workplace hazards. Many of these resources also offer essential insight into the information and tools needed to eliminate or reduce harmful workplace and environmental exposures.

To learn more:

Call: 1-888-869-7950 and ask to speak with a training services representative

Visit: www.whsc.on.ca

Email: contactus@whsc.on.ca

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2 of 2

Workers Health & Safety Centre

Submitted to staff by
Felix Garcia
10/15/2020

Cell tower radiation linked with cancer in new study

April 06, 2018 Statistics and Trends, Work hazards, Prevention

[Go to News Index](#) ▶



Is your workplace or home located near a cell tower? There may be reason for concern.

A new study, billed as the largest of its kind, has shown that radiofrequency radiation (RFR) emitted from cell towers increases cancer rates in rats.

The finding has the potential to shatter Health Canada's radiofrequency exposure guidelines outlined in Safety Code 6.

"...a person can legally be exposed to this level of radiation," says Ronald Melnick, senior science advisor with the Environmental Health Trust. "Yet cancers occurred in these animals at these legally

permitted levels.

"Governments need to strengthen regulations to protect the public from these harmful non-thermal exposures," adds Melnick.

Map: [See how close you are to a cell tower](#)

[U.S. researchers release landmark study on cell phones and cancer](#)

The Ramazzini Institute study found a significant increase in the incidence of Schwannoma, a rare and highly malignant form of cancer, in the hearts of male rats exposed to the highest level of RFR. It also found increases in malignant brain tumors in female rats and precancerous conditions in both male and female rats.

In the landmark study, rats were exposed to "environmental" cell tower radiation for 19 hours per day, from prenatal life until natural death, reproducing the exposure generated by a 1.8 GHz cellphone radio base station antenna at a strength of 50 volts per metre.

This is significantly lower than what's currently considered safe in Canada.

Health Canada's Safety Code 6 currently allows for exposure in the frequency range of 3 kHz to 300 GHz. At 1.8 GHz, the code allows for 137 volts per metre in workplaces – significantly higher than the electric field strength in the study.

The Ontario Ministry of Labour uses this same guideline.

Recent studies on cell phone radiation by the U.S. National Toxicology Program came to similar findings: male rats treated at the highest dose of RFR developed the same unusual cancer.

On the basis of these studies and now reinforced by the Ramazzini Institute study, researchers are also calling for the International Agency for Research on Cancer (IARC) to reclassify RFR. In 2011, IARC classified it as possibly carcinogenic to humans.

The strength of radiofrequency fields is greatest at its source, and diminishes quickly with distance, according to the World Health Organization (WHO). In other words, the closer you are to an antenna, the more radiofrequency radiation

you are exposed to.

“Typical values inside of buildings at distances up to 200 metres from base station sites are in the range of 0.1 - 1 (volts per metre),” according to a [WHO report on base station exposure](#).

WHSC offers a wide range of training programs, including EMF's and Dirty Electricity, as well as resources to help workplace parties understand their legal rights and responsibilities related to workplace hazards. Many of these resources also offer essential insight into the information and tools needed to eliminate or reduce harmful workplace and environmental carcinogens.

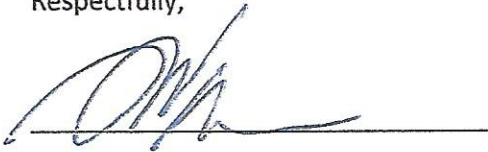
atch #3
2 of 2

October 07, 2020

To whom it may concern,

I have been a licensed real estate agent in the state of Oklahoma since 1986 and a licensed broker since 2006 License #80415. I have been asked to give my opinion as it is related to my experience with the value of real estate close to cell phone towers. Any time a home goes on the market for sale in close proximity to any type of electrical tower it has a direct impact on the level of interest in that home. When I go on line and research the potential impact of any type of electrical tower, including cell phone, the data is mixed and inconclusive. I anticipate most buyers will do the same type of research. In absence of a clear data supporting the safety, I believe most people would conclude the possibility of it being unsafe therefor dissuading them from pursuing the purchase. That being said, there is a saying in real estate "anything will sell at the right price". If one of my clients asked me for a pricing recommendation and their home was in close proximity to a cell phone tower, I would advise them to price their home well below the competition. I would suggest anywhere from 10%-20% below where similar homes have sold that were not subject to the influence of a cell phone tower. I hope my opinion is helpful. If I can be of further assistance please let me know.

Respectfully,



Gordon Watson Broker/Owner for Hamilwood Realty



atch #4



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2021

Subject: (PC – 2065) Discussion and consideration of approval of the Final Plat of Ryans Ridge, described as a part of the SW/4 of Section 6, T11N, R1W, addressed as 10332 S.E. 10th Street.

Executive Summary: This is a request to approve a final plat to subdivide a single parcel into fourteen (14) individual parcels for single family residential development. The preliminary plat was approved in November of 2019. All public improvements required with the preliminary plat have been installed. The applicant has provided a sidewalk plan and added a note on the plat and covenants stating that sidewalks will be installed with each lot prior to issuance of a Certificate of Occupancy. The applicant has also provided staff a copy of the covenants that will govern the development of this addition. The City

Attorney has reviewed the HOA covenants per the Subdivision Regulations. Her checklist is included with this agenda item. Action is at the discretion of the City Council.



Dates of Hearing:
Planning Commission –
January 5, 2021
City Council – January 26,
2021

Council Ward: Ward 6,
Rick Favors

Owner/Applicant: Kevin
Ergebenbright

Engineer: Aaron Hale, P.E., Engineered by Design

Proposed Use: Fourteen (14) single family residential lots

Proposed Use: Fourteen (14) single family residential lots

Size:

The area of request has a frontage along SE 10th Street of approximately 317.02 ft. and frontage along SE 12th Street of approximately 317.02 ft. and contains an area of approximately 191,553 square feet or 4.40 acres.

Zoning Districts:

Area of Request – R-6, Single Family Detached Residential
North, South, East and West – R-6, Single Family Detached Residential

Municipal Code Citation:

38-19 *Final Plat*

38-18.1. *Purpose*

The purpose of a Final Plat is to ensure consistency with standards of the Subdivision Ordinance pertaining to the adequacy of public facilities, provide for public improvements to serve the subdivision and that all other requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded.

History:

1. This area has been zoned single-family residential since the adoption of the 1985 zoning code.
2. Ryans Ridge Preliminary Plat was approved November 26, 2019.
3. Planning Commission recommended approval of this final plat January 5, 2021.

Staff Comments:

Engineer's Comments:

Note: This application is for a final plat of the Ryan's Ridge located between SE 10th Street and SE 12th Street just west of Avery Avenue.

Public Improvements

The requirements of the public improvements can be found in the subdivision regulations under:

Sec. 38-30.1. Completion prior to final plat approval and recordation.

(a) Construction required prior to final plat approval and recordation. Completion of all required public improvements, in accordance with the approved preliminary plat and the approved construction plans, shall occur prior to final plat approval and recordation.

(b) Final plat shall not be accepted. A final plat shall not be accepted for filing, nor shall it be considered for approval, prior to completion of all required public improvements.

Upon application of final plat, this office reviewed all the public improvements for compliance with the subdivision regulations.

Water

Water line improvements were permitted through this office and Oklahoma Department of Environmental Quality (ODEQ). Construction of the improvements were inspected by the Construction Inspector and completed October of 2020.

Sanitary Sewer

Sanitary Sewer improvements were permitted through this office and Oklahoma Department of Environmental Quality (ODEQ). Construction of the improvements were inspected by the Construction Inspector and completed October of 2020.

Stormwater

Stormwater improvements were permitted through this office. Construction of the improvements were inspected by the Construction Inspector and completed October of 2020.

Street

Ryan Ridge Court and associated improvements along SE 10th Street were permitted through this office. Construction of the improvements were inspected by the Construction Inspector and completed November of 2020.

Sidewalk

At the preliminary plat hearing, City Council waived the requirement for the developer to install sidewalks along SE 10th Street and SE 12th Street. The only sidewalks which were required are to be along both sides of Ryan Ridge Court with a ramp on the northern end. Engineering plans have been reviewed but the developer wants to construct the sidewalks as part of the houses. At the Planning Commission on January 5, 2021 the motion was made to allow the developer to proceed subject to an approved Sidewalk Plan stating exactly where and whose responsibility it would be to complete. Additionally, a note on the plat stating sidewalk to be built prior to certificate of occupancy. Both of these were supplied by the developer in a satisfactory manner.

Easements

Subdivision Regulations requires that all existing, dedicated, and proposed rights-of-way and easements are depicted on the final plat. As required, these are reflected on the final plat.

Lighting

lighting is not a capital expense to the City, the developer should not be held to OG&E's timeline. This requirement has been satisfied by the developer's formal request to OG&E.

Signage

Public signage is required for this development at the intersection of Ryan Ridge Court / SE 10th Street. The developer has supplied the required signing to the City's specifications.

Record Drawings, Lien Release, and Bonding

Record drawings have been submitted to the city and filed accordingly. Bonds were provided for all the public infrastructure and a lien release has been received.



Looking north at intersection of Ryan Ridge Court / S.E. 10th Street. Stop sign and streets signs installed. Provision for future sidewalk ramps in curb line



Looking south along Ryan Ridge Court



Cul-de-sac of Ryan Ridge Court, looking at inlet which flow into detention pond



Detention pond of Ryans Ridge with paved trickle channel and weir outflow structure



Area where sewer crossed undeveloped natural drainage



Backside of detention pond. On the right is the weir outflow structure, to the left a sanitary sewer manhole



Outfall of the detention pond looking downstream of undeveloped natural drainage



Looking north along west boundary of detention pond



Looking north along west boundary showing inlet installed to get water into detention pond



Looking north along west boundary showing upper inlet to get water into detention pond



Looking west along S.E. 10th Street



Looking east along S.E. 10th Street



Looking west along S.E. 12th Street, fire hydrant in foreground was installed by developer.

Fire Marshal's Comments:

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Plan Review Comments:

This is a request to subdivide one (1) existing 4.40-acre tract into fourteen (14) individual parcels. The parcels are intended for single family residential development.

Construction must meet all requirements of the Zoning Ordinance, including:

- At least 35% of the dwelling units within the development must adhere to section 5.15 of the Zoning Ordinance pertaining to single-family driveways and garages. This requirement only applies to lots under 10,000 square feet in area. This proposed subdivision contains eight (8) lots over 10,000 square feet and six (6) lots under 10,000 square feet. 35% of six (6) lots is 2.1 which means that a minimum of two (2) homes must have J-drives, garages setback 15' behind the front building line or detached garages in the rear.
- The exterior of each home must be constructed of a minimum of 85% masonry materials, 100% facing the street
- 25' front setback, 20' rear setback, 7' side setbacks
- 40% maximum building coverage
- Minimum 5:12 roof pitch
- Two (2) trees in each front yard prior to issuance of a Certificate of Occupancy

As noted in the preliminary plat report, the Park Land Review Committee voted to approve the request by the applicant to pay a fee in lieu of a park land dedication. Staff and the applicant agreed upon a value of the land which was used to calculate the required fee of \$2,765.21. The applicant submitted this fee with this final plat application and the fee was deposited into the park fund per ordinance.

The Ryans Ridge Final Plat as submitted is consistent with the approved preliminary plat. Action is at the discretion of the Planning Commission and City Council.

Action Required: Approve or reject the Ryans Ridge Final Plat located on the property as noted herein, subject to the staff comments and found in the January 26, 2021 agenda packet and made a part of PC- 2065 file.



Billy Harless, AICP
Community Development Director

KG

The City of
MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Brandon Bundy, City Engineer

Date: January 11th, 2021

Subject: Engineering staff comments for pc-2065 final plat application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2065:

Note: This application is for a final plat of the Ryan's Ridge located between SE 10th Street and SE 12th Street just west of Avery Avenue.

Public Improvements

The requirements of the public improvements can be found in the subdivision regulations under:
Sec. 38-30.1. Completion prior to final plat approval and recordation.

(a) Construction required prior to final plat approval and recordation. Completion of all required public improvements, in accordance with the approved preliminary plat and the approved construction plans, shall occur prior to final plat approval and recordation.

(b) Final plat shall not be accepted. A final plat shall not be accepted for filing, nor shall it be considered for approval, prior to completion of all required public improvements.

Upon application of final plat, this office reviewed all the public improvements for compliance with the subdivision regulations.

Water

Water line improvements were permitted through this office and Oklahoma Department of Environmental Quality (ODEQ). Construction of the improvements were inspected by the Construction Inspector and completed October of 2020.

Sanitary Sewer

Sanitary Sewer improvements were permitted through this office and Oklahoma Department of Environmental Quality (ODEQ). Construction of the improvements were inspected by the Construction Inspector and completed October of 2020.

Stormwater

Stormwater improvements were permitted through this office. Construction of the improvements were inspected by the Construction Inspector and completed October of 2020.

Street

Ryan Ridge Court and associated improvements along SE 10th Street were permitted through this office. Construction of the improvements were inspected by the Construction Inspector and completed November of 2020.

Sidewalk

At the preliminary plat hearing, City Council waived the requirement for the developer to install sidewalks along SE 10th Street and SE 12th Street. The only sidewalks which were required are to be along both sides of Ryan Ridge Court with a ramp on the northern end. Engineering plans have been reviewed but the developer wants to construct the sidewalks as part of the houses. At the Planning Commission on January 5, 2021 the motion was made to allow the developer to proceed subject to an approved Sidewalk Plan stating exactly where and whose responsibility it would be to complete. Additionally, a note on the plat stating sidewalk to be built prior to certificate of occupancy. Both of these were supplied by the developer in a satisfactory manner.

Easements

Subdivision Regulations requires that all existing, dedicated, and proposed rights-of-way and easements are depicted on the final plat. As required, these are reflected on the final plat.

Lighting

Public street lighting is required as part of this development in two locations: at the intersection of Ryan Ridge Court / SE 10th Street and the cul-de-sac of Ryan Ridge Court. The developer has contacted OG&E which supplies the lighting for Midwest City. The lighting has not been installed as of this memo. Because the lighting is not a capital expense to the City, the developer should not be held to OG&E's timeline. This requirement has been satisfied by the developer's formal request to OG&E.

Signage

Public signage is required for this development at the intersection of Ryan Ridge Court / SE 10th Street. The developer has supplied the required signing to the City's specifications.

Record Drawings, Lien Release, and Bonding

Record drawings have been submitted to the city and filed accordingly. Bonds were provided for all the public infrastructure and a lien release has been received.



Looking north at intersection of Ryan Ridge Court / S.E. 10th Street. Stop sign and streets signs installed. Provision for future sidewalk ramps in curb line



Looking south along Ryan Ridge Court

100 N. Midwest Boulevard, Midwest City, Oklahoma 73110

Engineering Division (405) 739-1220

An Equal Opportunity Employer



Cul-de-sac of Ryan Ridge Court, looking at inlet which flow into detention pond



Detention pond of Ryans Ridge with paved trickle channel and weir outflow structure



Area where sewer crossed undeveloped natural drainage



Backside of detention pond. On the right is the weir outflow structure, to the left a sanitary sewer manhole



Outfall of the detention pond looking downstream of undeveloped natural drainage



Looking north along west boundary of detention pond



Looking north along west boundary showing inlet installed to get water into detention pond



Looking north along west boundary showing upper inlet to get water into detention pond



Looking west along S.E. 10th Street



Looking east along S.E. 10th Street



Looking west along S.E. 12th Street, fire hydrant in foreground was installed by developer.

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That K&E Developments, LLC, hereby certifies that it is the owner of a portion of the land shown on the RYAN'S RIDGE, an addition to The City of Midwest City, Oklahoma County, Oklahoma. That it has caused the same to be surveyed and plotted into lots, blocks, streets and easements, as shown on said annexed plat, which said annexed plat represents a correct survey of all property included, therein, under the name of RYAN'S RIDGE, an addition to The City of Midwest City, Oklahoma County, Oklahoma.

It further certifies that it is the owner of a portion of land included in the above mentioned plat, and it does, hereby, dedicate all streets and easements as shown on said annexed plat to the public for use as public streets, and drainage and utility easements for their heirs, executors, administrators, successors and assigns forever and shall cause the same to be released from all encumbrances so that title is clear.

In witness whereof, the undersigned have caused this instrument to be executed this _____ day of _____, 20____.

O&B Holdings, LLC 12300

Kevin Ergenbricht, MANAGER

STATE OF OKLAHOMA }
COUNTY OF OKLAHOMA } JSS:
Before me, the undersigned Notary Public, in and for said County and State on this _____ day of _____, 20____, personally appeared _____, to me known to be the identical person who subscribed, as _____, and duly acknowledged to me that he executed the same as the free and voluntary act and deed of himself and as the free and voluntary act and deed of said company.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

LAND SURVEYOR'S CERTIFICATE
I, TROY DEE, do hereby certify that I am a REGISTERED PROFESSIONAL LAND SURVEYOR, and that the annexed plat represents a survey made under my direction, and that the monuments noted hereon actually exist and their positions are correctly shown on the _____ day of _____, 20____.

I further certify that said annexed plat complies with Requirements of Senate Bill 377, Section 518 as amended and that this plat of survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors

TROY DEE, P.L.S. 1745

STATE OF OKLAHOMA }
COUNTY OF OKLAHOMA } JSS:
Before me, the undersigned, a Notary Public, in and for said County and State personally appeared TROY DEE, to me known to be the identical person who executed the above instrument and acknowledged to me that she executed the same as her free and voluntary act and deed. Given under my hand and seal this _____ day of _____, 20____.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

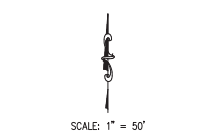
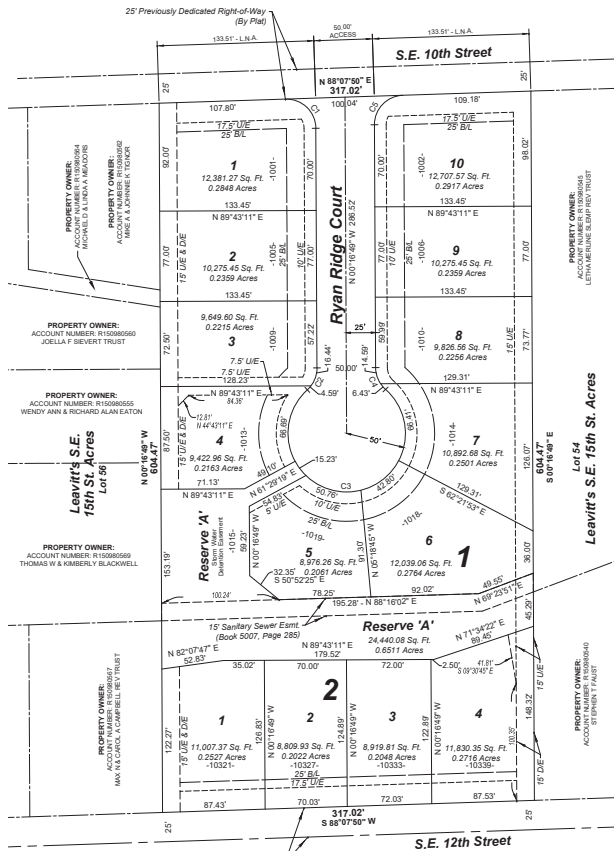
LEGAL DESCRIPTION

All of Lot Fifty-five (55), of LEAVITT'S S.E. 15TH ST. ACRES, a Subdivision of Government Lots Six (6) and Seven (7) and the East Half (1/2) of the Southwest Quarter (SW/4) of Section Six (6), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, according to the recorded plat thereof.

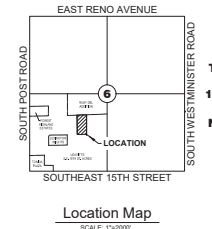
Containing 191,553.05 Sq. Ft. or 4.40 Acres, more or less

Ryan's Ridge

A REPLAT OF LOT FIFTY-FIVE (55), LEAVITT'S S.E. 15TH ST. ACRES, A SUBDIVISION IN THE CITY OF MIDWEST CITY, OKLAHOMA COUNTY, STATE OF OKLAHOMA BEING A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION SIX (6), TOWNSHIP ELEVEN (11) NORTH, RANGE ONE (1) WEST OF THE INDIAN BASE AND MERIDIAN.

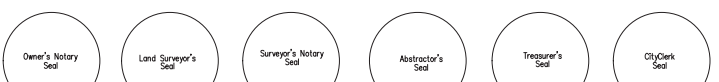


SCALE: 1" = 50'
GRAPHIC SCALE IN FEET
BASIS OF BEARING = North Line Of Lot 55, LEAVITT'S SE 15th St. Acres (N 88°07'50" E)
Per State Plane Grid North



Curve Table

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|--------|---------------|---------------|--------------|
| C1 | 38.96' | 25.00' | 81°18'21.02" | N 48°16'30" W | 35.34' |
| C2 | 21.03' | 25.00' | 48°11'22.87" | N 23°48'53" E | 20.41' |
| C3 | 241.19' | 50.00' | 278°22'45.73" | N 89°43'11" E | 66.67' |
| C4 | 21.03' | 25.00' | 48°11'22.87" | S 24°22'30" E | 20.41' |
| C5 | 38.96' | 25.00' | 88°24'38.77" | S 43°58'30" W | 34.88' |



All sidewalk shall be built according to the City approved sidewalk plan following the latest ADA regulations and Midwest City standards for sidewalks. This includes grades, width, construction, and separation for any utility encumbrances. The sidewalk shall be constructed across the entire frontage and in such a way as to allow future connection with neighboring lots. Sidewalks shall be complete, inspected, and approved prior to issuance of a Certification of Occupancy.

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles, in and for Oklahoma County, State of Oklahoma, hereby certifies that the records of said county show that the title to the land on this annexed plat is vested as shown hereon, and that there are no actions pending or judgments of any nature in any court or on file with the Clerk of any court in said county and state against said land, or the owner thereof, and that the taxes are paid for the year 20____ and prior years, that there are no outstanding tax sales certificates against said land, and no tax deeds are issued to any person, that there are no liens, mortgages, or other encumbrances of any kind against the land included in the annexed plat, except mortgages, mineral rights, water rights, and easements of record previously reserved, excepted or granted.

In witness whereof, said bonded abstractor has caused this instrument to be executed this _____ day of _____, 20____.

Abstract Company

Secretary _____
Title _____

ACCEPTANCE OF DEDICATION BY THE CITY COUNCIL

Be it resolved by the council of the City of Midwest City, Oklahoma, that the dedications shown on the annexed plat are hereby accepted. Adopted by the Council of City of Midwest City, Oklahoma on this _____ day of _____, 20____.

ATTEST:

CITY CLERK

MAYOR

COUNTY TREASURER'S CERTIFICATE

I, _____, do hereby certify that I am the duly elected, qualified and acting County Treasurer of the City of Midwest City, State of Oklahoma, that the tax records of said county show all taxes are paid for the year 20____ and prior years on the land shown on the annexed plat.

In witness whereof, said county treasurer has caused this instrument to be executed at the City of Midwest City, Oklahoma, this _____ day of _____, 20____.

COUNTY TREASURER

CERTIFICATE OF CITY CLERK

I, _____, City Clerk of the City of Midwest City, County of Oklahoma, State of Oklahoma, hereby certify that I have examined the records of said city and find that all delinquent payments or unreturned installments upon special assessments have been paid in full and that there is no special assessment procedure now pending against the land shown on the annexed plat on this _____ day of _____, 20____.

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the Council of the City of Midwest City, Oklahoma, that the dedications shown on the annexed plat, an addition to the City of Midwest City, Oklahoma is hereby accepted. Adopted by the Council of the City of Midwest City, Oklahoma this _____ day of _____, 20____.

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

CITY PLANNING COMMISSION APPROVAL

I, _____, Chairman of the City Planning Commission for the City of Midwest City, County of Oklahoma, State of Oklahoma, hereby certify that the said commission duly approved the annexed plat on this _____ day of _____, 20____.

CHAIRMAN

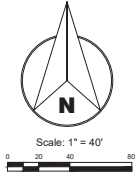
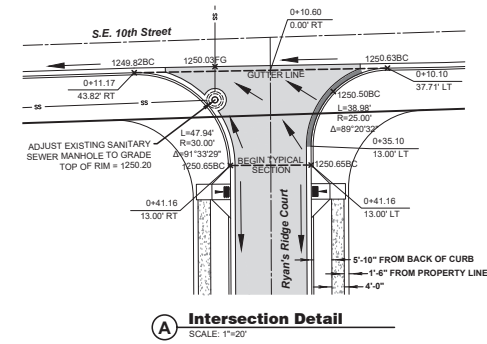
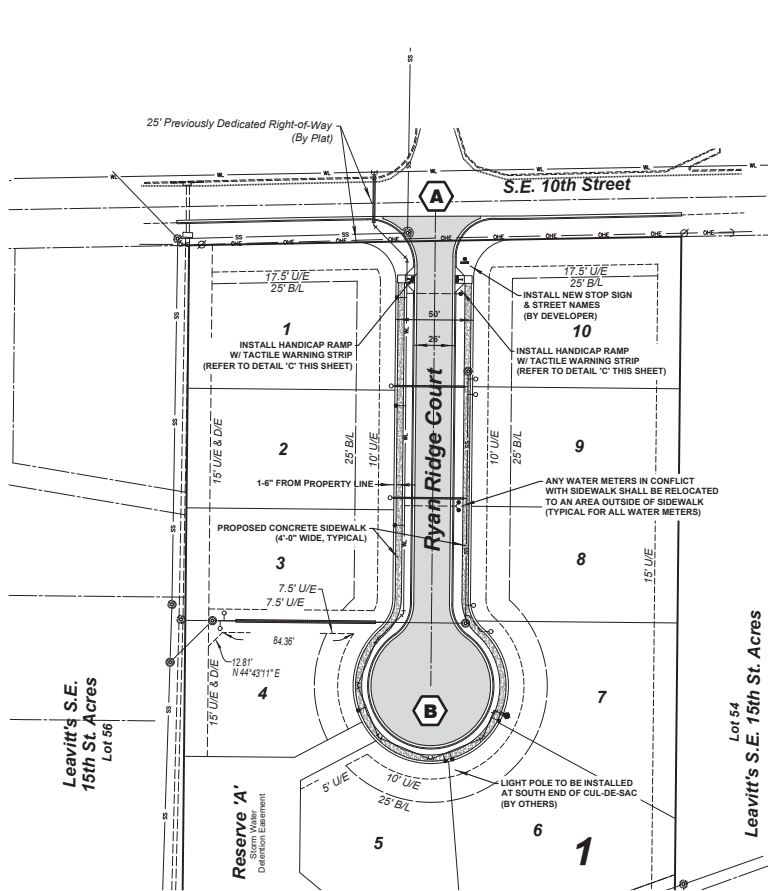
NOTES

1. THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, AND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF TITLE 11 SECTION 41-108 OF THE OKLAHOMA STATE STATUTES.
2. CENTERLINE OF RIGHT-OF-WAY MONUMENTS SHALL BE AS FOLLOWS:
MAGNETIC NAIL WITH WASHER STAMPED "GOLDEN CA7263"
3. PROPERTY CORNER MONUMENTS SHALL BE:
1/2" IRON ROD WITH A PLASTIC CAP STAMPED "GOLDEN CA7263"

Engineer
ENGINEERED BY DESIGN, PLLC
P.O. BOX 15667
DEL. CITY, OKLAHOMA 73155
PHONE: (405) 234-0880
ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2022

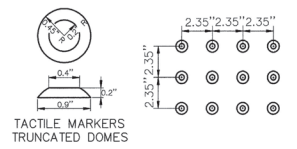
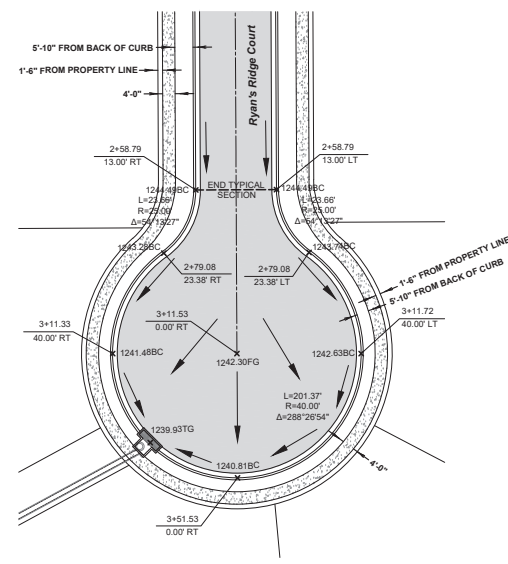
AMENDED PLAT

Golden Land Surveying
7304 N.W. 164th St., Edmond, Oklahoma 73013
C.A.# 7263 / Exp. Date = 6/30/2022
Telephone: (405) 852-7881 Job No. 200403
troy@goldens.com



Sheet Legend

| | |
|------------|------------------------------------|
| --- | CONSTRUCTION REFERENCE LINE |
| 775.00TC | TOP OF CURB ELEVATION |
| 774.50FG | FINISHED GRADE ELEVATION |
| 774.25EBC | EXISTING BOTTOM OF CURB ELEVATION |
| 774.10EXTP | EXISTING TOP OF PAVEMENT ELEVATION |
| → | FLOW DIRECTION |



C Tactile Warning Details
SCALE: NONE

TACTILE WARNING DETAILS INSTALLATION NOTES

THE TRUNCATED DOME SURFACE SHALL CONTRAST VISUALLY WITH THE ADJOINING WALKING SURFACES.

THE TRUNCATED DOMES SHALL BE:

- PRE-CAST CONCRETE PANELS WITH A NOMINAL THICKNESS OF 7/8 INCH TO 2 INCHES, AND A MINIMUM SIZE OF 12" X 16". THEY SHALL BE CONSTRUCTED WITH A MINIMUM OF 4000 PSI CONCRETE. THEY SHALL BE YELLOW IN COLOR AND MEET ALL ADA REQUIREMENTS FOR COLOR CONTRAST AND DIMENSIONS
- OR
- FLANGED CAST IN PLACE GLASS AND CARBON REINFORCED COMPOSITE PANEL AS MANUFACTURED BY ADA SOLUTIONS
- OR
- DUCTILE IRON
- OR
- CAST IRON

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN.
ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF MIDWEST CITY ENGINEERING STANDARD SPECIFICATIONS, INCLUDING O.D.T. 2009 EDITION AND APPLICABLE SUPPLEMENTS.

- SIDEWALK CONSTRUCTION NOTES**
- All construction and materials shall be in accordance with the "Standard Specifications for Construction of Public Improvements" Midwest City, Oklahoma and shall be under the supervision of the development services department.
 - Unless otherwise specified, the Contractor shall be responsible for his own construction staking.
 - Sod shall be placed 18" behind the curb for erosion protection.
 - Each segment of sidewalk (within the boundary of each lot) shall be installed by the contractor associated with the building permit and shall be installed prior to release of occupancy permit.
 - All sidewalk shall be built according to the City approved sidewalk plan following the latest ADA regulations and Midwest City standards for sidewalks. This includes grades, width, construction, and separation for any utility appurtenances. The sidewalk shall be constructed across the entire frontage and in such a way as to allow future connection with neighboring lots. Sidewalks shall be complete, inspected, and approved prior to issuance of a Certification of Occupancy.

CONSULTANTS

ENGINEERED BY DESIGN

Engineered by Design, PLLC
P.O. Box 15567 Del City, OK 73155
Ph: 405-234-8980
CA# 7655 - Expires 6/30/2022

Select design

DEVELOPMENT ANALYSIS
PROJECT MANAGEMENT
DRAFTING & DESIGN

P.O. Box 548
Bixby, Oklahoma 74008
Phone: (918) 798-6356

PROJECT NAME

Ryan's Ridge
Residential Subdivision

Midwest City, Oklahoma
Project No. 2095

SEAL

REVISIONS

ISSUE DATE 1/8/2021

SCALE 1"=40'

SHEET NAME SIDEWALK PLAN

SHEET NO. C11



The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 ENGINEERING DIVISION

Applicant: Ryan's Ridge
 Phone Number: _____
 Address: Section 16, T11N, R1W

Final Plat Requirements/Checklist - Engineering

The final plat shall be accompanied by a statement signed by the registered engineer preparing the plat that he has, to the best of his ability, designed the subdivision in accordance with the latest subdivision regulations and in accordance with the ordinances and regulations governing the subdivision of land.

| 38-19 | Items to accompany the Final Plat | |
|--|---|----|
| 38-19.4 38-19.9(a)(1) | The final plat and all accompanying data shall conform to the approved preliminary plat or as the preliminary plat may have been subsequently amended. See section 38-18.10 for amending preliminary plat following approval. | BB |
| 38-19.9(a)(2) | All conditions imposed at the time of approval of the preliminary plat, as applicable, have been satisfied. | BB |
| 38-19.9(a)(3) | The construction plans conform to the requirements of section 38-27 and have been approved by the city engineer. | BB |
| 38-19.9(a)(4) | Where public improvements have been installed, the improvements conform to the approved construction plans and have been approved for acceptance by the city engineer. | BB |
| 38-19.9(a)(5) | The final layout of the subdivision or development meets all standards for adequacy of public facilities contained in this Subdivision Ordinance. | BB |
| 38-19.9(a)(6) | The final plat conforms to design requirements and construction standards as set forth in the Engineering Standards Manual and construction details. | BB |
| 38-19.9(a)(7) | The final plat conforms to the director of community development's subdivision application checklist, which will include a site development plan. | BB |
| 38-19.5(a)(1) 38-31.4(b) | A final inspection has been done after the completion of all improvements. | BB |
| 38-19.5(a)(1) 38-31.4(c) | Letter of final acceptance from City Engineer notifying the applicant of the city's intended acceptance contingent on the approval of the final plat. | BB |
| 38-19.5(b) 38-65.151 | Record drawings (as-builts) of all installed or constructed improvements of a development. | BB |
| Administrative 38-19.9(a)(7) 38-19.10(a)(2)(c) | A digital copy of the as-builts | BB |
| 38-19.5(c) 38-31.6 | Maintenance bond as required by City Engineer (10% of improvement cost, 1 year for utilities, 2 years for drainage, 5 years for streets and drainage under streets) | BB |
| 38-19 | Final Plat | BB |
| Administrative 38-19.9(a)(7) 38-19.10(a)(2)(c) | A digital copy of the final plat | BB |
| Administrative 38-19.9(a)(7) | North arrow, scale, date, and site location map | BB |



The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 ENGINEERING DIVISION

| | | |
|---|--|--|
| Administrative 38-19.9(a)(7) | The total number of lots | BB |
| Administrative 38-19.9(a)(7) | The total area of development | BB |
| Administrative 38-19.9(a)(7) | The location of proposed lots, areas in Acres and Square Feet, and dimensions. | BB |
| Administrative 38-19.9(a)(7) | The location of property lines, existing and proposed easements, and retaining wall easements | BB |
| Administrative 38-19.9(a)(7) | The location, width, and name of all existing or platted streets or other public ways (i.e. railroad and state-owned) within or immediately adjacent to the tract. | BB |
| Administrative 38-19.9(a)(7) | The legal metes and bounds of the property being developed. | BB |
| Administrative 38-19.9(a)(7) | The street layout and right of ways including bike trails, horse trails, or other supplementary movement systems. | BB |
| 38-19.9(a)(7) 38-45.4(c) | All existing arterial streets and such collector and local streets as may be necessary for convenience of traffic circulation and emergency ingress and egress. | BB |
| | Street signs have been installed. | BB |
| | Street lights have been installed. | Proof that the process has been started by OG&E but not complete |
| Engineering Comments and Recommendations: | | |
| Associated Departments (Fire, Stormwater, and Utilities) Comments and Recommendations: | | |



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC - 2065

Date: 09 December 2020

PC-2065 is the final plat for Ryan's Ridge between SE 10th and SE 12th. The preliminary plat was approved in November 2019 under PC 2032. The required public improvements have been installed and accepted or bonded. I've attached the plat.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Helmberger".

Duane Helmberger
Fire Marshal
Midwest City Fire Department

The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.



City Attorney

100 N. Midwest Boulevard
Midwest City, OK 73110
hpoole@midwestcityok.org
Office: 405.739.1203
www.midwestcityok.org

TO: Kellie Gilles
FROM: Heather Poole, City Attorney
Date: January 26, 2021
Subject: Ryan's Ridge Home Owners Association (HOA)

After my initial review of the documents related to the Ryan's Ridge Home Owners Association I provided a memo for the applicant listing areas where the HOA was not in compliance with the City's ordinances. In response the applicant provided proof of the account opened for the HOA, gave assurances that the HOA documents will be filed with the County Clerk after approval by the City, as well as changing the HOA requirements and documents to come into compliance with the City's ordinances. The comments I provided on the original documents and applicants notations is attached as well as my checklist after reviewing the revised HOA documents.

The revised HOA documents indicate compliance with the City's ordinances and the application meets this requirement.

Respectfully,

Heather Poole

Heather Poole, City Attorney



City Attorney Memo

DOCX - 37 KB



THE HOME OWNERS ASSOCIATION DOCUMENTS PROVIDED DO not appear to meet the City's requirements as set out in Section 38-50. Specifically the HOA documents do not address:

- ~~1.~~ A description of amenities for which the HOA is responsible for;
2. Indication that the documents have been filed with the County Clerk and the required copies provided to the Director of Community Development;
- ~~3.~~ Listing of required maintenance for identified amenities for which the HOA is responsible is not included;
- ~~4.~~ No mention of HOA being responsible for liability insurance and local taxes;
- ~~5.~~ The HOA documents indicate that enforcement of HOA covenants can run to City, which is counter to requirements of City ordinance 38-50;
- ~~6.~~ The HOA documents indicate the membership will dictate amount of dues while ordinance requires that dues be set to insure sufficient funds are available for the HOA's obligations;
- ~~7.~~ The requirement that the City approve any amendments to HOA documents was not included;
- ~~8.~~ The required liability clause indemnifying the City for any damages, injuries etc for any of the amenities that are the HOA's responsibility is not included;
9. There was not a written assurance of funds being held in a reserve account for HOA or an accredited cost analysis by City of provided;
- ~~10.~~ The requirement that City can take action for Subdivision violations was not included;
- ~~11.~~ Common space maintenance was not addressed in HOA documents;
- ~~12.~~ The requirement that the HOA cannot be dissolved without prior permission of the City Council is not included;
- ~~13.~~ The documents do not address that City has no obligation to maintain or reconstruct any fencing, or screening walls, landscaping or irrigation systems but that City does have right to access to inspect, though City is not required to do such inspections, and that City has right to require maintenance and repairs to insure such improvements are maintained to City standards;
- ~~14.~~ The HOA documents provided indicate that the individual lots are responsible for any landscaping, walls, fences, and irrigation systems while the ordinance anticipates that HOA's will be responsible for and insure adequate dues and assessments to maintain such improvements.

TO BE FILED AFTER
CITY APPROVAL

TO BE SET UP WED 4/6/21
WILL EMAIL VERIFICATION
THURSDAY.

Open Office

or
in





The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 CURRENT PLANNING DIVISION

Applicant: Ryan's Ridge - Amended HOA
 Phone Number: _____
 Address: _____

Final Plat Requirements/Checklist – Planning

| | | |
|----------------------|---|--|
| 38-48.7(B)(1) | Limits-of-No-Access | |
| 38-48.7(B)(1) | Where access to arterial streets has been limited by the Planning Commission, a "Limits-of-No-Access" note shall be placed on the final plat. | NA |
| 38-49.3(E) | City review and approval of plans for amenities shall be required prior to issuance of a Letter of Final Acceptance for the subdivision improvements. | NA |
| 38-50.3 | HOA Establishment Procedures | |
| 38-50.3(A)(1) | The declaration, covenants and other necessary documents establishing the HOA shall be submitted to the City for review by the City Attorney for conformance with this and other applicable ordinances prior to submission of the final plat and prior to issuance of a Letter of Final Acceptance for the development. | HWP |
| 38-50.3(A)(2) | HOA documents should include descriptions of any amenities, Private Streets, stub streets, thoroughfare screening, 100-year Floodplains or tributaries, and other areas for which the HOA is responsible for maintenance and shall outline the organization of the HOA. | NA |
| 38-50.3(B)(1) | All HOA documents shall be reviewed by the City Attorney prior to recordation of the final plat. | HWP |
| 38-50.3(B)(2) | The Applicant shall reimburse the City for all related legal costs, as established by the City Clerk's Office for review of the HOA documents. | NA - still time only |
| 38-50.3(B)(3) | This reimbursement shall be paid in full prior to recordation of the final plat. | NA |
| 38-50.3(C)(1) | All HOA documents shall be recorded at the County prior to the recordation of the final plat. | all provided assurances to C.D. this would occur |
| 38-50.3(C)(2) | Two copies of the recorded documents shall be submitted to the Director of Community Development for City records within five days following recordation. | " " |
| 38-50.3(D) | An additional phase to an existing subdivision is not required to establish a separate and distinct HOA provided that: | |
| 38-50.3(D)(1) | The existing recorded HOA documents are amended to incorporate the area of the new subdivision phase and to adopt the responsibility of its amenities, Private Streets, 100-year Floodplains and tributaries, thoroughfare screening, and other areas for which the HOA is responsible for maintenance. | NA |
| 38-50.3(D)(2) | The Applicant shall provide a draft of the amended covenants to the City Attorney for review prior to the recordation of the plat. | NA |
| 38-50.5 | General HOA Governance and Requirements – The following shall be set forth in the HOA documents: | |



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| 38-50.5(A)(1) | A statement that membership in the HOA is mandatory for all owners of property within the subdivision; | dup |
| 38-50.5(A)(2) | A listing of all required maintenance responsibilities and, where possible, the lot number(s), legal descriptions, street name(s), etc. as shown on the approved plat for areas to be the responsibility of the HOA; | dup |
| 38-50.5(A)(3) | By-laws related to the governance of the HOA; | dup |
| 38-50.5(A)(4) | Covenants for maintenance assessments, which shall run with the land; | dup |
| 38-50.5(A)(5) | Responsibility for liability insurance and local taxes; | |
| 38-50.5(A)(6) | Statement that the authority for enforcement of HOA rules and regulations is solely the responsibility of the HOA and is not the responsibility of the City; | dup |
| 38-50.5(A)(7) | Authority for the HOA to secure funds from its members sufficient to meet its responsibilities. This authority shall include the ability to collect dues, increase dues, charge special assessments and to place liens against property for failing to pay dues and assessments; | dup v(B) |
| 38-50.5(A)(8) | Provision that no amendment of the HOA documents relating to maintenance of amenities, private streets, 100-year Floodplains or tributaries, thoroughfare screening any other HOA-maintained area or facility, or related reserve funds shall occur without prior City approval; | N.A. |
| 38-50.5(A)(9) | Written release of liability for maintenance to benefit the City, written indemnification of the City outlining that under no circumstances shall the City be liable to the HOA or any property owner or their respective heirs, executors, administrators, devisees, personal representatives, successors or assigns for any damages, injuries (including death) and/or liability resulting from any amenity on the private streets, within or adjacent to any 100-year Floodplain or tributary associated with any thoroughfare screening or common landscaping, or from any other HOA-owned and maintained area or facility; | dup III(A)(3) |
| 38-50.5(A)(10) | Written assurance of funds based on an accredited cost projection analysis within a specific reserve account of the HOA for the maintenance and removal of amenities as determined by the City; | |
| 38-50.5(A)(11) | Written consent giving the City the authority to take the actions for violations as set forth in the Subdivision Code. | dup III(A)(2) |
| 38-50.5(A)(12) | Other city requirements as applicable. | N.A. |
| 38-50.6 | HOA Development Regulations shall comply with the following regulations: | |
| 38-50.6(A) | HOA documents shall not overrule the landscaping or other provisions of the Zoning Ordinance by penalizing or restricting water conserving landscapes, or by requiring landscape materials that do not comply with Zoning landscape requirements; | II(A)+(H) |
| 38-50.6(B)(1) | Where amenities are proposed in conjunction with a development, the Applicant shall comply with the regulations for amenities in the Subdivision Regulations. | dup |

not sure how this amount is determined



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| 38-50.6(B)(2) | All developments that require the provision of common open space shall submit covenants to maintain open space recreational areas and other commonly owned facilities for review with the final plat application. | ALP V(B) |
| 38-50.6(C) | For single-family and two-family residential developments, the 100-year Floodplain may be owned and maintained by and HOA. The final plat shall reflect and the HOA's documents shall provide: | NA |
| 38-50.6(C)(1) | City access for emergency vehicles, equipment and personnel, and for the improvement and maintenance of the 100-year Floodplain in the event they are not being properly maintained and; | NA |
| 38-50.6(C)(2) | The HOA shall reimburse the City for all costs incurred by the City for maintenance. | NA |
| 38-50.6(D)(1) | The HOA shall own and be responsible for the maintenance of Private Streets and appurtenances and shall provide for payment of dues and assessments required to maintain the Private Streets and appurtenances. | NA |
| 38-50.6(D)(2) | The HOA documents shall state that if Private Streets are converted to public streets, the reserve fund shall become the property of the City. | NA |
| 38-50.6(D)(3) | The HOA's documents shall specify the following: | |
| 38-50.6(D)(3)(a) | That the streets within the development are private, that they are owned and maintained by the HOA, and that the City has no obligation to maintain, repair or reconstruct the private streets. | NA |
| 38-50.6(D)(3)(b) | A statement that the City may, but is not obligated to, inspect private streets and require repairs necessary to insure that the same are maintained to City standards. | NA |
| 38-50.6(D)(3)(c) | A statement that the HOA may not be dissolved without prior written consent of the City Council, which consent shall not be withheld by the City if it determines that an adequate reserve fund exists and the streets and alleys are in satisfactory condition as determined by the City. | ALP AA-12 |
| 38-50.6(D)(4) | The HOA's documents shall note that certain City services may not be provided in Private Street developments. | NA |
| 38-50.6(D)(4)(a) | The services that may not be provided include, but are not limited to: police enforcement of traffic and parking ordinances and preparation of accident reports. | NA |
| 38-50.6(D)(5) | The HOA's documents shall contain a provision that requires the HOA to provide unrestricted access to emergency vehicles, utility personnel, the U.S. Postal Service and governmental employees, agents or representatives in the performance of their official duties. All access gates shall be designed and constructed in accordance with emergency access design standards. | NA |
| 38-50.6(E)(1) | The HOA shall own and be responsible for the maintenance of all required screening walls and fences, landscaping, landscape edges and landscape irrigation systems and shall provide for payment of dues and assessments required to maintain such improvements. | ALP III(A)(2)(3) |
| 38-50.6(E)(2) | The HOA documents shall state that the City has no obligation to maintain or reconstruct the screening walls and fences, landscaping, landscape edges and irrigation systems in the event of damage to such improvements. | ALP III(A)(2) |
| 38-50.6(E)(3) | The HOA documents shall state that the City may but is not obligated to inspect screening walls and fences, landscaping, landscape edges and | ALP III(A)(2) |



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| | landscape irrigation systems and that the City may require maintenance and repairs necessary to ensure that such improvements are maintained to City standards. | |
| 38-52.5 | Minimum Park Improvements | |
| 38-52.5(A) | Neighborhood and linear parks shall be improved by the developer prior to a Letter of Final Acceptance being issued by the City. | NA |
| 38-52.7 | Completion of Land Dedication and Improvements | |
| 38-52.7(A) | Park land shall be dedicated to the City concurrently with the filing of an approved Final Plat or Replat. | NA |
| 38-52.7(B) | All improvements, if applicable, shall be completed prior to approval of the Final Plat or Replat. | NA |
| 38-53.7(B) | Tree Mitigation Plan | |
| 38-53.7(l) | Replacement trees shall be planted prior to the approval of a Final Plat and shall be installed using best management practices. | NA |
| | | |
| | | |

Additional Notes:

Ryan's Ridge Homeowners Association Bylaws

Established October 2020

Article 1. Name

The name of the association is Ryan's Ridge Homeowners Association.

Article 2. Purpose

The purpose of the association shall be to promote a better community for homeowners through group action. The Homeowners Association has the responsibility for lawn maintenance of common areas (see Exhibit A) as well as liability insurance and local taxes.

Section 1: Amenities

There are no amenities.

Article 3. Membership

Section 1: Who Can Join:

Any person on becoming an owner of a lot must become a member of this association and is subject to the bylaws.

Section 2: Voting Membership:

Only persons who have paid the annual dues in full may vote on association business.

Section 3: Member in Good Standing:

All persons joining must adhere to the association's regulations and have paid their dues in full to be considered members in good standing.

Article 4. Dues

Section 1: Why Collect Dues:

All members will be asked to pay dues annually. Dues are collected for the sole purpose of carrying out the mission of the association.

Section 2: Amount of Dues:

Dues will be kept as low as possible. The amount of the dues will be determined annually and announced at the annual meeting to be held in April. The Executive Committee will make a recommendation to the members at the meeting as to the amount of the yearly dues which will then be followed by a vote of said members.

Section 3: Payment of Dues:

Annual dues are to be paid within 30 days of the annual meeting.

Article 5. Meetings

Section 1: Time and Place of Meetings:

The association will meet regularly at a time and place that is convenient to members. Members will be notified at least 10 days in advance of this meeting. Meeting dates and times should be consistent and moved or rescheduled as a last resort. When time allows, members will be notified at least 7 days in advance of any canceled meetings.

Section 2. Special or Emergency Meetings:

Special or emergency meetings of the association members may be called by the Executive Committee with a 7 day notice.

Section 3. Committee Meetings:

The executive Committee and/or other committees of the association may meet at other times to conduct business of the association.

Section 4. Nominations:

Nominations for Executive Committee positions will be accepted from the floor of the annual meeting.

Section 5: Annual Meeting:

The association will hold an annual meeting in April of each year. The officers will be elected at the meeting. The amount of the annual dues will be voted on at the meeting. Anyone is allowed to attend this meeting but only members in good standing are allowed to vote. The annual budget will be voted on at the annual meeting and the Audit Committee (see Article 9 Section 5) will make their report.

Article 6. Officers

Section 1: Officers:

The officers shall be President, Secretary, Treasurer, and any other officers agreed upon and voted on by the members.

Section 2: Elections:

These officers will be elected by a majority vote at the annual meeting. A roll call, voice, or secret ballot election may be used. If the officers are not elected at the annual meeting the current officers will hold office until an election can be held. All officers must be members in good standing and are expected to remain current on their dues throughout their term.

Section 3: Term:

The terms for all officers shall be from the first day of May or at the end of the meeting when the elections took place; whichever is the later, until their term expires. The first year of elections the Secretary will serve a 1 year term, the Treasurer will serve a 2 year term, and the President will serve a 3 year term. Subsequent officers will be elected to a 3 year term.

Section 4: Term Limits:

Officers can be elected to their office for 3 consecutive terms. After that time they must sit out for 1 term before running for the same office again.

Section 5: Vacancies:

A vacancy in any office because of death, resignation or otherwise is to be filled by a person suggested by the Executive Committee and voted on by the membership body at an emergency meeting.

Section 6: No officer shall receive compensation for any service he or she may render to the association.

Article 7. Officers Duties

Section 1: President:

The President shall be the principal executive office of the association and shall generally supervise the business and affairs of the association. He or she shall preside over all Executive Committee meeting and shall be considered a nonvoting voluntary member of all other committees. He or she presides over the annual and regularly scheduled meetings of the association. The President may represent the association at other meeting in the community as needed.

Section 2: Secretary:

The Secretary shall keep minutes of all regularly scheduled meetings as well as all Executive Committee meetings. The Secretary shall also be responsible for keeping accurate records of all association business, including but not limited to minutes of the meetings, meeting notices, correspondence, copies of financial records, copies of up to date bylaws, articles of incorporation paperwork, copies of any newsletters, copies of all request for funds generated by the association and any other documents that pertain to the ongoing business of the association. The Secretary will pass this information on o the next Secretary at the end of their term.

Section 3: Treasurer:

The Treasurer shall be responsible for the funds of the association. He or she shall receive and issue receipts for monies due and payable to the association and deposit said money in the name of the association in the financial institution selected by the Executive Committee. The Treasurer will prepare accurate and timely financial reports to be presented to all members at regularly scheduled meetings and Executive Committee meetings. The Treasurer must assure all bank statements and other records are kept filed and safe. The Treasurer is responsible for making sure all residents are aware of the amount of the annual dues. The Treasurer is accountable for all expenditures of the association and must keep records, receipts, and back up for every transaction. Each check of the association will require the signature of two current association officers other than the Treasurer. The Treasurer will sign checks only as a last resort.

Article 8. Executive Committee

Section 1: Executive Committee:

The President, Secretary and Treasurer make up the members of the Executive Committee.

Section 2: Executive Committee Responsibilities:

The Executive Committee will manage the day to day operations of the association. They will be responsible for setting the agenda of the regularly scheduled meets, arranging the annual meeting, establishing secondary committees, and appoint committee chairs. They also will make a recommendation to the association at the annual meeting as to the amount of the yearly dues.

Section 3: Executive Committee Meetings:

Executive Committee should hold meetings regularly scheduled meetings outside of regular association meetings. All Executive Committee meetings shall be an open meeting and anyone may attend. However, only Executive Committee members may vote at these meetings.

Section 4: Executive Committee Quorum:

Two out of three Executive Committee members must be present in order to conduct any business.

Article 9. Committees

Section 1: Standing Committee and Ad Hoc Committees:

The association may utilize Ad Hoc or Standing committees as needed.

Section 2: Committee Chairpersons:

The President will be responsible for assigning a chairperson to these committees as needed.

Section 3: Committee Members:

Committee chairpersons are responsible for assigning members to their respective committees.

Section 4: Architectural Review Committee (ARC):

One of the Ad Hoc committees will be the Architectural Review Committee.

- a. This committee will be made up of 3 members at large. These members will be selected by the President and voted on by the members at a regularly scheduled meeting.
- b. The ARC will accept written requests from any members that wishes to change the outside appearance of their home or lot.
- c. The request for change will need a 30 day notification. The committee will review the request according to the Homeowners Association Certificate, Dedication and Reservations.
- d. If the request is approved the homeowner will be given notification.

Section 5: Audit Committee:

One of the Ad Hoc committees will be an Audit Committee.

- a. This committee will be made up of 3 members at large. These members will be selected by the President and voted on by the members at a regularly scheduled meeting.
- b. The Audit Committee will review all checks, bank statements, check signatures, receipts, deposits, etc. for the entire fiscal year.
- c. The Audit Committee will make a report on their findings at the annual meeting.

Article 10. Voting

Section 1: Majority Vote Rules:

All association business is transacted using a voting system called Majority Vote. This means the winning candidate or resolution received at least one more vote than the next candidate or resolution on the ballot; unless otherwise stated in these bylaws or covenants.

Section 2: Must Be A Paid Member:

In order to vote on association business individuals must be a dues paying member in good standing. Only one vote per lot is allowed.

Article 11. Quorum

Section 1: Definition of Quorum for a Meeting:

A quorum is the minimum number of persons required to be in attendance before association business can be voted on.

Section 2: Quorum at Membership Meetings:

All membership meetings will use the diminishing quorum method. If a quorum is not present the President may adjourn the meeting and immediately call to order a second meeting with no further notice necessary. The number of qualified voting members present will represent quorum at the second meeting and simple majority may be used for voting (unless stated otherwise in these bylaws or covenants).

Section 3: Quorum at Executive Committee Meetings:

The association requires two out of three Executive Committee members be present at an Executive Committee meeting in order to transact committee business.

Section 4: Quorum for Other Committees:

There is no quorum responsibility for other association committees.

Article 12. Bylaw Amendments or Alterations and Rules of Assembly

These bylaws may be altered or amended by an affirmation vote of 51% of the membership present at any regular or special membership meetings provided that notice to amend was given at least 10 days prior to the meeting and the intent to vote on bylaws is place on the notice. In addition, any amendments or alterations must be approved by the City of Midwest City. Let it also be known that the HOA cannot be dissolved without prior permission or approval from the City Council of Midwest City.

Bylaws approved:

Date

Signature of the President

Bylaws approved:

Date

Signature of the Homeowner

**Ryan's Ridge Homeowner's Association
Owner's Certificate, Dedication, and Reservations**

STATE of OKLAHOMA)
)SS:
COUNTY of OKLAHOMA)

Know All Men By These Presents:

KDE Developments, LLC., an Oklahoma Limited Liability Company, hereinafter referred to as the owner/developer, is the owner of the following described land in the city of Midwest City, Oklahoma County, State of Oklahoma, to-wit;

All of Lot Fifty-Five (55), of Leavitt's S.E. 15th St, acres, a subdivision of government Lost Six (6) and Seven (7) and the East Half (E/2) of the Southwest Quarter (SW/4) of Section Six (6), Township Eleven (11), Range One (1) West of the Indian Base and Meridian, Oklahoma County, Oklahoma, according to the recorded plat thereof.

Said described tract contains 191,533.05 square feet or 4.40 acres, more or less.

Bearings are based on assumed bearing of 88°07'50"E as the north line of Lot 55 of Leavitt's S.E. 15th St. acres, per state plane grid north.

And has caused the above described tract of land to be surveyed, staked, platted and subdivided into lots, blocks, and streets, in conformity with the accompanying plat, and has designated the subdivision as Ryan's Ridge a subdivision of the city of Midwest City, Oklahoma County, Oklahoma.

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

For the purpose of providing an orderly development of the entire tract and for the further purpose of providing adequate restrictive covenants for the mutual benefit of themselves or their successors in title to the subdivision of said tract, they hereby declare that all the property described hereinabove shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions which are for the purpose of protecting the value and desirability of and which run with the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. Public Streets and General Utility Easements

The owner/developer does hereby dedicate to the public the street rights-of-way as depicted on the accompanying plat. Additionally, the owner does hereby dedicate to the public the utility easements designated as "U/E" or "Utility Easement" for the several purposes of construction, maintaining, operating, repairing, replacing, and/or removing any and all public utilities, including storm sewers, sanitary sewers, telephone and communication lines, electric power lines and transformers, gas lines, water lines, and cable television lines, together with all fittings, including the poles, wires, conduits, pipes, valves, meters, and equipment for each of such facilities and any other appurtenances thereto, with the rights of ingress and egress to and upon the utility easements for the uses and purposes aforesaid, provided however, the owner/developer hereby reserves the right to construct, maintain, operate, lay and re-lay water lines and sewer lines, together with the right of ingress and egress for such construction, maintenance operation, laying and relaying over, across and along all of the utility easements depicted on the plat, for the purpose of furnishing water and/or sewer services to the area included in the plat. The owner/developer herein imposes a restrictive covenant, which covenant shall be binding on each lot owner and shall be enforceable by the city of Midwest City, Oklahoma, and by the supplier of any affected utility service, that within the utility easements depicted on the accompanying plat, no building, structure or other above or below ground obstruction that interferes with the above set forth uses and purposes of an easement shall be placed, erected, installed or maintained, provided however, nothing herein shall be deemed to prohibit drives, parking areas, curbing, landscaping and customary screening fences and walls that do not constitute an obstruction.

B. Underground Service

1. Overhead poles may be located along the north and south perimeter of the subdivision as necessary for the purpose of the supply of underground service. Street light poles or standards may be served by underground cable, and except as provide in the immediately preceding sentence, all electric and communication supply lines shall be located underground in the easement-ways reserved for general utility services an streets, shown on the attached plat.
2. All supply lines in the subdivision including electric, telephone, cable television and gas lines shall be located underground in the easements reserved for general utility services and streets shown on the plat of the subdivision. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in the said utility easements.
3. Underground service cables and gas service lines to all structures which may be located on all lots in the subdivision may be run from the nearest gas main, service pedestal or transformer to the point of usage determined by the location and construction of such structure as may be located upon each said lot, provided that upon installation of such a service cable or gas service line to a particular structure, the supplier of service shall thereafter be deemed to have a

definitive, permanent and effective easement on the lot, covering a 5 foot strip extending 2.5 feet on each side of the service cable, extending from the service pedestal, transfer or gas main to the service entrance on the structure or a point of metering.

4. The supplier of electric, telephone, cable television and gas services, through its authorized agents and employees, shall at all times have right of access to all such easements shown on the plat of the subdivision or provided for in this deed of dedication for the purpose of installing, maintaining, removing or replacing any portion of the underground electric, telephone, cable television or gas service facilities so installed by it. The supplier of electric telephone, cable television also reserve the perpetual right, privilege and authority to cut down, trim, or treat any trees and undergrowth on said easement.

5. The owner of each lot in the subdivision shall be responsible for the protection of the underground electric facilities located on his property and shall prevent the alteration of grade or any construction activity which may interfere with said electric, telephone, cable television or gas facilities. The supplier of service will be responsible for ordinary maintenance of underground facilities, but the owner of each lot in the subdivision will pay for damage or relocation of such facilities caused or necessitated by acts of the owner or his agents or contractors. The foregoing covenants concerning underground facilities shall be enforceable by the supplier of electric, telephone, cable television or gas services.

C. Water Mains, Sanitary Sewers, and Storm Sewer Services

1. The owner of each lot shall be responsible for the protection of the public water mains and storm sewers in this addition.

2. Within the utility easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of the installation of a public water main, sanitary sewer main, or storm sewer main, or any construction activity which would in the judgment of the city of Midwest City, interfere with public water mains, sanitary sewer mains and storm sewers shall be prohibited.

3. The city of Midwest City, Oklahoma, or its successors, shall be responsible for the ordinary maintenance of public water mains, sanitary sewer mains and storm sewers, but the owner shall pay for damage or relocation of such facilities caused or necessitated by acts of the owner, his agents or contractors.

4. The city of Midwest City, Oklahoma, or its successors, shall at all times have right of access to all easements depicted on the accompanying plat, or otherwise provided for in deed of dedication, for the purpose of installing, maintaining, removing, or replacing any portion of underground water, sanitary sewer or storm sewer facilities.

5. The foregoing covenants set forth in this paragraph shall be enforceable by the city of Midwest City, Oklahoma, or its successors, and the owner of the lot agrees to be bound hereby.

D. Surface Drainage

Each lot depicted on the plat of Ryan's Ridge, shall receive and drain, in an unobstructed manner, the storm and surface waters from lots and drainage areas of higher elevation and from streets and easements. No lot owner(s) shall construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across any lot. The foregoing covenants set forth in this paragraph shall be enforceable by any affected lot owner and by the city of Midwest City, Oklahoma.

E. Paving and Landscaping Within Easement

The owner of the lot affected shall be responsible for the repair of damage to landscaping and paving occasioned by necessary placements, replacements, or maintenance of water, sewer, storm sewer, natural gas, communication, cable television, or electric facilities within the utility easement areas depicted upon the accompanying plat, provided however, the city of Midwest City, Oklahoma or the supplier of the utility service shall use reasonable care in the performance of such activities.

F. Sidewalks

1. All sidewalks shall be built according to the City approved sidewalk plan following the latest ADA regulations and Midwest City standards for sidewalks. This includes grades, width, construction, and separation for any utility appurtenances. The sidewalks shall be constructed across the entire frontage and in such a way as to allow future connection with neighboring lots. Sidewalks shall be complete, inspected, and approved prior to issuance of a Certification of Occupancy.

G. Overland Drainage Easements

1. Overland drainage easements designated on the plat are hereby dedicated to the city of Midwest City or its successors for the purpose of maintaining, construction or repairing all drainage facilities within these easements may be used for utilities according to the provisions in the Certificate of Dedication as it applies to easements, except that construction and use of utilities therein shall not interfere with the use for drainage purposes.

2. No building structure, wall, fence, or above or below ground obstructions shall be constructed or placed within any drainage easement without approval of the city of Midwest City.

3. The owner of each lot upon which a drainage easement is situated shall be solely responsible for the maintenance of any said easement which traverses their respective property.

4. In the event owner should fail to properly maintain the drainage facilities or, in the event of the placement of an obstruction with, or the alteration of the contour therein, the city of Midwest City or it's designated contractor may enter and perform maintenance necessary to the achievement of the intended drainage functions and may remove any obstruction or correct by the owner, or the Homeowner's Association, as the case may be, fails to pay the cost of maintenance after completion of the maintenance and receipt of a statement of costs, the city of Midwest City, may file of record a copy of the statement of costs, and thereafter file a lien against the subject lot, such lien, however, shall be subordinate to the lien of any first mortgage. A lien established as above provided may be foreclosed by the city of Midwest City.

H. Limits of No Access

The undersigned owner/developer hereby relinquishes rights of vehicular ingress or egress from any portion of the property adjacent to the bounds designated as "limits of no access" (L.N.A.) on the accompanying plat, which "limits of no access" may be amended or released by the city of Midwest City, Oklahoma, or its successor, or as otherwise provided by the statutes and laws of the state of Oklahoma. Limits of no access shall be enforceable by the city of Midwest City, Oklahoma.

SECTION II. PRIVATE BUILDING AND USE RESTRICTIONS

Whereas, the owners desire to establish additional restrictions for Ryan's Ridge for the purpose of providing an orderly development of the residential neighborhoods within Ryan's Ridge, and to ensure adequate restrictions for the mutual benefit of the owners, its successors and assigns.

Therefore, the owners do hereby and likewise impose the following restrictions and covenants upon the lots within this subdivision plat (Ryan's Ridge) which shall be covenants running with the land, and shall be binding upon the owners, their successors and assigns.

A. Architectural Committee - Plan Review

1. No building, fence, wall or landscaping shall be erected, placed or altered on any residential lot in this subdivision until the building plans, landscaping plans, and specifications for all houses to be built, and landscaping to be installed are on file with the Ryan's Ridge Architectural Committee, initially to KDE Development, LLC and future HOA members or their duly authorized representative, representatives or successors. In the event of the death or resignation of any member of the Ryan's Ridge Architectural Committee, the remaining member or members shall have full authority to approve or disapprove such plans, specifications, color scheme, materials and plot plan, or to designate a representative or representatives with the like authority, and said remaining member or members shall have authority to fill any vacancy or vacancies created by the death or resignation of any of the aforesaid members, and said newly appointed member shall have the same authority hereunder as their predecessors, as above set forth. Any changes to plans on file with the

Architectural Committee or any additional new plans will need written approval before construction may begin. No decisions by the Architectural Committee should overrule the landscaping or provisions of the City's Zoning Ordinance by penalizing or restricting water conserving landscapes, or by requiring landscape materials that do not comply with zoning landscape requirements.

2. The Architectural Committee's purpose is to promote good design and compatibility within the subdivision and in its review of building or landscaping plans for determination of any waiver as hereinafter authorized may take into consideration the nature and character of the proposed building or structure, the materials of which it is to be built, the availability of alternative materials, the site upon which it is proposed to be erected and the harmony thereof with the surrounding area. The Architectural Committee shall not be liable for any approval, disapproval or failure to approve hereunder, and its approval of building plans shall not constitute a warranty or responsibility for building methods, materials, procedures, structural design, grading or drainage, or code violations. The approval, disapproval or failure to approve of any building plans shall not be deemed a waiver of any restriction, unless the Architectural Committee is hereinafter authorized to grant the particular waiver.

3. The Powers and duties of the Architectural Committee or its designated representative shall cease when one hundred percent (100%) of the house on the residential lots have been built. Thereafter, the powers and duties of the Architectural Committee shall be exercised by the Homeowners Association hereafter provided for.

B. Building Material Requirements and Other Restrictions Applicable to All Lots Contained within Ryan's Ridge

1. Stem Walls:

All exposed foundation or stem walls shall be of brick, stone or stucco. No concrete blocks, poured concrete or any other foundation will be exposed. No stem walls will be exposed.

2. Roofing:

Roofing shall be a singular roof selection for each respective home within Ryan's Ridge, and the owner/developer shall have the right to select a different roofing color for each home within Ryan's Ridge. The minimum roof pitch shall be 8/12 pitch on the forward facing gables.

3. Exterior Walls:

The first story exterior walls of the dwellings erected on all residential lots within the Ryan's Ridge neighborhood shall be eighty-five percent (85%) brick, stone, or stucco, provided, however, that the area of all windows and doors located in said exterior walls and the area adjacent to patios and under porches shall be excluded in the determination of the area of exterior walls, and further provided that where a part of the exterior wall is extended above the interior room ceiling line due to the construction of a gable type roof, then that portion of the wall extending above the interior room ceiling height may be constructed of wood material and

shall be excluded from the determination of the area of the exterior walls (exclusive of fireplace chase).

4. Minimum Square Footage:

Minimum of 1850 square feet of finished heated living area.

5. Windows:

All dwellings with windows other than wood or vinyl will be either anodized or electrostatically painted. Metal window frames shall be consistent with the exterior color and texture of the residence. No unpainted aluminum will be permitted for window framing. Wood frames will be painted, sealed or stained.

6. Siding:

No steel, aluminum or plastic siding shall be permitted on any building on any residential lot.

7. Mailboxes:

All mailboxes shall be of a singular design for the lots within Ryan's Ridge, as approved by the Architectural Committee. No mailbox shall be erected on any residential lot without the approval of the design by the Architectural Committee, and shall conform to a design standard for each home.

8. Waiver:

The Architectural Committee may waive, in a particular instance, the building material requirements set out in this subsection; provided, such waiver to be effective must be in writing, dated and signed by a majority of the Architectural Committee.

C. Noxious Activity

No noxious or offensive trade or activity shall be carried on upon any residential lot within this subdivision, no shall any trash, or other refuse be thrown, placed or dumped upon any vacant residential lot, or shall anything be done which may be or become an annoyance or nuisance to the neighborhood.

D. Existing Building

No existing or erected building of any sort may be moved onto or placed on a residential lot, except for construction or sales trailers which may be install on a temporary basis only.

E. Detached Structures

No detached accessory structure shall be allowed upon any lot within the Ryan's Ridge.

F. Vehicle Storage and Parking

1. No inoperative vehicle shall be stored on any residential lot except within an enclosed garage. No motorhome, boat, trailer, travel trailer or similar recreational vehicle shall be located, parked or stored within a side or front yard, and if not located within an enclosed garage and shall be screened sufficiently to prevent any view thereof from any street within the overall subdivision.
2. The term "boat" refers to all watercraft, regardless of whether motorized or operational. No boat may be parked or stored on any street, easement, or lot. Boats and watercraft may not be left in the driveway longer than 72 hours.
3. No truck exceeding one ton in size or having three or more axles may be parked or stored on any street, easement, driveway or lot. Additionally, there shall be no mobile homes, semi-tractor, semi-trailer or a combination of the tow permitted in Ryan's Ridge.

G. Antennas

No radio or television tower, aerial or antenna shall be located on any residential lot. Satellite dishes shall be no larger than 18" in diameter and be screened from view from the street and adjacent residential lots with the addition.

H. Landscaping Requirements

The front elevation of all residential lots must be professionally landscaped upon completion of the residence. All front, side, and back yards must be sodded on the completion of any residence in the subdivision. All landscaping requirements shall not overrule the landscaping or other provisions of the City's Zoning Ordinance by penalizing or restricting water conserving landscapes, or by requiring landscape materials that do not comply with zoning landscape requirements.

I. Livestock and Poultry Prohibited

No animals, livestock or poultry (including pigeons) of any kind shall be raised, bred, or kept on any residential lot or part thereof, except that dogs, cats, or other household pets may be kept; provided that they are not kept, bred or maintained for any commercial purpose.

J. Fences and Walls

Fences and walls situated upon residential lots shall comply with the following:

1. No fencing shall extend beyond the building line of any residence. If a residence is built behind the front building line of a residential lot, a fence may not extend beyond that point nearest the street of each end corner.

2. All fences shall consist entirely of wood, brick natural stone, wrought iron, or some combination thereof. The Architectural Committee may, but not be obligated to, grant an exception to this provision upon written request.

3. No fence in excess of six feet (6) in height shall be permitted unless otherwise approved by the Architectural Committee in writing.

K. Garage

Each dwelling shall have a garage for at least two automobiles

L. Commercial Structures

No building or structure shall be placed, erected or used at any time for any business, professional, trade or commercial purpose on any portion of any residential lot; provided, however, that owner, as the developer of the subdivision may maintain a sales office in the subdivision for the sale of the subdivision lots and building contractors may maintain sales offices, construction trailer, and model home in the subdivision for the construction, sale and display of homes located, or to be located in the subdivision subject to the city of Midwest City zoning code requirements.

M. Trash Receptacles

Trash receptacles cannot be left curbside for more than a 24 hour period of time

N. Building Requirements and Amendments

Any modifications or amendments to the building and/or architectural requirements listed under this section (Section III Private Building and Use Restrictions) shall only be allowed with Architectural Committee approval as described under Section III hereof.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. Enforcement

1. The restrictions herein set forth are covenants to run the land and shall be binding upon the owners, their successors and assigns, within the provisions of Section I and Section II. Streets, Easements and Utilities are set forth certain covenants and the enforcement rights pertaining thereto, and additionally the covenants within Section I and Section II whether or not specifically therein so stated, shall insure to the benefit of the owners of the lots within Ryan's Ridge. If the undersigned owner/developer, or its successors or assigns or owners of any lots within Ryan's Ridge shall violate any of the covenants herein, it shall be lawful for any owner of a lot or a Homeowners Association formed for this subdivision to maintain any action at law or

in equity against the person or persons violating or attempting to violate any such covenant, to prevent him or them from so doing or to compel compliance with the covenant in any judicial action brought by a property owners association or an owner of a lot which action seeks to enforce the covenants or restrictions set forth herein or to recover damages for the breach thereof, the prevailing party shall be entitled to recover reasonable attorney fees and costs and expenses incurred in such action.

2. Let it be known that the City of Midwest City can take action(s) for subdivision **code** violations. The City of Midwest City has no obligation to maintain or reconstruct any fencing, screening walls, landscaping or irrigation systems; but the City does have the right to access to inspect, though the City is not required to do such inspections. The City has the right to require maintenance and repairs to insure such improvements are maintained to City standards. It is the responsibility of each homeowner to maintain their property to City standards and the Homeowners Association will be responsible for the upkeep of the common area.

3. The Homeowners Association indemnifies the City of Midwest City for any damages, injuries, etc. from any of the amenities the Homeowners Association is responsible for.

B. Duration

These restrictions to the extent permitted by applicable law, shall be perpetual and shall be in force and effect for a term of not less than thirty (30) years from the date of the recording of this Deed of Dedication unless terminated or amended hereinafter provided.

C. Amendment

The covenants contained within Section I. Streets, Easements and Utilities may be amended or terminated at any time by a written instrument signed and acknowledged by the owner of the land to which the amendment or termination is to be applicable and approved by the Midwest City Planning Commission, or its successor with the approval of the city of Midwest City, Oklahoma. The covenants within Section II. Private Building and Use Restrictions may be amended or terminated at any time with 75 percent agreement of all owners within Ryan's Ridge that desires the change the provisions of any instrument amending or terminating covenants shall be effective from and after the date it is properly recorded.

D. Severability

Invalidation of any restriction set forth herein or any part thereof, by an order, judgment, or decree of any court, or otherwise shall not invalidate or affect any of the other restrictions or any part thereof as set forth herein, which shall remain in full force and effect.

SECTION IV. MEMBERSHIP AND VOTING RIGHTS

Every owner of a lot which is subject to assessment shall be a member of the Ryan's Ridge Homeowners Association. Membership shall be appurtenant to and may not be separated from the ownership of any lot. Members shall be owners and shall be entitled to one (1) vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any one lot.

SECTION V. MAINTENANCE ASSESSMENTS

A. Creation of the Lien and Personal Obligation of Assessments

The declarant, for each lot owned within the properties, hereby covenants, and each owner of any lot acceptance of a deed therefore, whether or not it shall be expressed in such deed, is deemed to covenant and agree to pay to the Association an annual assessment. Such assessment to be established and collected hereinafter provided. The annual assessment, together with interest, costs and reasonable attorney fees shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with interest, costs and reasonable attorney fees, shall also be the personal obligation of the person or entity who was the owner of such property at the time when the assessment fell due.

B. Purpose of Assessments

The assessments levied by the Association shall be used exclusively for the maintenance of the detention pond and the green belt along 10th Street as noted as well as insurance and local taxes.

C. Annual Assessment

The Board of Directors for an Association has fixed an annual assessment at the amount of Two Hundred Fifty dollars (\$250.00) per lot. The Board has the right to raise these dues up to 10% each year with proof that the Association needs the funds. The membership can vote on a higher increase if needed.

D. Notice and Quorum for any Action Authorized Under Bullet C

Written notice of any meeting called for the purpose of taking any action authorized under Bullet C of this Section shall be sent to all members not less than ten (10) days nor more than twenty (20) days in advance of the meeting. At the first such meeting called the presence of members or of proxies entitled to cast sixty percent (60%) of all votes of membership shall constitute a quorum. If the required quorum is not present, that meeting may be dismissed and another meeting may be immediately called to order with no further notice. The number of qualified voting members present will represent quorum for this meeting. A simple majority being used for voting unless stated otherwise in these covenants.

E. Uniform Rate of Assessments

Both annual and special assessments must be fixed at a uniform rate for all lots.

F. Date of Commencement of Annual Assessments: Due Dates

The annual assessments provided for herein shall commence as to all lots the first day of May of each calendar year once an Association is created. The Board of Directors shall fix the amount of the annual assessment at the annual meeting held in May of each year. Written notice of the annual assessment shall be sent to every owner and shall be mailed to every property owner at least twenty (20) days prior to due date. The due dates shall be established by the Board of Directors. The Association, if created, shall upon demand and for a reasonable charge, furnish a certificate signed by an officer of the Association setting forth whether the assessments on specified lot have been paid.

G. Effect of Nonpayment of Assessments: Remedies of the Association

Any assessments not paid in thirty (30) days after the due date shall bear interest from the due date of fifteen percent (15%) per annum. The association may bring an action of laws against the owner personally obligated to pay the same or foreclose the lien against the property. If necessary to establish, enforce, collect or foreclose said lien, the Association may file a Lien Statement as provided by the laws of the State of Oklahoma against the property upon which such assessment is made.

H. Subordination of the Lien to Mortgages

The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage. Sale or transfer of any lot shall not affect the assessment lien. However, the sale or transfer of any lot pursuant to mortgage foreclosure or any proceeding in lieu thereof shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer. No sale or transfer shall relieve such lot from liability for any assessments thereafter becoming due or from the lien thereof.

I. Exempt Property

All properties dedicated to and accepted by public authority and all properties owned by a charitable or nonprofit organization exempt from taxation by the laws of the State of Oklahoma shall be exempt from the assessments created herein. However, no land or improvements devoted to dwelling use shall be exempt from said assessment.

IN WITNESS WHEREOF

KDE DEVELOPMENTS, LLC. An Oklahoma Limited Liability Company, has executed this instrument this _____ day of _____, 2020.

KDE DEVELOPMENTS, LLC.
An Oklahoma Limited Liability Company

By: _____
Kevin Ergenbright, Managing Member

STATE OF OKLAHOMA)
)SS
COUNTY OF OKLAHOMA)

Before me, a notary public in and for said state and county, on this _____ day of _____, 2020, personally appeared Kevin Ergenbright to me known to be the identical person who subscribed their name to the foregoing instrument, and acknowledged to me, as its manager member, that they executed the same as their free and voluntary act and deed, and as the free and voluntary act and deed of said Oklahoma Limited Liability Company, for the uses and purpose therein set forth.

Notary Public
My Commission Expires:
My Commission Number:

Certificate of Survey

I, Troy Dee, of Golden Land Surveying, PLLC, a licensed professional land surveyor in the state of Oklahoma under Certificate of Authorization #7263, do hereby certify that I have carefully and accurately surveyed, subdivided, and platted the tract of land described above, and that the accompanying plat designated herein as Ryan’s Ridge a subdivision in the city of Midwest City, Oklahoma County, State of Oklahoma, is a true representation of the survey made on the ground using generally accepted practices, and meets or exceeds the minimum technical standard adapted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

Troy Dee
Licensed Professional Land Surveyor
Oklahoma No. 1745

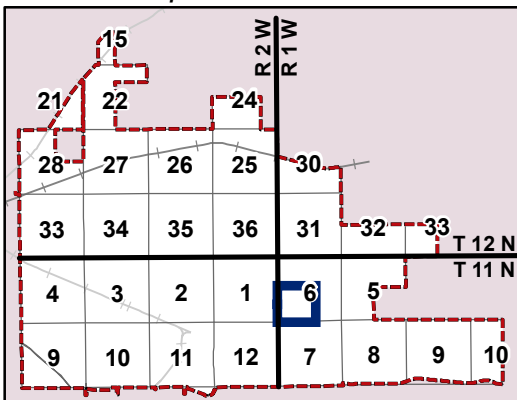
STATE OF OKLAHOMA)
)SS
COUNTY OF OKLAHOMA)

Before me, a notary public in and for said state and county, on this _____ day of _____, 2020, personally appeared Troy Dee to me known to be the identical person who subscribed their name to the foregoing instrument, and acknowledged to me, as its manager member, that they executed the same as their free and voluntary act and deed, and as the free and voluntary act and deed of said Oklahoma Limited Liability Company, for the uses and purpose therein set forth.

Notary Public
My Commission Expires:
My Commission Number:



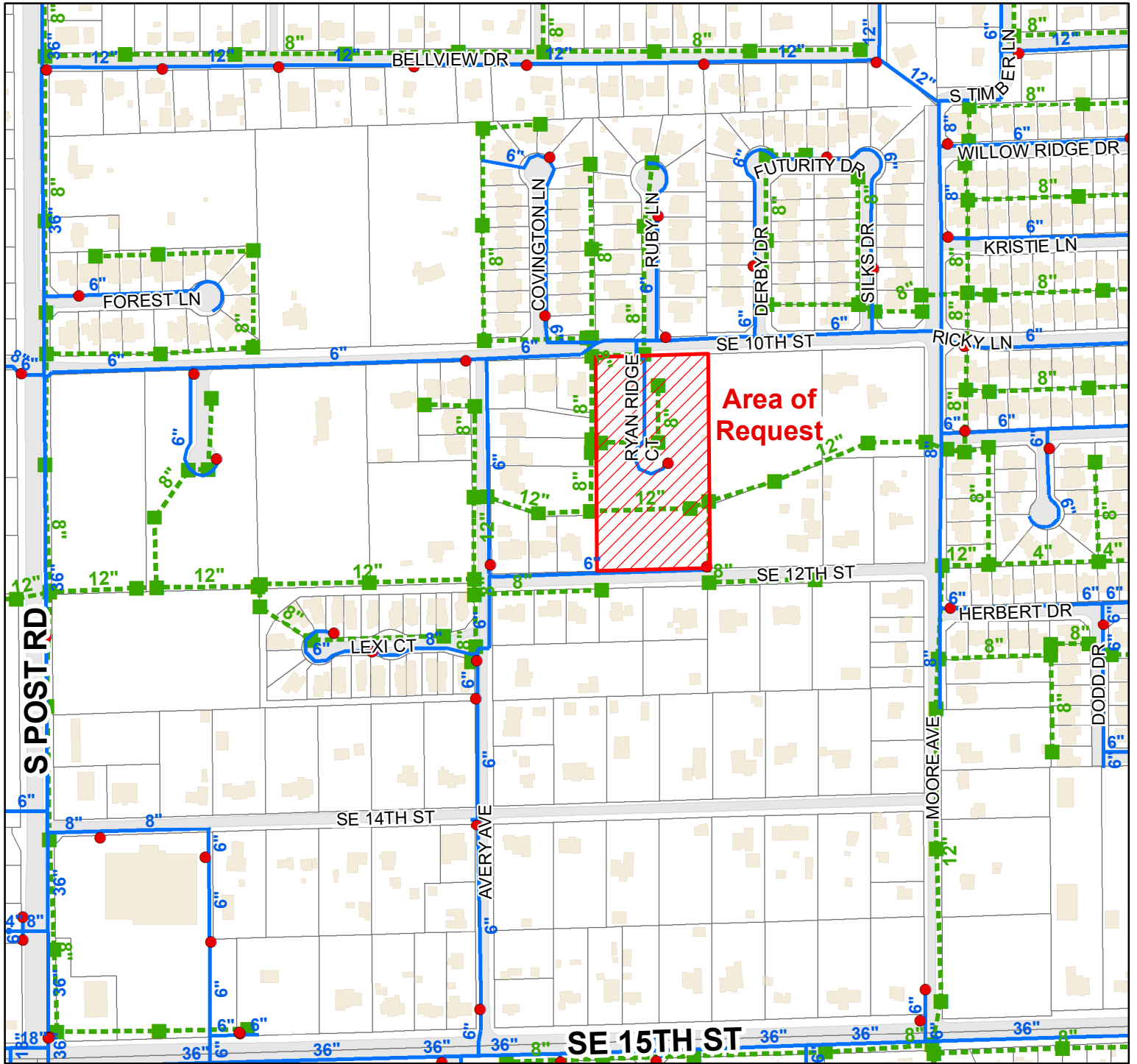
Locator Map



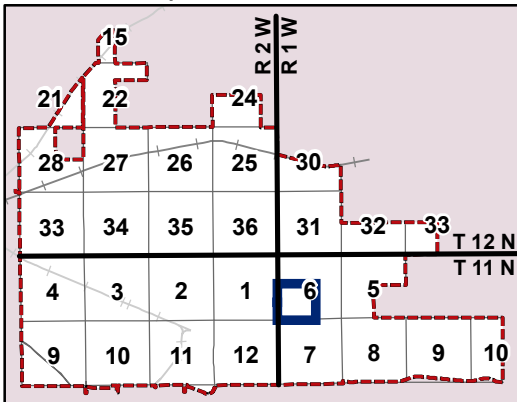
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2065
(SW/4, Sec. 6, T11N, R1W)**



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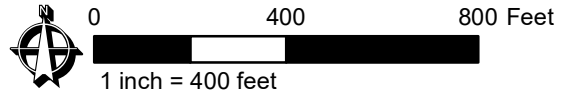
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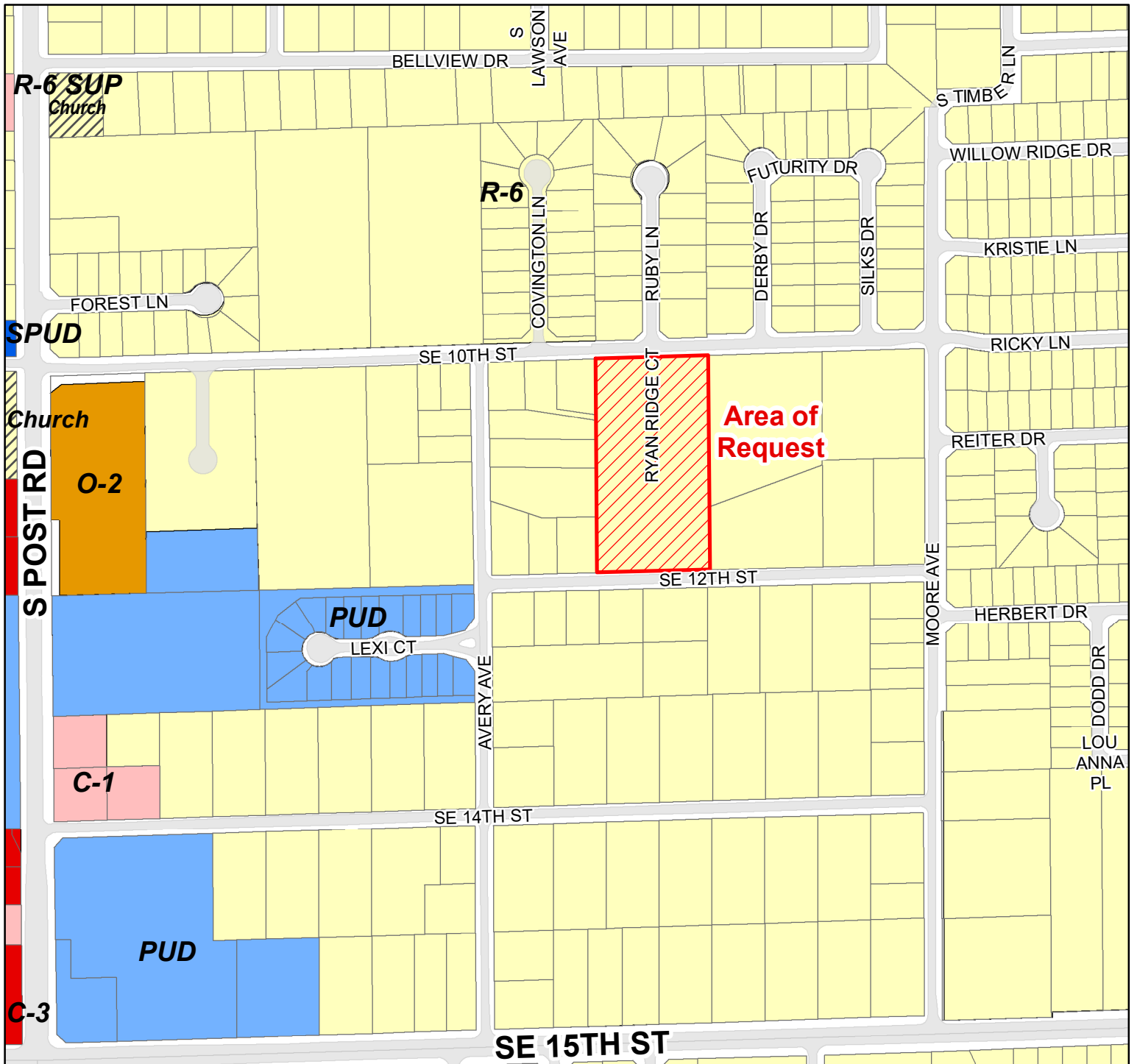
Water/Sewer Legend

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

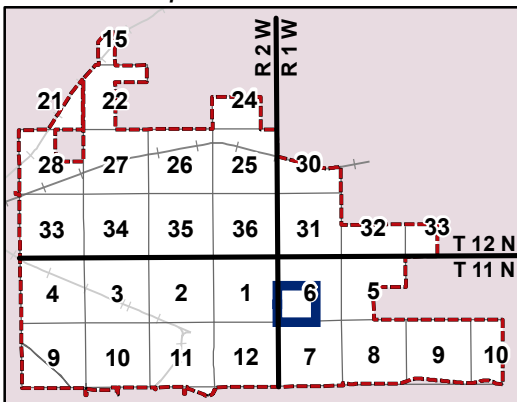
**WATER/SEWER LINE
LOCATION MAP FOR
PC-2065
(SW/4, Sec. 6, T11N, R1W)**



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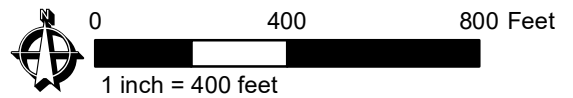
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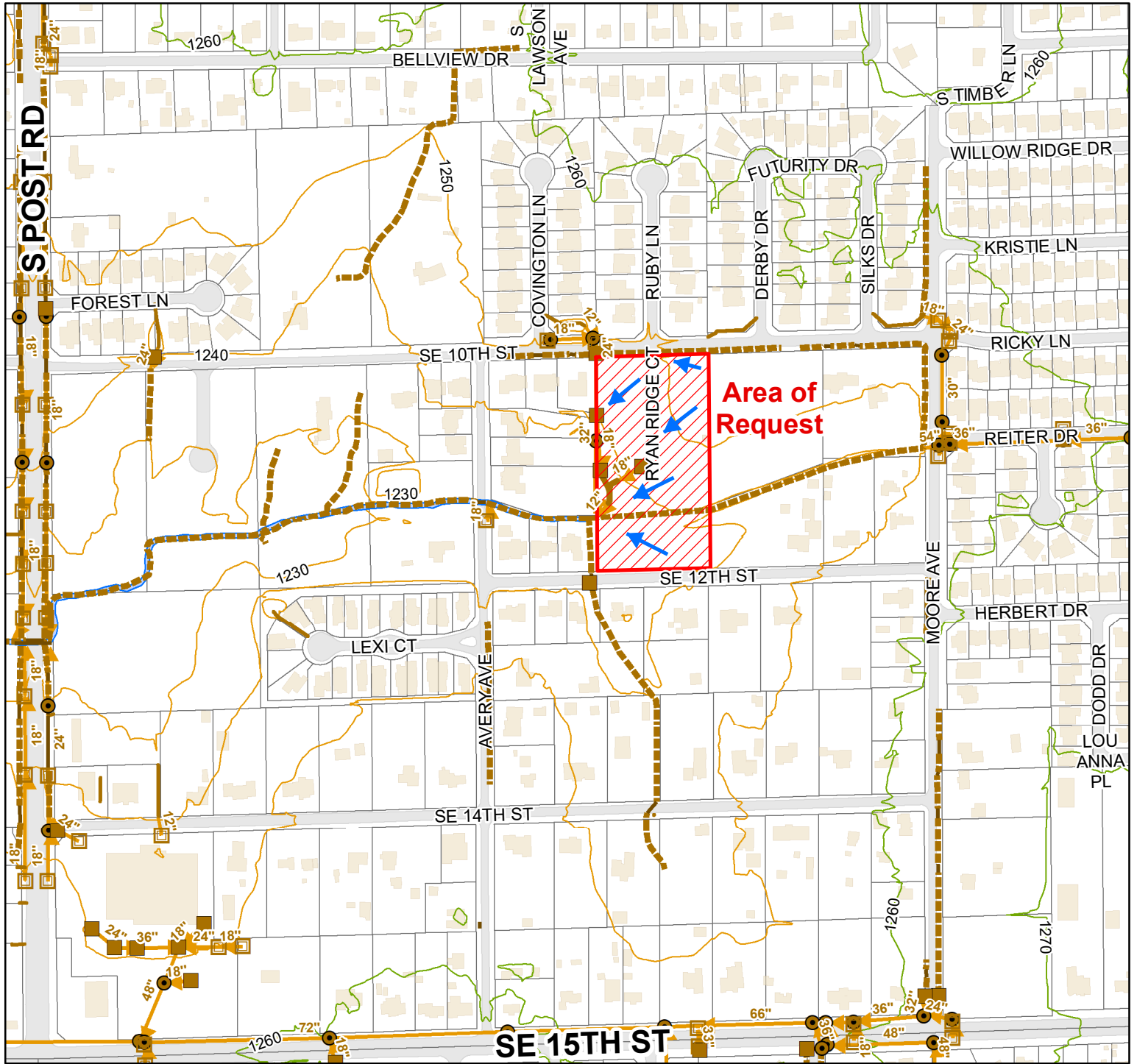
Current Zoning Legend

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

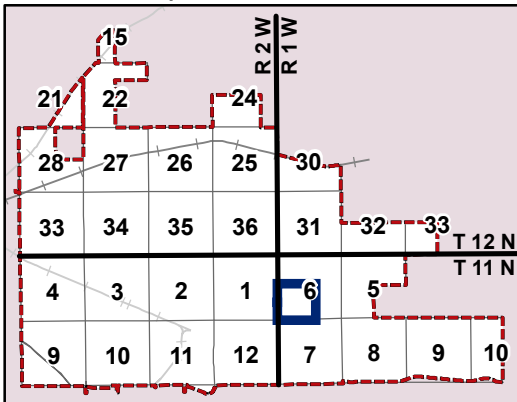
**ZONING MAP FOR
PC-2065
(SW/4, Sec. 6, T11N, R1W)**



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Locator Map

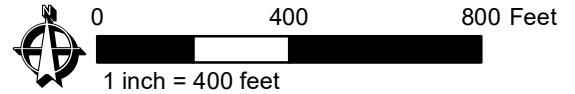


- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

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

DRAINAGE LOCATION MAP FOR PC-2065

(SW/4, Sec. 6, T11N, R1W)



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The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

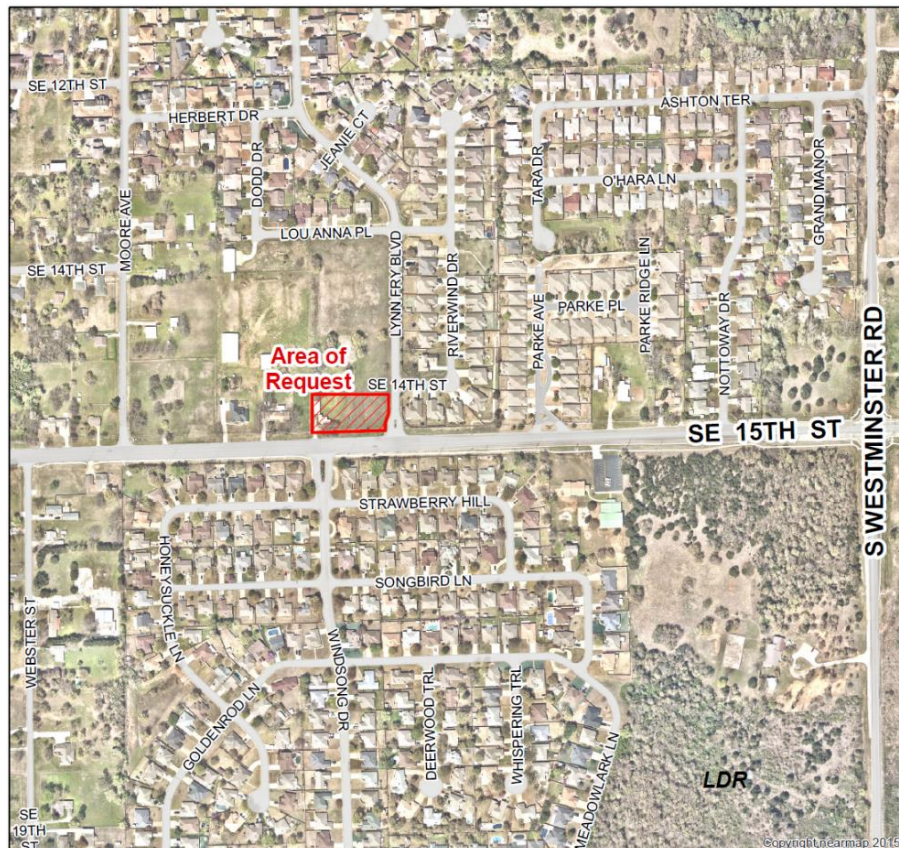
To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2021

Subject: (PC-2066) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential to C-1, Restricted Commercial, and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to OR, Office Retail, for the property described as part the SE/4 of Section 6, T-11-N, R-1W, and a portion of the parcel addressed as 10601 SE 15th Street.

Executive Summary: This is a request to rezone the property from R-6, Single Family Detached Residential to C-1, Restricted Commercial. The northern portion of this lot is not included in this application. That portion of the lot will remain zoned R-6, Single Family Detached Residential at this time and the owner/applicant may apply to rezone and/or subdivide that portion at a later date. No variances are being requested. All future construction would be required to meet the minimum requirements of the Zoning Ordinance including parking, landscaping, screening, exterior materials, coverage, setbacks, minimum lot size, etc. Action is at the discretion of the City Council.



Dates of Hearing: Planning Commission – January 5, 2021
City Council – January 26, 2021

Owner/Applicant: Joel Bryant, Les Chateaux LLC

Proposed Use: Office/Commercial

Ward: Ward 6, Rick Favors

Size:

The area of request has a frontage of approximately 258.51' along SE 15th St. and a depth of approximately 136.43' along Lynn Fry Blvd. containing an area of approximately 35,277.24 square feet or .81 acres, more or less.

Development Proposed by Comprehensive Plan:

Area of Request – Low Density Residential (LDR)
North, South, East and West – Low Density Residential (LDR)

Zoning Districts:

Area of Request – R-6, Single Family Detached Residential
North, South and West – R-6, Single Family Detached Residential
East – PUD, Planned Unit Development governed by R-6, Single Family Residential

Land Use:

Area of Request – One single family residence
North – vacant
South – Windsong Addition
East – Riverwind Addition
West – One single family residence

Municipal Code Citation:

2.18. C-1, Restricted Commercial

2.18.1 General Description

This district is intended to provide a location for a limited number of retail commercial goods and personal services which serve the day-to-day needs of the residents of surrounding neighborhoods.

Because these shops and offices are lower intensity uses, they may be designed to be located along arterial streets in close proximity to housing areas or as limited service facilities in larger planned high density housing areas.

This district is limited to the types of uses that will not cause and adverse impact (i.e. noise, lighting, traffic) upon the surrounding area. Outdoor storage and display is not permitted.

History:

1. This area is not platted and has been zoned R-6 since the adoption of the 1985 Zoning Ordinance and Map.
2. Planning Commission recommended approval of this item January 5, 2021.

Staff Comments:

Engineer's report:

Note: No engineering improvements are required with this application.

Water Improvements

There are two public water mains bordering the proposed parcel; a thirty-six (36) inch public water main is located along the south side of S.E. 15th Street and a six (6) inch public water main is located along the west side of Lynn Fry Boulevard. Any new building permit will require tie into the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

Immediately bordering the proposed parcel is an eight (8) inch public sanitary sewer along the south side of S.E. 15th Street. Additionally; there are two separate eight (8) inch public sanitary sewer mains nearby which would require extension prior to tie in. Any new building permit will require tie into the public sewer system as outlined in Municipal Code 43-109. If done in the future, extension of the public sewer system will require plans submitted by an Oklahoma licensed engineer to be designed to city standard. Plans will be reviewed by both the City and Oklahoma Department of Environmental Quality before being constructed and inspected.

Streets and Sidewalks

Access to the area of request exists off S.E. 15th Street which is classified as a Secondary Arterial (Divided) and Lynn Fry Boulevard which is classified as a Local Road in the 2008 Comprehensive Plan.

Sidewalk improvements will be required with a commercial building permit.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an "Area of Minimal Flood Hazard" on Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 18th, 2009.

Drainage and detention improvements are not required with this application but will be required with a commercial building permit.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Marshal's report:

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Plan Review Comments:

This is an application to rezone the southern .81 acre of a parcel located at 10601 SE 15th St. from R-6, Single Family Detached Residential to C-1, Restricted Commercial. The applicant does plan to possibly develop the remainder of the lot to the north in the future and will subdivide the lot at that time.

If this request is approved, the following requirements of the Zoning Ordinance must be met with any building permit:

- The building must be constructed of 80% masonry materials. The City does not accept EIFS as a masonry product.
- Parking for office use: 1 space per 250 sq. ft. GLA for the first 12,000 sq. ft. of GLA. From 12,001 sq. ft – 48,000 sq. ft. GLA = 1 space per 300 sq. ft. of GLA.
- Parking for retail use: 1 space per 150 sq. ft. GLA for the first 5,000 sq. ft. of GLA. From 5,001-12,000 sq. ft. GLA = 1 space per 200 sq. ft. of GLA. From 12,001-30,000 sq. ft. GLA = 1 space per 225 sq. ft. of GLA.
- Minimum aisle width of 26’.
- Minimum parking space size of 8’6”x18’6”
- 25’ front building line along S. Post
- 15’ setback along Lynn Fry Blvd.
- Required West side setback of 10’ or 15’ – dependent on whether or not there is a driveway or parking on the side
- 10’ rear setback abutting the boundary of the residential zoning
- Base landscaping of six (6) trees and twelve (12) shrubs per building plus two (2) trees and two (2) shrubs for every ten (10) parking spaces installed. Landscaping must be in place prior to issuance of a Certificate of Occupancy.
- Maximum lot coverage of 90%
- Signage must meet the requirements of the Sign Ordinance
- Dumpster must be enclosed on three (3) sides by a minimum of 8’ tall masonry walls with a minimum 12’ opening when gates are opened.

Staff sent notices out to all property owners within 300 feet of the area of request. As of this writing, staff has received no legal protest, however, several residents of the Windsong Addition and Riverwind Addition attended the Planning Commission meeting and spoke in opposition of this request. Planning Commission Chairman Smith encouraged the applicant to host a neighborhood meeting with the surrounding property owners. As of this writing, staff has not been notified of a neighborhood meeting.

Action is at the discretion of the City Council.

Action Required:

Approve or reject the ordinance to redistrict to C-1, Restricted Commercial and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to OR, Office Retail, for the property as noted herein, subject to staff comments as found in the January 26, 2021 agenda packet and made a part of PC-2066 file.



Billy Harless,
Community Development Director
KG

The City of

MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Brandon Bundy, City Engineer

Date: December 8th, 2020

Subject: Engineering staff comments for pc-2066 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2066:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

There are two public water mains bordering the proposed parcel; a thirty-six (36) inch public water main is located along the south side of S.E. 15th Street and a six (6) inch public water main is located along the west side of Lynn Fry Boulevard. Any new building permit will require tie into the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

Immediately bordering the proposed parcel is an eight (8) inch public sanitary sewer along the south side of S.E. 15th Street. Additionally; there are two separate eight (8) inch public sanitary sewer mains nearby which would require extension prior to tie in. Any new building permit will require tie into the public sewer system as outlined in Municipal Code 43-109. If done in the future, extension of the public sewer system will require plans submitted by an Oklahoma licensed engineer to be designed to city standard. Plans will be reviewed by both the City and Oklahoma Department of Environmental Quality before being constructed and inspected.

Streets and Sidewalks

Access to the area of request exists off S.E. 15th Street which is classified as a Secondary Arterial (Divided) and Lynn Fry Boulevard which is classified as a Local Road in the 2008 Comprehensive Plan.

Sidewalk improvements will be required with a commercial building permit.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an "Area of Minimal Flood Hazard" on Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 18th, 2009.

Drainage and detention improvements are not required with this application but will be required with a commercial building permit.

Easements and Right-of-Way

No further easements or right of way would be required with this application.



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC - 2066

Date: 09 December 2020

PC-2066 is a request to rezone a portion of the property at 10601 SE 15th from R-6 to C-1, Restricted Commercial, for future commercial/office development. I've attached an exhibit showing the boundaries of the request.

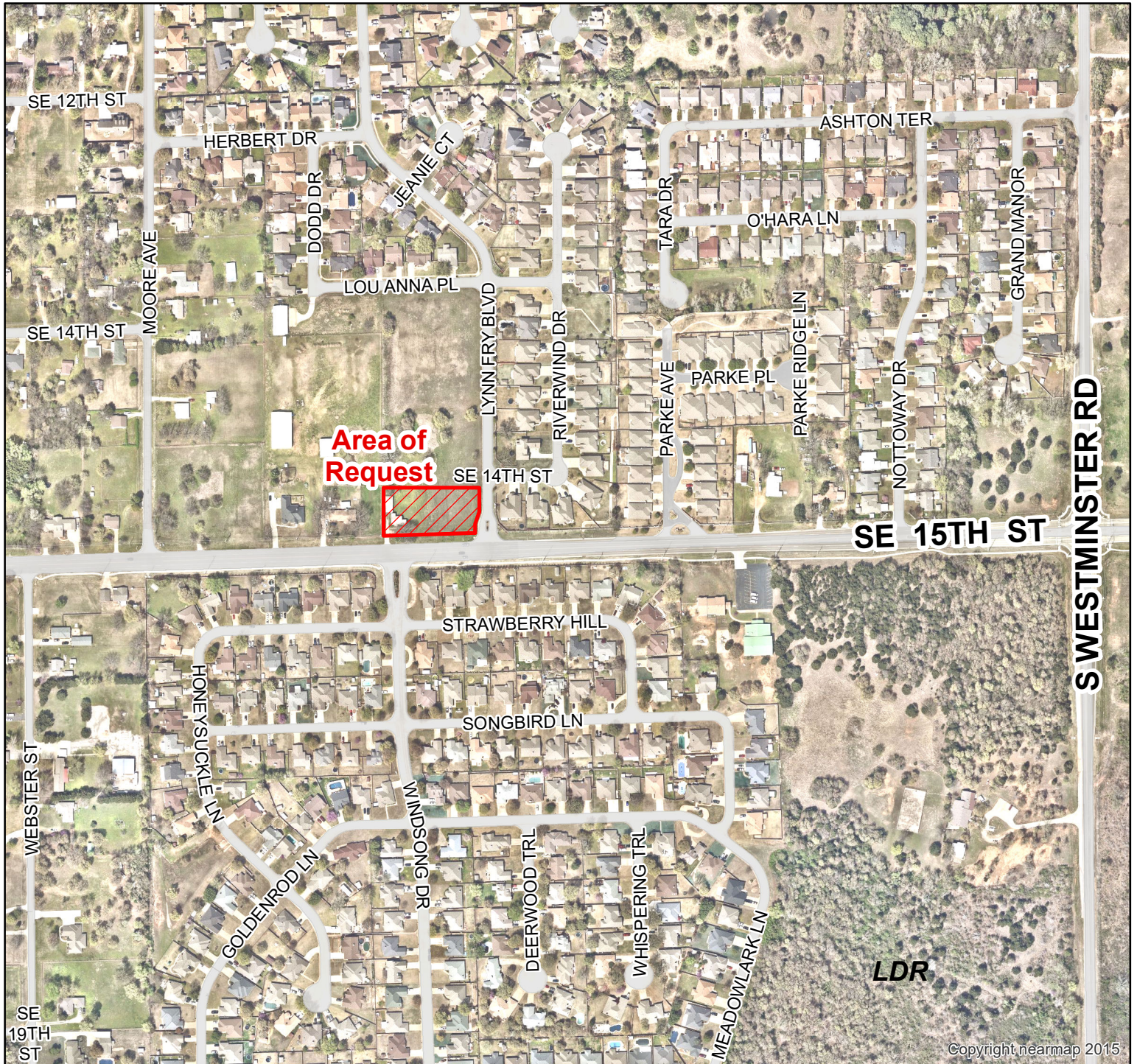
- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

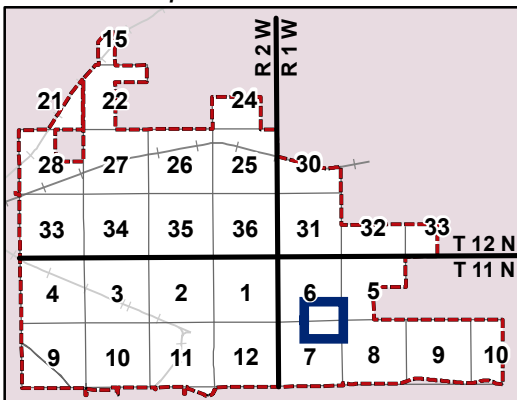
A handwritten signature in black ink, appearing to read "D. Helmberger".

Duane Helmberger
Fire Marshal
Midwest City Fire Department

The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.



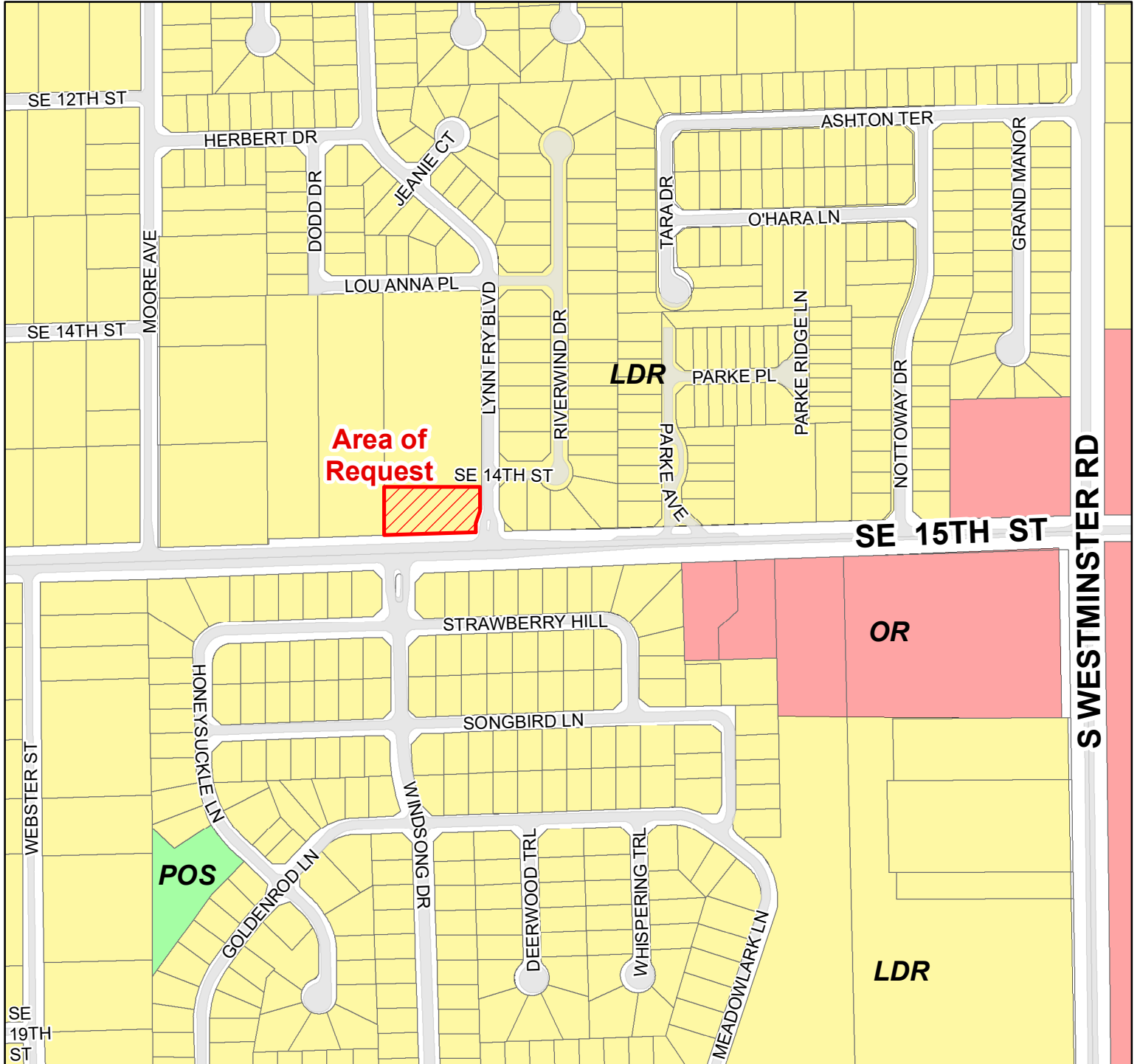
Locator Map



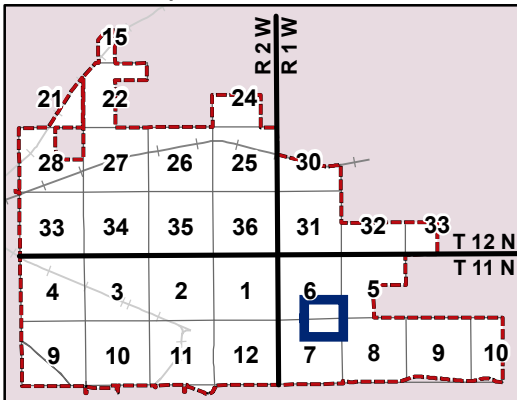
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2066
(SE/4, Sec. 6, T11N, R1W)**



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Locator Map

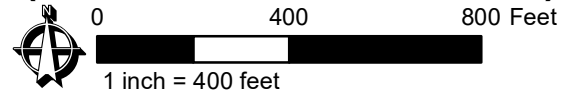


Future Land Use Legend

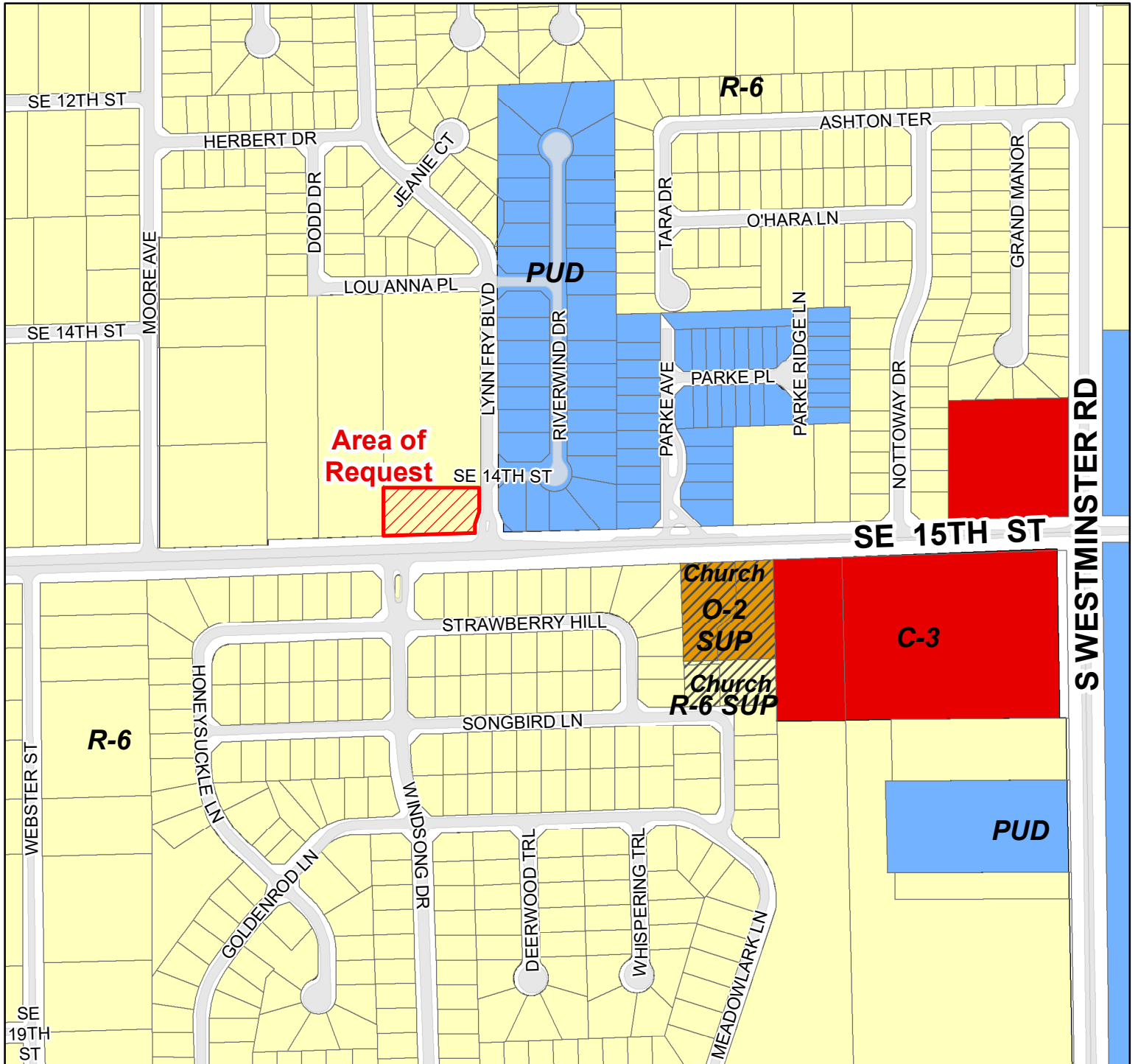
- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

**FUTURE LAND USE
MAP FOR
PC-2066**

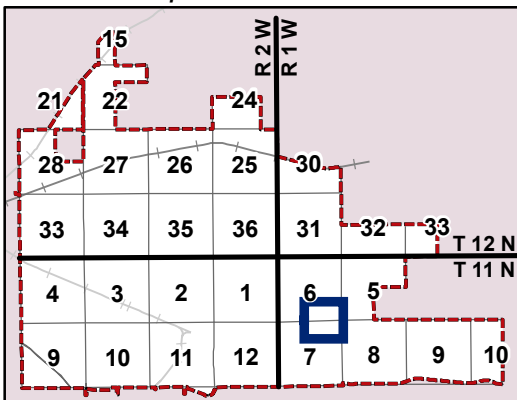
(SE/4, Sec. 6, T11N, R1W)



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Locator Map



Current Zoning Legend

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

**ZONING MAP FOR
PC-2066**

(SE/4, Sec. 6, T11N, R1W)



0 400 800 Feet

1 inch = 400 feet

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1 **PC-2066**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO C-1, RESTRICTED COMMERCIAL, AND DI-**
5 **RECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO RE-**
6 **FLECT THE RECLASSIFICATION OF THE PROPERTY’S ZONING DISTRICT; AND**
7 **PROVIDING FOR REPEALER AND SEVERABILITY**

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

9 **ORDINANCE**

10 **SECTION 1.** That the zoning district of the following described property is hereby reclassified
11 to C-1, Restricted Commercial, subject to the conditions contained in the PC-2066 file, and that
12 the official Zoning District Map shall be amended to reflect the reclassification of the property’s
13 zoning district as specified in this ordinance:

14 For the property described as a part of the West Half of the East Half of the SW/4 of the
15 SE/4 of Section 6, T11N, R1W, of the Indian Meridian, Oklahoma County, Oklahoma,
16 more particularly described as follows: Commencing at the SE/C of the SE/4 of said Sec-
17 tion 6; thence S88°10’20”W along the South line of said SE/4 a distance of 1724.52 feet;
18 thence N00°06’02”W a distance of 50.02 feet to the point of beginning; thence
19 S88°10’20”W and parallel with the South line of said SE/4 a distance of 258.51 feet to a
20 point on the West line of said W/2 of the E/2 of the SW/4 of the SE/4; thence
21 N00°06’32”W along the West line of said W/2 of the E/2 of the SW/4 of the SE/4 a dis-
22 tance of 136.43 feet; thence N89°53’58”E a distance of 270.40 feet; thence S00°06’29”E
23 a distance of 68.30 feet; thence S18°38’36”W a distance of 37.34 feet; thence
24 S00°06’02”E a distance of 24.98 feet to the point of beginning.

25 **SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are
26 hereby repealed.

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

30 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
31 on the _____ day of _____, 2021.

32 THE CITY OF MIDWEST CITY, OKLA-
33 HOMA

34 _____
35 MATTHEW D. DUKES II, Mayor

36 ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney

RESOLUTION NO. 2021-_____

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

WHEREAS, the Comprehensive Plan Map of Midwest City, Oklahoma shows the following described property identified as LDR, LOW DENSITY RESIDENTIAL:

For the property described as a part of the West Half of the East Half of the SW/4 of the SE/4 of Section 6, T11N, R1W, of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows: Commencing at the SE/C of the SE/4 of said Section 6; thence S88°10'20"W along the South line of said SE/4 a distance of 1724.52 feet; thence N00°06'02"W a distance of 50.02 feet to the point of beginning; thence S88°10'20"W and parallel with the South line of said SE/4 a distance of 258.51 feet to a point on the West line of said W/2 of the E/2 of the SW/4 of the SE/4; thence N00°06'32"W along the West line of said W/2 of the E/2 of the SW/4 of the SE/4 a distance of 136.43 feet; thence N89°53'58"E a distance of 270.40 feet; thence S00°06'29"E a distance of 68.30 feet; thence S18°38'36"W a distance of 37.34 feet; thence S00°06'02"E a distance of 24.98 feet to the point of beginning.

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

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

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

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2021.

CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney





The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Current Planning Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

Billy Harless, Community Development Director

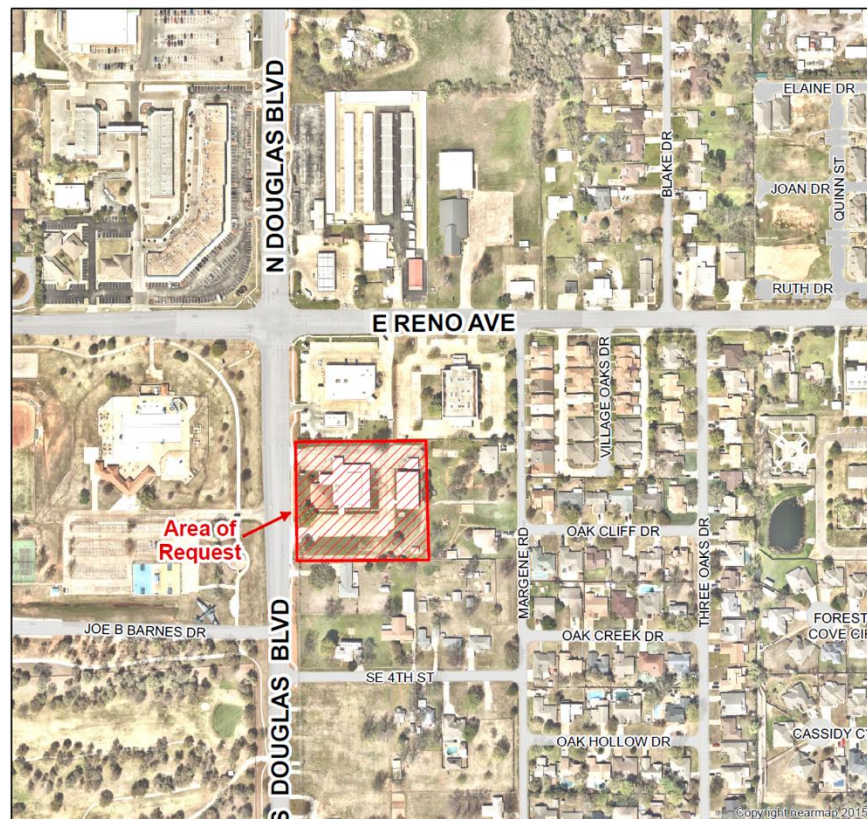
To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2021

Subject: (PC-2067) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential with a Special Use Permit for a Church to C-3, Community Commercial, and a resolution to amend the Comprehensive Plan from PSP, Public/Semi-Public to COMM, Commercial, for the property described as part the NW/4 of Section 1, T-11-N, R-2-W, addressed as 208 S. Douglas Blvd.

Executive Summary: This is a request to rezone the property from R-6, Single Family Detached Residential to C-3, Community Commercial. A church building and accessory building currently exist on the lot. If this request is approved, the applicant plans to demolish the former church building, build one or multiple new commercial building(s) and leave the existing metal building in the rear portion of the lot. No variances are being requested. All future construction would be required to meet the minimum requirements of the Zoning Ordinance including parking, landscaping, screening, exterior materials, coverage, setbacks, minimum lot size, etc. Action is at the discretion of the City Council.



Dates of Hearing: Planning Commission – January 5, 2021
City Council – January 26, 2021

Applicant: Rod Baker, Baker First

Owner: Board of Trustees Oklahoma Annual Conference

Proposed Use: Office/Commercial

Size:

The area of request has a frontage of approximately 322' along S. Douglas Blvd. and a depth of approximately 410' containing an area of approximately 132,022 square feet more or less.

Development Proposed by Comprehensive Plan:

Area of Request – Public/Semi-Public (PSP)
North - Public/Semi-Public (PSP) and Office Retail (OR)
South – Office Retail (OR) and Low Density Residential (LDR)
East – Low Density Residential (LDR)
West – Parks/Open Space (POS)

Zoning Districts:

Area of Request – R-6, Single Family Detached Residential with a Special Use Permit for a Church
North – C-3, Community Commercial and C-1, Restricted Commercial
South, East and West – R-6, Single Family Detached Residential

Land Use:

Area of Request – vacant church and accessory building
North – Little Caesar's and medical office
South and East – single family residences
West – Reno Swim & Slide

Municipal Code Citation:

2.20. C-3, Restricted Commercial

2.20.1 General Description

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

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

Limited outdoor storage and limited open display as defined in the Zoning Ordinance shall be permitted.

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

History:

1. No record can be found of when the Special Use Permit for a church was approved.
2. County records show that the church building was built in 1975 and that the fellowship hall was built in 1981.
3. The Planning Commission recommended approval of this request January 5, 2021.

Staff Comments:

Engineer's report:

Note: No engineering improvements are required with this application.

Water Improvements

There is a twelve (12) inch public water main located along the west side of Douglas Boulevard. Any new building permit will require tie into the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There are multiple eight (8) inch public sanitary sewers bordering the north, west, and south of the proposed parcel. Any new building permit will require tie into the public water system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off Douglas Boulevard which is classified as a Primary Arterial (Divided) in the 2008 Comprehensive Plan.

Sidewalk currently exists along Douglas Boulevard across the frontage of the proposed parcel.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an "Area of Minimal Flood Hazard" on Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 18th, 2009.

Drainage and detention improvements are not required with this application but will be required with a commercial building permit.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Marshal's report:

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Plan Review Comments:

This is an application to rezone the parcel located at 208 S. Douglas Blvd. from R-6, Single Family Detached Residential with a Special Use Permit for a church to C-3, Community Commercial.

The applicant plans to demolish the existing church building and build one or multiple commercial building(s). The applicant would like to leave the existing metal structure located in the rear portion of the structure. The metal structure does not meet the current ordinance regarding the exterior materials for commercial buildings, however, the structure has been in existence since 1981.

If this request is approved, the following requirements of the Zoning Ordinance must be met with any building permit:

- The building must be constructed of 80% masonry materials. The City does not accept EIFS as a masonry product.
- Parking for office use: 1 space per 250 sq. ft. GLA for the first 12,000 sq. ft. of GLA. From 12,001 sq. ft – 48,000 sq. ft. GLA = 1 space per 300 sq. ft. of GLA.
- Parking for retail use: 1 space per 150 sq. ft. GLA for the first 5,000 sq. ft. of GLA. From 5,001-12,000 sq. ft. GLA = 1 space per 200 sq. ft. of GLA. From 12,001-30,000 sq. ft. GLA = 1 space per 225 sq. ft. of GLA.
- Parking for restaurant: 1 space per 100 sq. ft. GFA
- Minimum aisle width of 26’.
- Minimum parking space size of 8’6”x18’6”
- 25’ front building line along S. Douglas
- 5’ setback along north property line
- Required south side setback of 10’ or 15’ – dependent on whether or not there is a driveway or parking on the side
- 10’ rear setback abutting the boundary of the residential zoning
- Base landscaping of six (6) trees and twelve (12) shrubs per building plus two (2) trees and two (2) shrubs for every ten (10) parking spaces installed. Landscaping must be in place prior to issuance of a Certificate of Occupancy.
- Maximum lot coverage of 90%
- Signage must meet the requirements of the Sign Ordinance
- Dumpster must be enclosed on three (3) sides by a minimum of 8’ tall masonry walls with a minimum 12’ opening when gates are opened.

Staff sent notices out to all property owners within 300 feet of the area of request. As of this writing, staff has received no calls or letters of protest.

Action is at the discretion of the City Council.

PC-2067

Action Required:

Approve or reject the ordinance to redistrict to C-3, Community Commercial and a resolution to amend the Comprehensive Plan from PSP, Public/Semi-Public to COMM, Commercial, for the property as noted herein, subject to staff comments as found in the January 26, 2021 agenda packet and made a part of PC-2067 file.

A handwritten signature in black ink, appearing to read "Billy Harless". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Billy Harless,
Community Development Director
KG



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC - 2067

Date: 09 December 2020

PC 2067 is a request to rezone the parcel at 208 S. Douglas from R-6 with a Special Use Permit for a church to C-3, Community Commercial. The applicant plans to demo the church building and rebuild for commercial use. The applicant plans to leave the existing metal building in the rear portion of the property.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Helmberger".

Duane Helmberger
Fire Marshal
Midwest City Fire Department

The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.

The City of
MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Brandon Bundy, City Engineer

Date: December 8th, 2020

Subject: Engineering staff comments for pc-2067 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2067:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

There is a twelve (12) inch public water main located along the west side of Douglas Boulevard. Any new building permit will require tie into the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There are multiple eight (8) inch public sanitary sewers bordering the north, west, and south of the proposed parcel. Any new building permit will require tie into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off Douglas Boulevard which is classified as a Primary Arterial (Divided) in the 2008 Comprehensive Plan.

Sidewalk currently exists along Douglas Boulevard across the frontage of the proposed parcel.

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The area of request is shown to be in an "Area of Minimal Flood Hazard" on Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 18th, 2009.

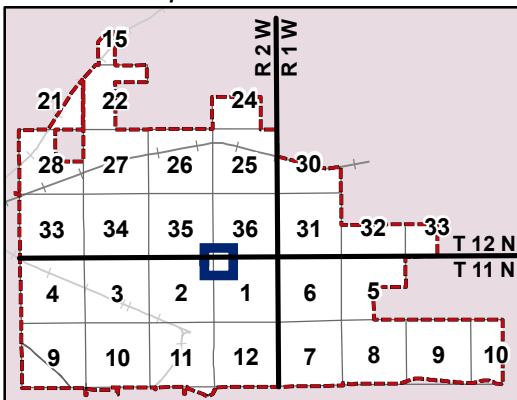
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Easements and Right-of-Way

No further easements or right of way would be required with this application.



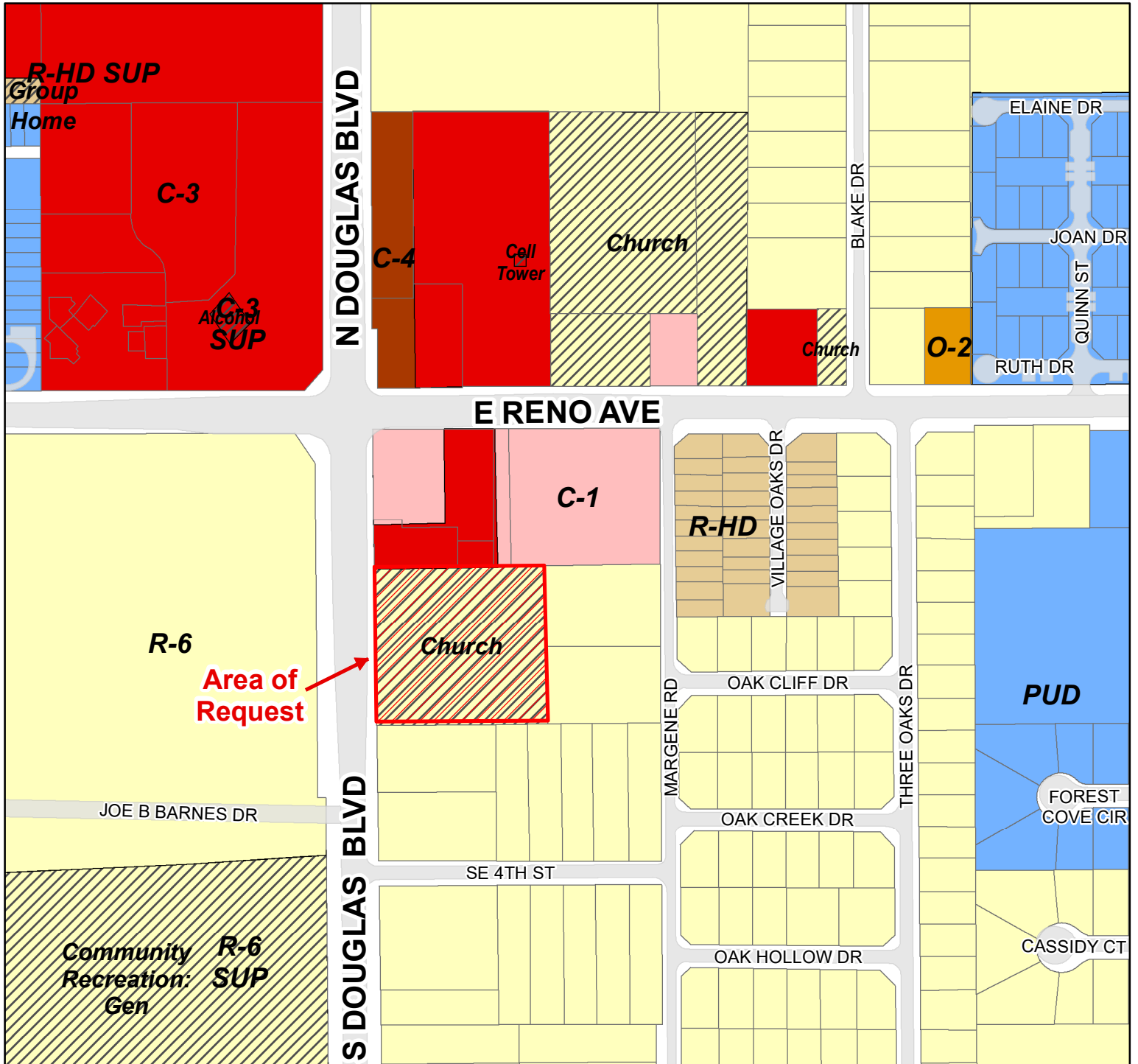
Locator Map



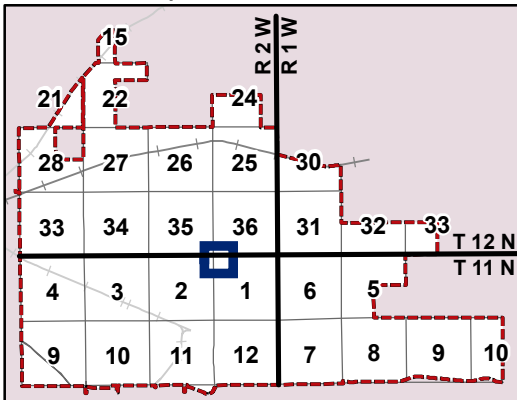
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2067
(NW/4, Sec. 1, T11N, R2W)**



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Locator Map



Current Zoning Legend

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

ZONING MAP FOR PC-2067 (NW/4, Sec. 1, T11N, R2W)

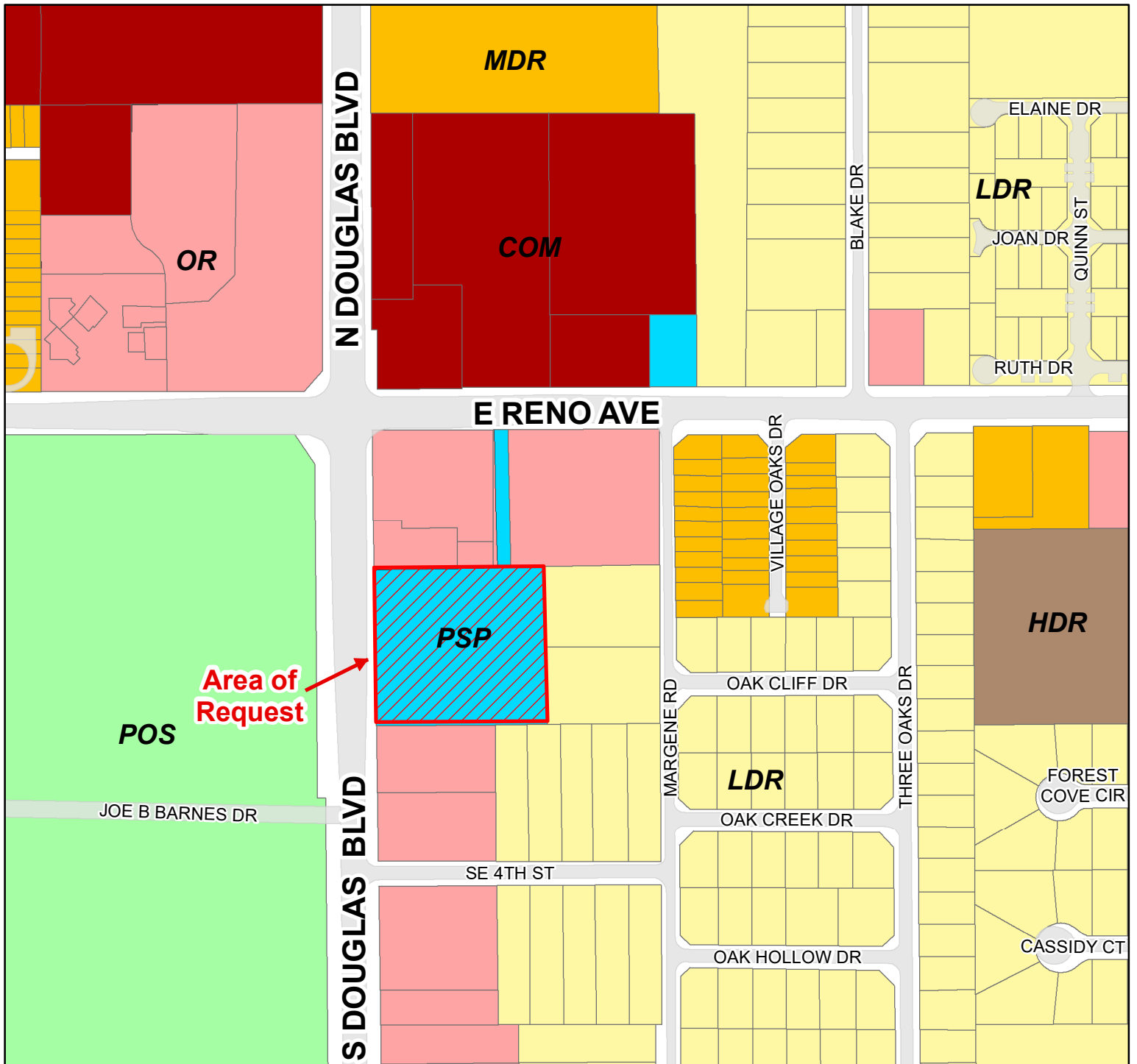


0 300 600 Feet

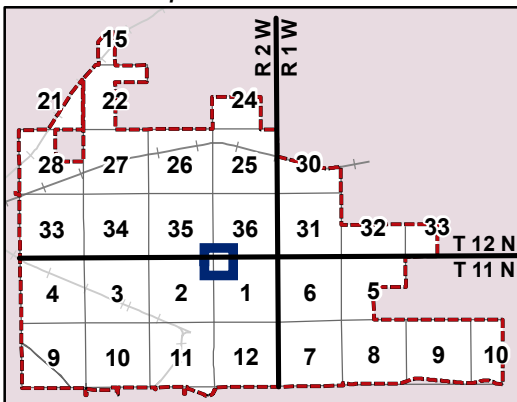


1 inch = 300 feet

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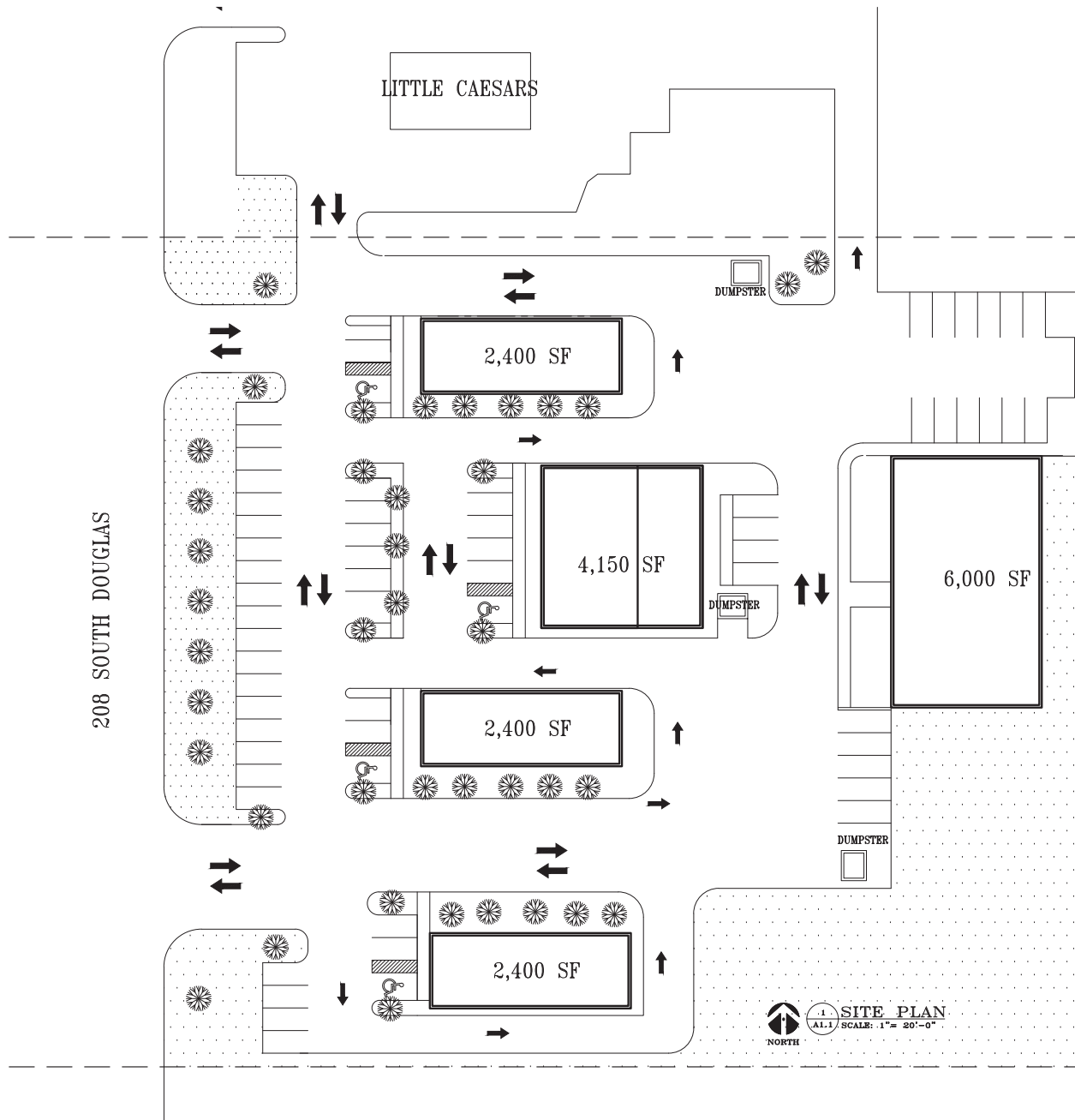
Future Land Use Legend

- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

**FUTURE LAND USE
MAP FOR
PC-2067
(NW/4, Sec. 1, T11N, R2W)**



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ALISA J. WEATHERMAN LLC
 7201 NE 121ST STREET
 EDMOND, OKLAHOMA 73013
 PH. 245-7578
 alisaweatherman@gmail.com

208 SOUTH DOUGLAS BLVD. MIDWEST CITY, OK

DATE:
 11-21-2020

SEAL:

TITLE:
 SITE PLAN

SHEET:

A1.1

SITE PLAN
 A1.1 SCALE: 1" = 20'-0"

Preliminary Architectural Concepts

New Development

208 S. Douglas

Midwest City, Oklahoma















easy chairs

full bar

brick house
TAVERN + TAP

RESOLUTION NO. 2021-_____

A RESOLUTION AMENDING THE COMPREHENSIVE PLAN MAP CLASSIFICATION FROM PSP, PUBLIC/SEMI-PUBLIC, TO COMM, COMMERCIAL FOR THE PROPERTY DESCRIBED IN THIS RESOLUTION WITHIN THE CITY OF MIDWEST CITY, OKLAHOMA.

WHEREAS, the Comprehensive Plan Map of Midwest City, Oklahoma shows the following described property identified as PSP, PUBLIC/SEMI-PUBLIC:

The West 410 feet of the South Half (S/2) of the Northwest Quarter (NW/4) of the Northwest Quarter (NW/4) of Section One (1), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows: Beginning at a point 330 feet South of the Northwest Corner of said Section; Thence East 410 feet; Thence South 330 feet; Thence West 410 feet; Thence North 330 feet to the place of beginning.

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

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

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

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2021.

CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES II, Mayor

ATTEST:

SARA HANCOCK, City Clerk

APPROVED as to form and legality this _____ day of _____, 2021.

HEATHER POOLE, City Attorney

1 **PC-2067**

2 **ORDINANCE NO. _____**

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

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

9 **ORDINANCE**

10 **SECTION 1.** That the zoning district of the following described property is hereby reclassified
11 to C-3, Community Commercial, subject to the conditions contained in the PC-2067 file, and that
12 the official Zoning District Map shall be amended to reflect the reclassification of the property’s
13 zoning district as specified in this ordinance:

14 The West 410 feet of the South Half (S/2) of the Northwest Quarter (NW/4) of the North-
15 west Quarter (NW/4) of Section One (1), Township Eleven (11) North, Range Two (2)
16 West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described
17 as follows: Beginning at a point 330 feet South of the Northwest Corner of said Section;
18 Thence East 410 feet; Thence South 330 feet; Thence West 410 feet; Thence North 330
19 feet to the place of beginning.

20 **SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are
21 hereby repealed.

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

25 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
26 on the _____ day of _____, 2021.

27 THE CITY OF MIDWEST CITY, OKLA-
28 HOMA

29 _____
30 MATTHEW D. DUKES II, Mayor

31 ATTEST:

32 _____
33 SARA HANCOCK, City Clerk

34 APPROVED as to form and legality this _____ day of _____, 2021.

35 _____
36 HEATHER POOLE, City Attorney



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2021

Subject: (PC – 2068) Public hearing with discussion and consideration of an ordinance redistricting from Planned Unit Development (PUD) to Amended Planned Unit Development (PUD), for the property described as Lot 1 of the Red Oak Development addressed as 2113 S. Douglas Boulevard.

Executive Summary: This is a request to amend the zoning from PUD, Planned Unit Development to Amended PUD, Amended Planned Unit Development. The area of request is a single lot currently zoned PUD and governed by the C-3, Community Commercial district. Staff held a meeting with the applicant in October to discuss amending the existing PUD to govern Lot 1, addressed as 2113 S. Douglas by the C-4, General Commercial District to allow the use of commercial marijuana grow. With this application, all of the existing C-3 uses currently allowed by the PUD will remain for Lot 1 and the only C-4 use allowed will be that of commercial marijuana grow. The existing use of an office will continue in the building on the eastern side of Lot 1. The applicant expressed interest in using the existing building in the rear portion of the lot as an indoor marijuana grow facility. The structure has been used previously as indoor horticultural growing as part of a landscaping business. Proper building permits to convert the existing structure into a marijuana grow facility would be required. If this application is approved, the applicant would be required to file for a marijuana grow license with the state. Action is at the discretion of the City Council.

Dates of Hearing: Planning Commission – January 5, 2021
City Council – January 26, 2021

Council Ward: Ward 2, Councilmember Pat Byrne

Owner/Applicant: Tom Strahorn

Representative: Rick Rice

Proposed Use: Marijuana grow

Size: The area of request has a frontage along S. Douglas Blvd. of approximately 140 ft. and contains an area of approximately 1.05 acres.



Development Proposed by Comprehensive Plan:

Area of Request – COM, Commercial
North, South and West – COM, Commercial
East – OR – Office/Retail

Zoning Districts:

Area of Request – Planned Unit Development (PUD) governed by C-3, Community Commercial District
North – I-2, Moderate Industrial District and PUD, Planned Unit Development governed by I-2, Moderate Industrial District
South – PUD, Planned Unit Development governed by C-3, Community Commercial District
East – PUD, Planned Unit Development governed by C-1, Restricted Commercial District
West – PUD, Planned Unit Development governed by I-2, Moderate Industrial District

Land Use:

Area of Request – Strahorn Landscaping and vacant building
North – The Guild Salon and Tinker Storage
South – Multi-tenant commercial building
East – KinderCare
West – Tinker Storage

Comprehensive Plan Citation:

Commercial Land Uses

Areas designated for commercial land use are intended for a variety of commercial uses and establishments with outside storage, display and sales. Examples of such uses include automobile-related services, manufactured home sales, self-storage units, welding shops, and pawnshops. Commercial uses often locate along major thoroughfares not because they need the visibility, as retail uses generally do, but because they need the accessibility. The challenge lies in the fact that commercial uses often have a greater need for outside storage areas and these areas tend to lessen the visual quality of major thoroughfares.

Municipal Code Citation:

2.25 PUD, Planned Unit Development

2.25.1 General Provisions

The planned unit development, herein referred to as PUD, is a special zoning district category that provides an alternate approach to conventional land use controls to produce unique, creative, progressive, or quality land developments.

The PUD may be used for particular tracts or parcels of land that are under common ownership and are to be developed as one unit according to a master development plan. The PUD is subject to special review procedures within the PUD application and review and once approved by the City Council it becomes a special zoning classification for the property it represents.

2.25.2 Intent and Purpose

The intent and purpose of the PUD provisions are as follows:

- (A) Innovative land development
Encourage innovative land development while maintaining appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties, and following the guidelines of the comprehensive plan.
- (B) Flexibility within developments
Permit flexibility within the development to maximize the unique physical features of the particular site.
- (C) Efficient use of land
Encourage efficient use of land, facilitate economic arrangements of buildings and circulation systems, and encourage diversified living environments and land uses.
- (D) Function, design and diversity
Achieve a continuity of function and design within the development and encourage diversified living environments and land uses.

(E) Modifications to development requirements

Provide a vehicle for negotiating modifications in standard development requirements in order to both encourage innovative development and protect the health, safety and welfare of the community.

History:

1. This area was indicated as industrially zoned with the adoption of the 1968 Zoning Map.
2. A Preliminary plat to divide this area into 6 parcels was approved in October of 2012 (PC-1774).
3. The area of request was rezoned to PUD, Planned Unit Development governed by C-3, Community Commercial in February of 2013 (PC-1781).
4. The Red Oak Development Final Plat was approved March 26, 2013 (PC-1783).
5. The Planning Commission recommended approval of this item January 5, 2021.

Staff Comments:

Engineer's Report:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the west side of Douglas Boulevard. The existing buildings on the proposed parcel are currently on City water, therefore water line improvements are not required as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is an eight (8) inch public sanitary sewer running along the west side of the proposed parcel. Any future building permit will require a sanitary sewer connection as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off Douglas Boulevard. Douglas Boulevard is classified as a Primary Arterial in the 2008 Comprehensive Plan.

Although sidewalk improvements are not required with this application, future substantial building permits will require sidewalks.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is developed with buildings existing. The area of request is shown to be in an "Area of Minimal Flood Hazard" meaning no floodplain on Flood Insurance Rate map (FIRM) number 40109C0330H, dated December 18th, 2009. Drainage and detention improvements are not required with this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Marshal's Report:

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Plan Review Comments:

The area of request, tract A lot 1 of the Red Oak Development, was rezoned to a PUD in 2013 and governed by the C-3, Community Commercial District. The applicant is requesting that the PUD be amended for Lot 1 to be governed by the C-4, General Commercial for the intended use of commercial marijuana grow. This request will only allow for the single C-4, General Commercial use of marijuana grow. No other C-4 uses would be permitted with this application. All existing C-3 uses currently allowed within the PUD will remain. Any C-3 uses excluded in the PUD approved as part of PC 1781 will remain excluded.

The applicant has stated that the existing building in the rear portion of the property will be remodeled and used as the marijuana grow facility. The existing building does meet current side and rear yard setback requirements for this use. No additional parking or landscaping is required with this application.

If this application is approved, the applicant will be required to apply for a Certificate of Occupancy through the Community Development office. Prior to issuance of a CO, the operation must pass inspections by the building and fire departments. The building must meet all current building and fire codes.

As of this writing, staff has received no calls or letters of protest.

Action is at the discretion of the City Council.

Action Required: Approve or reject the ordinance to redistrict to Amended Planned Unit Development for the property as noted herein, subject to the staff comments and recommendations as found in the January 26, 2021 agenda packet and made a part of PC-2068 file.



Billy Harless, AICP
Community Development Director

SS:KG

RLF

RICE LAW FIRM
www.RiceLawFirm.net

November 24, 2020

*Supplement to
Design Statement of the Planned Unit Development of
Red Oak Development
Midwest City, Oklahoma*

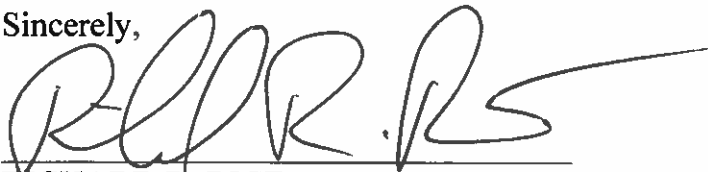
Complimentary to the application materials for the rezoning request of Lot One (1) of Red Oak Development, PUD governed by C-3 to C-4, on behalf of the applicant I offer the following explanation of the reason for the request.

The property is currently zoned as a PUD governed by the C-3, Community Commercial district. The request is to amend the PUD for Lot One (1) of the Red Oak Development of Midwest City to be governed by C-4, General Commercial rather than C-3. The *only* C-4 use under the requested amendment would be for Commercial Marijuana Grow.

The anticipated plans for the property will use the existing building already present on the property. Some minor interior modifications, and a modification to that building's HVAC system are the only modifications to the property expected.

Should you have any further questions, do not hesitate to contact me.

Sincerely,



RICHARD R. RICE
Rick@RiceLawFirm.net

PUD No. PC-XXXX

DESIGN STATEMENT OF THE PLANNED UNIT DEVELOPMENT OF

Red Oak Development

MIDWEST CITY, OKLAHOMA

January 31, 2013

Owner/Developer:

TSB, LLC
2113 S. Douglas Blvd.
Midwest City, OK 73130
(405) 737-4548

Prepared by:



JTK Engineering Company
37906 Wolverine Road
Shawnee, OK 74804
(405) 878-0715
Attn: Keith Cook, P.E.

LOCATION:

The Planned Unit Development of Red Oak Development consists of 30.56 acres more or less and is located on the West side of South Douglas Boulevard and South of S.E. 15th Street in Midwest City. The property is further described as being in the Northeast Quarter (NE/4) of Section Eleven (11), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma.

LEGAL DESCRIPTION:

The legal description of the property contained within this Planned Unit Development is described in Exhibit A.

OWNER/DEVELOPER:

The owner/developer of the property is TSB, LLC.

SITE, SURROUNDING AREAS AND CONCEPT:

The property is currently zoned I-2, Moderate Industrial District. The majority of the site is currently undeveloped land. A small portion of this site has been improved with buildings used in conjunction with Strahorn Landscaping. If approved, all existing structures will be removed to make way for new development. This PUD proposes to split the property into seven (7) tracts including an apartment complex on the west side of Soldier Creek, a self-storage facility, and five (5) commercial lots along Douglas Boulevard. Soldier creek runs through the property. Jim White Drive is routed through the northwestern corner of the Property with City of Midwest City public works administration building across Jim White Drive. Located to the north of the Property is raw land and a Poblano Restaurant. To the west of the Property is raw land. The property lies within the Midwest City School District.

SITE TOPOGRAPHY, ACCESS, DRAINAGE AND EXISTING UTILITIES:

The following is an analysis of the existing and proposed infrastructure to serve this Planned Unit Development:

The site generally slopes to the middle into Soldier Creek and from south to north along the creek. A significant portion of the site resides in the FEMA 100-year flood plain. If Owner chooses to build within the flood plain, Owner shall take all appropriate measures prior to do so.

Primary vehicular access to the site would be provided by way of the entrance on Douglas Boulevard that borders the property on the east. An emergency only gate shall be placed on the northern edge of the property which would allow vehicles to access the facility from Jim White Drive in

times of an emergency. The main ingress/egress into the southern side of the development, including the apartments, off of Douglas Boulevard shall feature a boulevard style entrance/exit with one entrance lane and two exit lanes; one for turning each direction. There shall be an approximately 8' wide center median separating the entrance from the exits abutting Douglas Boulevard and running approximately 50' back to the west. The drives and access corridors within the property will be private and will feature a cross-access easement. Upon closing the sale of each parcel contained within this PUD, all parties shall be required to execute a cross parking and access agreement. The agreement shall allow for all owners in Areas A, B, and C to access one another's property through public access areas running immediately west and adjacent to Douglas Blvd. It will also allow all property owners and their customers, employees and invitees to utilize the road on the south end of the development and all curb cuts along Douglas Blvd. This language is contained within the standard contract for this development and will be a requirement of closing. Further, each parcel owner shall be required to submit proof of recorded cross access agreements before a building permit can be picked up.

Many of the required utility systems for the project (including water, sewer, gas, telephone and electric) are currently located on, adjacent to, or in near proximity to, the boundaries or the property. A new approximately 2,400 linear foot water line shall be installed throughout the development.

Fire protection for the development shall be provided by the City of Midwest City Fire Department. The nearest fire station is located at 15th Street and Jim White Drive, Midwest City, OK. The station is approximately 1/2 mile from the site. The development as designed and reviewed at the preliminary plat stage will provide the necessary fire protection and truck turning radii as is required by the City of Midwest City Fire Marshall.

SPECIAL DEVELOPMENT REGULATIONS:

In cases of conflict between provisions of the Planning and Zoning Code Regulations for The City of Midwest City and the provisions of this Planned Unit Development, the Planned Unit Development provisions shall supersede. The regulations are as follows:

Tract A:

The use and development regulations of the C-3 "Community Commercial" District shall govern development of this tract.

Access to individual lots within this Planned Unit Development will be permitted from Douglas Boulevard. A maximum of three (3) entrances will be provided along Douglas. Two (2) existing entrances may be relocated and one (1) new entrance will be installed near the middle of Tract A. Individual lots will be allowed to cross-access for the purpose of parking and

maneuvering via a cross access agreement effective through recorded covenants and restrictions.

It is envisioned that this portion of the PUD be the site for uses such as restaurants (which may or may not sell alcohol), retail sales and general professional office. Several C-3 uses shall not be permitted including but not limited to: automotive repair or sales, funeral homes/ undertaking, storage and/or distribution facilities, building maintenance services, landscaping or horticulture services and construction sales and services with the exception of general professional office facility for a builder.

Tract B:

The use and development regulation of the I-2 "Moderate Industrial" District shall govern development of this tract.

Lots within this tract of the PUD will not be required to have frontage on an approved street.

The use of Tract B will be that of Personal Storage in the Zoning Ordinance. There will also be a portion of Tract B utilized for enclosed outdoor storage of boats and recreational vehicles (RV). The boat and RV storage area would initially cover areas currently residing in the floodplain and cover no more than fifty percent (50%) of Tract B. It is likely that, over time, this portion will be reduced as the operator plans to fill in portions of the floodplain in order to build more personal storage in those areas.

Tract C:

The use and development regulations of the R-MD "Medium Density Residential" District shall govern development of this tract.

1. Uses permitted: In addition to any of the uses permitted as a matter of right under the R-MD district, this PUD shall also allow for the following special uses:
 - a. Church, temple, or other place of worship
 - b. Child care center
 - c. Off-street parking, per the provisions of the City of Midwest City Code
 - d. Office buildings, per the provisions of the City of Midwest City Code
 - e. Convalescent home, rest home, nursing home, or assisted living center
2. Height: No structure may be more than three (3) stories or forty-five (45) feet tall.

3. **Density:** The residential portion of the Addition may be developed to a density of anywhere between a range of 10 to 20 units per gross acre. The preliminary plans include approximately 325 residential units, but may be adjusted upward or downward within the allowed density so long as all other regulations are met (such as, but not limited to, height, building setbacks, coverage, etc.).
4. **Impervious Area:** the total amount of impervious area, including all building footprints and paved areas shall not cover more than forty percent (40%) of lot area.
5. **Accessory Buildings:** Accessory buildings such as a common area clubhouse and related uses are allowed and may contain uses consistent with, but not limited to, office, fitness, game room, library, club house, meeting room, swimming accessory buildings, model unit, maintenance and equipment rooms, etc. Accessory building wall heights may not exceed the height of the principal structures and shall be in harmony with the adjacent buildings.
6. **Amenities:** Athletic and recreational courts and facilities are allowed as support uses within the residential district.
7. **Parking:** Parking may be accommodated by way of common area parking lots within the district, and/or by way of parallel parking along the private drives within this residential area.
8. **Noise Reduction:** Since the subject property resides in an area impacted by airplane noise, any residential structures constructed on the Property shall be meet any City of Midwest City ordinances, code or recommendations to reduce potential noise that tenants may incur.
9. **Building Design:** Although actual architectural renderings and plans shall be submitted prior to final platting, architectural integrity will be used in the design and construction of any structures. All buildings shall be designed in likeness to surrounding buildings within the overall development and shall be constructed with some combination of brick, stucco, and wood.
10. **Dumpster and Trash Enclosures:** One or more trash compactor(s) and its/their enclosure(s) may be located on site to facilitate resident trash removal. Any dumpster enclosure(s) will be built with brick on at least (3) sides (8) foot in height with wood or metal doors.
11. **Site Plan and Final Plat:** The preliminary site development plans for the medium density residential areas currently submitted with this PUD may be further refined once final site development plans are submitted with the final plat. As the PUD process is intended to foster innovative and creative design, the applicant may exercise flexibility in the design and layout of the site plans within the addition.

12. Amenities:

- a. Park land will be provided as private park land within the addition, and so long as such private park land is in excess of the amount that would have been required of public park land, then there will be no public requirement of park land or fee in lieu of.
- b. Open space and green space areas are located throughout the addition. Open green space due to flood plain currently totals over approximately 10.66 acres, or over approximately 55% of the total site area in Tract C. In the event, the floodplain changes, the site will have no less than 30% of the property dedicated to open space and green space.
- c. As part of the City of Midwest City's parks system, Owner agrees to allow a city controlled walking trail following Soldier Creek across the property on the west side of the creek which is the eastern edge of Tract C. An easement for this trail will be designated with the final plat.

13. Signage: There shall be no more than five (5) signs fronting Douglas Boulevard and no more than three (3) of those signs shall be pylon signs. All signage shall be in conformance with the City of Midwest City's sign codes, as amended from time to time, and comply with applicable district regulations. Signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines.

14. Fencing/Buffering: Fencing will be constructed around portions of Tract A and Tract C. Fencing may be constructed in other areas of the PUD as well in the discretion of the Owner. Construction material may be of masonry, metal/iron, or wood, or any combination thereof, and other materials as compatible with the building structures.

15. Traffic access/Circulation/Parking and Sidewalks: The access to the PUD will be from South Douglas Boulevard. Landscape buffers will accommodate all City of Midwest City traffic division sight triangle requirements. All internal drives and streets will have adequate circulation provided for the fire department and City Waste Management Services. All sidewalks will be at least four feet (4') wide and provide adequate access to the buildings along with all project amenities.

16. Lighting: All exterior lighting shall be installed in conformance with the City of Midwest City lighting ordinance, and so as to prevent blinding glare into vehicular roadways and residential windows.

EXHIBITS:

The following exhibits are attached hereto and shall be made an integral part of this Planned Unit Development.

- A. Master Development Plan
- B. Plat Map
- C. Tract Legal Descriptions



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC -2068

Date: 09 December 2020

PC-2068 is a request to amend a portion of a PUD to allow marijuana grow on one lot. The original Red Oak PUD was approved in 2013 and the lots along Douglas were governed by the C-3, Community Commercial. This request is to amend the PUD for lot 1, addressed as 2113 S. Douglas, for that lot to be governed by C-4 to allow marijuana grow. All other uses currently allowed in the original PUD would remain and grow would only be allowed on this lot.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Helmberger".

Duane Helmberger
Fire Marshal
Midwest City Fire Department

The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.

The City of
MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Brandon Bundy, City Engineer

Date: December 11th, 2020

Subject: Engineering staff comments for pc-2068 application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2068:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

A twelve (12) inch public water main is located along the west side of Douglas Boulevard. The existing buildings on the proposed parcel are currently on City water, therefore water line improvements are not required as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is an eight (8) inch public sanitary sewer running along the west side of the proposed parcel. Any future building permit will require a sanitary sewer connection as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the area of request exists off Douglas Boulevard. Douglas Boulevard is classified as a Primary Arterial in the 2008 Comprehensive Plan.

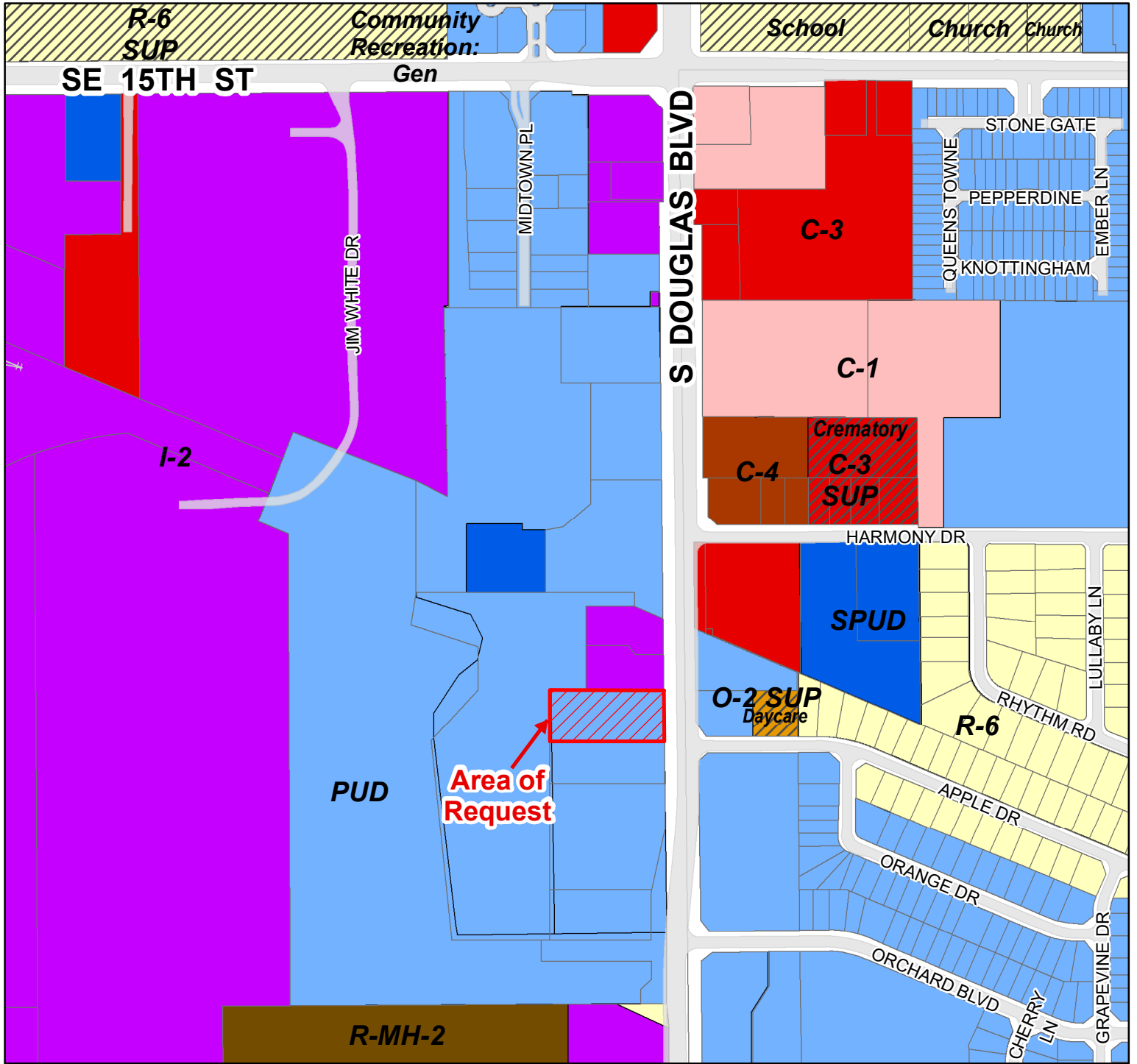
Although sidewalk improvements are not required with this application, future substantial building permits will require sidewalks.

Drainage and Flood Control, Wetlands, and Sediment Control

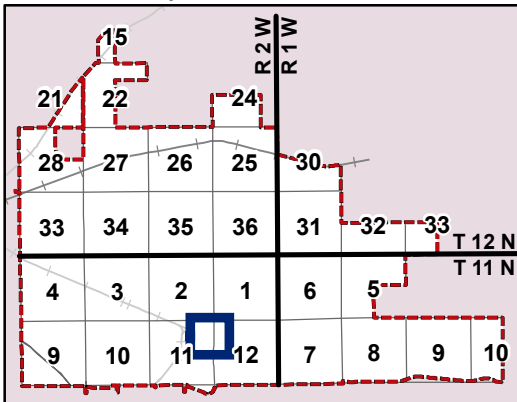
The area of request is developed with buildings existing. The area of request is shown to be in an "Area of Minimal Flood Hazard" meaning no floodplain on Flood Insurance Rate map (FIRM) number 40109C0330H, dated December 18th, 2009. Drainage and detention improvements are not required with this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.



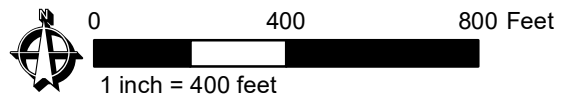
Locator Map



Current Zoning Legend

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

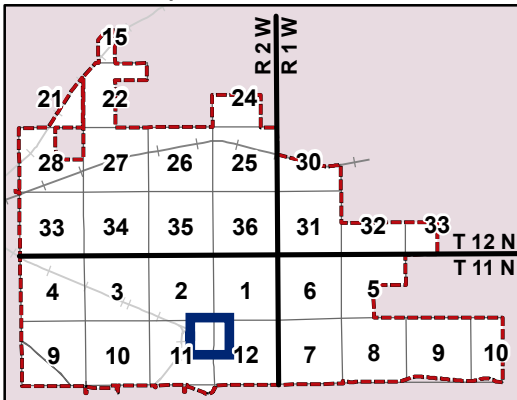
**ZONING MAP FOR
PC-2068
(NE/4, Sec. 11, T11N, R2W)**



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



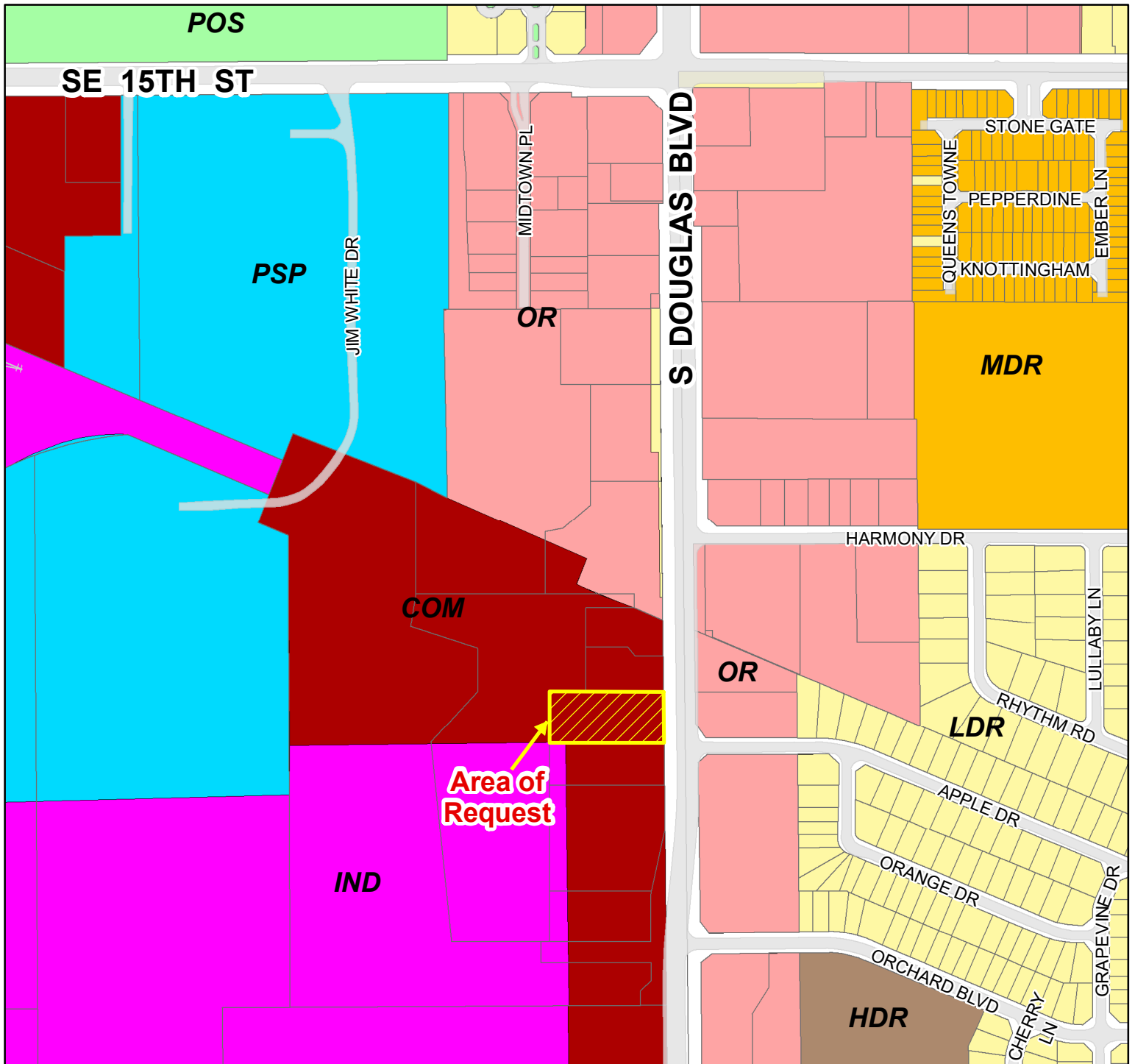
Locator Map



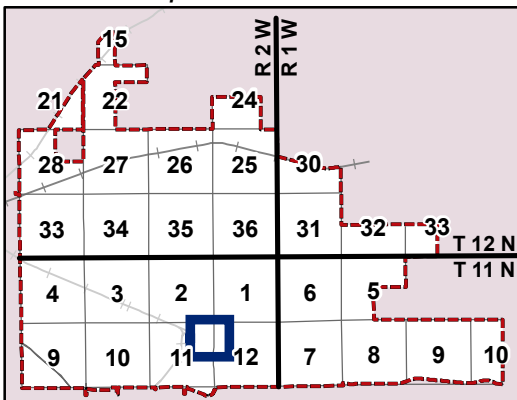
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2068
(NE/4, Sec. 11, T11N, R2W)**



THIS MAP IS A GENERAL INFORMATION PUBLIC RESOURCE. THE CITY OF MIDWEST CITY MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE INFORMATION PROVIDED ON THIS MAP. ANY PARTY'S USE OR RELIANCE ON THIS MAP OR ANY INFORMATION ON IT IS AT THAT PARTY'S OWN RISK AND WITHOUT LIABILITY TO THE CITY OF MIDWEST CITY, ITS OFFICIALS OR ITS EMPLOYEES FOR ANY DISCREPANCIES, ERRORS OR VARIANCES THAT MAY EXIST.



Locator Map

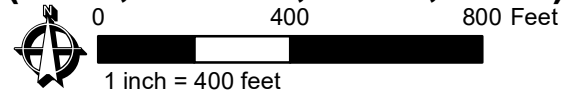


Future Land Use Legend

- Single-Family Detached Residential
- Medium Density Residential
- High Density Residential
- Manufactured Home
- Public/Semi-Public
- Parks/Open Space
- Office/Retail
- Commercial
- Industrial
- Town Center

**FUTURE LAND USE
MAP FOR
PC-2068**

(NE/4, Sec. 11, T11N, R2W)



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1 **PC-2068**

2 **ORDINANCE NO. _____**

3 **AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY**
4 **DESCRIBED IN THIS ORDINANCE TO AMENDED PUD, PLANNED UNIT DEVEL-**
5 **OPMENT, AND DIRECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT**
6 **MAP TO REFLECT THE RECLASSIFICATION OF THE PROPERTY’S ZONING DIS-**
7 **TRICT; AND PROVIDING FOR REPEALER AND SEVERABILITY**

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

9 **ORDINANCE**

10 **SECTION 1.** That the zoning district of the following described property is hereby reclassified
11 to Amended PUD, Planned Unit Development, subject to the conditions contained in the PC-
12 2068 file, and that the official Zoning District Map shall be amended to reflect the reclassifica-
13 tion of the property’s zoning district as specified in this ordinance:

14 Lot 1 of the Red Oak Development, Midwest City, OK

15 **SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are
16 hereby repealed.

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

20 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
21 on the _____ day of _____, 2021.

22 THE CITY OF MIDWEST CITY, OKLA-
23 HOMA

24 _____
25 MATTHEW D. DUKES II, Mayor

26 ATTEST:

27 _____
28 SARA HANCOCK, City Clerk

29 APPROVED as to form and legality this _____ day of _____, 2021.

30 _____
31 HEATHER POOLE, City Attorney



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council
From: Billy Harless, Community Development Director
Date: January 26, 2021

Subject: (PC-2069) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential, PUD, Planned Unit Development and O-2 General Office to a PUD, governed by the R-MD, Medium Density Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to MDR, Medium Density Residential, for the property described as a part of the SW/4 of Section 6, T11N, R1W, addressed as 10100 S.E. 10th St. and 1120 S. Post Rd.

Regarding zoning applications, Section 7.1.3(B)(2) of the Zoning Ordinance requires that “notice of public hearing shall be given by publications in a newspaper of general circulation in the City of Midwest City wherein the property is located on less than fifteen (15) business days prior to the public hearing.”

Notice for this application was sent to the Journal Record on December 9, however, when staff received the publication verification for the applications to be heard by the Planning Commission on January 5, 2021 the notice for PC 2069 was not included. Staff contacted the Journal Record and they verified that it was submitted but did not publish. As notice of this item was not published 15 business days prior to the January 5, 2021 Planning Commission meeting, it cannot be heard on that date.

Staff has sent out a new notice to the surrounding property owners and published a new notice in the Journal Record advertising that this item will be heard by the Planning Commission on February 2, 2021 and by the City Council on February 23, 2021.

No action is required at this time.

Billy Harless, AICP
Community Development Director

KG



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

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Christine Brakefield, Building Official
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Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2021

Subject: (PC – 2070) Discussion and consideration of approval of the proposed preliminary plat of Primrose Hill, described as a part of the SW/4 of Section 31, T12N, R1W, located at 316 N. Post Road.

Executive Summary: This item is a request to subdivide a single parcel into thirty (30) individual parcels for single family development. Access to the subdivision will be via one new street, Primrose Lane, off of North Post Road. The applicant is proposing water and sewer line extensions to serve all of the lots. The area of request is currently zoned R-6, Single Family Detached Residential. No variances to any of the requirements of the Zoning Ordinance for development in the R-6 district will be allowed within this development. The Park Land Review Committee recommended approval of a fee to be paid in lieu of park land dedication. Tree preservation will be required with this subdivision. The applicant has requested a waiver to the cul-de-sac length as the Subdivision Regulations state that cul-de-sacs shall not exceed 500'. The proposed cul-de-sac is 999' in length. The applicant has also requested a partial waiver regarding tree preservation. Both waivers are included with this agenda packet. A preliminary stormwater management and drainage plan is available upon request. Prior to the Planning Commission meeting, there were discussions between staff and the applicant regarding the timing and responsibility of the installation of sidewalks. The Planning Commission recommended approval of the item with an alternative to requiring the developer to install sidewalks prior to final platting or providing a surety bond. The alternative being that a developer may submit a sidewalk plan and add a clear statement on the plat, the covenants and the sidewalk plan clarifying who is responsible for sidewalk construction. The Planning Commission also recommended approval of the requested waivers. Action is at the discretion of the Planning Commission and City Council. It is requested that the City Council address the waivers to the length of the cul-de-sac and the tree canopy management plan in the motion for this item.

Dates of Hearing: Planning Commission –January 5, 2021
City Council – January 26, 2021

Council Ward: Ward 3, Española Bowen

Owner: Edith McFarland

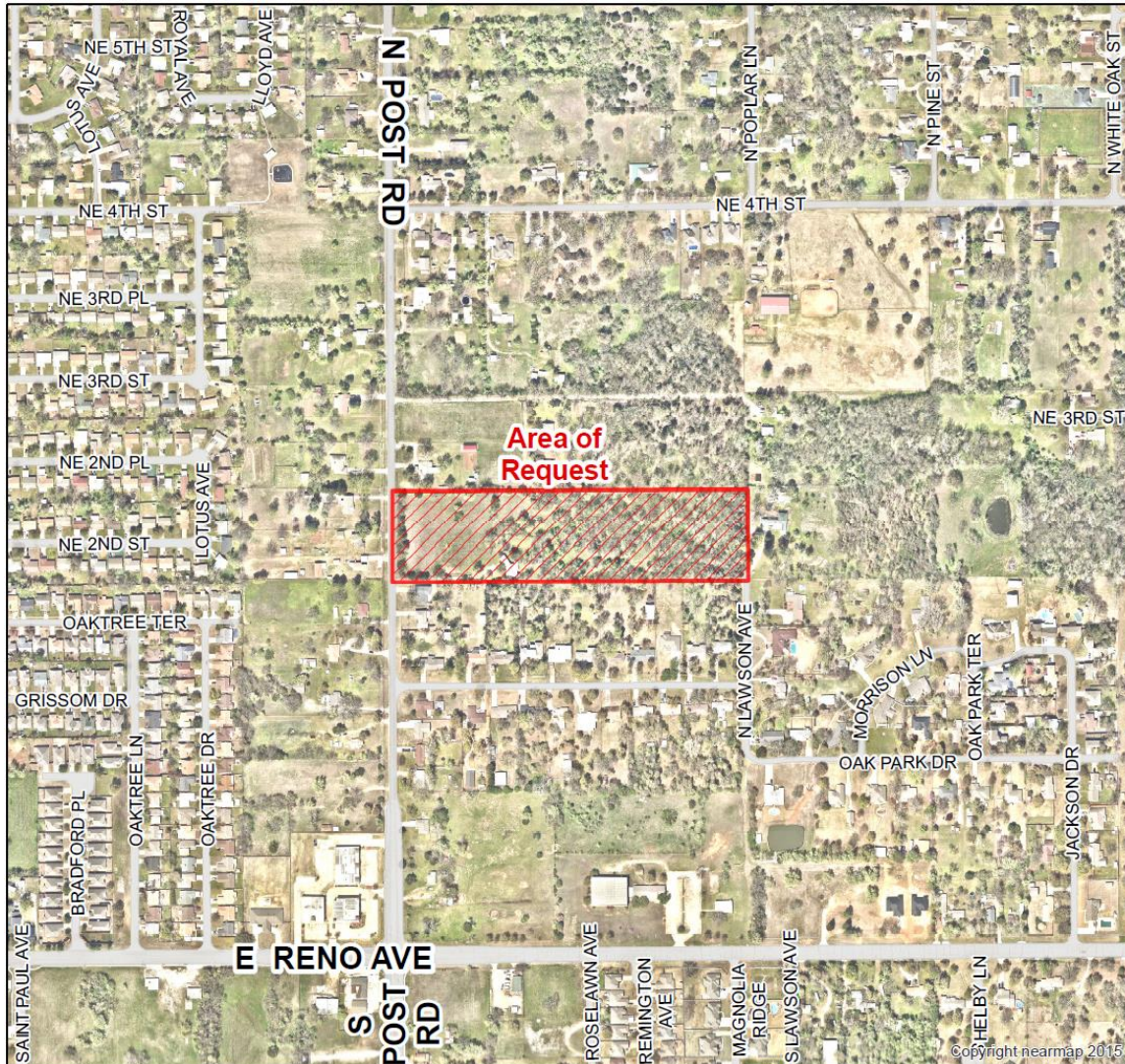
Applicant: Les Chateaux LLC

Engineer: Mark Grubbs, Grubbs Consulting, LLC

Proposed Use: Thirty (30) single family residential lots

Size:

The area of request has a frontage along N. Post Road of approximately 320 ft. and a depth of approximately 1204 ft. and contains an area of approximately 402,270 square feet or 9.23 acres.



Zoning Districts:

Area of Request – R-6, Single Family Detached Residential

North, South, East and West – R-6, Single Family Detached Residential

Land Use:

Area of Request – one single family home

North, South, East and West – single family residences

Municipal Code Citation:

2.7.1. R-6, Single –Family Detached Residential District

The R-6, Single-Family Detached Residential District is intended for single-family residences on lots of not less than 6,000 square feet in size. This district is estimated to yield a maximum density of 5.1 gross dwelling units per acre (DUA).

Additional uses for the district shall include churches, schools and public parks in logical neighborhood units.

38-18.1. Purpose

The purpose of a Preliminary Plat shall be to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of the Subdivision Ordinance.

History:

1. This area has been zoned single-family residential since the adoption of the 1985 zoning code and has never been platted.
2. The Planning Commission recommended approval of this item January 5, 2021.

Staff Comments:

Engineer's Comments:

Note: This application is for a preliminary plat of Primrose located at 316 N Post Road. Section 38-18 in the Subdivision Regulations requires all existing and proposed utility lines and public improvements be reflected on the preliminary plat or accompanying plan. The proposed public utility line installations required with this application are shown on the plat, must be constructed and will be dedicated to the city prior to the final plat application.

Water Supply and Distribution

There is a fourteen (14) inch public water main running along the east side of Post Road. The applicant has proposed teeing into this water main, extending an eight (8) inch public water main to all of the proposed lots as required in Municipal Code 43-32. The lines will be within the proposed right of way for Primrose Lane. This will be a deadend waterline with no other connections to existing public water mains.

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

Sanitary Sewer Collection and Disposal

The proposed development has access to multiple different sewer lines.

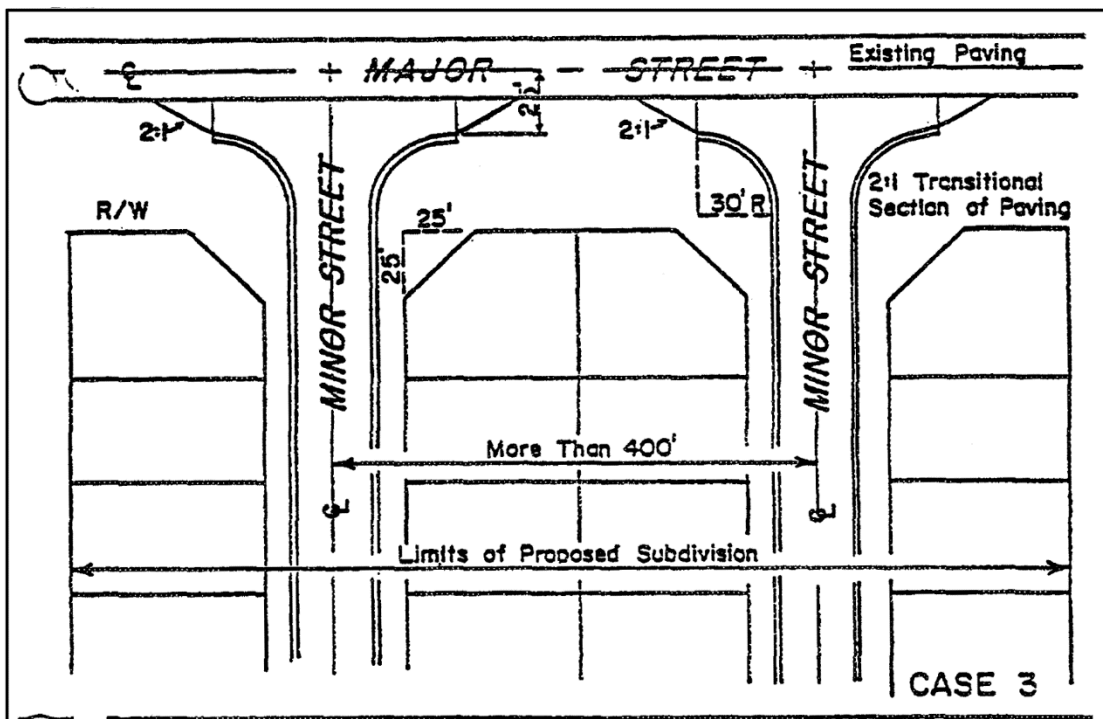
- An eight (8) inch main terminates within the boundary of the proposed development approximately 180 feet east of Post Road. This main is likely above the future flow line of much of the future development.
- There is an eight (8) inch main approximately 175 feet north of the northeast corner of the proposed development. Connecting to this main would require extension across unimproved public right of way.
- An eight (8) inch sewer main approximately 335 feet south of the southeast corner of the proposed development. Connecting to this main would require extension along the right of way of Lawson Avenue.

The applicant has proposed constructing a public sewer main providing service to all of the proposed lots by extension of an eight (8) inch line running along Primrose Lane within the right of way and extending to the north from the northeast corner. Connection to the public sanitary sewer system for domestic service is a building permit requirement per Municipal Code Chapter 43-109 for all lots.

Streets and Sidewalks

Post Road is listed as a secondary arterial (divided) in the 2008 Comprehensive Plan. A right-of-way of 100 feet is required, 50 feet on each side of centerline with an addition ten (10) foot utility easement adjacent to the proposed development. It will be required to be dedicated on the final plat if not already existing.

The applicant proposes to construct a public local street, Primrose Lane, with sidewalks to service the area of request. Right of way for Primrose Lane will be a required minimum of 50 feet. Access to all the lots is proposed off Post Road via an approximate 999 foot long Primrose Lane which is proposed to end in a standard cul-de-sac arrangement. Post Road is currently two lanes which will require an improvement required by Sec. 37-65 of the municipal code;



There is no sidewalk across the frontage of Post Road. In addition to the sidewalk along Post Road, sidewalk will be required on both sides of the proposed internal roadway and ramps constructed to current standard aligned north/south at the intersection with Post Road. Sidewalk construction at individual lots will be allowed after final platting with conditions subject to the agreed upon documents at final platting. Sidewalk along Post Road and common area frontage are required prior to final platting. Any work to the existing drives or sidewalk will require current Midwest City standard. Improvement plans for the street and sidewalks must be prepared by a registered professional engineer and be submitted to staff for plan review and approval.

The comprehensive plan dictates the connection of internal streets within the square mile sections that are designated as future collector roads. The thoroughfare plan does not designate this area to contain a future collector road. The subdivision plan also requires the connection of roads in a proposed subdivision if the proposal contains fifty or more proposed lots. This application falls below that threshold at thirty lots. The applicant proposes to construct a public local street that is a cul de sac with one point of ingress / egress.

Drainage and Flood Control, Wetlands, and Sediment Control

The proposed development topography is sloped towards the east away from Post Road. Drainage to the proposed development generally flows via sheet flow east with a slight bend to the north. The lowest existing spot on the property is approximately the northeast corner. There is also a ditch along Post Road which flows from south to north.

All the drainage eventually flows into Crutcho Creek. Currently, the proposed development tract has one (1) house but is otherwise undeveloped with no improvements or structures.

The applicant has proposed that a common detention pond handle 7.32 acres, 77% of the total 9.5 acres. The remaining 2.18 acres, 23%, is shown to bypass and flow directly onto neighboring property. It will be required that any water flowing unmitigated onto neighboring property be sheet flow (not concentrated).

The common detention pond shows to have a discharge to the north where there is an abutting unimproved right of way. The discharge at this exact point will likely be concentrated and higher flow than existing. With private property downstream of this point, further improvements may be required on the public right of way to further distribute and mitigate the water.

The proposed development is not regulated floodway or flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 18th, 2009.

No identified wetlands are located on or abutting the proposed development as shown on the National Wetlands Inventory, www.fws.gov/wetlands/data/Mapper.html prepared by the United States Department of the Interior Fish and Wildlife Service, accessed December 14th, 2020.

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

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

Easements and Right-of-Way

The required easements and existing right of way for the area of request are illustrated on the preliminary plat and will be dedicated to the city when the final plat is filed.

All easements and right of way dedications are to comply with Municipal Code Sections 38-43, 38-44, and 38-45.

A 15' Utility easement will be required to be dedicated along the southern property line per 38-48.15(c)(2).

Waiver Request

The developer has requested a waiver to Municipal Code 37-68(3)(a): “A cul-de-sac shall not exceed 500’ in length, measured from the nearest street right-of-way line to the outer curb line of the cul-de-sac”. Municipal Code 37-68(3)(b) allows for the Planning Commission and City Council to waive this requirement but provides that if the cul-de-sac is 1000’ or longer, it shall be zoned in a Planned Unit Development AND have traffic calming islands [Municipal Code 37-68(3)(e)]. The proposed Primrose Lane is 999 feet long which is just under this requirement. However, the developer has agreed to provide a traffic calming measure at the approximate 500 foot length in deference to the intent of Code 37-68(3)(e). The exact dimensions and type of traffic calming has not yet been determined but can be reviewed at the construction document phase. Any design shall be reviewed and approved by this office and the Fire Marshal. Appropriate examples of traffic calming measures in our code, Code 38-45.5 are traffic island, traffic circle, narrowing, or chicane.

| | |
|---|---|
| | |
| <p>Looking south towards proposed development across undeveloped City right of way.</p> | <p>Looking north along Post Road from the southwest corner.</p> |
| | |
| <p>Looking east from the southern edge of property</p> | <p>Looking east from the southern edge of property</p> |
| | |
| <p>Looking north on Lawson Avenue, southeast corner of proposed development immediately in front.</p> | <p>Looking north at end of Lawson Avenue, southeast corner of proposed development immediately to left.</p> |

Fire Marshal's Comments:

The Fire Marshal has reviewed this preliminary plat.

- The property is required to meet and maintain the requirements of Midwest City Ordinances, Section 15.
- The proposed cul-de-sac is required to have a minimum diameter of 96'-0"
- The access road shall be a minimum of 26'-0"
- The minimum acceptable fire main is eight (8) inches when the dead-end water main exceeds three hundred (300) feet (Midwest City Ordinances Section 15-22(h))
- Fire hydrant separation shall not exceed five hundred (500) feet.

Plan Review Comments:

The purpose of this preliminary plat is to create 30 single family residential lots. The area of request is zoned R-6, Single Family Detached Residential. If this proposed subdivision is approved, all development will be required to meet the regulations for the R-6 district as stated in the Zoning Ordinance. These regulations include:

- At least 35% of the dwelling units within the development must adhere to section 5.15 of the Zoning Ordinance pertaining to single-family driveways and garages. This requirement only applies to lots under 10,000 square feet in area. This proposed subdivision contains ten (10) lots over 10,000 square feet and twenty (20) lots under 10,000 square feet. 35% of twenty (20) lots is 7 which means that a minimum of seven (7) homes must have J-drives, garages setback 15' behind the front building line or detached garages in the rear.
- The exterior of each home must be constructed of a minimum of 85% masonry materials, 100% facing the street
- 25' front setback, 20' rear setback, 7' side setbacks
- 40% maximum building coverage
- Minimum 5:12 roof pitch

One new curb-cut along N. Post Rd. will provide access to the subdivision via a new street, Primrose Ln.

The Park Land Review Committee met on December 9, 2020 to review the proposed subdivision. As the subdivision is anticipated to generate far less than 2,500 new residents, the code does allow the applicant to pay a fee in lieu of a park land dedication. The applicant requested the fee in lieu option and the committee voted to approve the request. The fee will be determined by staff and the applicant as required by code and paid prior to application for the final plat.

A Tree Canopy Management Plan is required and has been submitted. The applicant has chosen to pursue the standard compliance option. Under this option, the only trees that can be removed throughout the platting process are those in areas of right-of-way, easements, utilities and drainage. The applicant has requested a waiver requesting to remove some trees that are not in areas intended for infrastructure. The waiver request is included with the agenda item.

Thoroughfare screening is required where the lots side onto N. Post Rd., an arterial street. The applicant has indicated on the landscaping plan that they intend to install 4'-8' ornamental fencing. In addition to the screening fence, the Subdivision Regulations also requires that a 2.5" caliper tree be planted at a minimum spacing of 30' in front of the ornamental fence. It should be noted that the trees are required and must be planted, however, they may not be planted over the existing 14" water line that runs along the frontage of this parcel.

As mentioned in the Executive Summary, the applicant and staff had discussions regarding the timing and responsibility of the installation of sidewalks. The discussion was continued during the Planning Commission meeting where an alternative was presented. The alternative would require the developer to provide a sidewalk plan with the final plat application. The sidewalk plan, covenants and final plat should include a clear statement clarifying who (developer or builder) is responsible for installing the sidewalks and when they will be installed.

Action is at the discretion of the City Council. It is requested that the Planning Commission and City Council address the waivers to the length of the cul-de-sac and the tree canopy management plan in the motion for this item.

Action Required: Approve or reject the preliminary plat of Primrose Hill located on the property as noted herein, subject to the staff comments and found in the January 26, 2021 agenda packet and made a part of PC- 2070 file.

Billy Harless, AICP
Community Development Director

KG

12/14/2020



The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 CURRENT PLANNING DIVISION

Applicant: Del Bryant / Mark Anubbs
 Phone Number: _____
 Address: 316 N. Post

Preliminary Plat Requirements/Checklist – Planning

- Lot to be subdivided is less than 5 acres
- Lot to be subdivided has an area of more than 10,000 square feet

| | | |
|------------------|---|----|
| 38-48.2 | Zoning Compliance | |
| 38-48.2 | All lots shall conform to zoning district compliance. | X |
| 38-48.4 | Lot Shape | |
| 38-48.4 (A) (B) | Lots shall generally be rectangular in shape. Flag lots are prohibited. Irregular lots shall meet all width, frontage and setback requirements as required by the zoning ordinance. | X |
| 38-48.5 | Lot Lines | |
| 38-48.5 (A) (1) | Side lot lines shall be at ninety degree angles or radial to street Right-of-Way lines to the greatest extent possible. | X |
| 38-48.5 (B) (1) | All lot lines shall align along County, school district and other jurisdictional boundary lines. | X |
| 38-48.6 | Lot Orientation Restrictions | |
| 38-48.6 (A) | No single-family, two-family or townhome lot shall front onto or have a driveway onto any Arterial Street. | X |
| 38-48.6 (B) | Lots are prohibited from backing to local streets. | X |
| 38-48.7 | Limits-of-No-Access – shown on preliminary plat | |
| 38-48.7 (A)(1) | Low Density lots shall not derive access from an Arterial Street. | X |
| 38-48.7 (A)(2) | Lots facing Collector Streets should be minimized to the fullest extent. | X |
| 38-48.8 | Lot Frontages | |
| 38-48.8 (A)(1) | Each lot shall have adequate access to a street by having frontage on a street that is not less than 35' at the street Right-of-Way line. This also applies to lots fronting onto an eyebrow or bulb portion of a cul-de-sac. | X |
| 38-48.8(B)(1)(a) | For single-family, two-family and townhomes, double frontage lots are prohibited from backing or having the side facing onto an Arterial Street without appropriate screening. | X |
| 38-48.8(B)(1)(b) | Where lots back or side onto an Arterial Street, no driveway access is allowed onto the Arterial Street. | X |
| 38-48.8(B)(2) | For multifamily and nonresidential lots, if lots have frontage on more than one street, a front building line must be established for each street. | NA |
| 38-48.8(B)(3) | Residential lots should face the front of a similar lot, park or open space. | X |
| 38-48.10 | Lot and Block Numbering | |
| 38-48.10(A) | All lots within each phase of a development are to be numbered consecutively | X |



The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 CURRENT PLANNING DIVISION

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| | within each block. Each block shall have alpha or numeric designations. | |
| 38-48.11 | Building Lines | |
| | Building lines along all streets shall be shown on the Preliminary Plats and shall conform with the minimum setbacks for front, side and rear yards as required by the zoning district. | X |
| 38-48.12 | Block Requirements | |
| 38-48.12(B)(1) | Blocks for residential uses shall not be longer than 1,800 feet measured along the center line of the block. | NA |
| 38-48.12(B)(2) | When a block exceeds 600 feet in length, the Planning Commission may require a dedicated easement not less than 15 feet wide and a paved crosswalk not less than 4 feet wide to provide pedestrian access across the block. | NA may be required |

| | | |
|----------------|---|----|
| 38-48.12(C)(1) | Blocks used for residential purposes should be of sufficient width to allow for two tiers of lots of appropriate depth. | NA |
| 38-48.12(C)(2) | Exceptions to the prescribed block width shall be permitted for blocks adjacent to major streets, railroads or waterways. | NA |
| 38-48.12(C)(3) | Blocks intended for business and industrial use should be of a width suitable for the intended use, with due allowance for off-street parking and loading facilities. | NA |

38-48.14 **Subdivision Name Requirement**

| | | |
|----------------|--|----|
| 38-48.14(A)(1) | New subdivisions shall be named so as to prevent conflict or "sound-alike" confusion with names of other subdivisions. | X |
| 38-48.14(A)(2) | Subdivisions with similar names shall be located in proximity to each other. | NA |

38-49.3 **Subdivision Amenities – Where amenities are proposed in conjunction with a development, such amenities shall be reviewed and approved in accordance with the following:**

| | | |
|------------|---|----|
| 38-49.3(A) | Preliminary plans and illustrations, along with a written statement of such concepts, shall be submitted for review and approval with the Preliminary Plat. | NA |
|------------|---|----|

38-49.3(B) Plans for amenities shall then be incorporated into the screening plan and/or landscape plan for submittal as part of the construction plans.

38-49.3(C) Lighting plans for all outdoor amenities

38-49.3(D) Plans for structural elements shall be sealed by a licensed Professional Engineer and shall be considered for approval by the City.

38-49.4 **Design of Amenities**

38-49.4(A)(1)(a) Entry features shall be constructed entirely on privately owned property and shall not suspend over a public Right-of-Way.

38-49.4(A)(1)(b) Minor elements of an entry feature may be placed within an entry street median upon Plat approval, provided that such street median is platted as a non-buildable lot and dedicated to a HOA for private ownership and maintenance.

38-49.4(A)(1)(c) An entry feature having a water pond, fountain or other water feature shall only be allowed if approved by the Planning Commission and City Council during the plat review process.

38- No entry feature, other than screening walls or extensions of screening walls,



The City of
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 CURRENT PLANNING DIVISION

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|------------------|---|--|-------------------|--|---|----------------------------------|----------|--|--|--|--|---|
| 49.4(A)(1)(d) | may be constructed on any portion of a single-family, two-family or townhome | | | | | | | | | | | |
| 38-49.4(A)(1)(e) | All such features shall be constructed on lots that are platted as "non-buildable" lots and dedicated to a HOA for private ownership and maintenance. | NA | | | | | | | | | | |
| 38-49.4(A)(2) | Entry features shall not encroach into the visibility triangle or otherwise impair pedestrian or vehicular visibility. | | | | | | | | | | | |
| 38-49.4(A)(3) | The maximum height for entry features and structures shall be the maximum height of the governing zoning district as measured from the nearest street or sidewalk grade. | | | | | | | | | | | |
| 38-49.4(B) | If private recreation facilities are provided, they shall be centrally located within the overall development to the greatest extent possible. | | | | | | | | | | | |
| 38-49.4(C) | All outdoor amenities shall provide appropriate lighting. | | | | | | | | | | | |
| 38-49.4(D) | A detention or retention pond shall be considered an amenity if it meets the following design considerations: | | | | | | | | | | | |
| 38-49.4(D)(1) | Located between the building and street or completely bounded by streets | | | | | | | | | | | |
| 38-49.4(D)(2) | Viewable from public space | | | | | | | | | | | |
| 38-49.4(D)(4) | Accessible by patrons | | | | | | | | | | | |
| 38-49.4(D)(5) | Seating area, public art or fountain | | | | | | | | | | | |
| 38-49.4(D)(6) | One tree or planter at least 16 square feet for every 200 square feet of open space, and be located within or adjacent to the open space. | | | | | | | | | | | |
| 38-50.2 | Homeowners' Association (HOA) Applicability | | | | | | | | | | | |
| 38-50.2(A) | Any one or more of the following elements created as part of a development shall require formation of a HOA prior to recordation of a final plat in order to maintain the amenity or facility: | | | | | | | | | | | |
| 38-50.2(A)(1) | Amenity | NO | | | | | | | | | | |
| 38-50.2(A)(2) | 100-year Floodplain | NO | | | | | | | | | | |
| 38-50.2(A)(3) | Private streets | NO | | | | | | | | | | |
| 38-50.2(A)(4) | Thoroughfare screening | Yes | | | | | | | | | | |
| 38-50.2(A)(5) | Detention or retention ponds | Yes | | | | | | | | | | |
| 38-50.2(A)(6) | Private park | NO | | | | | | | | | | |
| 38-51.2 | Applicability of Parks and Open Space Dedication | | | | | | | | | | | |
| | This shall apply to all residential subdivision plats having a dwelling unit density of greater than one unit per net acre | | | | | | | | | | | |
| 38-51.5(A) | The acreage to be contributed concurrent with the final approval by the City Council of any residential subdivision plat shall be determined by the following formula: | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Two acres</td> <td style="width: 15%;">X (multiplied by)</td> <td style="width: 30%;">Each 1,000 persons projected to occupy the fully developed subdivision</td> <td style="width: 5%;">=</td> <td style="width: 35%;">Amount of land to be contributed</td> </tr> <tr> <td colspan="4" style="text-align: center;">Which is</td> <td></td> </tr> </table> | Two acres | X (multiplied by) | Each 1,000 persons projected to occupy the fully developed subdivision | = | Amount of land to be contributed | Which is | | | | | Request to pay fee in lieu approved by Park Land Review Committee |
| Two acres | X (multiplied by) | Each 1,000 persons projected to occupy the fully developed subdivision | = | Amount of land to be contributed | | | | | | | | |
| Which is | | | | | | | | | | | | |



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| | .002 acres | X (multiplied by) | Number of person per dwelling unit | X (multiplied by) | # of dwelling units projected for subdivision | = | Amount of land to be contributed | |
|------------------|---|-------------------|------------------------------------|-------------------|---|---|----------------------------------|----|
| 38-51.6 | Suitability of land | | | | | | | |
| 38-51.6(A)(1) | The dedicated land should form a single parcel or tract of land at least 3 acres in size unless the Parkland Review Committee determines that a smaller tract would be in the public interest. | | | | | | | |
| 38-52.3 | Design requirements for parks and open space | | | | | | | |
| 38-52.3(A) | Parks and open spaces shall be bounded by a street or by other public uses. | | | | | | | |
| 38-52.3(B)(1) | Single-family and two-family residential lots shall be oriented such that they front or side onto parks and open spaces but do not back to them. | | | | | | | |
| 38-52.3(B)(2) | Residential lots shall only be allowed to back onto a park or open space when: | | | | | | | |
| 38-52.3(B)(2)(a) | A trail is provided within the related park or open space. | | | | | | | |
| 38-52.3(B)(2)(b) | The sites physical character does not reasonably accommodate an alternative design or the layout of the subdivision complements the use of the use of park or open space (e.g., lots backing to a golf course.) | | | | | | | |
| 38-52.3(C)(1) | A proposed development adjacent to a park of open space shall not be designed to restrict public visibility or reasonable access from other area developments. | | | | | | | |
| 38-52.3(C)(2) | Street connections to existing or future adjoining subdivisions shall be required to provide reasonable access to parks and open space areas. | | | | | | | |
| 38-52.3(D)(1) | Where a non-residential use must directly abut a park or open space area, the use shall be oriented such that it sides, and does not back onto the park or open space area if at all possible | | | | | | | |
| 38-52.3(D)(2) | Nonresidential uses shall be separated from the park or open space by a minimum 6 foot tall decorative metal fence with an irrigated living screen. | | | | | | | |
| 38-52.3(E) | Alleys should not be designed to encourage their use as a means of vehicular, bike or pedestrian travel to the park. | | | | | | | |
| 38-52.3(F)(1) | Public access into parks and open spaces shall not be less than 50' in width at the public Right-of-Way line, at the street curb, and at any other public access point. | | | | | | | |
| 38-52.3(F)(2) | Such access shall not be part of a residential lot or other private property. | | | | | | | |
| 38-52.8 | Hike-and-Bike Trail Requirements | | | | | | | |
| 38-52.8(B) | Hike-and-Bike trails, especially those providing access too and along 100-year Floodplains and other open spaces, shall be in accordance with the following design criteria: | | | | | | | NA |
| 38-52.8(B)(1) | A minimum 30' wide level ground surface shall be provided for a 10' wide public hike-and-bike trail. The 30' wide level ground surface (compliant with ADA) may be provided within and/or outside of the 100-year floodplain. | | | | | | | |
| 38-52.8(B)(2) | The Right-of-Way of a public street may count towards the 30' wide, ADA compliant level ground surface upon approval from the Director of Community Services. | | | | | | | |

NA-requesting to pay a fee in lieu

NA



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| 38-52.8(B)(4) | The hike-and-bike trail shall be designed to minimize visibility blind spots from public streets for public safety purposes. | NA |
| 38-52.8(C)(1) | The Director of Community Services shall have the authority to determine the placement of a public hike-and-bike trail at the time of the preliminary plat review and approval. | |
| 38-52.8(C)(2) | The location of such trails shall be safe and economical. | |
| 38-52.8(C)(3) | No development shall interrupt future trail routes or otherwise hinder efficient public access to or from an existing or future planned trail. | |
| 38-52.8(D)(1) | The location of trails within developments adjacent to or within a 100-year Floodplain recognized on the Trails Master Plan shall be coordinated with the Director of Community Services and shall be staked in the field by the developer and approved by the Director of Community Services prior to the submittal of a preliminary plat. | |
| 38-52.8(D)(2) | The location of the trail shall be specified on the preliminary plat as the approved location for the hike-and-bike trail, and an easement for such shall be shown on the preliminary plat and final plat for any portions of the trail that traverse private property. | |
| 38-52.8(E) | When development is adjacent to an undeveloped property, a pedestrian access stub-out in conjunction with a street connection to the edge of the development shall be required to allow for future access between developments as indicated on the Trails Master Plan. | |
| 38-53.4 | Tree Canopy Management Plan | |
| 38-53.4 | A Tree Canopy Management Plan shall be required as part of the preliminary plat. This only applies to sites five acres or larger. | X |
| 38-53.5(B)(1) | The applicant shall prepare a Tree Canopy Management Plan and shall submit the plan as part of the preliminary plat application. | |
| 38-53.5(B)(2) | Within the Tree Canopy Management Plan, the applicant shall provide the following information: | |
| 38-53.5(B)(2)(a) | Pre-development tree canopy coverage (as determined by the City) | X |
| 38-53.5(B)(2)(b) | Post-development tree canopy coverage (as determined by the applicant) | X |
| 38-53.5(B)(2)(c) | Visual identification of tree canopy to be removed. | X |
| 38-53.5(C)(1) | Tree Canopy Management Plan shall be reviewed by the Director of Community Development for compliance with all standards. | X |
| 38-53.5(C)(2) | After reviewing the Tree Canopy Management Plan, the Director of Community Development shall make a recommendation to the Planning Commission and City Council. The Director must act within 30 days of the official filing date of the preliminary plat application. | Requested revision for compliance 12/4/20 Received waiver request 12/11/20 |
| 38-53.6 | Tree Preservation Requirements | |
| 38-53.6(A) | Option A (Standard Option) – Only trees in the following areas may be removed: | X |



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| 38-53.6(A)(1) | The Tree Canopy or any tree located within any street Right-of-Way may be removed. | X |
| 38-53.6(A)(2) | The Tree Canopy or any tree located within any area dedicated for water, wastewater, drainage and other similar infrastructure needs may be removed. | X |
| 38-53.6(A)(3) | The Tree Canopy or any tree located within any area required by the subdivision ordinance for a site feature, such as a screening wall, may be removed. | X |
| 38-53.6(B) | Option B (Alternative Compliance) | NA |
| 38-53.6(B)(1) | The applicant may elect to develop a site using the Residential Cluster Development option. | |
| 38-53.6(B)(2) | In the design of the Tree Canopy Management Plan, if a Residential Cluster Development Option is used, only the Tree Canopy or trees within the designated open space areas shall be preserved. | |
| 38-53.7 | Tree Mitigation Plan – Required if trees are removed prior to approval of a Tree Canopy Management Plan | NA |
| 38-53.7(B)(2) | Tree Mitigation Requirements: | |
| 38-53.7(B)(2)(a) | The applicant shall calculate the area of Tree Canopy that should have been preserved under Option A or Option B. | |
| 38-53.7(B)(2)(b) | The resulting calculation shall be the amount of Tree Canopy that shall be restored. | |
| 38-53.7(B)(2)(c) | Replacement trees shall be required to cover an area equal to the calculated restoration area. | |
| 38-53.7(B)(2)(d) | The applicant shall calculate the number of replacement trees needed to cover the calculated restoration area. | |
| 38-53.7(B)(2)(e) | In calculating the area for replacement trees, the mature size of replacement trees shall be used. | |
| 38-53.7(B)(2)(f) | In calculating the area for replacement trees, only large trees shall be used. | |
| 38-53.7(B)(2)(g) | Tree Canopy coverage at maturity is to be obtained through the planting of 2.5 inch caliper trees at spacing that will meet the calculated restoration area. | |
| 38-53.7(B)(2)(h) | Replacement trees shall be a minimum 2.5 inch caliper trees. | |
| 38-53.7(B)(2)(i) | Replacement trees shall be planted at spacing that will meet the calculated restoration area. | |
| 38-53.7(B)(2)(j) | The Tree Canopy Management Plan shall show graphically the location of each replacement tree. | |
| 38-53.7(B)(2)(k) | The number of replacement trees shall be shown in a tabular format and indicated the tree species and area of coverage assumptions for each tree species at maturity. | |
| 38-53.7(B)(2)(l) | Replacement trees shall be planted prior to the approval of a final plat. | |
| 38-53.7(B)(3) | Alternative Tree Mitigation Requirements | |



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| Administrative | | |
|-----------------------|--|---|
| | One digital copy of the preliminary plat | X |
| | Three 24x36 copies of the preliminary plat to scale | X |
| | Name of subdivision centered at the top of the preliminary plat. | X |
| | Name of city, county, state, section, township and range centered and printed at the top of the preliminary plat. | X |
| | Name and address of the owner of record, the subdivider, the owners engineer and the registered surveyor preparing the plat. | X |
| | Legal description of the property to be subdivided, including the acreage and number of proposed lots in the subdivision. | X |
| | Key map showing the location of the property to be subdivided referenced to existing or proposed arterial streets or highways. | X |

Preliminary Plat Requirements/Checklist - Zoning

| | | |
|--------------|---|----|
| 5.14.1 | Lot Variety Required (required for areas 5 acres or larger) | X |
| 5.14.1(A) | Applicability – This section only applies to single-family residential developments of 5 acres or larger. | X |
| 5.14.1(B)(1) | 15% of lots within a development shall be larger than the minimum lot size. Lots shall be increased at least 20% of the minimum lot size. | X |
| 5.14.1(B)(2) | 15% of lots within a development may be smaller than the minimum lot size. Lot sizes shall not be reduced greater than 20% of the minimum lot size. | NA |
| 5.14.1(C) | Single-family lots shall not be smaller than 6,000 square feet. | X |
| 5.14.1(D) | Lots of various sizes shall be evenly distributed throughout a development. | X |

Additional Notes:

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COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Brandon Bundy, City Engineer

Date: January 11th, 2021

Subject: Engineering staff comments for pc-2070 preliminary plat application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2070:

Note: This application is for a preliminary plat of Primrose located at 316 N Post Road.

Section 38-18 in the Subdivision Regulations requires all existing and proposed utility lines and public improvements be reflected on the preliminary plat or accompanying plan. The proposed public utility line installations required with this application are shown on the plat, must be constructed and will be dedicated to the city prior to the final plat application.

Water Improvements

There is a fourteen (14) inch public water main running along the east side of Post Road.

The applicant has proposed teeing into this water main, extending an eight (8) inch public water main to all of the proposed lots as required in Municipal Code 43-32. The lines will be within the proposed right of way for Primrose Lane. This will be a deadend waterline with no other connections to existing public water mains.

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

Sanitary Sewerage Collection and Disposal

The proposed development has access to multiple different sewer lines.

- An eight (8) inch main terminates within the boundary of the proposed development approximately 180 feet east of Post Road. This main is likely above the future flow line of much of the future development.
- There is an eight (8) inch main approximately 175 feet north of the northeast corner of the proposed development. Connecting to this main would require extension across unimproved public right of way.
- An eight (8) inch sewer main approximately 335 feet south of the southeast corner of the proposed development. Connecting to this main would require extension along the right of way of Lawson Avenue.

The applicant has proposed constructing a public sewer main providing service to all of the proposed lots by extension of an eight (8) inch line running along Primrose Lane within the right of way and extending to the north from the northeast corner.

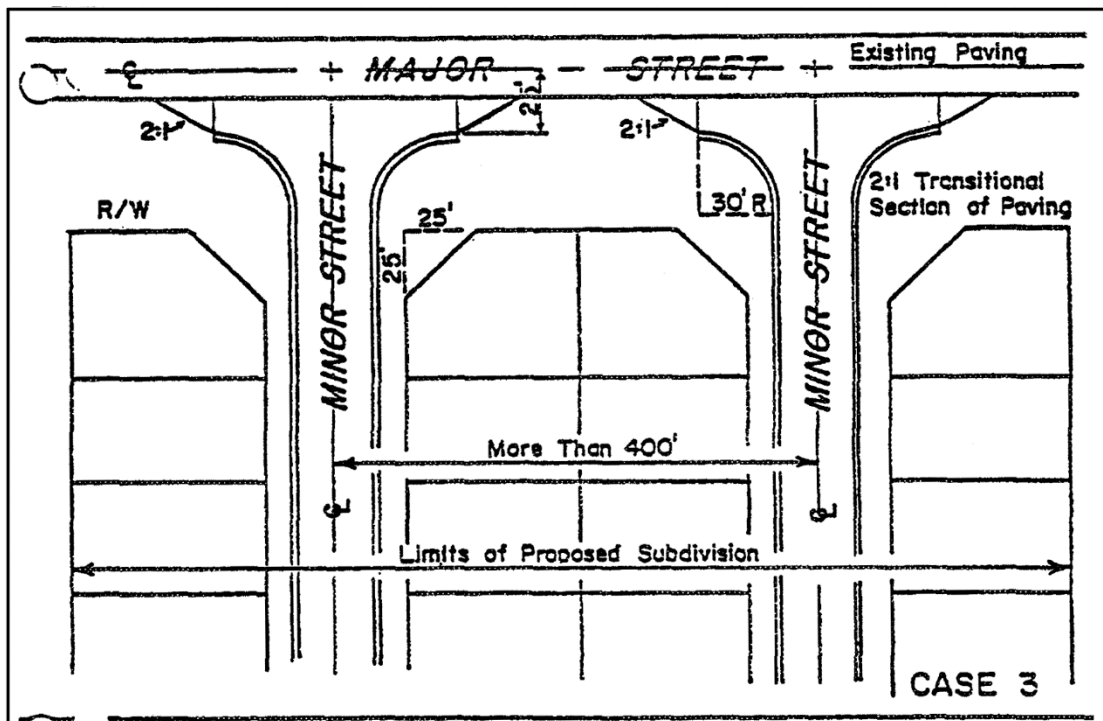
Connection to the public sanitary sewer system for domestic service is a building permit requirement per

Municipal Code Chapter 43-109 for all lots.

Streets and Sidewalks

Post Road is listed as a secondary arterial (divided) in the 2008 Comprehensive Plan. A right-of-way of 100 feet is required, 50 feet on each side of centerline with an addition ten (10) foot utility easement adjacent to the proposed development. It will be required to be dedicated on the final plat if not already existing.

The applicant proposes to construct a public local street, Primrose Lane, with sidewalks to service the area of request. Right of way for Primrose Lane will be a required minimum of 50 feet. Access to all the lots is proposed off Post Road via an approximate 999 foot long Primrose Lane which is proposed to end in a standard cul-de-sac arrangement. Post Road is currently two lanes which will require an improvement required by Sec. 37-65 of the municipal code;



There is no sidewalk across the frontage of Post Road. In addition to the sidewalk along Post Road, sidewalk will be required on both sides of the proposed internal roadway and ramps constructed to current standard aligned north/south at the intersection with Post Road. Sidewalk construction at individual lots will be allowed after final platting with conditions subject to the agreed upon documents at final platting. Sidewalk along Post Road and common area frontage are required prior to final platting. Any work to the existing drives or sidewalk will require current Midwest City standard.

Improvement plans for the street and sidewalks must be prepared by a registered professional engineer and be submitted to staff for plan review and approval.

The comprehensive plan dictates the connection of internal streets within the square mile sections that are designated as future collector roads. The thoroughfare plan does not designate this area to contain a future collector road. The subdivision plan also requires the connection of roads in a proposed subdivision if the proposal contains fifty or more proposed lots. This application falls below that threshold at thirty lots. The applicant proposes to construct a public local street that is a cul de sac with one point of ingress / egress.

Drainage and Flood Control, Wetlands, and Sediment Control

The proposed development topography is sloped towards the east away from Post Road. Drainage to the proposed development generally flows via sheet flow east with a slight bend to the north. The lowest existing spot on the property is approximately the northeast corner. There is also a ditch along Post Road which flows from south to north.

All the drainage eventually flows into Crutch Creek. Currently, the proposed development tract has one (1) house but is otherwise undeveloped with no improvements or structures.

The applicant has proposed that a common detention pond handle 7.32 acres, 77% of the total 9.5 acres. The remaining 2.18 acres, 23%, is shown to bypass and flow directly onto neighboring property. It will be required that any water flowing unmitigated onto neighboring property be sheet flow (not concentrated).

The common detention pond shows to have a discharge to the north where there is an abutting unimproved right of way. The discharge at this exact point will likely be concentrated and higher flow than existing. With private property downstream of this point, further improvements may be required on the public right of way to further distribute and mitigate the water.

The proposed development is not regulated floodway or flood zone AE (the 100-year floodplain) as shown on the effective Flood Insurance Rate Map (FIRM) number 40109C0330H, dated December 18th, 2009.

No identified wetlands are located on or abutting the proposed development as shown on the National Wetlands Inventory, www.fws.gov/wetlands/data/Mapper.html prepared by the United States Department of the Interior Fish and Wildlife Service, accessed December 14th, 2020.

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

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

Easements and Right-of-Way

The required easements and existing right of way for the area of request are illustrated on the preliminary plat and will be dedicated to the city when the final plat is filed.

All easements and right of way dedications are to comply with Municipal Code Sections 38-43, 38-44, and 38-45.

A 15' Utility easement will be required to be dedicated along the southern property line per 38-48.15(c)(2).

Waiver Request

The developer has requested a waiver to Municipal Code 37-68(3)(a): "A cul-de-sac shall not exceed 500' in length, measured from the nearest street right-of-way line to the outer curb line of the cul-de-sac". Municipal Code 37-68(3)(b) allows for the Planning Commission and City Council to waive this requirement but provides that if the cul-de-sac is 1000' or longer, it shall be zoned in a Planned Unit Development AND have traffic calming islands [Municipal Code 37-68(3)(e)]. The proposed Primrose Lane is 999 feet long which is just under this requirement. However, the developer has agreed to provide

a traffic calming measure at the approximate 500 foot length in deference to the intent of Code 37-68(3)(e). The exact dimensions and type of traffic calming has not yet been determined but can be reviewed at the construction document phase. Any design shall be reviewed and approved by this office and the Fire Marshal. Appropriate examples of traffic calming measures in our code, Code 38-45.5 are traffic island, traffic circle, narrowing, or chicane.



Looking south towards proposed development across undeveloped City right of way.



Looking north along Post Road from the southwest corner.



Looking east from the southern edge of property



Looking east from the southern edge of property



Looking north on Lawson Avenue, southeast corner of proposed development immediately in front.



Looking north at end of Lawson Avenue, southeast corner of proposed development immediately to left.



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 COMMUNITY DEVELOPMENT DEPARTMENT
 ENGINEERING DIVISION

Applicant: Primrose-Grubbs
 Phone Number: 405-265-0641
 Address: 316 N Post Road

Preliminary Plat Requirements/Checklist - Engineering

The preliminary plat shall be accompanied by a statement signed by the registered engineer preparing the plat that he has, to the best of his ability, designed the subdivision in accordance with the latest subdivision regulations and in accordance with the ordinances and regulations governing the subdivision of land.

| 38-18 | Preliminary Plat: | |
|---------------------------------|---|------------------------------------|
| Administrative | North arrow, scale, date, and site location map | BB |
| Administrative | The total number of lots | BB |
| Administrative | The total area of development | BB |
| Administrative | The location of proposed lots, areas in Acres and Square Feet, and dimensions. | BB |
| Administrative 38-42.3(b)(3) | The location of property lines, existing easements, buildings, fences, cemeteries or burial grounds, and other existing features within the area to be subdivided and similar facts regarding existing conditions on immediately adjacent property. | BB |
| Administrative 38-42.3(b)(3) | The location of any natural features such as water courses, water bodies, flood hazard areas, tree masses, steep slopes, or rock outcroppings within the area to be subdivided and similar facts regarding existing conditions on immediately adjacent property. | BB |
| Administrative 38-42.3(b)(3) | The location, width, and name of all existing or platted streets or other public ways (i.e. railroad and state-owned) within or immediately adjacent to the tract. | BB |
| Administrative | The location of all existing or abandoned oil or gas wells, oil or gas pipelines and other appurtenances associated with the extraction, production and distribution of petroleum products and all related easements on the site or on immediately adjacent property. | BB |
| 13-18.2(c) | The applicant shall furnish with the application to the city a current title commitment issued by a title insurance company authorized to do business in Oklahoma, a title opinion letter from an attorney licensed to practice in Oklahoma, or some other acceptable proof of ownership, identifying all persons having an ownership interest in the property subject to the preliminary plat. | BB |
| Administrative | The legal metes and bounds of the property being developed. | BB |
| 13-69.7(1) | The area of the preliminary drainage plan in acres shown at points where storm water enters and leaves the proposed subdivision, and where drainage channels intersect roadways and at junction points. | BB |
| 13-69.7(3) | The location, size, and type of existing and proposed storm water control facilities including storm sewers, inlets, culverts, swales, channels and retention or detention ponds and areas. The approximate area in acres served by said facilities shall be shown. | None besides ditches along Post Rd |



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| 13-69.7(4) | Special structures such as dams, spillways, dikes or levees. | BB |
| Administrative | Location of Floodplain if adjacent or within development | None present |
| Administrative | Location of Wetlands if adjacent or within development. If so, the developer is required to notify the Army Corp of Engineers. | None present |
| Administrative 38-43.3(a)(1) | Show the location and size of water mains. | BB |
| Administrative 38-43.3(a)(1) | Show the location and size of wastewater mains. | BB |
| Administrative 38-43.3(a)(2) | Show the location and specifications for fire hydrant systems. | BB |
| Administrative | Finish floor elevations for all pad sites | BB |
| Administrative 13-69.7(2) | Drainage arrows on all lots showing the final grading and where the water will drain | BB |
| Administrative 38-54.3(c)(1) 38-54.3(d)(1) 38-54.4 | Required retaining walls and retaining wall easements | BB |
| Administrative | Existing contours with intervals not to exceed two (2) feet referenced to a United State Geological Survey or Geodetic Survey bench mark or monument. | BB |
| Administrative | Show the proposed street layout and right of ways. | BB |
| 38-45.4(c) | All existing arterial streets and such collector and local streets as may be necessary for convenience of traffic circulation and emergency ingress and egress. | BB |
| 38-45.4(d) | All access points to existing roadways and be of the required number. | Does not have appropriate connection to Post Rd, see 37-65 |
| 38-45.4(e) | The development shall have two (2) connections to adjacent properties. | <50 lots, developer does not want additional connection |
| 38-45.4(n) | The names of all new proposed streets. | BB |
| 38-45.4(o) | The development shall not have any proposed cul-de-sacs longer than five hundred (500) feet in length | Waiver requested |
| 38-47 | The location and size of all proposed pedestrian crosswalks, bike trails, horse trails, or other supplementary movement systems. | BB |
| 38-18.2(a)(1) 38-44.3(a)(2) | Preliminary stormwater management plan (SWMP) | BB |
| 38-44.3(e)(1) | A digital copy of the preliminary SWMP shall be submitted along with the preliminary plat. | BB |



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| 38-44.3(e)(2) | The preliminary SWMP shall be labeled as "Preliminary" | BB |
| 38-44.3(e)(3) | The preliminary SWMP shall be signed, sealed, and dated by the professional engineer (P.E.) or shall contain a statement showing the professional engineer's name and license number and affirming the preliminary SWMP was prepared under the direction of the engineer and that the plan is preliminary | BB |
| 38-44.3(b)(3) | If no preliminary drainage plan is required [only upon city engineer's approval, see 38-44.44 (b)(3)]: show existing drainage patterns, runoff coefficients, and the proposed changes to these items (before and after development) | -- |
| 38-44.3(c) | The preliminary SWMP must comply with the Engineering Standards Manual and construction details and the Midwest City Code of Ordinances (e.g. chapters 13 and 43), including control/sediment plans | BB |
| 38-18.2(a)(2) 38-44.4(a)(2) | Preliminary drainage plan | BB |
| 13-69.7(1) | The area of the preliminary drainage plan in acres shown at points where storm water enters and leaves the proposed subdivision, and where drainage channels intersect roadways and at junction points. | BB |
| 13-69.7(3) | The location, size, and type of existing and proposed storm water control facilities including storm sewers, inlets, culverts, swales, channels and retention or detention ponds and areas. The approximate area in acres served by said facilities shall be shown. | BB |
| 13-69.7(4) | Special structures such as dams, spillways, dikes or levees. | BB |
| 38-44.4(c)(1) | The preliminary drainage plan shall show the watershed affecting the development and how the runoff from the fully-developed watershed will be conveyed to, through, and from the development. | BB |
| 38-44.4(c)(2) | The preliminary drainage plan must comply with the Engineering Standards Manual and construction details and the Midwest City Code of Ordinances (e.g. chapters 13 and 43) | |
| 38-44.4(d)(1) | Three (3) paper copies of the preliminary drainage plan | Paper and electronic |
| 38-44.4(d)(2) | The preliminary drainage plan shall be labeled as "Preliminary" | BB |
| 38-44.4(d)(3) | The preliminary drainage plan shall be stamped by and dated by the engineer, professional | BB |
| 38-44.5 | If the development proposed is adjacent to or within the 100-year floodplain the following are required: | NA |
| 38-44.6(a) | No Development within a floodway. | NA |
| 38-44.6(b)(1) | All 100-year floodplains shall be maintained in an open natural condition | NA |
| 38-44.6(b)(2)(a) | The 100-year floodplain shall be dedicated on the final plat to the city as a single lot or may be owned and maintained by an HOA | NA |
| 38-44.6(b)(3)(b) | No portion of a single-family or two-family residential lot shall exist within the 100-year floodplain | NA |
| 38-44.5(b)(3)(c) | A fifteen-foot wide maintenance easement adjacent to the floodway | NA |



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| 38-44.5(b)(3)(e) | All streets adjacent to a 100-year floodplain shall have a minimum ROW width of fifty (50) feet. | NA |
| 38-44.5(b)(3)(f)(2) | All streets adjacent to a 100-year floodplain shall have a minimum sixty (60) percent of the linear frontage | NA |
| 38-44.5(b)(3)(f)(3)(a) | Not more than one (1) cul-de-sac in a row adjacent to 100-year floodplain | NA |
| 38-44.5(b)(3)(f)(2)(b)(1) | A minimum fifty (50) percent of an adjacent cul-de-sac bulb shall be open to the 100-year floodplain and no residential lot shall encroach within the area between this line and the major creek. | NA |
| 38-44.5(b)(3)(f)(2)(b)(2) | An entry monument(s) or feature(s) as well as landscaping shall be provided at the end of the cul-de-sac and a pathway of a minimum twelve (12) feet in width shall be provided to the major creek | NA |
| 38-18.2(a)(3) 38-43.3 | Preliminary utility plan | BB |
| Administrative | The preliminary utility plan shall show the location and width of all adjacent utility easements | BB |
| 38-38.43.2(2) | Width of all proposed utility easements | BB |
| 38-43.3(a)(1) | The preliminary utility plan shall show the location and size of water mains. | BB |
| 38-43.3(a)(1) | The preliminary utility plan shall show the location and size of wastewater mains. | BB |
| 38-43.3(a)(2) | The preliminary utility plan shall include plans and specifications for fire hydrant systems. | BB |
| 38-43.4(b) | All water and wastewater utilities including connections within the ROW or easements shall be vested to the city. | BB |
| 38-43.4(d) | No utility or service lines shall cross another lot. | BB |
| 38-43.4(e) | Any utility adjacent to non-city government roads shall be constructed outside that ROW and in a separate easement unless agreed upon by non-city owner and Midwest City | BB |
| 38-18.2(a)(5) | Preliminary site development plan | BB |
| Administrative | Finish floor elevations for all pad sites | BB |
| Administrative 13-69.7(2) | Drainage arrows on all lots showing the final grading and where the water will drain (not to drain over more than adjacent lot) | BB |
| Administrative 38-54.3(c)(1) 38-54.3(d)(1) 38-54.4 | Required retaining walls and retaining wall easements | BB |
| Administrative | Existing contours with intervals not to exceed two (2) feet referenced to a United State Geological Survey or Geodetic Survey bench mark or monument. | BB |
| 38-18.2(a)(6) | Street layout plan | BB |
| Administrative | The classification of every street within or adjacent to the development. | BB |



The City of
MIDWEST CITY
 COMMUNITY DEVELOPMENT DEPARTMENT
 ENGINEERING DIVISION

| | | |
|--|---|-------------------------|
| 38-45.4(b) | The streets within the development shall conform to the city's comprehensive plan. | BB |
| 38-45.4(c) | The proposed street system shall extend all existing arterial streets and such collector and local streets as may be necessary for convenience of traffic circulation and emergency ingress and egress. | |
| 38-45.4(d) | The street layout plan shall show all access points to existing roadways and be of the required number. | BB |
| 38-45.4(e) | The street layout plan shall have two (2) connections to adjacent properties. | |
| 38-45.4(n) | The street layout plan will have the names of all new proposed streets. | BB |
| 38-45.4(o) | The street layout plan shall not have any proposed cul-de-sacs longer than five hundred (500) feet in length | Waiver requested |
| 38-47 | The location, size, and easements of all proposed pedestrian crosswalks, bike trails, horse trails, or other supplementary movement systems. | BB |
| 38-18.2 (a) (7) | Street signage and striping plan | -- |
| Administrative | Proposed signage of development | BB |
| Administrative | Proposed striping if required | NA |
| 38-18.2 (a) (9) | Other plans | |
| Administrative | If fee in lieu of improvements: include quantities and cost estimates | |
| Engineering Comments and Recommendations: - Lots 1-14 have backyards draining directly onto neighboring lot, backyards steep in most cases | | |
| Associated Departments (Fire, Stormwater, and Utilities) Comments and Recommendations: | | |



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC – 2070

Date: 09 December 2020

PC 2070 is a preliminary plat application for the property addressed as 316 N. Post. The applicant is proposing to subdivide this 9 acre parcel into 30 lots plus one lot for detention for single family residential development. A waiver is requested as the cul-de-sac length exceeds 500'.

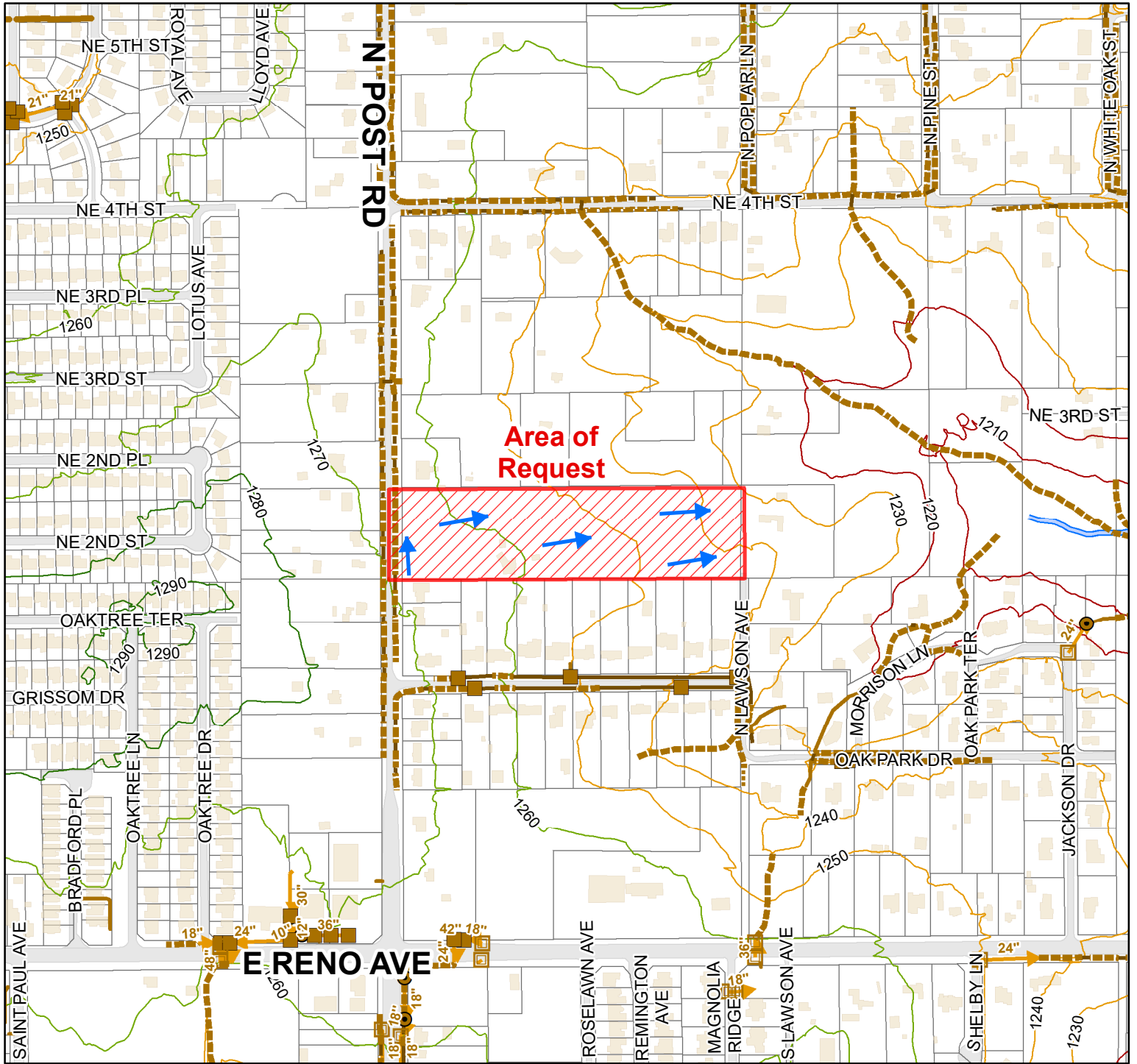
- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.
- The proposed cul-de-sac is required to have a minimum diameter of 96'-0"
- The access road shall be a minimum of 26'-0" wide
- The minimum acceptable fire main is eight (8) inches when the dead-end water main exceeds three hundred (300) feet (Midwest City Ordinance Section 15-22 (h))
- Fire hydrant separation shall not exceed five hundred (500) feet.

Respectfully,

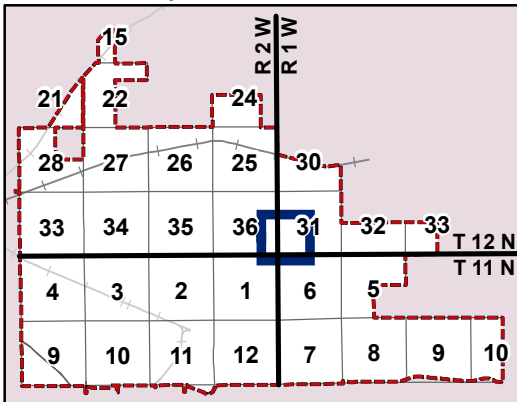
A handwritten signature in black ink, appearing to read "D. Helmberger".

Duane Helmberger
Fire Marshal
Midwest City Fire Department

The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.



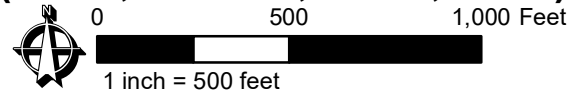
Locator Map



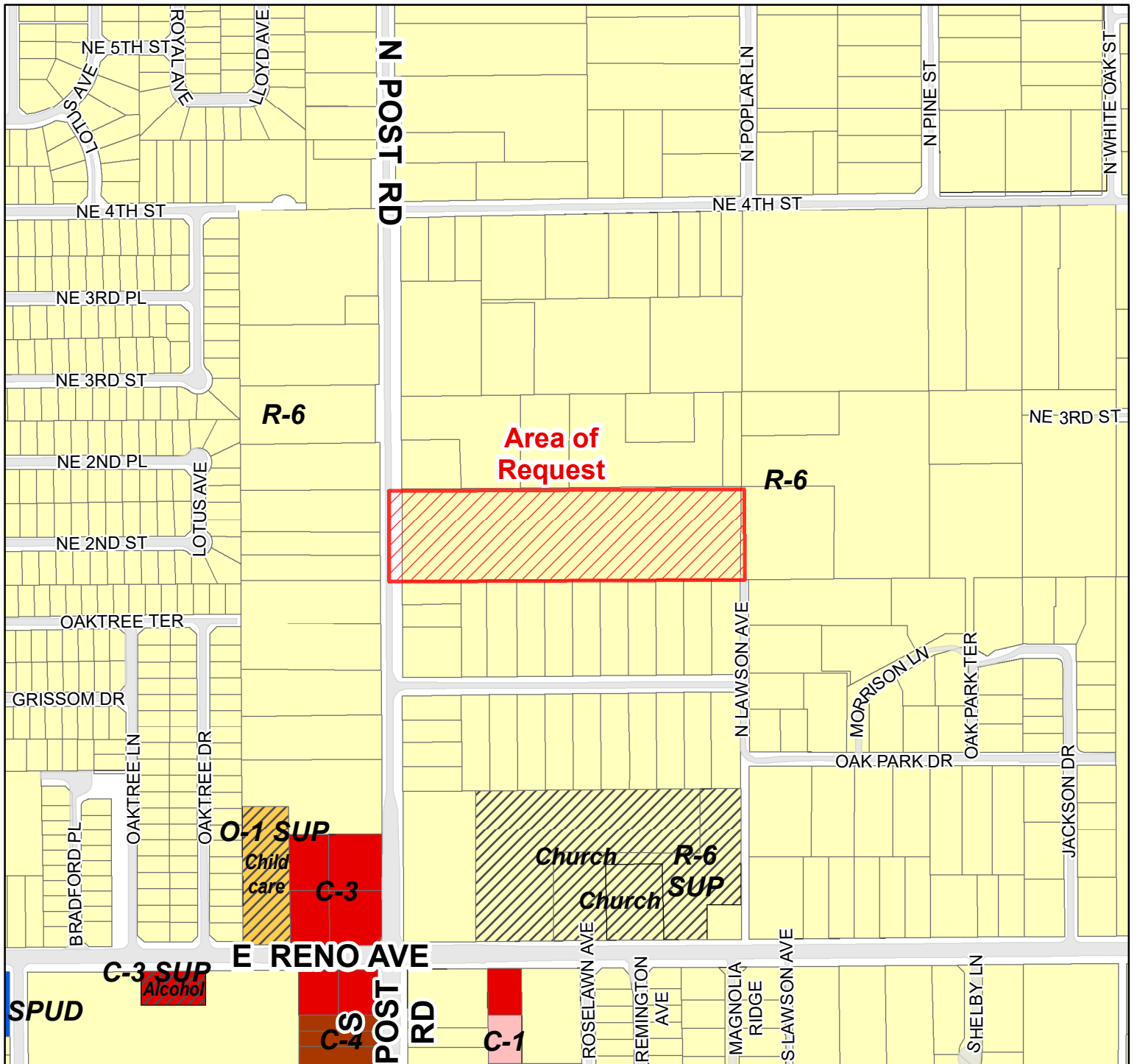
- Drainage Legend**
- Curb Inlets
 - Inlets
 - Junction Box
 - Culverts
 - Flumes
 - Developed Channels
 - Trickle Channels
 - Undeveloped Channels
 - Storm Lines
 - Creeks
- ELEVATION**
- 1166-1204 ft
 - 1204-1228 ft
 - 1228-1250 ft
 - 1250-1278 ft
 - 1278-1324 ft

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

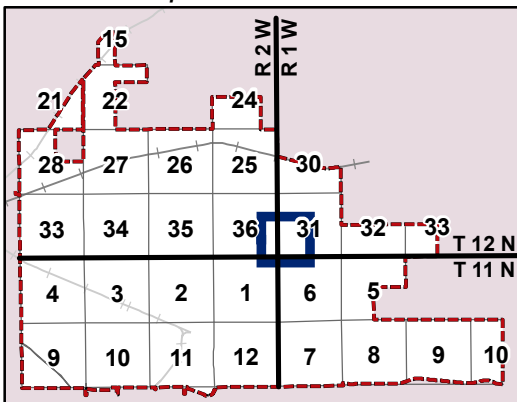
DRAINAGE LOCATION MAP FOR PC-2070 (SW/4, Sec. 31, T12N, R1W)



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Locator Map



Current Zoning Legend

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

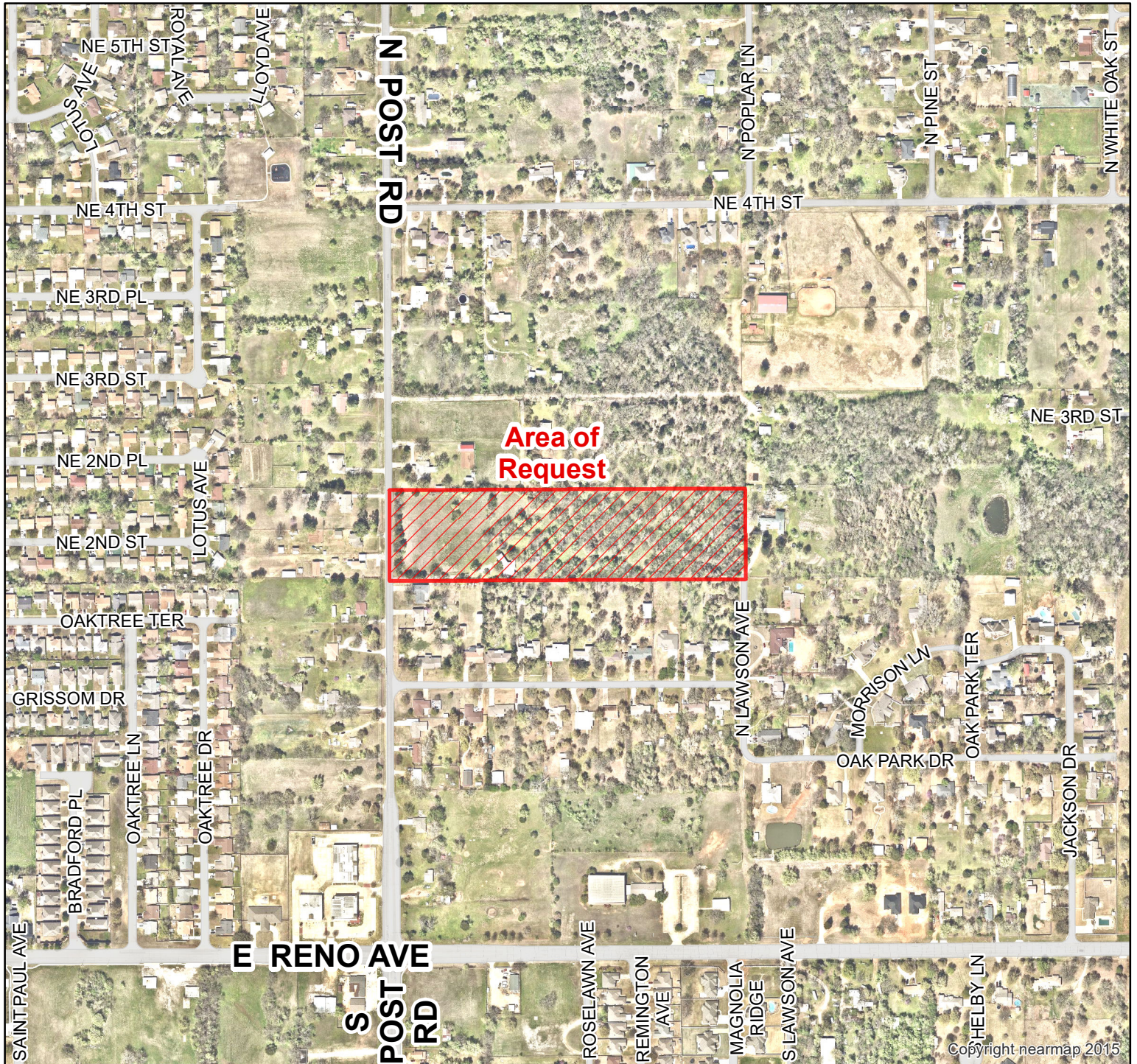
**ZONING MAP FOR
PC-2070
(SW/4, Sec. 31, T12N, R1W)**



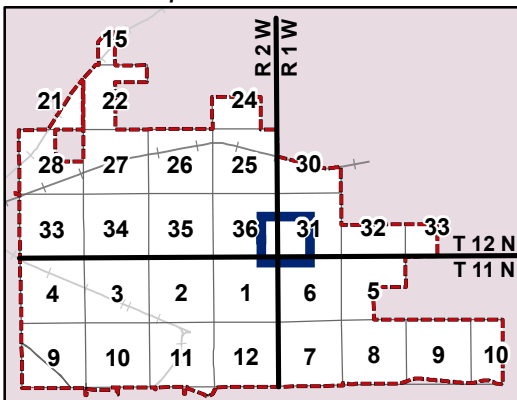
0 500 1,000 Feet

1 inch = 500 feet

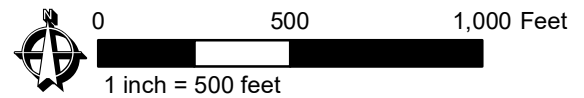
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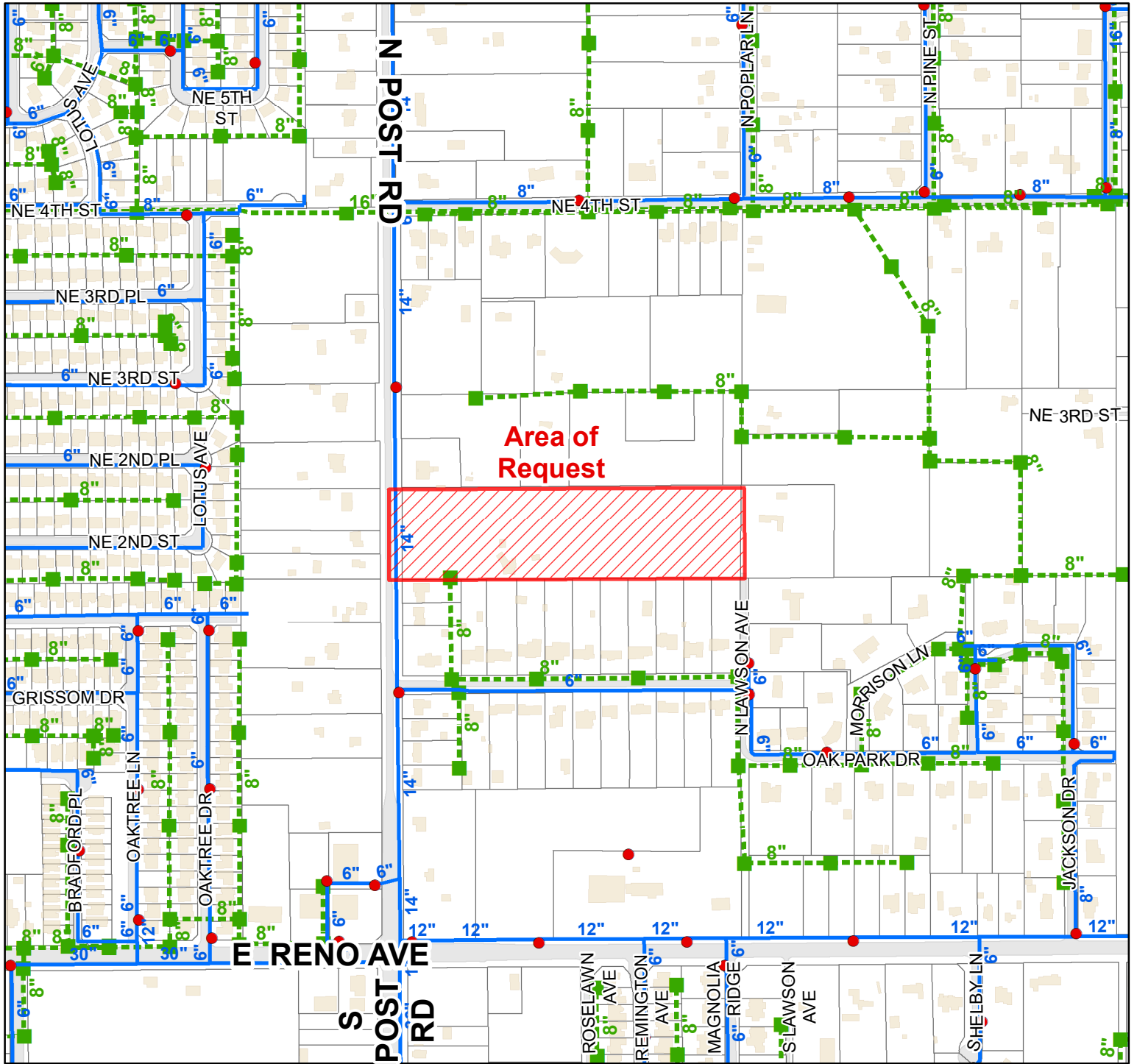
Locator Map



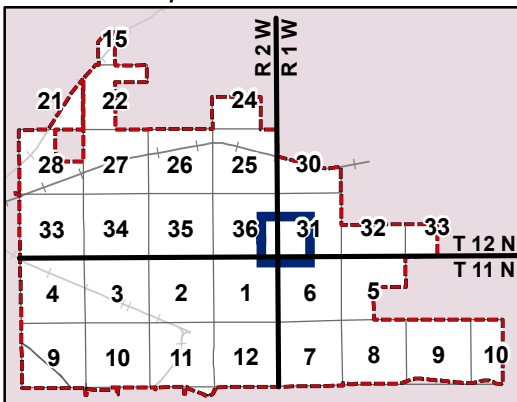
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2070
(SW/4, Sec. 31, T12N, R1W)**



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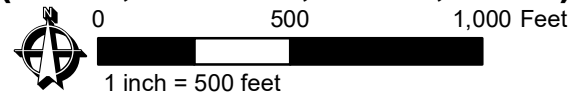
Locator Map



Water/Sewer Legend

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

**WATER/SEWER LINE
LOCATION MAP FOR
PC-2070
(SW/4, Sec. 31, T12N, R1W)**



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PRELIMINARY PLAT of PRIMROSE HILL

A TRACT OF LAND BEING THE SOUTH QUARTER (S/4) OF THE NORTHWEST QUARTER (NW/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-NINE (29), TOWNSHIP TWELVE (12) NORTH, RANGE ONE (1) WEST OF THE NIGAN NEQUON, MINNEST CITY, OKLAHOMA COUNTY, OKLAHOMA.

PLAT NOTES:

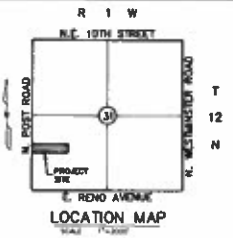
1. A SURVEY IS REQUIRED IN EACH LOT WHERE IT AFFECTS LOCAL AND COLLECTOR STREET RIGHTS-OF-WAY AND MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE AFFECTED LOT.
2. MAINTENANCE OF COMMON AREA IS THE RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION.
3. THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYORS AND LAND SURVEYORS, AND THAT SAID FINAL PLAT COMPLES WITH THE REQUIREMENTS OF TITLE 11 SECTION 41-108 OF THE OKLAHOMA STATE STATUTES.
4. CENTERLINE OF RIGHT OF WAY MONUMENTS SHALL BE AS FOLLOWS:
 (A) BAR WITH SHOWN STAMPED "OKLAHOMA CA 5317" FOR ALL PAVED SURFACES OR (B) BAR WITH CAP STAMPED "OKLAHOMA CA 5317" UNLESS OTHERWISE NOTED FOR ALL UNPAVED SURFACES.
5. THE FINAL PLAT BOUNDARY AND LOT CORNER MONUMENTS SHALL BE AS FOLLOWS:
 (A) BAR WITH CAP STAMPED "OKLAHOMA CA 5317" UNLESS OTHERWISE NOTED.

ENGINEER:
 RUBBS CONSULTING, LLC
 1800 S. BARR ROAD
 YUKON, OKLAHOMA 73099
 (405) 263-0841
 FAX: (405) 263-0848

DEVELOPER:
 LD CHATEAUX, LLC
 10001 W. 15TH STREET
 MINNEST CITY, OK 73130

SURVEYOR:
 GOLDEN LAND SURVEYING
 7304 NW 164TH ST, SUITE 405
 EDMOND, OKLAHOMA 73013
 (405) 802-7883

OWNER:
 EDITH F. McFARLAND
 8728 CREST DRIVE
 MINNEST CITY, OK 73130



GOLDEN
LAND SURVEYING
 7304 NW 164th St., Suite #5, Edmond, Oklahoma 73013
 CA # 7263 / Exp. Date 4/30/2022
 Telephone: (405) 802-7883 Email: eroy@goldent.com

SUBDIVISION CONTAINS:
 TWENTY (20) LOTS OR
 ONE (1) BLOCK
 GROSS SUBDIVISION AREA:
 148,276 SQ. FT.
 OR 3.3746 ACRES

B/L = BUILDING USE
 U/E = PUBLIC UTILITY EASEMENT
 P/E = PRIVATE ORANGE EASEMENT
 R/W = RIGHT OF WAY
 E/W = EASEMENT
 LMA = LIMITS OF NO ACCESS

RUBBS CONSULTING, LLC
 CIVIL ENGINEERING & LAND PLANNING
 1800 S. Barr Road
 Yukon, Ok 73099
 Phone: (405) 263-0841
 Fax: (405) 263-0848



01/14/2021



Tanner Consulting
 CIVIL ENGINEERING | LAND PLANNING
 LANDSCAPE ARCHITECTURE | SURVEYING
 1423 SOUTHWESTERN AVENUE
 TULSA, OKLAHOMA 74104-4188
 OFFICE: 918.763.9000



CERTIFICATE OF AUTHORIZATION NO. 04-C1-0001-001 (7/26/2012)
 LANDSCAPE ARCHITECT BY RECORD
 DEREK MC CALL
 BY LANDSCAPE ARCHITECT
 DEREK MC CALL

PROJECT NO. 20130
 DATE 01/14/2021

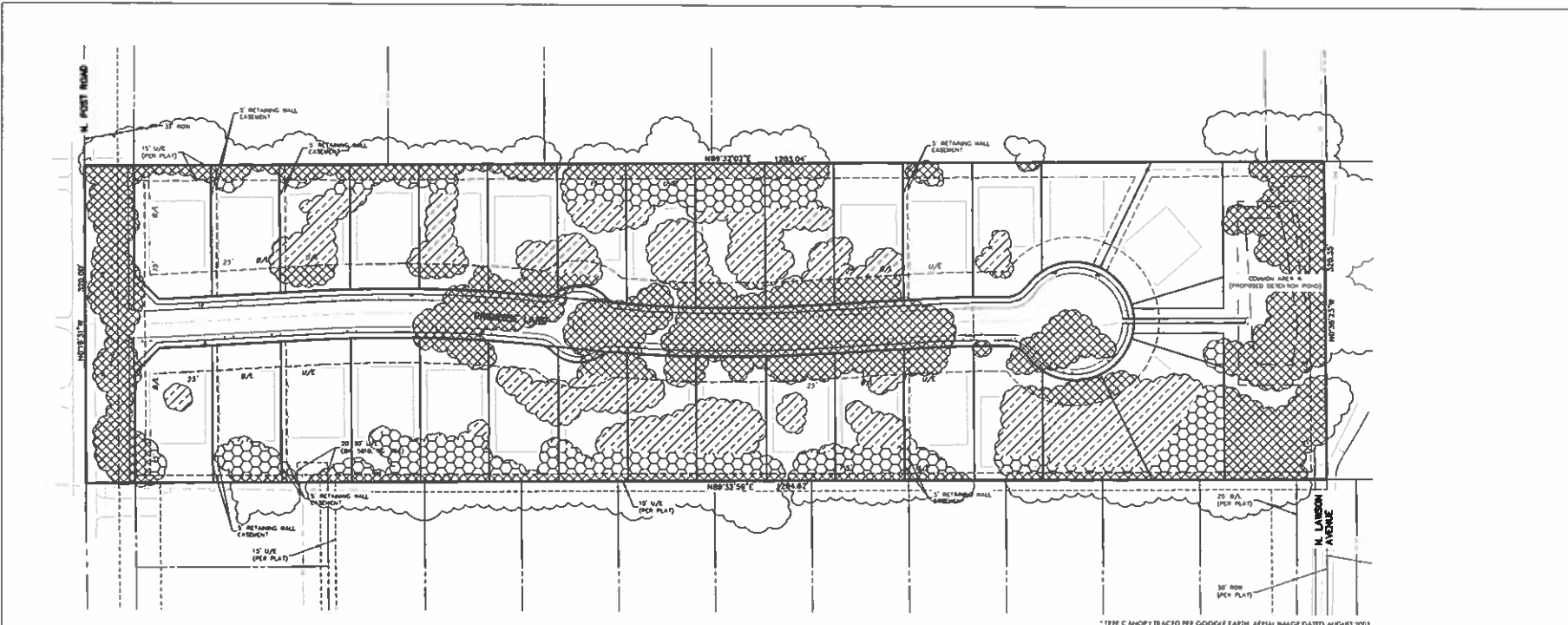
PRIMROSE HILL
 316 N. Post Rd.
 Midwest City, Oklahoma

PROJECT NO. 20130
 DATE 01/14/2021

PLAN SCALE (S) 1"=50'-0"
 1"=50'-0"

TREE CANOPY MANAGEMENT PLAN

L1



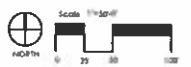
* TREE CANOPY TRACED PER GOOGLE EARTH, AERIAL IMAGE DATED AUGUST 2003

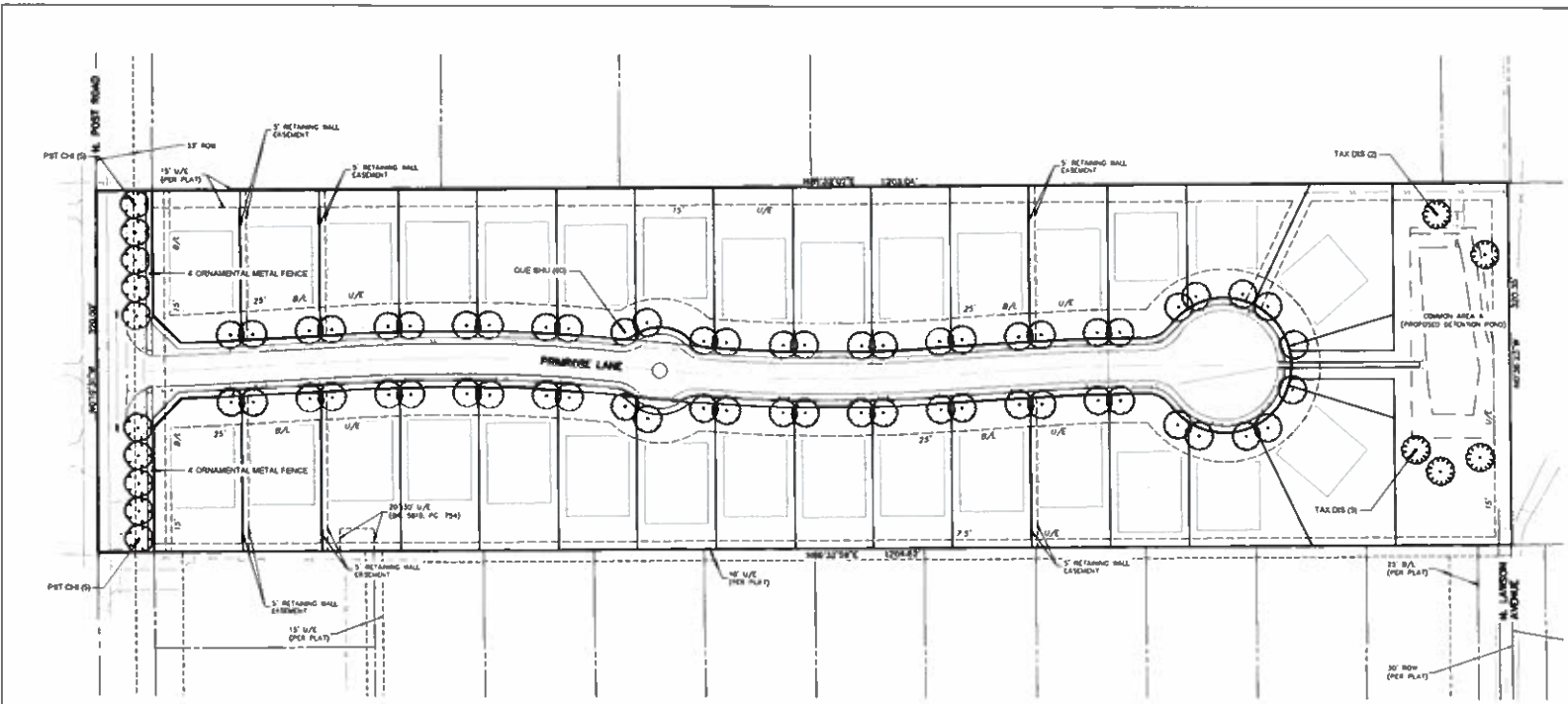
LEGEND (THIS SHEET)

-  TREE CANOPY IN BUILDABLE AREA TO REMAIN
-  TREE CANOPY TO BE REMOVED REQUIRING MITIGATION
-  TREE CANOPY REMOVED BUT IS WITHIN PERMITTED RIGHT-OF-WAY, UTILITIES, AND DRAINAGE AREA NOT REQUIRING MITIGATION

TREE CANOPY CALCULATIONS

| | |
|---|-------------------|
| PRE-DEVELOPMENT TREE CANOPY COVERAGE IN BUILDABLE AREA | 88,721 SF |
| PRE-DEVELOPMENT TREE CANOPY COVERAGE IN PERMITTED RIGHT-OF-WAY, UTILITIES, AND DRAINAGE AREAS | 105,488 SF |
| TOTAL PRE-DEVELOPMENT TREE CANOPY COVERAGE | 192,187 SF |
| TREE CANOPY TO REMAIN | 31,965 SF |
| TREE CANOPY TO BE REMOVED REQUIRING MITIGATION | 54,754 SF |
| TREE CANOPY TO BE REMOVED NOT REQUIRING MITIGATION | 105,468 SF |





*TREE CANOPY TRACED PER GOOGLE EARTH. AERIAL IMAGE DATED AUGUST 2003



01/14/2021



1511 South Little Avenue
Tulsa, Oklahoma 74106-1558
Phone: 918.744.9924
FAX: 918.744.9924



LANDSCAPE ARCHITECTURE OF MISSOURI
STATE BOARD OF LANDSCAPE ARCHITECTURE
LICENSE NO. 54992421

DATE: 01/14/2021

| | |
|---------|------|
| PROJECT | DATE |
| | |
| | |
| | |
| | |
| | |

PLANNING DATE: 7/29/2020

BY: [Signature]
CHECKED BY: [Signature]
DATE: 01/14/2021

Preliminary Screening Plan

Trees/Plantings
N Post Rd.
 Trees Required: (254/100) = 10 Trees
 Trees Provided: 10 Trees

Screening Wall/Fence Type
N Post Rd.
 Continuous 4' to 8' high ornamental fence required
 - 4' ornamental fence provided

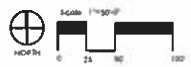
PROPOSED TREE CANOPY LEGEND

| TREE SYMBOL | QUANTITY | BOTANICAL / COMMON NAME | CAULPUS HEIGHT | CANOPY AREA | COVERAGE | TREE SYMBOL |
|---------------------------|----------|--------------------------------------|----------------|-------------|-----------|-------------|
| OLE BRU (C) | 40 | Quercus muhlenbergii / Shrubland Oak | 12' | 1,260 SF | 75,888 SF | |
| TAX DB (C) | 1 | Taxodium distichum / Salt-Cypress | 12' | 1,760 SF | 6,256 SF | |
| PST CH (C) | 16 | Pinus strobus / Cluster Pine | 12' | 1,260 SF | 12,568 SF | |
| TOTAL COVERAGE: 90,712 SF | | | | | | |

TREE CANOPY CALCULATIONS

| | |
|---|-------------------|
| PRE-DEVELOPMENT TREE CANOPY COVERAGE IN BUILDABLE AREA | 86,721 SF |
| PRE-DEVELOPMENT TREE CANOPY COVERAGE IN PERMITTED RIGHT-OF-WAY, UTILITIES, AND DRAINAGE AREAS | 105,488 SF |
| TOTAL PRE-DEVELOPMENT TREE CANOPY COVERAGE | 192,209 SF |
| TREE CANOPY TO REMAIN | 31,865 SF |
| TREE CANOPY TO BE REMOVED REQUIRING MITIGATION | 54,756 SF |
| TREE CANOPY TO BE REMOVED NOT REQUIRING MITIGATION | 105,488 SF |
| PROPOSED TREE CANOPY COVERAGE | 83,750 SF |

REFER TO SHEET L3 FOR PLANTING NOTES



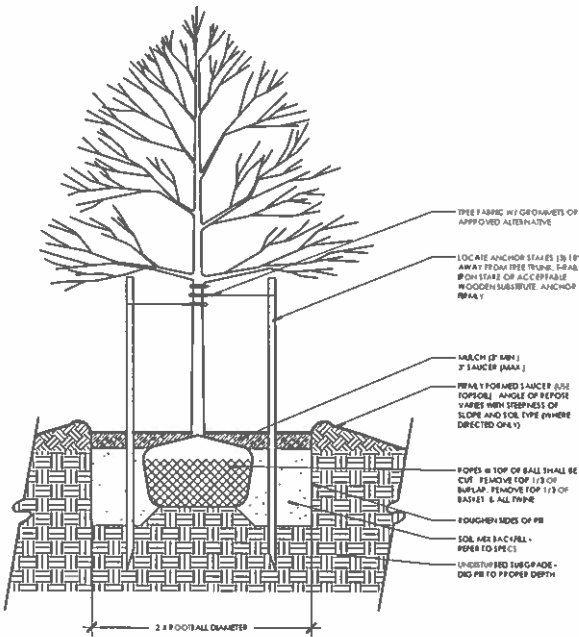
PRIMROSE HILL
 316 N. Post Rd.
 Midwest City, Oklahoma

PROJECT: 20130

DATE: 01/14/2021

PLANNING DATE: 1/14/2021

PROPOSED TREE CANOPY



1 SECTION: DECIDUOUS TREE PLANTING
1"=1'-0"

PLANTING NOTES

- The contractor shall familiarize himself/herself with the site conditions and verify them to their satisfaction.
- The contractor is responsible for maintaining, in full all planting areas (including watering, staking, mulching, mowing, fertilizing, etc.) until the job is accepted, in full, by owner and/or Landscape Architect.
- The landscape contractor is responsible for confirming the availability of all the specified plant materials within two (2) weeks of project award. All requests for substitution due to lack of availability must be made to the landscape architect in writing within this period. No substitution shall be permitted without prior written approval. The contractor is responsible for exhausting all means possible to obtain the materials as specified prior to requesting substitution. Approved substituted materials must be offered at no additional costs to the owner.
- The landscape contractor is responsible for confirming the quantities of each plant material required to adequately cover the area shown on the landscape plans at the prescribed spacing and notifying the landscape architect immediately of any perceived discrepancies a min. of two (2) working days prior to planting.
- The landscape architect reserves the right to review and approve all plant materials if requested, including root, of the source nursery with the landscape contractor prior to delivery to the job site.
- All root balls shall conform to the size standards set forth in "American Standards for Nursery Stock".
- Each tree shall be backfilled with 3 cubic feet of Bacto Nature cotton burr compost mixed thoroughly with existing topsoil. Apply Biolone starter following Espoma Organic Bio-tone Starter Plus 4-3-3 following manufacturer's recommendations.
- For evergreen shrub and tree planting, apply Wilt-Proof anti-desiccant spray at a rate of 1:10 (Wilt-Proof to water) the same day as planting.
- Refer to Civil Engineer's grading plans for grading information. If actual site conditions vary from what is shown on the plans or if there are discrepancies between the plans, contact the Landscape Architect for direction as to how to proceed.
- All plant material shall be protected during transport and delivery to final location with shade cloth or other acceptable means of windburn prevention.
- All trees must be guyed or staked as shown in the details.
- Installation: all plant material shall be installed in a sound, workman-like manner and according to accepted good planting and tree relocation procedures with the quality of plant materials as hereinafter described. All elements of landscaping shall be installed so as to meet all applicable ordinances and code requirements.
- Contractor shall assure drainage and percolation of all planting pits prior to installation of plant material. Contractor shall fill all tree pits with water before planting to assure that proper drainage and percolation is available. Correct if required to assure percolation. Contractor is responsible for replacement of all plants lost due to inadequate drainage conditions.
- Contractor to request final acceptance of project in writing. If all work is satisfactory and complete in accordance with conditions of contract documents, then the owner, and/or landscape architect shall declare the project substantially complete.
- Contractor to replace rejected plant material within two (2) weeks of written notice.
- Contractor shall mulch all plant material throughout and completely to a three-inch (3") depth of loose, weed free sterilized cedar mulch unless noted otherwise in plans or specifications. All disturbed areas to be covered with soil, mulch, planting, or gravel at completion of project. No bare soil shall remain on property or adjacent properties.
- Contractor shall place all plant material on site and get landscape architect approval before planting.

TREE PRESERVATION NOTES

- All trees to be preserved as indicated on the Landscape Demolition Plan shall be protected by a construction fence. The fence shall be located at a 5-ft. radius from the edge of the trunk. The fence shall be firmly anchored into the ground and shall remain upright and intact until all construction activity is complete. Construction activities or storage shall not occur within these protected areas. The Contractor shall stake the protective fencing location. The location of the protective fencing shall be approved orally by the Landscape Architect prior to the start of any site work.
- When an excavation near a tree to be protected must be carried out, damage can be limited by root pruning. Root pruning shall be completed before grading is started and shall occur beneath the protective fencing as shown on the plan.
- Root pruning shall be performed, when required, with a trencher such as a telephone cable puller or a "Ditch Witch" prior to adjacent excavation. The trenching shall be to a minimum depth of 24" or the depth of excavation. The contractor shall stake the limit of root pruning as per the plan. Limits of trenching shall be approved by the Landscape Architect prior to any trenching in the field. Do not trench for irrigation or electrical within drip lines of existing trees. Coordinate all trenching required for utility work with the landscape plans.
- The best method to avoid soil compaction is to KEEP OFF. This includes restricting all traffic both vehicular and pedestrian from crossing over the root zones, and restricting even temporary material storage under trees.



01/14/2021
Tanner Consulting
 CIVIL ENGINEERING | LANDSCAPING
 & ARCHITECTURE | A SERVICE
 3423 SOUTH LINN AVENUE
 PAULINA, OKLAHOMA 74458
 PHONE: 581.743.3821
 CERTIFICATE OF AUTHORIZATION NO.
 OK-C-000007 (EXP. 06/30/2022)
 LANDSCAPE ARCHITECT OF RECORD
 DEBRA ROBERT MC CALL
 OK-LA-000001 (EXP. 01/01/2021)



NOTE: ALL INFORMATION IS FOR THE USE OF THE CLIENT ONLY. IT IS THE CLIENT'S RESPONSIBILITY TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED. TANNER CONSULTING AND ITS EMPLOYEES SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS DOCUMENT. THE CLIENT'S USE OF THIS DOCUMENT IS LIMITED TO THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK. ANY OTHER USE OF THIS DOCUMENT IS PROHIBITED. TANNER CONSULTING SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DOCUMENT.

DATE: 01/14/2021

| NO. | DATE | BY |
|-----|------|----|
| | | |
| | | |
| | | |

PLST DATE: 7/30/2020

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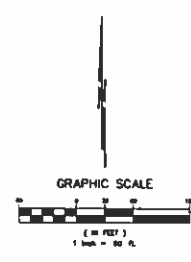
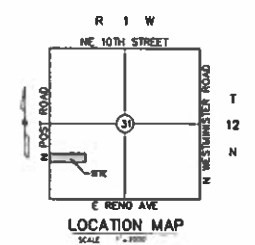
PRIMROSE HILL
 316 N. Post Rd.
 Midwest City, Oklahoma

PROJECT NO: 20130
 DATE: 01/14/2021

PLAN SCALE: 1"=1'-0"

NOTES AND TREE PLANTING DETAIL

L3



EROSION CONTROL LEGEND

| | |
|-----------|------------------------|
| — X — | SILT FENCE |
| D O D D D | SILT DAM |
| —>— | DIRECTIONAL FLOW ARROW |
| — | EXISTING CONTOUR |
| - - - | PROPOSED CONTOUR |

NOTE: NOT ALL SYMBOLS MAY BE SHOWN ON THIS PLAN

RUBBS CONSULTING, LLC
CIVIL ENGINEERING & LAND PLANNING

1000 S. 10th Street
Midwest City, Oklahoma 73109
Phone: (405) 833-1111
Fax: (405) 833-1112

PRIMA CONSULTING, LLC, CERTIFICATE OF REGISTRATION NO. CA31151-P, BRIDGE



PRIMROSE
316 NORTH POST ROAD
MIDWEST CITY, OKLAHOMA
**PRELIMINARY STORMWATER
MANAGEMENT PLAN**

| REVISIONS | DESCRIPTION | DATE |
|-----------|-------------|------|
| NO. | | |

Proj. No. 200-115
Date: 04/12/2009
Drawn: (405) 833-1111
Checked By: (405) 833-1111
Approved By: (405) 833-1111

SHEET NUMBER
SWMP

RUBES CONSULTING, LLC
 CIVIL ENGINEERING & LAND PLANNING
 1418 S. Blue Avenue
 Norman, Oklahoma 73061
 Phone: (405) 824-4441
 Fax: (405) 824-4442
 www.rubesconsulting.com



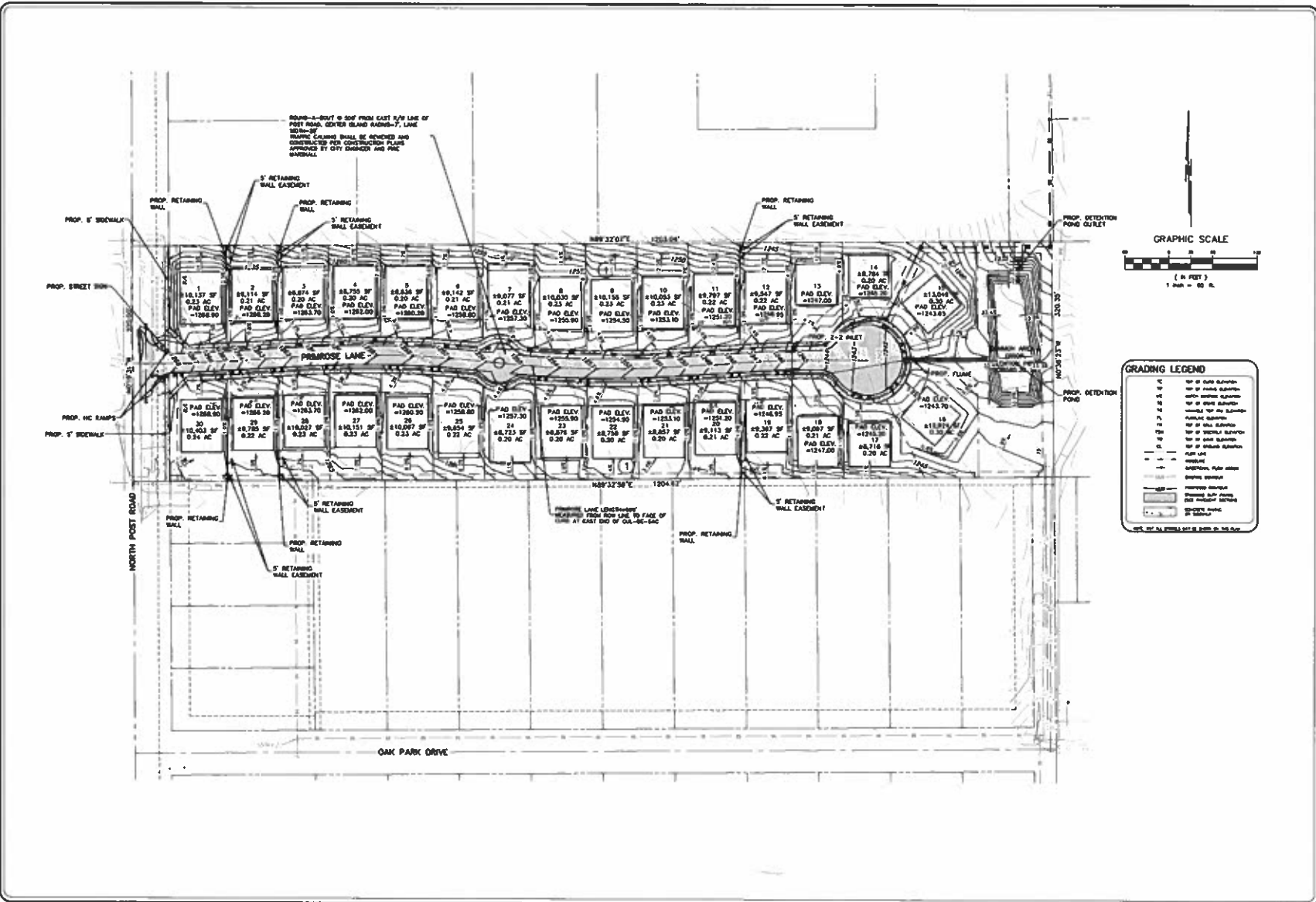
PRIMROSE
 316 NORTH POST ROAD
 HONESTY CITY, OKLAHOMA
**PRELIMINARY SITE DEVELOPMENT
 & STREET LAYOUT PLAN**

| NO. | REVISIONS | DESCRIPTION | DATE |
|-----|-----------|-------------|------|
| | | | |
| | | | |
| | | | |

PROJ. NO. 20-115
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 10/20/20
 SHEET NUMBER

10F1

PRIMROSE





December 1, 2020

Midwest City Planning Commission
c/o Planning Department
100 N. Midwest Boulevard
Midwest City, OK 73110

RE: Request for waiver to maximum cul-de-sac length in the proposed new residential subdivision identified as Primrose Hill, located at 316 N. Post Road

To Whom It May Concern,

We are the civil engineering firm responsible for the preparation of the preliminary plat of Primrose Hill, a proposed single family residential subdivision located at 316 N. Post Road. The subdivision will consist of 30 lots and one cul-de-sac street extending east from Post Road.

The proposed street is designed with a cul-de-sac at its terminus and is 999 feet in length measuring from the right-of-way line of Post Road to the outer curb line of the cul-de-sac. According to Section 38-45.4(O)2 of the Subdivision Regulations, a cul-de-sac street shall not exceed 500 feet in length except when topography or ownership create a hardship whereby the Planning Commission and City Council may waive the 500 feet maximum length but the cul-de-sac cannot exceed 1,000 feet in length.

As representative for the developer of Primrose Hill, it is requested that a waiver of the above maximum cul-de-sac length requirement be approved due to the limited amount of street frontage along Post Road, which limits the ability to construct two points of access to said street.

Feel free to contact me at 405-265-0641 or at mark.grubbs@gc-okc.com with any questions or comments.

Respectfully,

Mark C. Grubbs, P.E.
Grubbs Consulting, LLC

cc: Joel Bryant
Les Chateaux LLC

JOEL BRYANT
10601 SE 15TH STREET, MIDWEST CITY 73130
405.600.4914

12/9/2020

City of Midwest City
Attn: Kellie Gilles
100 N. Midwest Blvd
Midwest City, OK 73110

RE: Primrose Hill Development – Tree Canopy Plan

Dear City of Midwest City:

This letter is to request approval of the Tree Canopy Plan submitted for the Primrose Hill development. The plan was created with thoughtful consideration to tree preservation, in conjunction with the considerations listed below.

- Existing tree buffers will remain along the Northern and Southern boundaries, to minimize impact on the surrounding neighbors.
- Many of the existing trees have become unsightly due to poor maintenance, disease and ice storm damage that would negatively impact the development.
- Tree removal after development would cause unnecessary damage to new infrastructure – including MWC roadways & utilities, OGE, ONG and others.
- The proposed new tree canopy of 93,750 SF far exceeds the minimum mitigation requirement of 54,756 SF. The new canopy plantings will consist of healthy and new trees planted in desirable locations.
- Allows for proper pad site balancing which enables the drainage to perform as engineered. This will minimize future problems for community residents and the city.

The goal is to provide a quality residential development within our community, and we hope to have your support. Please let me know if you have any questions.

Sincerely,



Joel Bryant



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

Billy Harless, Community Development Director

ENGINEERING DIVISION
Brandon Bundy, City Engineer
CURRENT PLANNING DIVISION
Kellie Gilles, Manager
COMPREHENSIVE PLANNING
Petya Stefanoff, Comprehensive Planner
BUILDING INSPECTION DIVISION
Christine Brakefield, Building Official
GIS DIVISION
Greg Hakman, GIS Coordinator

To: Honorable Mayor and City Council

From: Billy Harless, Community Development Director

Date: January 26, 2020

Subject: (PC – 2071) Discussion and consideration of approval of the Replat of Lot 3, Block 2 of the Harper Addition, described as a part of the NW/4 of Section 31, T12N, R1W and addressed as 910 N. Poplar Lane.

Executive Summary

This is a request to divide one (1) existing lot into three (3) lots for residential development. The pre-application meeting for this replat was held on November 10, 2020. There is one existing house on the Southern-most portion of the lot. The area of request is platted as Lot 3, Block 2 of the Harper Addition. The proposed replat shows Lots 3A, 3B, and 3C. All proposed lots meet the minimum standards regarding lot size. If approved, the home built on each lot must meet the minimum house size, exterior construction materials and setbacks listed in the Zoning Ordinance. If the replat application is approved, the applicant is responsible for bringing the curb and gutter along the frontage to city standard as well as sidewalks along the frontage of all proposed lots. All proposed lots have access to city sewer and city water along the frontage. The applicant has agreed to fulfill all half street improvement requirements, including curb and gutter and sidewalk along the frontage of the three proposed lots. Approval of this replat is at the discretion of the City Council.

Dates of Hearing: Planning Commission – January 5, 2020
City Council – January 26, 2020

Council Ward: Ward 3, Councilmember Española Bowen

Owner/Applicant: Rodney Tyra

Proposed Use: three (3) lots for single family homes

Size:

The area of request has a frontage along NE 7th Street of approximately 330 ft. and a depth of approximately 321 ft. along N. Poplar Lane, containing an area of approximately 2.15 acres.

Development Proposed by Comprehensive Plan:

Area of Request – LDR, Low Density Residential
North, South, East & West – LDR, Low Density Residential



Zoning Districts:

Area of Request – R-6, Single Family Residential
North, South, East and West– R-6, Single Family Residential

Land Use:

Area of Request – one single family residence
North, South, East and West – single family residences

Comprehensive Plan Citation:

Single-Family Detached Land Use

This use is representative of traditional single-family detached dwelling units. Of the residential categories, it is recommended that single-family detached land use continue to account for the largest percentage. The areas designated for single-family detached residential land uses are generally not adjacent to incompatible land uses, and are in proximity to existing single-family residential land use. The city should strive for a range of lot sizes to develop, and should reinforce this by providing a choice of several single-family zoning districts with various lot sized in the Zoning Ordinance.

Municipal Code Citation:

38-21.1. Purpose

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

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

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

History:

1. The Plat of the Harper Addition was approved in 1933.
2. The Planning Commission recommended approval of this item January 5, 2021.

Staff Comments:

Engineer's Comments:

Note: This application is for a re-plat of Lot 3, Block 2 of the Harper Addition located near the intersection of N.E. 10th Street and Poplar Lane.

Section 1. Public Improvements

The requirements of the public improvements can be found in the subdivision regulations under:

Sec. 38-21.3. Construction management (Replat).

(a)

Requires construction. If the subdivision as replatted requires construction of additional improvements, the provisions of article IV, Construction Plans and Procedures shall apply.

(b)

Does not require construction. If the subdivision as replatted does not require any appreciable alteration or improvement of utility installations, streets, alleys, building setback lines, etc., then no construction plans shall be required.

Upon application of replat, this office reviewed all the public improvements for compliance with the subdivision regulations.

Section 2. Water

An existing six (6) inch water line runs along the west side of Poplar Lane. Therefore, all the proposed lots already have public water access. No further improvements required.

Section 3. Sanitary Sewer

An existing eight (8) inch sanitary sewer line runs along the west side of Poplar Lane. Therefore, all the proposed lots already have public sanitary sewer access. No further improvements required.

Section 4. Stormwater

The proposed development is making three (3) lots out of one (1) large existing. Only two (2) more houses would be added to the existing system. Lots are relatively flat with a gentle slope to the east. Upon application of building permit, additional grading of the building pad will be required to flow more water than current to the west and into ditching along Poplar Lane. No further improvements required. The rest of the lots will maintain the existing drainage pattern.

Section 5. Street

Poplar Lane is a publicly maintained asphalt roadway without curb and gutter approximately 20 feet wide. The City standard is for a street to be 26 feet wide, 13 feet on each side. The maximum gutter width is 1 foot so the remaining ~2 feet of widening will require asphalt to match the same material of the road. The widening and curb and gutter will have to be added prior to filing of the plat. The improvement will be inspected by the Construction Inspector and approved by this office.

Section 6. Sidewalk

A four (4) foot sidewalk shall be constructed along the frontage of Poplar Lane Sidewalk will have to comply with current American with Disabilities Act (ADA) regulations.

Section 7. Easements

Subdivision Regulations requires that all existing, dedicated, and proposed rights-of-way and easements are depicted on the plat. As required, these are reflected on the plat as shown.

Section 8. Lighting

Public street lighting is not required of this development since there are no areas within the extents of the development where street lighting is warranted by City policy.

Section 9. Signage

Public street signage is not required of this development since there are no intersecting roadways within the extents of the development and Poplar Lane is already a publicly maintained roadway.

Section 10. Record Drawings, Lien Release, and Bonding

No public improvements are required other than sidewalk and curbing, neither of which will require record drawings or bonding. The required improvements will be inspected upon completion.



Looking north along Poplar Lane from the southwest corner of the proposed development



Looking north along Poplar Lane from the southwest corner of the proposed lot 3B



Looking east at the southwest corner of the proposed lot 3B. Lot 3C has an existing house.



Looking east northeast showing approximately lots 3A and 3B.

Fire Marshal's Comments:

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Planning Comments:

The Replat of Lot 3, Block 2 of the Harper Addition will allow the owner to divide the existing lot into three (3) lots. Each lot is intended for one single family residence.

The proposed lots meet the minimum standard of 6,000 square feet. If this application is approved, the homes built on the lots must meet the requirements of the Zoning Ordinance including a minimum of 1,200 square feet, 85% masonry exterior materials (100% facing the street), maximum lot coverage of 40% and 7' side setbacks.

The applicant has agreed to complete all required half street improvements including curb and gutter and sidewalks along the frontage of all three proposed lots. These improvements will be required prior to building permit application. The proposed lots have access to city sewer and city water along the frontage, therefore, no water or sewer extensions will be required with this replat application.

Approval of the Replat of Lot 3, Block 2 of the Harper Addition is at the discretion of the City Council.

Action Required: Approve or reject the Replat of a part of Lot 5, Block 1 of the Harper Addition located on the property as noted herein, subject to the staff comments and found in the January 26, 2021 agenda packet and made a part of PC-2071 file.

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

Billy Harless, AICP
Community Development Director
SS:kg



Midwest City Fire Marshal's Office

8201 E Reno Avenue, Midwest City, OK 73110
dhelmlberger@midwestcityok.org Office: 405-739-1355
www.midwestcityok.org



Re: PC - 2071

Date: 09 December 2020

PC 2071 is a request to replat a lot addressed as 910 N. Poplar from one lot into 3 lots for single family residential development.

- The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Helmlberger".

Duane Helmlberger
Fire Marshal
Midwest City Fire Department

The Midwest City Fire Department is committed to providing the highest level of public safety services for our community and citizens. We protect lives and property through fire suppression, emergency medical response, disaster management, fire prevention and public education.

The City of
MIDWEST CITY

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION

William Harless, Community Development Director

Brandon Bundy, P.E., C.F.M., City Engineer

To: Kellie Gilles, Plans Review Manager

From: Brandon Bundy, City Engineer

Date: December 18th, 2020

Subject: Engineering staff comments for pc-2071 re-plat application

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2071:

Note: This application is for a re-plat of Lot 3, Block 2 of the Harper Addition located near the intersection of N.E. 10th Street and Poplar Lane.

Public Improvements

The requirements of the public improvements can be found in the subdivision regulations under:
Sec. 38-21.3. Construction management (Replat).

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Easements

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Lighting

Public street lighting is not required of this development since there are no areas within the extents of the development where street lighting is warranted by City policy.

Signage

Public street signage is not required of this development since there are no intersecting roadways within the extents of the development and Poplar Lane is already a publicly maintained roadway.

Record Drawings, Lien Release, and Bonding

No public improvements are required other than sidewalk and curbing, neither of which will require record drawings or bonding. The required improvements will be inspected upon completion.



Looking north along Poplar Lane from the southwest corner of the proposed development

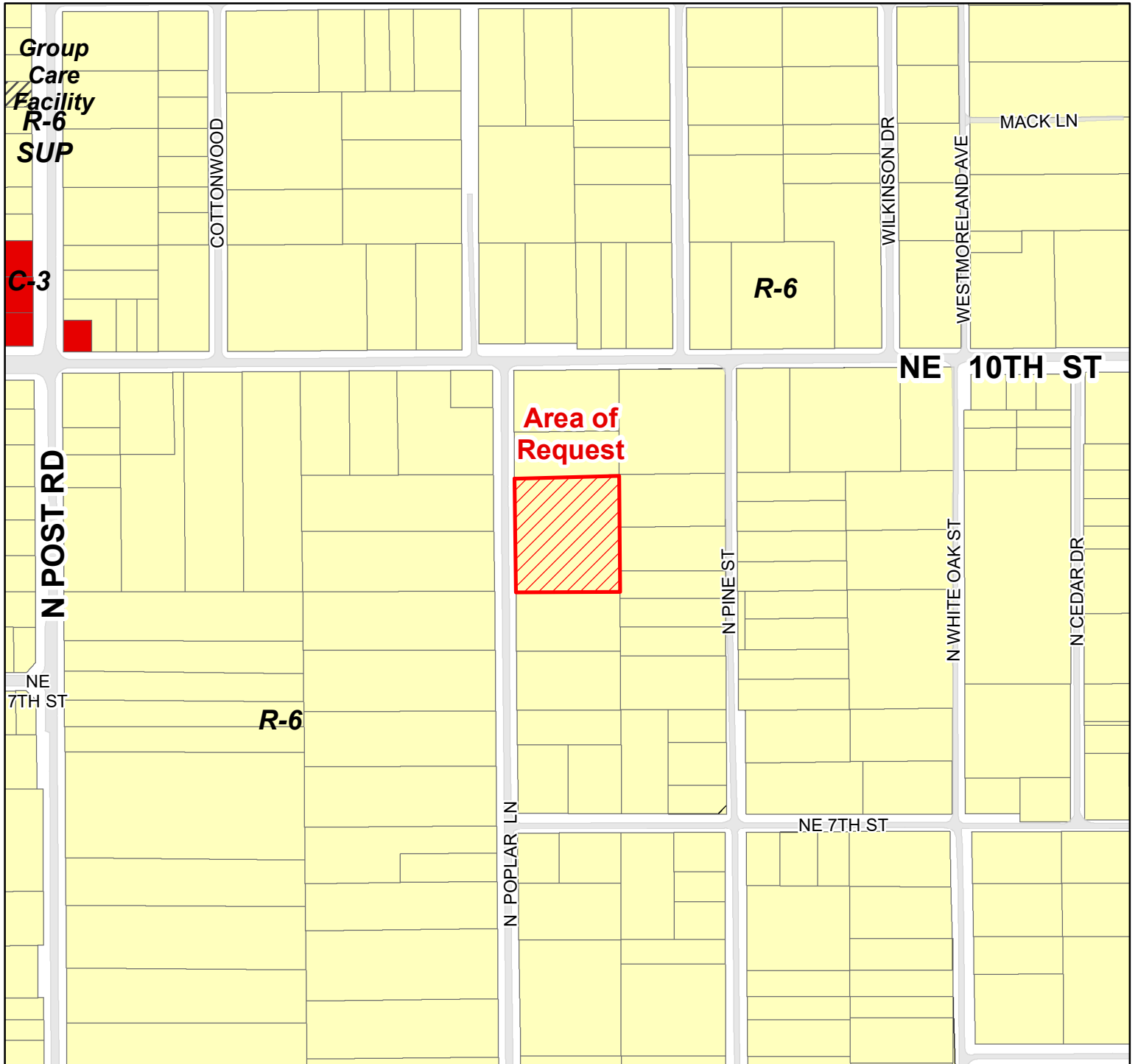


Looking east at the southwest corner of the proposed lot 3B. Lot 3C has an existing house.

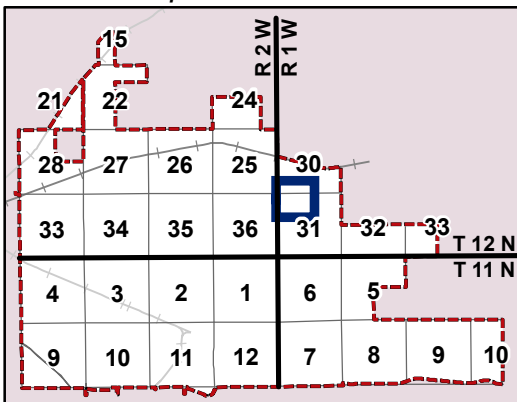
Looking north along Poplar Lane from the southwest corner of the proposed lot 3B



Looking east northeast showing approximately lots 3A and 3B.



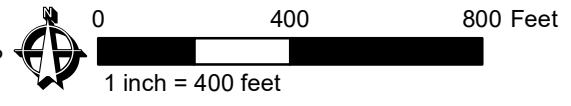
Locator Map



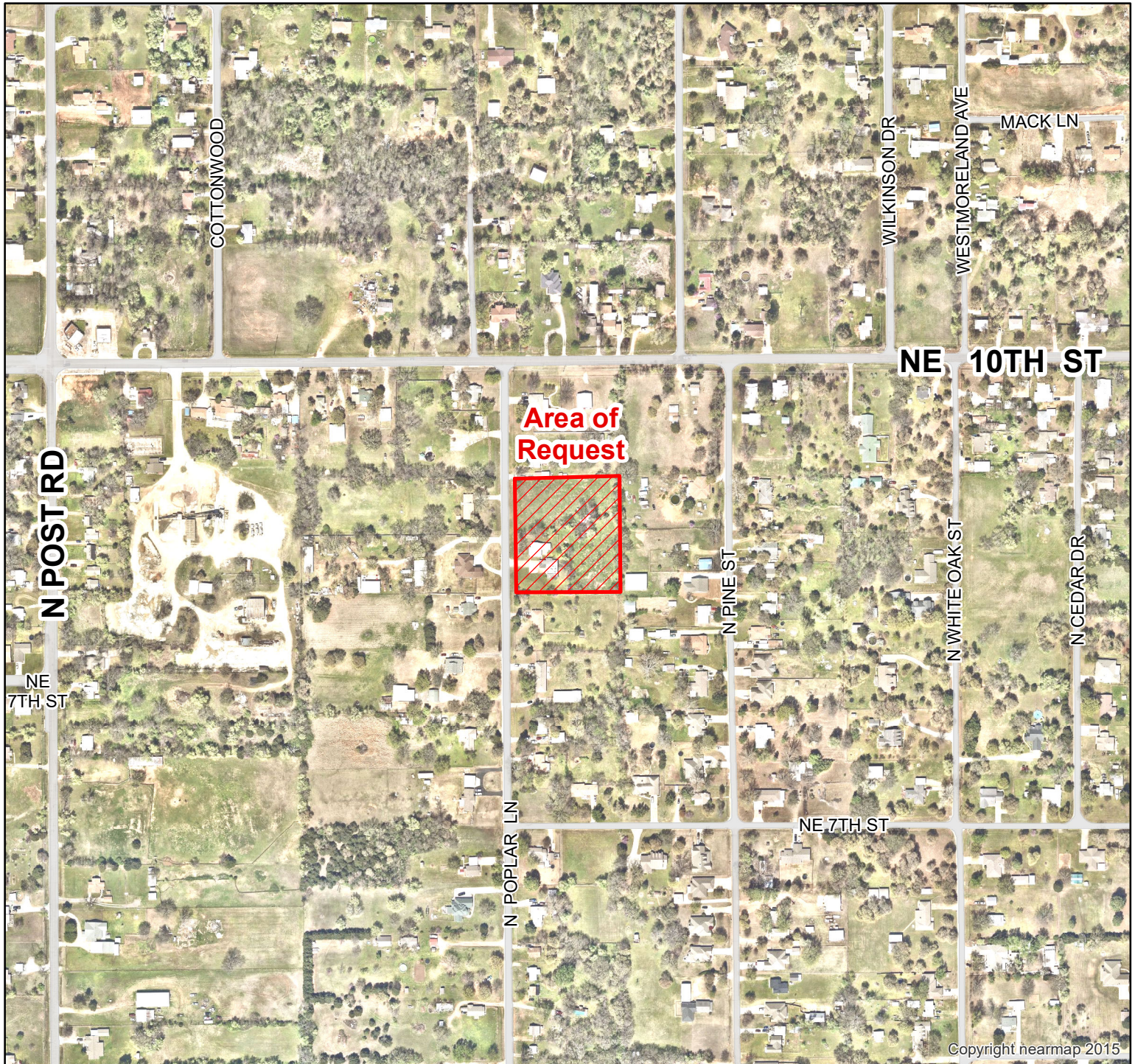
Current Zoning Legend

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

ZONING MAP FOR PC-2071 (NW/4, Sec. 31, T12N, R1W)

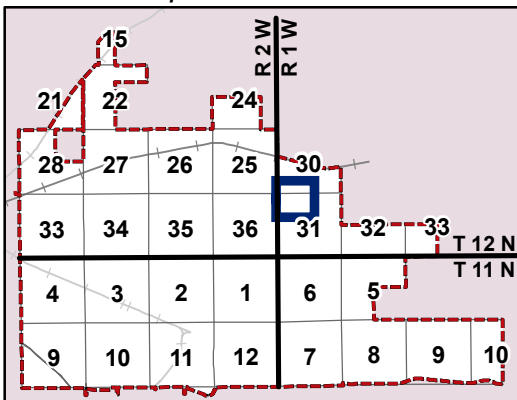


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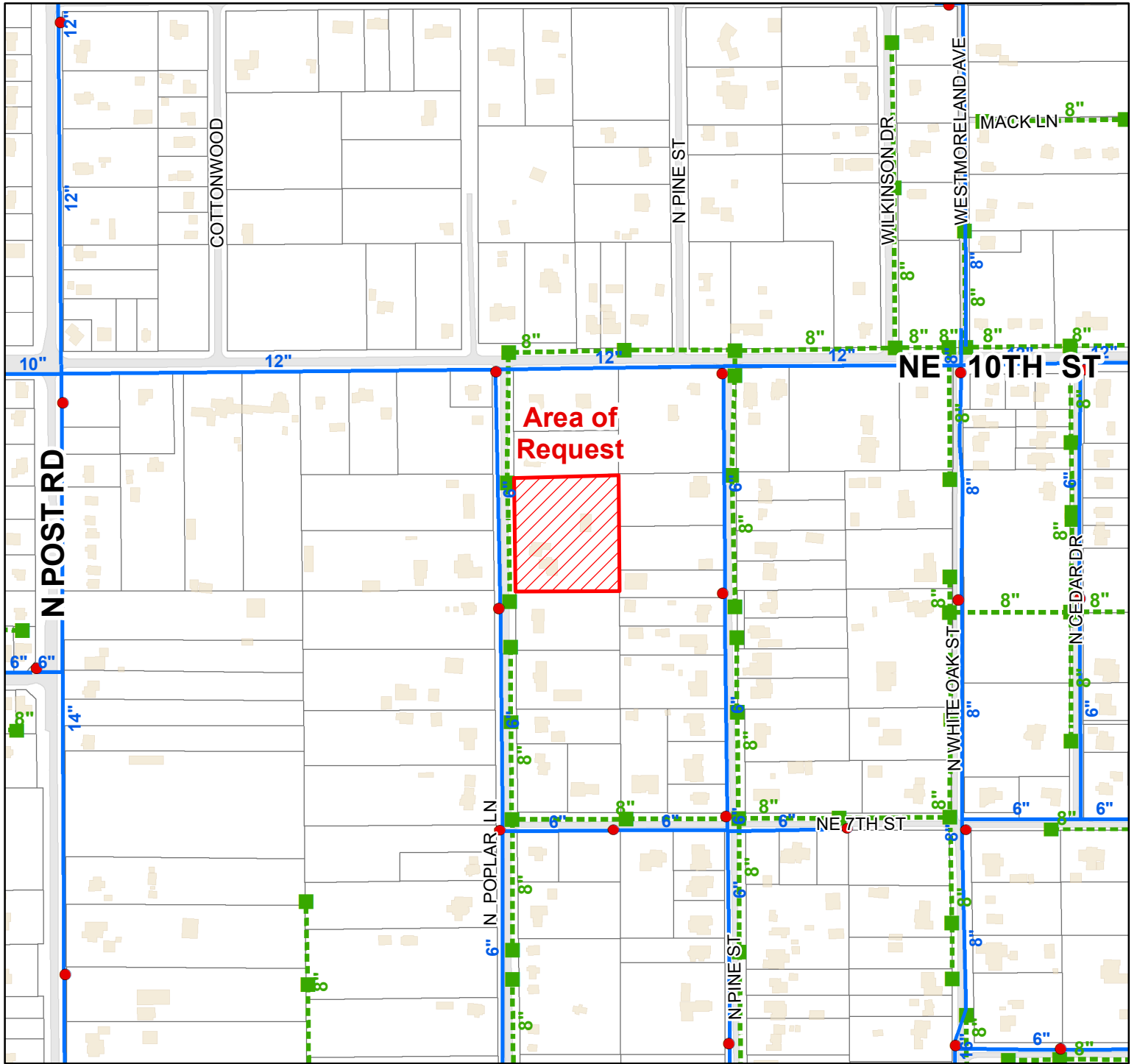
Locator Map



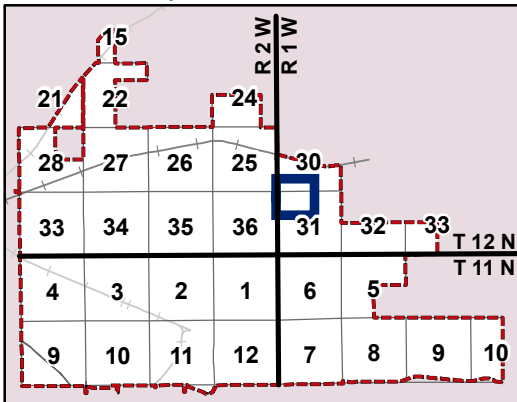
**3/2020 NEARMAP AERIAL VIEW FOR
PC-2071
(NW/4, Sec. 31, T12N, R1W)**



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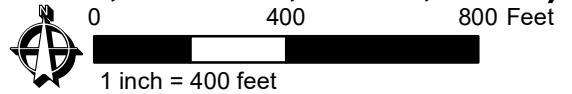
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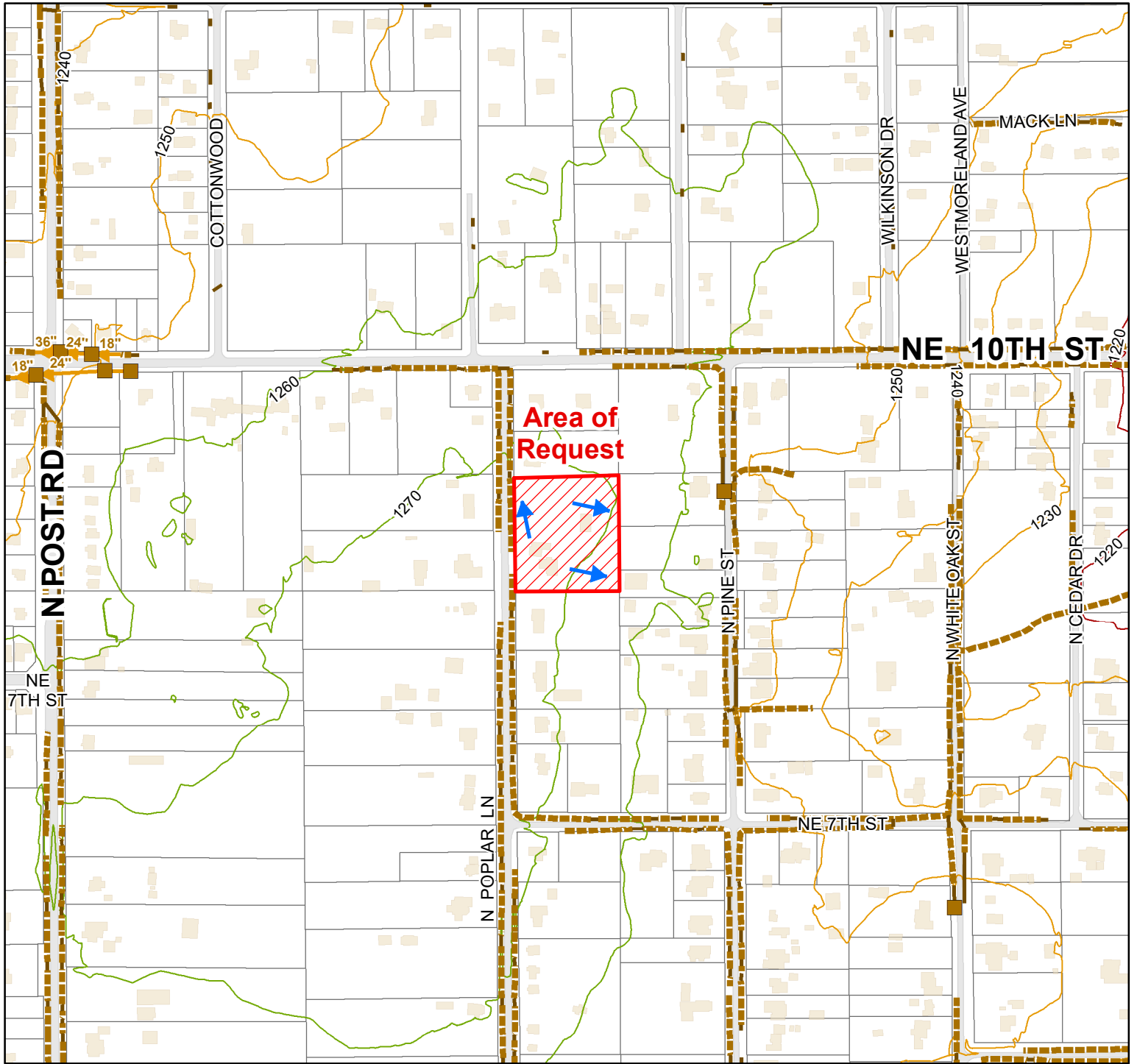
Water/Sewer Legend

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

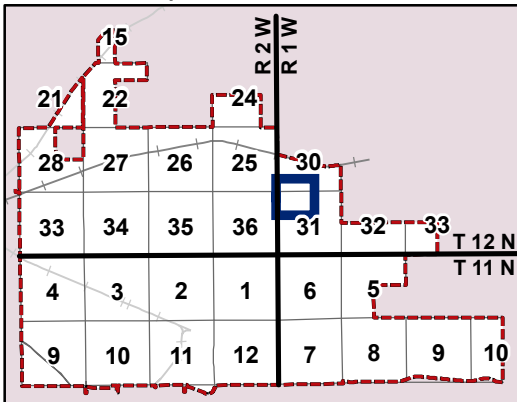
**WATER/SEWER LINE
LOCATION MAP FOR
PC-2071
(NW/4, Sec. 31, T12N, R1W)**



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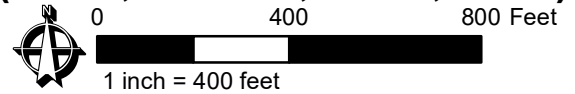
Locator Map



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

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

DRAINAGE LOCATION MAP FOR PC-2071 (NW/4, Sec. 31, T12N, R1W)



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RE-PLAT
LOT 3 BLOCK 2 HARPER ADDITION

A PART OF THE NORTHWEST QUARTER,
 SECTION 31, TOWNSHIP 12 NORTH, RANGE 1 WEST, OF THE INDIAN MERIDIAN,
 MIDWEST CITY, OKLAHOMA COUNTY, OKLAHOMA

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:
 That we the undersigned, Tyra Family Investments LLC, do hereby certify that we are the owners of and the only person or persons, corporation or corporations having any right, title or interest in the land shown on the annexed plot of Replat of Lot 3 Block 2, HARPER ADDITION, a subdivision of a part of the N.W. 1/4, Section 31, T12N, R1W, of the Indian Meridian, Midwest City, Oklahoma County, Oklahoma, and have caused the said premises to be surveyed and platted into lots, blocks, streets and easements as shown on said annexed plot, said annexed plot represents a correct survey of all property included thereon and is hereby adopted as the plat of land under the name of Replat of Lot 3 Block 2, HARPER ADDITION. Tyra Family Investments, LLC, dedicate all streets and easements shown on said annexed plot to the public for public highways, streets and easements, for themselves, their successors and assigns forever and have caused the same to be released from all rights, easements and encumbrances except as shown on the Bonded Abstracter's Certificate. Covenants, restrictions, and reservations for the addition are contained in a separate instrument and will be filed subsequently.
 In Witness Whereof the undersigned have caused this instrument to be executed this 8th day of Dec, 2020.

Rodney Tyra
 OWNER, Rodney Tyra

STATE OF OKLAHOMA

County of Oklahoma, Before me, the undersigned, a Notary Public in and for said County and State, on this 8th day of Dec, 2020, personally appeared Rodney Tyra as a representative of Tyra Family Investments, LLC, to be known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of said property for the uses and purposes therein set forth.
 Given under my hand and seal the day and year last above written.
 My Commission Expires: 10-1-24

Rodney Tyra
 NOTARY PUBLIC

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, duly qualified abstractor in and for said County and State, hereby certifies that according to the records of said County, title to the land shown on the annexed plot of Replat of Lot 3 Block 2, HARPER ADDITION, a subdivision of a part of the N.W. 1/4, Section 31, T12N, R1W, of the I.M., Midwest City, Oklahoma County, Oklahoma appears to be vested in Tyra Family Investments, LLC, on this 8th day of Dec, 2020, unencumbered by pending actions, judgments, liens, taxes or other encumbrances except minerals previously conveyed and mortgages of record.

Executed this 8th day of Dec, 2020

[Signature]
 ABSTRACTOR

CERTIFICATE OF APPROVAL

I, [Signature], Chairman of the Planning Commission of the City Midwest City, Oklahoma, hereby certify that the said Planning Commission approved the final plot of Replat of Lot 3 Block 2, HARPER ADDITION, Midwest City, Oklahoma, this 8th day of Dec, 2020.

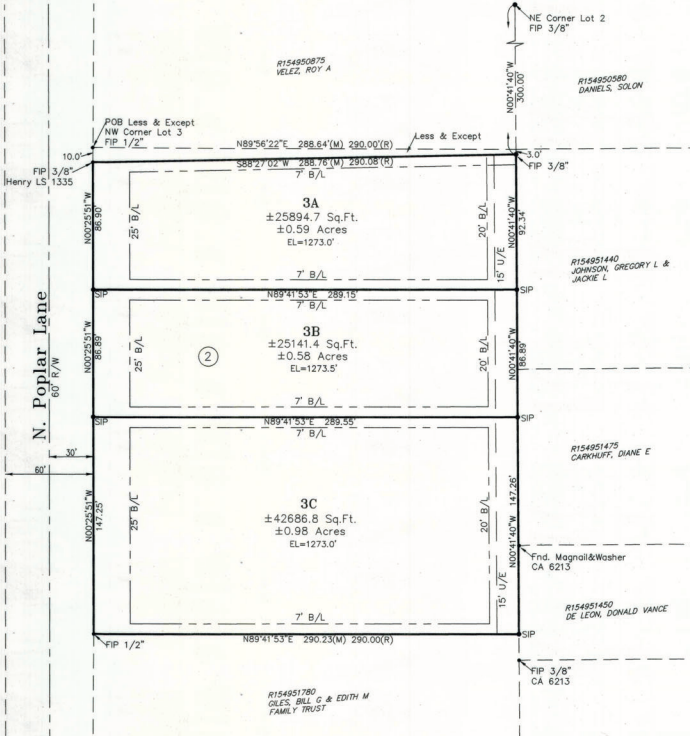
[Signature]
 CHAIRMAN

ACCEPTANCE OF DEDICATIONS

Be it resolved by the City Council of the City of Midwest City, Oklahoma that the dedications shown on the annexed plot of Replat of Lot 3 Block 2, HARPER ADDITION, Midwest City, Oklahoma are hereby accepted. Signed by the Mayor of the City of Midwest City, Oklahoma this 8th day of Dec, 2020.

MAYOR, *[Signature]*
 CITY CLERK, *[Signature]*

PATHFINDER SURVEYING
 CERTIFICATE OF AUTHORIZATION #8003
 PHONE (405) 476-1469
 PO BOX 7433 MOORE, OKLAHOMA 73153
 MIKE@PATHFINDERSURVEY.COM
 Job # 20-437



LEGAL DESCRIPTION
 Lot Three (3), in Block Two (2), of HARPER ADDITION, to Midwest City, Oklahoma County, Oklahoma, according to the recorded plat thereof. LESS AND EXCEPT a tract beginning at the Northwest corner of said Lot 3; thence East along the North line of said lot to the Northeast corner of said lot, thence South 3 feet; thence South 88°37'02\"/>

- NOTES**
- This Survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors; and that said Final Plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statutes.
 - Internal side lot line setbacks shall be 7 feet.

LEGEND

| | | | |
|-----|---------------------------|-----|--------------------|
| --- | CENTER LINE | Ⓜ | BLOCK TWO |
| --- | SUBJECT PROPERTY LINE | U/E | UTILITY EASEMENT |
| --- | BUILDING LIMIT LINE (B/L) | R/W | RIGHT OF WAY |
| --- | LOT LINE | B/L | BUILDING LINE |
| --- | UTILITY EASEMENT (U/E) | PGB | POINT OF BEGINNING |
| | | SIP | SET 3/8\"/> |

COUNTY TREASURER'S CERTIFICATE
 I, Forrest "Butch" Freeman, hereby certify that I am the duly elected and acting County Treasurer of Oklahoma County, State of Oklahoma, that the tax records of said County show all taxes paid for the year 2020, and all prior years on the land shown on the annexed plot of Replat of Lot 3, Block 2 HARPER ADDITION, an addition to the City of Midwest City, Oklahoma County, Oklahoma that the required statutory security has been deposited in the office of the County Treasurer, guaranteeing payment of current years taxes. IN WITNESS WHEREOF, said County Treasurer has caused this instrument to be executed on this 8th day of Dec, 2020.

Forrest "Butch" Freeman
 COUNTY TREASURER

LICENSED LAND SURVEYOR
 I, Michael Dawson, do hereby certify that I am a Licensed Land Surveyor in the State of Oklahoma, and that the Final Plat of Replat of Lot 3, Block 2 HARPER ADDITION, an addition to the City of Midwest City, Oklahoma, represents a survey made under my supervision on the 8th day of Dec, 2020, and that monuments shown thereon actually exist and their positions are correctly shown, that this Survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

Michael Dawson
 LICENSED LAND SURVEYOR

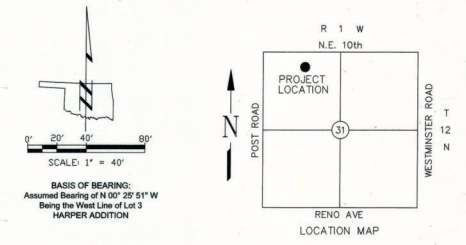
PATHFINDER SURVEYING
 PO Box 7433
 Moore, OK, 73153
 Oklahoma C.A. #8003
 (405) 476-1469

STATE OF OKLAHOMA & COUNTY OF OKLAHOMA
 Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Michael Dawson, to be known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed.

Given under my hand and seal the 8th day of Dec, 2020
 My Commission Expires: 10-1-24
Michael Dawson
 NOTARY PUBLIC

CERTIFICATE OF CITY CLERK
 I, [Signature], City Clerk of the City of Midwest City, Oklahoma, hereby certify that I have examined the records of said City and find that all deferred payments on unrecorded installments have been paid in full and that there is no special assessment procedure now pending against the land on the annexed plot of Replat of Lot 3, Block 2 HARPER ADDITION, Midwest City, Oklahoma.

Signed by the City Clerk on this 8th day of Dec, 2020





City of Midwest City Police Department

100 N. Midwest Boulevard

Midwest City, OK 73110

Office 405.739.1320

Fax 405.739.1398

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brandon Clabes, Chief of Police

DATE: January 26, 2021

SUBJECT: Discussion and consideration of presentation by W.D. Ballew, PhD., P.E. on comprehensive review of the Midwest City Police Department jail operations.

On February 25, 2020, a professional services agreement was entered into for the purpose of an independent cost analysis and comprehensive review of the Midwest City Police Department Jail operations. The study began on March 2, 2020 and was to be completed within 90 days. Due to various lock down and quarantine provisions put in place for the Covid-19 pandemic, the report was recently completed. W.D. Ballew, PhD., P.E., will present the findings.

Action is at the discretion of council.

Brandon Clabes
Chief of Police

Attachment: Study

**COST ANALYSIS AND COMPREHENSIVE REVIEW
OF THE MIDWEST CITY JAIL OPERATIONS**

On February 25, 2020, the City approved a professional services agreement to include an independent cost analysis and comprehensive review of the Midwest City Police Department Jail operations. That study began on March 2, 2020 and was to be completed within 90 days. Due to various lock down and quarantine provisions put in place for the Covid-19 pandemic, Phase 1 Discovery, was not completed until July 15, 2020. Phase 2 is management's review of these areas of discovery with an opportunity to develop a consensus statement for evaluation and critical review. A meeting with the management team was held in August to accomplish those goals. Finally, Phase 3 was an opportunity to consider action items from the first two phases with summary, conclusions and oversight review. This report will give the results of each of the three phases as originally proposed in the statement of work. (All of the pre-award documents and communications are included in Tab 1 of the appendix.)

PHASE 1 Discovery

1. Compile recent financial documents with emphasis on total cost of operations.

Actual expenditures in nine areas were reviewed for the last five fiscal years. The details are contained in Tab 2 of the appendix. The expense summary for the last five years is as follows:

| | |
|---------|--------------|
| 2015/16 | \$120,832.77 |
| 2016/17 | \$110,939.07 |
| 2017/18 | \$101,097.77 |
| 2018/19 | \$ 92,769.24 |
| 2019/20 | \$ 91,774.48 |

These totals can be heavily influenced by capital expenditures if repairs are required in this fifty-year old facility. Good past examples include elevator repair/replacement and roof repairs. Note: In particular, the plumbing in the jail needs upgrade and/or replacement. Also, the expense summary above does not include salaries and benefits which are considered in item 3.

The revenue summary for the last five fiscal years is as follows:

| | |
|---------|--------------|
| 2015/16 | \$113,381.89 |
| 2016/17 | \$ 87,356.42 |
| 2017/18 | \$ 78,944.50 |
| 2018/19 | \$ 51,821.70 |
| 2019/20 | \$ 58,432.70 |

The large decrease in revenue over the five-year period is from Phone Card usage and incarceration fees. The income from Holds for Other Agencies is up by approximately fifty percent. Staffing cost for the same period will be covered under item three in this report.

2. Review state and federal oversight documents.

During the five-year period leading up to this study, several state statutes were changed. Therefore, it is important to understand the impact that was made from justice reform. These changes impact the City by reducing or eliminating arrests, citations, incarcerations and revenue. The two areas primarily affected are DUI's and arrest associated with CDS. DUI citations are no longer a municipal offense and likewise, the revenue from these arrests go to county not the City. The decrease in revenue in 2017/18 for this statute change was \$92,744.59. Legalization of marijuana in 2018/19 resulted in reduced arrests and income. The state statute changed significantly. The municipal fine for the first and second offense was dropped from \$800.00 to \$100.00. Further complicating the comparison for before and after the change, is variation in fines for those with and without a medical card. Regardless, the revenue for 2019 for 100 citations was down \$136,051.58. In 2019, the City changed its ordinance on speeding citation cost for 1 to 10 mph over the posted limit. The reduction in revenue for this ordinance change is approximately \$81,437.00. The total decrease in revenue for the three areas is \$310,233.17 or nineteen percent of the total income for that year.

3. Look at ten-year trends on staffing, capital expenditures, occupancy and citations with focus on the last five years.

In this section of the discovery the figures are shown only for the last five years. It was the consensus of those working on this cost analysis that going back ten years added nothing to the projections or accuracy of this report. Also, the staffing levels and actual expenditures reflect expenditures and not what was budgeted. In each of the five years the budgeted staffing exceeded the actual F.T.E. positions hired for that year.

| | Staffing | Payroll | Capital | Occupancy | Citations |
|---------|-----------------|----------------|----------------|------------------|------------------|
| 2015/16 | 10 | \$524,400 | \$24,417 | 30 | 14,492 |
| 2016/17 | 8.5 | \$439,581 | -0- | 32 | 11,590 |
| 2017/18 | 8 | \$433,051 | \$11,183 | 24 | 11,238 |
| 2018/19 | 9 | \$465,332 | \$22,043 | 19 | 9,649* |
| 2019/20 | 10.25 | \$560,674 | \$ 7,832 | 15 | 11,287 |

***Note: Citation numbers were down 14 % primarily due to reduced staffing in patrol.**

4. Review interagency documents and identify long-term obligations or exposure to loss of service.

The City of Midwest City presently has in place Jail Services Agreements with the cities of Choctaw, Harrah, Jones, Nicoma Park and Forest Park. There is also an agreement with the United States Armed Forces (Tinker Air Force Base) and the City. The agreement with other cities may be terminated by either party with 180 days written notice, or by either party with cause with 60 days written notice. Otherwise, there are no long-term obligations or exposure to loss of service. The contracting period with the United States Armed Forces is five years beginning 05 May 2016. Cities agree to pay \$60.00 per inmate day with a \$30.00 charge for booking. Copies of the interagency agreements are provided in Tab 4.

5. For status quo operations, develop a proforma budget for 2020 through 2024.

Establishing the status quo as a foundation for going forward is somewhat subjective. Assumptions must be made in each of the four categories in the budget projections. The starting point on salaries in 2021 is the average of the previous two years. Skipping 2020 as an anomaly will probably receive no argument. The growth rate for salaries over the next five years is calculated at three percent. The most optimistic projection in the five-year budget projection is the starting expense in 2021 of \$90,000.00 and the five-year flat projection. That number is the average expense for the previous five-year period minus any value for capital expenditures. If you look back at item three you will notice that capital expenditures range from \$00.00 in 2016/17 to \$24,417.00 in 2015/16. Notice that capital expenditures are shown separately. This is done to call attention to the most volatile item in the pro forma budget. It is not the largest expense; however, it is the most difficult one to forecast. For this reason, putting an annual amount equivalent to a sinking fund makes a lot of sense. More will be said about capital expenditures for the jail in the Phase 3 discussion. The income projections start at \$75,000.00 which is just below the average of \$77,000.00 for the previous five-year period. The projected growth for jail income is five percent per year. These estimates for growth in salary and income are somewhat conservative which should be consistent with the idea that this represents a pro forma budget based upon the status quo with no major adjustments in jail policy or criminal justice reform.

JAIL FIVE-YEAR BUDGET PROJECTIONS

| | 2021 | 2022 | 2023 | 2024 | 2025 |
|---------------------------------|------------------|------------------|------------------|------------------|------------------|
| Salary & Benefits | \$520,000 | \$535,000 | \$552,000 | \$570,000 | \$585,000 |
| Expenses | 90,000 | 90,000 | 90,000 | 90,000 | 90,000 |
| Capital | 40,000 | 40,000 | 40,000 | 40,000 | 40,000 |
| Income | (75,000) | (78,750) | (82,500) | (86,800) | (91,000) |
| TOTAL COST OF OPERATIONS | \$575,000 | \$586,850 | \$599,500 | \$613,200 | \$624,000 |

PHASE 2 Going forward options.

In August, the information contained in this report in Phase 1 was presented to the City's management team for their review and consideration. This meeting had several goals. First, each of the five areas of discovery were covered in detail with opportunity for additions/deletions and corrections. After a critical review and evaluation, it was agreed that the methodology and content presented gave a fair and accurate financial review of the jail operations for the previous five years. Likewise, the pro forma budget was accepted as a reasonable forecast and projection for financial performance for the jail for the foreseeable future.

After reviewing Phase 1 for evaluation and critical comments on content and methodology, three distinct areas were offered for open discussion and further consideration.

- 1. Closing the MWC jail with an expanded MOU with county.**
- 2. Upgrading MWC facilities with expanded interagency offerings.**
- 3. A hybrid model with emphasis on improving operations and efficiency in PD and court.**

In Phase 3 of the Oversight Review, these options/recommendations by the City staff will be given additional consideration.

PHASE 3 Evaluation of options/recommendations by City staff.

Closing the MWC jail with an expanded MOU with county is a logical option as the average daily attendance of the jail continues to go down. In Tab 4 you will find an agreement already in place to house inmates at county at a cost of \$44.61 per day. If you took all inmates to county the annual expense would be \$244,239.75 based upon an average daily occupancy of fifteen. In section 5 of discovery under Phase 1, the projected cost of operations for the jail is \$575,000.00. Thus, an expanded MOU would save the City \$330,760.25. Before we go with that quick analysis, there are a few additional unintended consequences associated with such a move. Having the jail approximately ten miles from City Hall creates additional burden on both patrol and the court that unfortunately cost money. It has been estimated that the time associated with travel and booking with a third-party system would take the arresting officer off the street about 2 to 3 hours longer than using our own facility. This is an average. We can find instances where it takes much longer depending upon the time of day, the day of the week and the time of year. It demands more investigation than has been done in this study to have an estimate that could be used for budgeting. However, with a simple preliminary analysis it is reasonable to believe that each shift would need one additional patrol officer to maintain the same level of service and coverage that presently exists. An F.T.E. position fully loaded is over \$100,000.00 per year. The savings evaporate before we have considered the increased inefficiency in the court. Court appearance could be done remotely. When physical appearance is required the problems of transportation, manpower etc. are not trivial.

Probably the biggest negative in the discussion of increased dependence on county comes from the situation that they find themselves involved with. New administration, serious short comings in their physical plant and financial and reorganization problems make this an improbable option until possibly 2022.

Upgrading MWC facilities with expanded interagency offerings was hinted at in item 5 of Phase1. The idea introduced was a constant sinking fund under capital expenditures. The jail facilities are somewhat dated as is the building complex. Larger expenditures are difficult to fund without using the sinking fund approach. Sometimes sinking funds are put in place to offset depreciation scheduled events that are always looming on the horizon. In Tab 5 is a detailed breakdown of the revenue generated by the annual citations. There is an itemized listing of the dollars that flow to the various agencies. It was necessary to do this analysis to calculate the loss of revenue from justice reform at the state and local level in 2017 and 2018. If a more aggressive offering to other municipalities were to become a reality, then some of the federal mandates that the City is grandfathered under need consideration. A sinking fund in the amount of \$40,000.00 is not enough for an aggressive facility improvement program; however, it is a starting place.

A hybrid model with emphasis on improving operations and efficiency in PD and court was the third area mentioned for further consideration. The idea is not that the present organization is poorly managed. Rather that it may have been awhile since an overview or detailed study has been performed. I have been assured that the largest expense in the jail, salary & benefits, are structured the way they are because of the need to meet local, state and federal guidelines for operation of such facility. The entire program may need a critical review with open dialogue with all stakeholders. More specifically, the City might consider the possibility of privatization of the jail operations.

Summary and Conclusions

This cost analysis and comprehensive review revealed expense and revenue findings that are useful in guidance for future jail planning. The trend for expenses, less salaries and benefits, is down approximately twenty-four percent over a five-year period. Comments concerning the high variability of capital expenditures and the possibility of a sinking fund mentality were provided. Revenue over the same period is also down approximately forty-eight percent. Decreases were predominately due to Phone Card usage and incarceration fees. It was noted that revenue was up from "Hold for Other Agencies". The total decrease from revenue for citations was down \$310,233.17 in 2017/18. This was driven by DUI citations no longer being a municipal offense, legalization of marijuana and changing the City ordinance on speeding citations for 1 to 10 mph over the posted limit. This represents a decrease in twenty-two percent over previous years. Jail staffing over five years has averaged nine F.T.E. positions. The City has interagency agreements with six other agencies. A pro forma budget for 2021 through 2025 shows a relatively flat expenditure for the assumptions used in salary and income growth.

Finally, three broad scenarios were given for consideration by the City staff. The discussion which followed was provided to encourage further insight and debate by stakeholders as the planning horizon is constantly adjusting our perspective for quality of life and appropriate services to be provided by the City of Midwest City.

1

PRE AWARD DOCUMENTS

2

FIVE YEAR FINANCIALS

3

**FIVE YEAR CITATIONS
BY CATEGORY/REVENUE**

4

**JAIL SERVICE
INTERAGENCY
AGREEMENTS**

5

POWER POINT SUMMARY

February 10, 2020

Chief of Police

Brandon Clabes

100 N. Midwest Blvd.

Midwest City, Oklahoma

73110

After our discussions in January concerning the City's interest in a comprehensive review of the jail operations, a proposal has been prepared to address that review. The attached outline is divided into three phases – Discovery, Going Forward Options and Evaluation of the Options by city staff.

This study could begin on or about March 2, 2020, and should be completed within 90 days. The not to exceed cost of \$9,000.00 will cover all expenses for the review as outlined in this proposal. If there are significant changes in scope beyond this original outline and understanding, at the request of the City, the additional work will be considered to determine if there is any cost impact.

I am looking forward to a possible engagement with the Department and notification to proceed.

W. D. Ballew, Phd., P.E. (Ret.)

700 Timber Ridge Rd.

Midwest City, Oklahoma

73130

MIDWEST CITY JAIL
OVERSIGHT REVIEW

PHASE 1 Discovery

1. Compile recent financial documents with emphasis on total cost of operations.
2. Review state and federal oversight documents.
3. Look at 10 year trends on occupancy, staffing and capital expenditures with focus on the last 60 months.
4. Review interagency documents, if any, and identify long term obligations or exposure to loss of service.
5. For status quo operations, develop a pro forma budget for 2020 through 2024.

PHASE 2 Going forward options

1. Management's review of Phase 1 findings should provide an opportunity for the development of a consensus statement for evaluation and critical review. (will probably contain multiple ideas that deserve additional study)
2. Independent consultant's recommendations.

PHASE 3 Evaluation of options/recommendations by city staff.

1. Action items from Phase 1 & 2 .
2. Summary and conclusions.
3. Possible document preparation covering each Phase of the Oversight Review.

FY 15/16

Expenses

| | |
|--|---------------------|
| 036-6230-421.15-06 Training | \$276.00 |
| 036-6230-421.15-07 Uniforms | \$4,334.02 |
| 036-6230-421.20-41 Supplies | \$12,214.58 |
| 036-6230-421.20-52 Feeding Prisoners | \$72,486.64 |
| 036-6230-421.30-23 Upkeep of Real Property | \$4,341.53 |
| 036-6230-421.30-40 Contractural | \$11,520.00 |
| 036-6230-421.40-02/40-14 Capital | \$917.00 |
| | <u>\$106,089.77</u> |

| | |
|---|--------------------|
| 036-6230-421.20-41 Supplies Mental Health | \$159.63 |
| 036-6230-421.30-40 Mental Health Contractural | \$14,583.37 |
| | <u>\$14,743.00</u> |

Total Expenses \$120,832.77

Revenue

| | |
|---|---------------------|
| 036-0000-340.14-14 Phone Card/Commission | \$27,797.07 |
| 036-0000-340.14-20 Holds for Other Agencies | \$20,740.41 |
| 036-0000-340-14.36 Finger Prints | \$3,960.00 |
| 036-0000-351.10-58 Incarceration Fees | \$57,295.44 |
| 036-0000-361.14-10 Investment Intrest | \$3,579.84 |
| 036-0000-371.14-10 Comissary Sales | \$9.13 |
| | <u>\$113,381.89</u> |

FY 17/18

Expenses

| | |
|--|--------------------|
| 036-6230-421.15-06 Training | \$180.00 |
| 036-6230-421.15-07 Uniforms | \$4,247.11 |
| 036-6230-421.20-41 Supplies | \$11,541.54 |
| 036-6230-421.20-52 Feeding Prisoners | \$45,732.46 |
| 036-6230-421.30-23 Upkeep of Real Property | \$14,163.29 |
| 036-6230-421.30-40 Contractural | \$10,650.00 |
| 036-6230-421.40-02/40-14 Capital | \$0.00 |
| | <u>\$86,514.40</u> |

| | |
|---|--------------------|
| 036-6230-421.20-41 Supplies Mental Health | \$0.00 |
| 036-6230-421.30-40 Mental Health Contractural | \$14,583.37 |
| | <u>\$14,583.37</u> |

\$14,583.37

Total Expenses \$101,097.77

Revenue

| | |
|---|--------------------|
| 036-0000-340.14-14 Phone Card/Commission | \$19,821.21 |
| 036-0000-340.14-20 Holds for Other Agencies | \$24,868.75 |
| 036-0000-340-14.36 Finger Prints | \$4,100.00 |
| 036-0000-351.10-58 Incarceration Fees | \$28,211.63 |
| 036-0000-361.14-10 Investment Intrest | \$1,942.91 |
| 036-0000-371.14-10 Comissary Sales (no long have) | \$0.00 |
| | <u>\$78,944.50</u> |

FY 16/17

Expenses

| | |
|--|--------------------|
| 036-6230-421.15-06 Training | \$502.00 |
| 036-6230-421.15-07 Uniforms | \$4,058.92 |
| 036-6230-421.20-41 Supplies | \$11,241.20 |
| 036-6230-421.20-52 Feeding Prisoners | \$62,329.04 |
| 036-6230-421.30-23 Upkeep of Real Property | \$5,533.17 |
| 036-6230-421.30-40 Contractural | \$12,570.00 |
| 036-6230-421.40-02/40-14 Capital | \$0.00 |
| | <u>\$96,234.33</u> |

| | |
|---|--------------------|
| 036-6230-421.20-41 Supplies Mental Health | \$121.37 |
| 036-6230-421.30-40 Mental Health Contractural | \$14,583.37 |
| | <u>\$14,583.37</u> |

\$14,704.74

Total Expenses \$110,939.07

Revenue

| | |
|---|--------------------|
| 036-0000-340.14-14 Phone Card/Commission | \$17,989.30 |
| 036-0000-340.14-20 Holds for Other Agencies | \$15,313.41 |
| 036-0000-340-14.36 Finger Prints | \$3,080.00 |
| 036-0000-351.10-58 Incarceration Fees | \$48,380.79 |
| 036-0000-361.14-10 Investment Intrest | \$2,592.92 |
| 036-0000-371.14-10 Comissary Sales (no long have) | \$0.00 |
| | <u>\$87,356.42</u> |

FY 19/20

Expenses

| | |
|--|--------------------|
| 036-6230-421.15-06 Training | \$366.00 |
| 036-6230-421.15-07 Uniforms | \$1,473.60 |
| 036-6230-421.20-41 Supplies | \$13,893.03 |
| 036-6230-421.20-52 Feeding Prisoners | \$28,192.21 |
| 036-6230-421.30-23 Upkeep of Real Property | \$5,039.15 |
| 036-6230-421.30-40 Contractural | \$9,799.50 |
| 036-6230-421.40-02/40-14 Capital | \$7,832.75 |
| | <u>\$66,596.24</u> |

| | |
|---|-------------|
| 037-6210-421.20-41 Supplies Mental Health | \$178.24 |
| 037-6210-421.30-40 Mental Health Contractural | \$14,583.32 |

\$10,416.68 is still encumbered waiting on inv from state it is not included in the \$14,583.32 amount

\$14,761.56

Total Expenses \$81,357.80

Revenue

| | |
|---|--------------------|
| 036-0000-340.14-14 Phone Card/Commission | \$10,737.07 |
| 036-0000-340.14-20 Holds for Other Agencies | \$27,922.50 |
| 036-0000-340-14.36 Finger Prints | \$4,153.04 |
| 036-0000-351.10-58 Incarceration Fees | \$13,261.93 |
| 036-0000-361.14-10 Investment Intrest | \$2,358.16 |
| 036-0000-371.14-10 Comissary Sales (no long have) | \$0.00 |
| | <u>\$58,432.70</u> |

FY 18/19

Expenses

| | |
|--|--------------------|
| 036-6230-421.15-06 Training | \$191.52 |
| 036-6230-421.15-07 Uniforms | \$2,595.51 |
| 036-6230-421.20-41 Supplies | \$8,050.66 |
| 036-6230-421.20-52 Feeding Prisoners | \$32,511.42 |
| 036-6230-421.30-23 Upkeep of Real Property | \$2,493.71 |
| 036-6230-421.30-40 Contractural | \$12,587.00 |
| 036-6230-421.40-02/40-14 Capital | \$22,043.81 |
| | <u>\$80,473.63</u> |

| | |
|---|-------------|
| 037-6210-421.20-41 Supplies Mental Health | \$142.81 |
| 037-6210-421.30-40 Mental Health Contractural | \$12,152.80 |

\$12,295.61

Total Expenses \$92,769.24

Revenue

| | |
|---|--------------------|
| 036-0000-340.14-14 Phone Card/Commission | \$12,208.87 |
| 036-0000-340.14-20 Holds for Other Agencies | \$17,157.95 |
| 036-0000-340-14.36 Finger Prints | \$2,800.00 |
| 036-0000-351.10-58 Incarceration Fees | \$16,722.46 |
| 036-0000-361.14-10 Investment Intrest | \$2,932.42 |
| 036-0000-371.14-10 Comissary Sales (no long have) | \$0.00 |
| | <u>\$51,821.70</u> |

2015

| Violation/Date | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | TOTAL |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Lane Use | 16 | 14 | 11 | 18 | 21 | 13 | 17 | 21 | 23 | 15 | 13 | 25 | 207 |
| Backing | 0 | 1 | 4 | 1 | 4 | 5 | 2 | 4 | 3 | 1 | 5 | 0 | 30 |
| Speeding | 119 | 201 | 376 | 312 | 216 | 316 | 212 | 192 | 126 | 131 | 185 | 177 | 2563 |
| Signal Devices | 25 | 38 | 58 | 32 | 31 | 31 | 32 | 47 | 26 | 31 | 38 | 44 | 433 |
| Stop Sign | 25 | 25 | 76 | 43 | 51 | 39 | 37 | 42 | 38 | 16 | 13 | 15 | 420 |
| Follow too Close | 13 | 11 | 11 | 18 | 13 | 14 | 12 | 18 | 21 | 23 | 9 | 7 | 170 |
| Inattentive Driving | 29 | 15 | 20 | 21 | 25 | 29 | 26 | 27 | 28 | 20 | 17 | 21 | 278 |
| Yield | 2 | 2 | 0 | 0 | 2 | 1 | 1 | 0 | 1 | 1 | 0 | 0 | 10 |
| Turn Movements | 27 | 32 | 34 | 25 | 11 | 11 | 16 | 11 | 18 | 12 | 12 | 19 | 228 |
| Careless/Reckless | 4 | 11 | 10 | 12 | 8 | 5 | 8 | 9 | 7 | 1 | 3 | 3 | 81 |
| Total | 260 | 350 | 600 | 484 | 382 | 464 | 363 | 371 | 291 | 251 | 295 | 311 | 4422 |

| | | | | | | | | | | | | | |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Regulatory Total | 558 | 536 | 723 | 536 | 565 | 484 | 504 | 515 | 427 | 373 | 421 | 405 | 6047 |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|

| | | | | | | | | | | | | | |
|-----------------------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Animal Welfare | 6 | 23 | 23 | 19 | 13 | 13 | 16 | 29 | 14 | 32 | 23 | 18 | 229 |
|-----------------------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|

| | | | | | | | | | | | | | |
|-----------------|-----------|------------|------------|------------|------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|-------------|
| Firelane | 2 | 0 | 8 | 0 | 0 | 2 | 4 | 1 | 0 | 1 | 0 | 3 | 21 |
| Handicap | 33 | 7 | 51 | 0 | 0 | 0 | 12 | 3 | 0 | 6 | 7 | 12 | 131 |
| Parking | 23 | 17 | 21 | 27 | 24 | 9 | 13 | 8 | 17 | 8 | 5 | 4 | 176 |
| Seatbelt | 27 | 81 | 115 | 93 | 103 | 88 | 53 | 28 | 23 | 13 | 7 | 9 | 640 |
| Child Restraint | 4 | 3 | 4 | 3 | 5 | 6 | 4 | 2 | 5 | 5 | 1 | 2 | 44 |
| Total | 89 | 108 | 199 | 123 | 132 | 105 | 86 | 42 | 45 | 33 | 20 | 30 | 1012 |

| | | | | | | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| DUI | 8 | 7 | 10 | 7 | 12 | 7 | 3 | 10 | 10 | 7 | 8 | 14 | 103 |
| CDS | 30 | 21 | 40 | 9 | 17 | 8 | 22 | 32 | 16 | 29 | 29 | 33 | 286 |
| Criminal | 224 | 147 | 197 | 182 | 199 | 276 | 198 | 224 | 200 | 190 | 176 | 179 | 2392 |
| Total | 262 | 175 | 247 | 199 | 228 | 291 | 223 | 266 | 226 | 226 | 213 | 226 | 2782 |

| | | | | | | | | | | | | | |
|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|------------|------------|------------|--------------|
| Ticket Count | 1175 | 1192 | 1792 | 1361 | 1320 | 1357 | 1192 | 1223 | 1003 | 915 | 972 | 990 | 14492 |
|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|------------|------------|------------|--------------|

2016

| Violation/Date | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | TOTAL |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Lane Use | 26 | 16 | 26 | 18 | 25 | 23 | 18 | 22 | 14 | 20 | 26 | 23 | 257 |
| Backing | 4 | 5 | 3 | 1 | 3 | 1 | 1 | 2 | 15 | 3 | 0 | 6 | 44 |
| Speeding | 240 | 241 | 169 | 213 | 185 | 187 | 154 | 145 | 188 | 93 | 82 | 79 | 1976 |
| Signal Devices | 50 | 29 | 27 | 19 | 23 | 22 | 26 | 26 | 29 | 27 | 25 | 21 | 324 |
| Stop Sign | 25 | 11 | 11 | 14 | 14 | 6 | 14 | 11 | 17 | 9 | 14 | 13 | 159 |
| Follow too Close | 10 | 12 | 18 | 9 | 16 | 21 | 13 | 12 | 10 | 9 | 13 | 14 | 157 |
| Inattentive Driving | 21 | 25 | 31 | 35 | 42 | 39 | 24 | 26 | 36 | 22 | 18 | 11 | 330 |
| Yield | 1 | 2 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 1 | 1 | 8 |
| Turn Movements | 14 | 6 | 15 | 9 | 22 | 13 | 16 | 8 | 13 | 12 | 11 | 7 | 146 |
| Careless/Reckless | 5 | 3 | 6 | 4 | 9 | 10 | 5 | 3 | 8 | 5 | 5 | 10 | 73 |
| Total | 396 | 350 | 306 | 322 | 340 | 322 | 271 | 256 | 331 | 200 | 195 | 185 | 3474 |

| | | | | | | | | | | | | | |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Regulatory Total | 541 | 513 | 450 | 354 | 433 | 430 | 374 | 418 | 412 | 397 | 389 | 442 | 5153 |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|

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|-----------------------|----------|----------|-----------|-----------|-----------|-----------|----------|----------|-----------|----------|-----------|----------|------------|
| Animal Welfare | 9 | 5 | 20 | 22 | 16 | 19 | 5 | 6 | 18 | 7 | 17 | 7 | 151 |
|-----------------------|----------|----------|-----------|-----------|-----------|-----------|----------|----------|-----------|----------|-----------|----------|------------|

| | | | | | | | | | | | | | |
|-----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Firelane | 0 | 0 | 0 | 0 | 3 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 6 |
| Handicap | 4 | 4 | 4 | 3 | 11 | 1 | 3 | 0 | 0 | 0 | 6 | 1 | 37 |
| Parking | 16 | 13 | 5 | 18 | 12 | 13 | 5 | 11 | 7 | 10 | 7 | 2 | 119 |
| Seatbelt | 18 | 18 | 14 | 18 | 48 | 39 | 13 | 14 | 12 | 6 | 8 | 10 | 218 |
| Child Restraint | 0 | 7 | 2 | 1 | 1 | 3 | 3 | 3 | 0 | 3 | 1 | 3 | 27 |
| Total | 38 | 42 | 25 | 40 | 75 | 56 | 25 | 29 | 19 | 19 | 22 | 17 | 407 |

| | | | | | | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| DUI | 15 | 5 | 13 | 11 | 8 | 2 | 3 | 11 | 3 | 9 | 0 | 1 | 81 |
| CDS | 49 | 38 | 45 | 39 | 38 | 45 | 48 | 24 | 31 | 41 | 21 | 30 | 449 |
| Criminal | 186 | 149 | 191 | 201 | 183 | 154 | 146 | 171 | 105 | 132 | 117 | 140 | 1875 |
| Total | 260 | 192 | 249 | 261 | 229 | 201 | 197 | 206 | 139 | 182 | 138 | 171 | 2405 |

| | | | | | | | | | | | | | |
|---------------------|-------------|-------------|-------------|------------|-------------|-------------|------------|------------|------------|------------|------------|------------|--------------|
| Ticket Count | 1234 | 1102 | 1050 | 989 | 1093 | 1028 | 872 | 915 | 919 | 805 | 761 | 822 | 11590 |
|---------------------|-------------|-------------|-------------|------------|-------------|-------------|------------|------------|------------|------------|------------|------------|--------------|

2017

| Violation/Date | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | TOTAL |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Lane Use | 20 | 28 | 11 | 16 | 22 | 21 | 28 | 18 | 16 | 23 | 14 | 23 | 240 |
| Backing | 1 | 3 | 4 | 3 | 4 | 2 | 4 | 3 | 1 | 4 | 2 | 2 | 33 |
| Speeding | 176 | 138 | 145 | 152 | 155 | 133 | 151 | 127 | 98 | 163 | 125 | 99 | 1662 |
| Signal Devices | 28 | 24 | 24 | 24 | 22 | 19 | 30 | 55 | 26 | 24 | 32 | 43 | 351 |
| Stop Sign | 22 | 19 | 31 | 28 | 24 | 34 | 22 | 24 | 12 | 15 | 16 | 22 | 269 |
| Follow too Close | 3 | 14 | 13 | 16 | 18 | 8 | 17 | 17 | 20 | 13 | 10 | 7 | 156 |
| Inattentive Driving | 21 | 17 | 25 | 28 | 23 | 24 | 26 | 24 | 25 | 29 | 17 | 28 | 287 |
| Yield | 0 | 0 | 0 | 5 | 0 | 2 | 2 | 3 | 1 | 2 | 2 | 0 | 17 |
| Turn Movements | 9 | 11 | 20 | 19 | 19 | 12 | 11 | 15 | 16 | 10 | 14 | 11 | 167 |
| Careless/Reckless | 5 | 8 | 2 | 7 | 6 | 3 | 7 | 7 | 6 | 6 | 4 | 8 | 69 |
| Total | 285 | 262 | 275 | 298 | 293 | 258 | 298 | 293 | 221 | 289 | 236 | 243 | 3251 |

| | | | | | | | | | | | | | |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Regulatory Total | 666 | 528 | 471 | 339 | 347 | 327 | 381 | 470 | 356 | 406 | 374 | 348 | 5012 |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|

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|-----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Animal Welfare | 12 | 10 | 17 | 13 | 19 | 13 | 33 | 21 | 27 | 10 | 12 | 12 | 199 |
|-----------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|

| | | | | | | | | | | | | | |
|-----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Firelane | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 4 |
| Handicap | 3 | 1 | 1 | 0 | 1 | 0 | 6 | 3 | 6 | 2 | 3 | 18 | 44 |
| Parking | 2 | 3 | 5 | 8 | 7 | 7 | 7 | 7 | 6 | 8 | 2 | 3 | 65 |
| Seatbelt | 27 | 13 | 18 | 20 | 47 | 47 | 14 | 29 | 19 | 14 | 23 | 18 | 289 |
| Child Restraint | 6 | 0 | 2 | 0 | 2 | 0 | 1 | 3 | 2 | 2 | 2 | 4 | 24 |
| Total | 40 | 17 | 26 | 28 | 57 | 54 | 28 | 44 | 33 | 26 | 30 | 43 | 426 |

| | | | | | | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| DUI | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CDS | 58 | 33 | 46 | 58 | 50 | 26 | 31 | 44 | 43 | 29 | 28 | 37 | 483 |
| Criminal | 132 | 149 | 152 | 139 | 194 | 148 | 160 | 164 | 160 | 147 | 148 | 131 | 1824 |
| Total | 190 | 182 | 198 | 197 | 244 | 174 | 191 | 208 | 203 | 176 | 176 | 168 | 2307 |

| | | | | | | | | | | | | | |
|---------------------|-------------|------------|------------|------------|------------|------------|------------|-------------|------------|------------|------------|------------|--------------|
| Ticket Count | 1192 | 999 | 987 | 875 | 960 | 826 | 931 | 1036 | 840 | 907 | 828 | 814 | 11195 |
|---------------------|-------------|------------|------------|------------|------------|------------|------------|-------------|------------|------------|------------|------------|--------------|

2018

| Violation/Date | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | TOTAL |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Lane Use | 7 | 16 | 16 | 9 | 15 | 20 | 19 | 25 | 14 | 13 | 11 | 18 | 183 |
| Backing | 2 | 3 | 1 | 3 | 4 | 0 | 2 | 0 | 3 | 4 | 2 | 1 | 25 |
| Speeding | 133 | 84 | 96 | 149 | 80 | 77 | 109 | 152 | 86 | 79 | 48 | 76 | 1169 |
| Signal Devices | 27 | 22 | 19 | 22 | 28 | 15 | 28 | 28 | 24 | 32 | 26 | 14 | 285 |
| Stop Sign | 17 | 30 | 19 | 8 | 10 | 10 | 19 | 16 | 8 | 15 | 23 | 13 | 188 |
| Follow too Close | 5 | 7 | 9 | 16 | 5 | 12 | 12 | 15 | 16 | 23 | 11 | 15 | 146 |
| Inattentive Driving | 16 | 9 | 21 | 25 | 29 | 20 | 23 | 14 | 27 | 19 | 21 | 26 | 250 |
| Yield | 3 | 2 | 3 | 2 | 1 | 1 | 6 | 2 | 0 | 3 | 0 | 1 | 24 |
| Turn Movements | 12 | 13 | 14 | 12 | 14 | 13 | 9 | 11 | 15 | 17 | 12 | 9 | 151 |
| Careless/Reckless | 12 | 2 | 6 | 3 | 7 | 9 | 3 | 7 | 3 | 1 | 2 | 8 | 63 |
| Total | 234 | 188 | 204 | 249 | 193 | 177 | 230 | 270 | 196 | 206 | 156 | 181 | 2484 |

| | | | | | | | | | | | | | |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Regulatory Total | 455 | 425 | 395 | 362 | 312 | 343 | 365 | 361 | 331 | 433 | 390 | 332 | 4504 |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|

| | | | | | | | | | | | | | |
|-----------------------|----------|----------|-----------|-----------|-----------|-----------|----------|-----------|-----------|-----------|-----------|-----------|------------|
| Animal Welfare | 5 | 9 | 16 | 10 | 15 | 26 | 7 | 10 | 18 | 19 | 11 | 20 | 166 |
|-----------------------|----------|----------|-----------|-----------|-----------|-----------|----------|-----------|-----------|-----------|-----------|-----------|------------|

| | | | | | | | | | | | | | |
|-----------------|-----------|-----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|-----------|------------|
| Firelane | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 5 |
| Handicap | 2 | 3 | 1 | 0 | 2 | 6 | 0 | 4 | 0 | 3 | 0 | 1 | 22 |
| Parking | 4 | 1 | 2 | 6 | 4 | 2 | 44 | 6 | 10 | 2 | 4 | 1 | 86 |
| Seatbelt | 12 | 4 | 2 | 22 | 62 | 50 | 24 | 3 | 8 | 18 | 4 | 6 | 215 |
| Child Restraint | 1 | 2 | 1 | 1 | 1 | 2 | 1 | 0 | 5 | 1 | 0 | 1 | 16 |
| Total | 20 | 12 | 6 | 29 | 69 | 60 | 69 | 13 | 23 | 24 | 9 | 10 | 344 |

| | | | | | | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| DUI | 15 | 15 | 18 | 13 | 11 | 16 | 14 | 0 | 0 | 0 | 0 | 0 | 102 |
| CDS | 38 | 23 | 33 | 38 | 37 | 59 | 16 | 42 | 23 | 25 | 25 | 27 | 386 |
| Criminal | 150 | 106 | 133 | 125 | 157 | 136 | 146 | 139 | 113 | 129 | 104 | 125 | 1563 |
| Total | 203 | 144 | 184 | 176 | 205 | 211 | 176 | 181 | 136 | 154 | 129 | 152 | 2051 |

| | | | | | | | | | | | | | |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Ticket Count | 917 | 778 | 805 | 826 | 794 | 817 | 847 | 835 | 704 | 836 | 695 | 695 | 9549 |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|

2019

| Violation/Date | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | TOTAL |
|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Lane Use | 14 | 17 | 12 | 16 | 22 | 15 | 15 | 15 | 16 | 12 | 17 | 15 | 186 |
| Backing | 1 | 2 | 3 | 3 | 4 | 2 | 0 | 3 | 6 | 3 | 1 | 3 | 31 |
| Speeding | 115 | 188 | 149 | 141 | 126 | 120 | 177 | 214 | 119 | 108 | 119 | 95 | 1671 |
| Signal Devices | 24 | 32 | 40 | 32 | 33 | 24 | 23 | 21 | 29 | 25 | 16 | 19 | 318 |
| Stop Sign | 21 | 25 | 41 | 10 | 11 | 14 | 17 | 29 | 19 | 21 | 34 | 22 | 264 |
| Follow too Close | 6 | 5 | 10 | 10 | 18 | 9 | 16 | 21 | 11 | 16 | 10 | 16 | 148 |
| Inattentive Driving | 14 | 13 | 21 | 16 | 20 | 28 | 19 | 31 | 27 | 17 | 13 | 20 | 239 |
| Yield | 0 | 5 | 0 | 3 | 7 | 2 | 1 | 1 | 1 | 0 | 0 | 3 | 23 |
| Turn Movements | 12 | 13 | 19 | 10 | 14 | 20 | 10 | 18 | 5 | 15 | 12 | 11 | 159 |
| Careless/Reckless | 2 | 4 | 2 | 4 | 9 | 8 | 5 | 8 | 1 | 6 | 3 | 2 | 54 |
| Total | 209 | 304 | 297 | 245 | 264 | 242 | 283 | 361 | 234 | 223 | 225 | 206 | 3093 |

| | | | | | | | | | | | | | |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| Regulatory Total | 462 | 629 | 522 | 416 | 409 | 415 | 405 | 520 | 429 | 382 | 386 | 353 | 5328 |
|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|

| | | | | | | | | | | | | | |
|-----------------------|-----------|-----------|-----------|-----------|-----------|----------|----------|----------|----------|-----------|----------|----------|------------|
| Animal Welfare | 47 | 10 | 16 | 16 | 20 | 6 | 7 | 2 | 7 | 18 | 7 | 7 | 163 |
|-----------------------|-----------|-----------|-----------|-----------|-----------|----------|----------|----------|----------|-----------|----------|----------|------------|

| | | | | | | | | | | | | | |
|-----------------|-----------|-----------|-----------|-----------|-----------|------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Firelane | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 0 | 0 | 0 | 1 | 1 | 5 |
| Handicap | 1 | 2 | 2 | 1 | 1 | 2 | 5 | 5 | 2 | 5 | 1 | 1 | 28 |
| Parking | 3 | 1 | 4 | 6 | 9 | 4 | 3 | 4 | 7 | 0 | 6 | 4 | 51 |
| Seatbelt | 30 | 28 | 51 | 39 | 72 | 171 | 39 | 80 | 25 | 9 | 28 | 15 | 587 |
| Child Restraint | 3 | 1 | 0 | 0 | 4 | 0 | 2 | 2 | 1 | 1 | 4 | 0 | 18 |
| Total | 37 | 32 | 57 | 47 | 86 | 177 | 51 | 91 | 35 | 15 | 40 | 21 | 689 |

| | | | | | | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|
| DUI | 0 | 0 | 0 | 1 | 7 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 9 |
| CDS | 40 | 32 | 23 | 19 | 21 | 23 | 32 | 26 | 27 | 46 | 39 | 28 | 356 |
| Criminal | 124 | 114 | 127 | 138 | 154 | 141 | 126 | 146 | 123 | 133 | 142 | 113 | 1581 |
| Total | 164 | 146 | 150 | 158 | 182 | 164 | 158 | 172 | 150 | 180 | 181 | 141 | 1946 |

| | | | | | | | | | | | | | |
|---------------------|------------|-------------|-------------|------------|------------|-------------|------------|-------------|------------|------------|------------|------------|--------------|
| Ticket Count | 919 | 1121 | 1042 | 882 | 961 | 1004 | 904 | 1146 | 855 | 818 | 839 | 728 | 11219 |
|---------------------|------------|-------------|-------------|------------|------------|-------------|------------|-------------|------------|------------|------------|------------|--------------|



City of Midwest City Police Department
100 N. Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1320
Fax 405.739.1398

MEMORANDUM

To: Honorable Mayor and City Council

From: Brandon Clabes, Chief of Police

Date: June 11, 2019

Subject: Discussion and consideration of renewing the current Jail Services Agreement with the Board of County Commissioners of Oklahoma County and the Sheriff of Oklahoma County for fiscal year 2019-20 to provide for the incarceration of City prisoners and "Hold for State" prisoners within the Oklahoma County Jail under the custody of County officials at the rate of \$44.61 per day per prisoner.

The Midwest City Police Department requests the Council to renew the current Agreement with the Board of County Commissioners of Oklahoma County and the Sheriff of Oklahoma County. The purpose of this Agreement is to provide for the incarceration of City prisoners and "Hold for State" prisoners within the Oklahoma County Jail, under the custody of County officials. As compensation for this service the City agrees to pay the County Sheriff a rate of \$44.61 per day the inmate is held on behalf of the City.

The term of the Agreement is from July 1, 2019 to June 30, 2020, and may be renewed for successive one-year terms each to begin on July 1st of each year. Also, this Agreement would only be utilized if the Midwest City Police Department jail is at its maximum capacity of seventy (70) prisoners or more.

Staff recommends approval.

Brandon Clabes
Chief of Police

Attachment: Jail Services Agreement

**CITY OF MIDWEST CITY
JAIL SERVICES AGREEMENT**

This Jail Services Agreement is made and entered into as of the **1st day of July 2020** by and between the **City of Choctaw**, Oklahoma a municipal corporation (hereinafter referred to as “Choctaw”), and the City of Midwest City, Oklahoma, a municipal corporation (hereinafter referred to as “Midwest City”).

Whereas, this Agreement is made recognizing the provisions of 74 Oklahoma Statutes, § 192, as may be amended from time to time, and all rights as provided under the state and federal Constitutions; and

Whereas, Midwest City owns and operates a fully licensed and accredited jail facility located at 100 North Midwest Boulevard in Midwest City, Oklahoma (hereinafter referred to as the “Jail”); and

Whereas, the Oklahoma statutes and Midwest City charter authorize and allow Midwest City to contract to provide services pursuant to this Agreement;

NOW, THEREFORE, the parties, in consideration of the premises and the mutual covenants set forth below, do hereby agree as follows:

1. Term/Renewal.

- A. The term of this Agreement shall commence on this **1st day of July, 2020 at 12:01 a.m. and terminate at midnight on the 30th day of June, 2021**. Billings will start upon receipt of prisoners.
- B. This Agreement may be renewed for successive one-year terms each to begin at 12:01 a.m. on July 1 and to terminate at midnight on June 30 of the following calendar year.
 - a. No Separate Legal Entity. No separate legal entity or organizations shall be deemed created by virtue of this Agreement.

2. Definitions.

- A. A “Choctaw prisoner” shall be defined as any prisoner incarcerated in the Jail solely on Choctaw municipal convictions and/or any other person that is otherwise held solely at the request of Choctaw police.
- B. A “hold for municipal/state prisoner” shall be defined as a prisoner arrested by a Choctaw police officer with or without a warrant for any alleged violation of state law. Hold for municipal/state prisoners will become Choctaw prisoners when all state charges

have been declined or disposed of and the prisoner is being held only for Choctaw municipal charge(s) or Choctaw municipal conviction(s), or otherwise held at the request of Choctaw police.

3. Purpose.

- A. The purpose of this Agreement is to provide for the incarceration of Choctaw prisoners and hold for municipal/state prisoners within the Jail, under the custody of Midwest City officials, and to otherwise coordinate booking and detention functions

4. Termination.

- A. This Agreement may be terminated by either party for any reason or for no reason upon one hundred eighty (180) days written notice to the other party.
- B. This Agreement may be terminated by any party for cause upon the passage of sixty (60) days, subsequent to the mailing of notice stating the cause and the requested cure, where cause has failed to be cured.

5. Compensation.

- A. Choctaw's financial obligations under this Agreement shall be limited to the compensation described in this paragraph. As compensation for the services described in this Agreement, Choctaw agrees to pay Midwest City sixty dollars (\$60.00) per day or \$2.50 per hour, prorated to the closest hour interval, per Choctaw prisoner or hold for municipal/state prisoner per day the Choctaw prisoner or hold for municipal/state prisoner is held on behalf of Choctaw. A booking fee of thirty dollars (\$30.00) shall be assessed to each Choctaw prisoner upon entry into the jail. If the Choctaw prisoner is held longer than eleven (11) hours, the thirty dollar (\$30.00) booking fee shall be applied to the daily compensation charge. In consideration of which Midwest City will operate and maintain a fully licensed and certified jail facility and shall assume responsibility for the incarceration of Choctaw prisoners or hold for municipal/state prisoners therein consistent with applicable statutes of the state of Oklahoma and the laws of the United States of America for detention for violation of Choctaw municipal ordinances or Oklahoma state statutes, or otherwise held for Choctaw police.
- B. Midwest City agrees to prepare and submit to Choctaw monthly statements no later than the 15th of each month following the month of the detention service on a claim form pursuant to statutory and charter requirements. Choctaw agrees to use due

diligence to pay properly invoiced amounts within thirty (30) days of receipt.

6. Services.

- A. In exchange for the above compensation, Midwest City agrees to provide a jail facility that shall meet the standards set forth in 74 Oklahoma Statutes, § 192, as may be amended from time to time, and all constitutional rights as provided by the state and federal Constitutions and provide the following services:
- B. Midwest City hereby assumes all detention and incarceration functions, consistent with applicable laws, for persons delivered to the Jail who are Choctaw prisoners or hold for municipal/state prisoners.
- C. Midwest City shall permit Choctaw law enforcement officers and Choctaw's agents, in the pursuance of their official duties, as approved by the Choctaw chief of police and Midwest City, to enter the Jail at any and all hours for the purpose of conducting official business in the course of investigative process including, but not limited to, taking custody and/or removing prisoners as necessary for official investigations. During such time, Choctaw assumes responsibility and liability for such prisoners until the return of the prisoners to the Jail.
- D. Midwest City shall allow Choctaw access, at all times, to Choctaw prisoners or hold for municipal/state prisoners. Choctaw assumes responsibility and liability for any and all prisoners or trustees upon their removal from the Jail by Choctaw until such time as they are returned to the Jail by Choctaw.
- E. Midwest City agrees to provide appropriate personnel, if available, to serve in the capacity of hospital guards for Choctaw prisoners or hold for municipal/state prisoners when admittance into a medical facility outside the Jail is required. Choctaw agrees to pay any costs incurred by Midwest City for the appropriate personnel serving as guards for Choctaw prisoners or hold for municipal/state prisoners when so required by the Choctaw Police Department.

7. Custody.

- A. For purposes of this Agreement, custody shall be deemed to pass from Choctaw to Midwest City upon Choctaw's presentation and Midwest City's acceptance of the documentation required by Midwest City for booking of prisoners. For compensation purposes, Choctaw's financial responsibility for Choctaw prisoners and hold for municipal/state prisoners shall begin upon the

presentation of the necessary documentation to book a prisoner into the Jail.

- B. Midwest City agrees to accept and provide for the secure custody care and safekeeping of Choctaw prisoners and hold for municipal/state prisoners.
- C. Midwest City shall coordinate with municipal judges of Choctaw for the posting of bonds for those persons charged with violations of Choctaw ordinances. All fines/bonds will be posted with the Choctaw municipal court clerk. Choctaw will be responsible for authorization of all own-recognition bonds on Choctaw prisoners. Choctaw municipal authorities shall coordinate with Midwest City for the purposes of conducting arraignments of prisoners on municipal charges.
- D. Midwest City agrees to release Choctaw prisoners and hold for municipal/state prisoners within two (2) hours of notification or authorization to release unless special circumstances prevent release within that time whereupon the release shall be done as soon as practicable. For compensation purposes, Choctaw's financial responsibility ends at release or two (2) hours after providing Midwest City notification or authorization to release a Choctaw prisoner or hold for municipal/state prisoner, whichever is earlier.

8. Medical Care.

- A. Choctaw will not present to the Jail but, rather, will take a prisoner who needs emergency medical care to an approved emergency medical care institution for treatment. Arrested persons who are not conscious, semi-conscious, bleeding, cannot answer questions concerning their health to the satisfaction of the Jail staff or who are otherwise in need of any medical care will be taken to an approved medical care institution for treatment prior to being presented for booking at the Jail.
- B. Once a prisoner is in the custody of Midwest City, Midwest City agrees to accept and provide for the secure custody, care and safekeeping of Choctaw prisoners and hold for municipal/state prisoners in accordance with the federal and state standards and laws, Choctaw ordinances and court orders applicable to the operations of the Jail.
- C. Midwest City agrees the compensation set out in paragraph 6 of this Agreement includes providing Choctaw prisoners and hold for municipal/state prisoners with the same level of care and services

provided Midwest City prisoners. Choctaw agrees to provide transportation to and from medical facilities outside of the Jail for any Choctaw prisoner or hold for municipal/state prisoner by a law enforcement vehicle if the situation is not life-threatening and/or by other means including, but not limited to, ambulance transportation as the prisoner's medical condition requires.

9. Severable Liability.

- A. This Agreement shall not be construed as creating any agency or third party beneficiary agreements in any form or manner whatsoever.
- B. All parties herein shall be exclusively liable for loss resulting from its torts or the torts of its employees acting within the scope of their employment, subject to the limitations and exceptions specified in the Governmental Tort Claims Act, 51, Oklahoma Statutes, §§ 151-172, inclusive, as may be amended from time to time. All parties shall further be exclusively responsible for their own acts and/or the acts of their employees for any alleged violations of rights under the United States Constitution as required by law. Therefore, no party shall be liable for the acts or omissions of the other party.

10. Notices. All notices required under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested. to Choctaw and to Midwest City at the following addresses:

If to Choctaw: City Clerk
City of Choctaw
2500 North Choctaw Road
P.O. Box 567
Choctaw, Oklahoma 73020-0567

With a copy to police chief: Chief of Police
City of Choctaw
13240 N.E. 23rd Street
P.O. Box 567
Choctaw, Oklahoma 73020-0567

If to Midwest City: City Clerk
City of Midwest City
100 North Midwest Boulevard
Midwest City, Oklahoma 73110

With a copy to police chief: Chief of Police
City of Midwest City

100 North Midwest Boulevard
Midwest City, Oklahoma 73110

11. Fiscal Limitations. The obligations of the parties to pay out funds pursuant to the terms of this Agreement are specifically subject to the appropriation of sufficient funds for said purpose under the laws of the state of Oklahoma.

12. Non-Assignability. This Agreement shall be non-assignable unless agreed to in writing by all of the parties hereto.

13. Severable. The provisions of this Agreement shall be considered severable and, in the event any part or provision shall be held void by a court of competent jurisdiction, the remaining parts shall then constitute the Agreement.

14. Laws and Regulations. This Agreement shall be subject to the Constitution and laws of the United States and state of Oklahoma; in particular, the provisions of 74 Oklahoma Statutes § 192, as may be amended from time to time, pertaining to minimum standards for jails shall specifically apply.

15. Multiple Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original.

16. Inspections. Midwest City shall make available upon request any and all inspection reports concerning the Jail to the chief of police and city manager of Choctaw in a timely manner. This provision does not intend or create any liability and/or indicate that Choctaw has or exerts any control of or over the Jail but, rather, is expressly intended solely to allow monitoring of Choctaw prisoners, hold for municipal/state prisoners and jail standards.

17. Security. Choctaw personnel shall at all times comply with all security and confidentiality regulations provided to them in effect at the Jail. Information belonging to Midwest City will be safeguarded by Choctaw to the same extent as Choctaw safeguards its own information of like kind relating to its own operation, subject to disclosures required by law.

18. Transportation of Choctaw Prisoners. Choctaw hereby assumes responsibility for the transportation of Choctaw prisoners to all municipal court appearances and shall hereby coordinate with the Choctaw municipal judges for the posting of bonds for those persons charged with violations of Choctaw ordinances. Choctaw hereby assumes responsibility for the transportation of hold for municipal/state prisoners to the Oklahoma County Jail or other appropriate institution.


19. Amendments. Any amendments to this Agreement must be in writing and approved by the parties.

20. Complete Agreement. This Agreement is the complete agreement of the parties regarding matters addressed herein. No oral agreements or representations shall be considered binding on the parties.

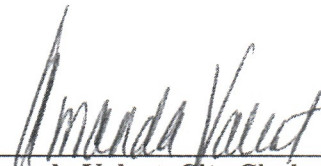
PASSED AND APPROVED by the mayor and council of the City of Choctaw, Oklahoma on this 21 day of April, 2020 and by the mayor and council of the City of Midwest City, Oklahoma the _____ day of _____, 2020.

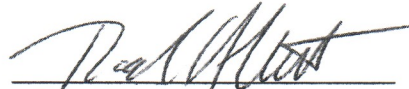
City of Choctaw

Attest:


Randy Ross, Mayor




Amanda Valent, City Clerk


Ray Vincent, City Attorney

Approved by the governing body of _____, Oklahoma, on this _____ day of _____, 20____.

City of Midwest City

Attest:

Matthew D. Dukes II, Mayor

Sara Hancock, City Clerk

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

Heather Poole, City Attorney

STATEMENT OF WORK
Confinement
F3YCAR5104A001

Period of Performance: 5 Years from date of Contracting Officer's Signature on BPA front page.

1. **Purpose:** The purpose of this agreement between the United States Armed Forces (Tinker Air Force Base) and the Contractor is to set forth rules and regulations for short-term pre-trial and post trial housing of prisoners, not to exceed six (6) months. Contractor shall furnish all labor, tools, equipment, materials, and incidentals necessary to retain all active duty military personnel placed into confinement status per concurrence with 72d Security Forces Squadron. Individuals will be housed for the amount determined by contracting. This will cover all meals to maintain health and welfare. The contract period will extend from 05 MAY 16 thru 30 SEP 16. Members of any branch of the military apprehended by Tinker AFB will be placed accordingly under military law and fall under the terms of the contract and memorandum of agreement.

2. **Authority:** Air Force Instruction 31-105, Air Force Instruction 25-201, DODI 4000.19 and related directives.

3. Responsibilities.

3.1 72d Security Forces Squadron

3.1.1 Assumptions. Detainee/Inmate confinement may be required on a daily, weekly, or monthly basis, as determined by the Installation Chief of Security Forces (CSF). A Tinker Air Force Base detainee/inmate confined with contractor shall remain confined there until the 72d Security Forces Squadron confinement staff notifies the contractor of temporary or permanent removal from the facility. The detainees/inmates shall be subject to contractor rules and directives, including rules on discipline and treatment. The 72d Security Forces Squadron will be responsible for providing a list of individuals who are authorized to remove Tinker Air Force Base detainees/inmates from the facility and contractor will ensure Tinker Air Force Base detainees/inmates are released only to the custody of those who are authorized, i.e., 72d Security Forces Squadron Confinement Officer/non-commissioned officer (NCO) or designated escorts. Tinker Air Force Base detainees/inmates may be visited by any individuals except those specifically identified by the 72d Security Forces Squadron on a Restricted Visitation Listing. Tinker Air Force Base detainees/inmates will be provided the same level of services and treatment afforded to other confinees consistent with applicable local laws and standards.

3.1.2 The 72d Security Forces Squadron will notify the contractor of military detainee/inmates requiring short-term confinement upon identification of the necessity to confine such military members. The 72d Security Forces Squadron will pay the sum agreed upon and found within the applicable annually awarded contract per detainee/inmate, per day for housing of military members.

3.1.3 The United States Armed Forces will be responsible for any medical costs, other than basic first aid, including but not limited to, emergency care, hospitalization, long-term care, security and transportation. Detainees/Inmates requiring emergency medical care will utilize

their respective Tricare benefits in accordance with Tricare regulations and policies as payment for such services. The 72d Security Forces Confinement Section will transport military detainee/inmates requiring non-emergency medical treatment outside of the contractor.

3.1.4 When transportation of military detainee/inmates away from the contractor required for routine appointments, telephone notification from the 72d Security Forces Squadron to the contractor will normally be given not later than 1 day prior to the appointment. As a minimum, notification will be 2 hours prior to the actual pick up time.

3.1.5 The 72d Security Forces Squadron will provide detainee/inmates with a uniform to be worn only when transported away from the contractor by members of the Tinker Air Force Base detainee/inmate's parent unit or the 72d Security Forces Squadron.

3.1.6 Furthermore, the United States Armed Forces agrees to hold the contractor harmless of any pre-existing injuries said detainee/inmate(s) might have incurred prior to his/her incarceration within the facility.

3.2 Contractor

3.2.1 The contractor shall house military members being confined by Tinker Air Force Base, on an "as needed" basis.

3.2.2 Contractor shall maintain approval or accreditation/certification with the American Correctional Association (ACA) or a facility accredited by the State. In addition, the contractor must be Prison Rape Elimination Act (PREA) compliant or actively seeking PREA compliance.

3.2.3 If possible, Air Force detainees/inmates will be housed separately from all other detainees/inmates.

3.2.4 Contractor shall provide the Tinker Air Force Base detainee/inmate with appropriate and suitable confinement space to include a bed, mattress, sheets, pillow, blankets, toilet, sink, and shower. Female detainees/inmates will be segregated from male detainees/inmates by both sight and sound.

3.2.5. Contractor shall provide the Tinker Air Force Base detainee/inmate three meals a day and all health and comfort items (i.e. towels, washcloths, toiletries, work clothing, etc.) provided to any other detainee/inmate normally confined within the facility.

3.2.6. Contractor shall place military detainee/inmates into administrative segregation for a minimum of 24 hours not to exceed 72 hours upon initial entry into the detention center. This administrative segregation will be completed prior to permanent housing accommodations as applicable to military detainee/inmate status.

3.2.7 Pre-Trial Detainees: Military pre-trial detainees will be housed alone in separate cells or sleeping areas, separated by sight, from post-trial inmates. However, pre-trial detainees may share the same common areas at the same time with post-trial inmates. The contractor shall ensure foreign nationals are housed separately from military detainees in pre-trial status. Military detainees will not be allowed access to common areas containing foreign nationals.

Additionally, military detainees will be restricted from having any and all physical, verbal and visual contact with foreign nationals.

3.2.8 Post-Trial Inmates: Military post-trial inmates will be housed alone in separate cells or sleeping areas, separated by sight, from pre-trial detainees. However, post-trial inmates may share the same common areas at the same time with pre-trial detainees. The contractor shall ensure foreign nationals are housed separately from military inmates in post-trial status. Military inmates will not be allowed access to common areas containing foreign nationals. Additionally, military inmates will be restricted from having any and all physical, verbal and visual contact with foreign nationals.

3.2.9 Uniforms: The contractor shall provide pre-trial military detainees with a jumpsuit and additional clothing items in accordance with the contractor clothing and dress policy. In accordance with Air Force Instruction 31-105, pre-trial detainees housed in non-Air Force confinement facilities shall wear the uniform prescribed by the contractor. Post-trial military inmates will receive standard clothing items in accordance with the contractor clothing and dress policy.

3.2.10 Medical: The contractor shall accept and dispense prescription medication prescribed and issued by the 72d Medical Group to military detainee/inmates. Prescriptions should be dispensed as directed on the medication itself and may require multiple doses throughout the day. Basic first aid and emergency medical care will be provided by the contractor as needed by military detainee/inmates. The contractor will not be responsible for medical costs other than basic first aid. The contractor shall to notify the 72d Security Forces Squadron, confinement section, within 1 hour from the occurrence of all emergency medical cases requiring removal of a detainee/inmate from the facility.

3.2.11 Discipline: The contractor shall document and notify the 72d Security Forces confinement section as soon as possible, not to exceed, 24 hrs of the following situations, as a minimum, involving military detainees/inmates: meal refusals, all disciplinary/derogatory reports, and/or placement into disciplinary segregation. Contractor shall also provide a copy of these reports to the confinement section for the detainee/inmates AF confinement record. The detainees/inmates shall be subject to the institution's rules and directives including rules on discipline and treatment.

3.2.12 The contractor shall ensure military detainees/inmates can use either the facilities complaint system or the Air Force system, i.e., in no specific order, 72d Air Base Wing Inspector General, 72d Security Forces Confinement Officer/NCO/POC, and their chain of command. Detainees/Inmates must be visited by their unit commander or designated representative at least monthly and should be allowed to contact their unit First Sergeant. The contractor shall deny media personnel access to detainee/inmate unless coordinated by 72d Security Forces Confinement Officer/NCO/POC and the 72d Air Base Wing Public Affairs office. Additionally, the facility will prohibit photography/videography of military detainee/inmate unless the detainee/inmate provides written consent.

3.2.13 The contractor shall insure that privileged communication with the following officials are exempt from rejection or censorship: the President or Vice President of the United States, Members of the United States Congress, the Secretary of Defense, Attorney General, Secretary of the Air Force, The Judge Advocate General or one of their representatives, Clergy (after address and pastoral status verified), State and Federal courts, and the military or civilian attorney of the detainee/inmate. Contractor staff may inspect a communication from any of the above in the presence of the detainee/inmate only if there is a reasonable basis to believe the mail

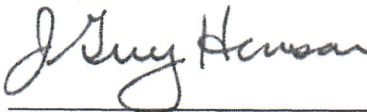
or call contains contraband, or for the purposes of initially identifying the official. If there is no reasonable basis for inspection or censorship when making privileged phone calls, each inmate must be afforded the opportunity to speak on a non-recorded line separate from other inmates.

4. **POC:** The Tinker AFB central point of contact for confinement is the 72d Security Forces Squadron, commercial telephone number (405) 734-6686, Fax (405) 734-3062. Mailing address is 72d Security Forces Squadron/4385 Air Depot, Bldg 7017, Tinker AFB, OK 73145.

CLOUSER.JUSTIN.D.139
0322247

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ou=USAF, ou=CLOUSER.JUSTIN.D.139032247
Date: 2016.05.05 04:13:19 -0500

JUSTIN D. CLOUSER, Capt, USAF
Confinement Officer, S3

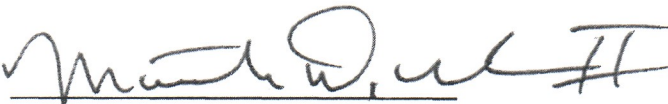

05-05-16

J. GUY HENSON

Date

City Manager

Ratified on May 10, 2016

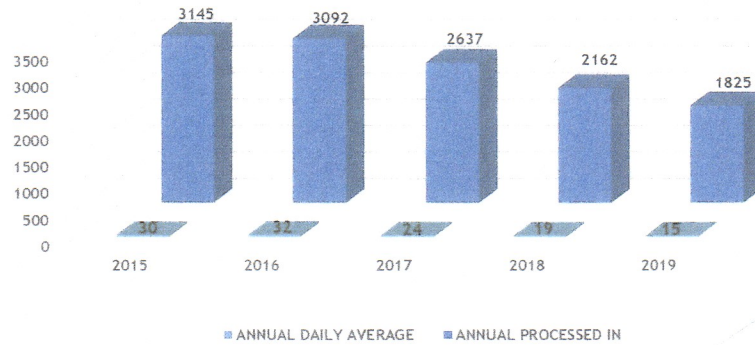


Mayor, Matthew D. Dukes II



MIDWEST CITY JAIL OVERSIGHT

ANNUAL JAIL DAILY AVERAGE VS PROCESSED IN



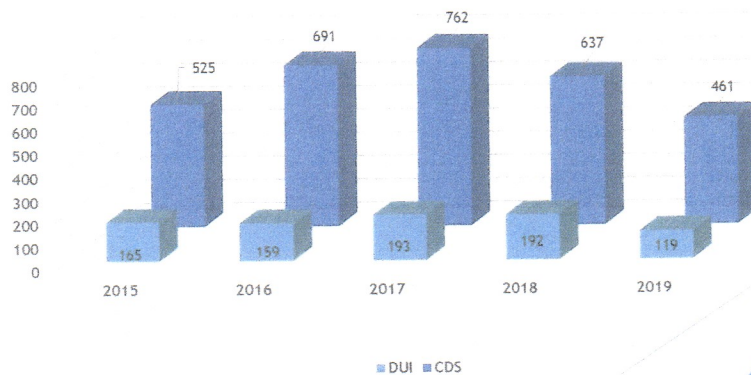
Februray 2017 Judge Howell began sitting on bench for MWC working with 1st time offenders to make payments to reduce sitting their time out in the Jail.



MIDWEST CITY JAIL OVERSIGHT

ANNUAL

STATE PLUS MUNICIPAL CITATIONS WRITTEN
COMPARISON DRIVING UNDER THE INFLUENCE AND CDS



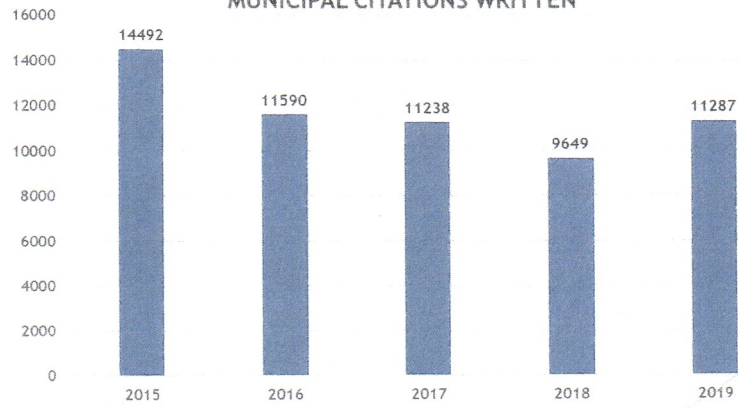
January 2019 new ordinance regarding marijuana took affect in MWC

SIU was asked to refocus on more of the opiod related offenses: herion, cocaine & etc in 2019



MIDWEST CITY JAIL OVERSIGHT

ANNUAL MUNICIPAL CITATIONS WRITTEN



**MIDWEST CITY COURT SUMMARY
OF
CITATIONS AND REVENUE**

| | 2015 | 2016 | 2017 | 2018 | 2019 |
|----------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| CITATIONS | 14,492 | 11,590 | 11,238 | 9,649 | 11,287 |
| COURT | \$700,216 | \$710,276 | \$545,257 | \$527,532 | \$615,583 |
| STATE | \$147,990 | \$113,639 | \$ 92,004 | \$104,621 | \$126,027 |
| POLICE | \$138,991 | \$125,744 | \$ 95,240 | \$ 73,640 | \$ 61,137 |
| TECHNOLOGY | \$297,970 | \$268,049 | \$226,043 | \$222,106 | \$275,440 |
| FINES | \$1,103,367 | \$890,372 | \$706,796 | \$705,697 | \$548,497 |
| OTHER | \$ 12,156 | \$ 16,636 | \$ 12,593 | \$ 36,989 | \$ 16,033 |
| TOTAL REVENUE | \$2,400,690 | \$2,124,716 | \$1,677,933 | \$1,670,585 | \$1,642,717 |



City Manager's Office
Vaughn Sullivan,
Assistant City Manager
vsullivan@midwestcityok.org
100 N. Midwest Blvd,
Midwest City, Oklahoma 73110
O: 405-739-1207 /Fax: 405-739-1208

Memorandum

To: Honorable Mayor and Council

From: Vaughn K. Sullivan, Assistant City Manager

Date: January 26, 2021

Subject: Discussion and consideration of awarding the bid and entering into a contract with United Golf, LLC, for renovation of John Conrad Regional Golf Course in the total amount of \$3,563,555.16, which includes the base bid in the amount of \$3,532,450.16 and Alternate number A-2 (Driving range floor shaping) in the amount of \$5,415.00, Alternate number A-3 (Driving range drainage) \$4,810.00, Alternative number A-5 (Driving range Astro sprigs) \$5,880.00, Alternative number A-13 (Pump-house refurbishment) one (1) item at \$15,000.00.

On Tuesday, January 12, 2021, at 2:00 p.m., bids were opened for renovation of John Conrad Regional Golf Course. Bids were submitted by United Golf, LLC, Mid-America Golf & Landscape, Wadsworth Golf Construction Co., and Duinick, Inc. After reviewing the contractor selection information provided by Heckenkemper Golf Course Design and ADG (see attached), staff has determined that United Golf, LLC, submitted the lowest and best base bid in the amount of \$3,532,450.16. Staff and our consultants are also recommending that Council award Alternate number A-2 (Driving range floor shaping) in the amount of \$5,415.00, Alternate number A-3 (Driving range drainage) \$4,810.00, Alternative number A-5 (Driving range Astro sprigs) \$5,880.00, Alternative number A-13 (Pump-house refurbishment) one (1) item at \$15,000.00, for a total contract amount of \$3,563,555.16.

The renovation of John Conrad Regional Golf Course is a 2018 Moving Midwest City Forward General Obligation Bond issue project.

Funds are budgeted and available in the 2018 Moving Midwest City Forward bond project account.

Staff recommends approval.

Vaughn K. Sullivan
Assistant City Manager

Attachment: Bid Tabulation Sheet, Heckenkemper Golf Design Bid Evaluation, ADG Contractor Selection Report

John Conrad Regional Golf Course

Bid Tabulation

Prepared by Heckenkemper Golf Course Design

1/13/2021

| Item No. | Base Bid Item | Estimated Quantity | Unit | Unit Cost | Cost | United Golf | | Mid-America Golf & Landscape | | Wadsworth Golf Construction Company | | Duininck, Inc. | |
|---|--|--------------------|------|---------------|------------------------|------------------------|------------------------|------------------------------|------------------------|-------------------------------------|-----------------|-----------------|-----------------|
| 1 | Mobilization & General Conditions | 1 | LS | \$ 190,000.00 | \$ 190,000.00 | \$ 261,385.00 | \$ 261,385.00 | \$ 128,208.00 | \$ 128,208.00 | \$ 229,270.00 | \$ 229,270.00 | \$ 175,000.00 | \$ 175,000.00 |
| 2 | Staking & Surveying - CIP | 1 | LS | \$ 15,000.00 | \$ 15,000.00 | \$ 25,200.00 | \$ 25,200.00 | \$ 35,000.00 | \$ 35,000.00 | \$ 20,000.00 | \$ 20,000.00 | \$ 35,000.00 | \$ 35,000.00 |
| 3 | Erosion Control & SWPPP Requirements - CIP | 1 | LS | \$ 30,000.00 | \$ 30,000.00 | \$ 3,405.00 | \$ 3,405.00 | \$ 52,625.00 | \$ 52,625.00 | \$ 39,120.00 | \$ 39,120.00 | \$ 26,000.00 | \$ 26,000.00 |
| 4 | Golf Course Demolition - CIP | 1 | LS | \$ 70,000.00 | \$ 70,000.00 | \$ 50,100.00 | \$ 50,100.00 | \$ 85,310.00 | \$ 85,310.00 | \$ 105,340.00 | \$ 105,340.00 | \$ 62,000.00 | \$ 62,000.00 |
| 5 | Tree Clearing - CIP | 1 | LS | \$ 90,000.00 | \$ 90,000.00 | \$ 61,200.00 | \$ 61,200.00 | \$ 81,325.00 | \$ 81,325.00 | \$ 71,020.00 | \$ 71,020.00 | \$ 115,000.00 | \$ 115,000.00 |
| Schedule 1 Total- Site Preparation | | | | | \$ 395,000.00 | \$ 401,290.00 | \$ 382,468.00 | \$ 464,750.00 | \$ 413,000.00 | | | | |
| 6 | Topsoil Management - CIP | 1 | LS | \$ 100,000.00 | \$ 100,000.00 | \$ 143,000.00 | \$ 143,000.00 | \$ 124,000.00 | \$ 124,000.00 | \$ 85,855.00 | \$ 85,855.00 | \$ 90,000.00 | \$ 90,000.00 |
| 7 | Rough Shaping - CIP | 1 | LS | \$ 250,000.00 | \$ 250,000.00 | \$ 101,370.00 | \$ 101,370.00 | \$ 160,000.00 | \$ 160,000.00 | \$ 342,910.00 | \$ 342,910.00 | \$ 180,000.00 | \$ 180,000.00 |
| Schedule 2 Total- Earthwork | | | | | \$ 350,000.00 | \$ 244,370.00 | \$ 284,000.00 | \$ 428,765.00 | \$ 270,000.00 | | | | |
| 8 | Tee Construction - CIP | 100,000 | SF | \$ 0.30 | \$ 30,000.00 | \$ 0.25 | \$ 25,000.00 | \$ 0.85 | \$ 85,000.00 | \$ 0.35 | \$ 35,000.00 | \$ 0.75 | \$ 75,000.00 |
| 9 | Driving Range Tee Construction - CIP | 35,600 | SF | \$ 0.30 | \$ 10,680.00 | \$ 0.10 | \$ 3,560.00 | \$ 0.85 | \$ 30,260.00 | \$ 0.30 | \$ 10,680.00 | \$ 0.25 | \$ 8,900.00 |
| 10 | Greens Construction - CIP | 113,979 | SF | \$ 5.00 | \$ 569,895.00 | \$ 6.50 | \$ 740,863.50 | \$ 5.04 | \$ 574,454.16 | \$ 4.40 | \$ 501,507.60 | \$ 4.75 | \$ 541,400.25 |
| 11 | Bunker Construction - CIP | 17,145 | SF | \$ 4.75 | \$ 81,438.75 | \$ 4.50 | \$ 77,152.50 | \$ 4.80 | \$ 82,296.00 | \$ 4.10 | \$ 70,294.50 | \$ 4.40 | \$ 75,438.00 |
| 12 | Bunker Sand - CIP | 17,145 | SF | \$ 2.00 | \$ 34,290.00 | \$ 1.75 | \$ 30,003.75 | \$ 2.00 | \$ 34,290.00 | \$ 1.50 | \$ 25,717.50 | \$ 1.30 | \$ 22,288.50 |
| Schedule 3 Total- Feature Construction | | | | | \$ 726,303.75 | \$ 876,579.75 | \$ 806,300.16 | \$ 643,199.60 | \$ 723,026.75 | | | | |
| 13 | ADS N-12 Drain Pipe (6" Diam.) - CIP | 6,534 | LF | \$ 9.00 | \$ 58,806.00 | \$ 3.75 | \$ 24,502.50 | \$ 9.00 | \$ 58,806.00 | \$ 11.25 | \$ 73,507.50 | \$ 14.00 | \$ 91,476.00 |
| 14 | ADS N-12 Drain Pipe (8" Diam.) - CIP | 438 | LF | \$ 14.00 | \$ 6,132.00 | \$ 11.25 | \$ 4,927.50 | \$ 12.00 | \$ 5,256.00 | \$ 13.50 | \$ 5,913.00 | \$ 19.00 | \$ 8,322.00 |
| 15 | ADS N-12 Drain Pipe (12" Diam.) - CIP | 231 | LF | \$ 24.00 | \$ 5,544.00 | \$ 14.50 | \$ 3,349.50 | \$ 14.00 | \$ 3,234.00 | \$ 20.00 | \$ 4,620.00 | \$ 24.00 | \$ 5,544.00 |
| 16 | French Drain System (4" Diam. Perf.) - CIP | 733 | LF | \$ 12.00 | \$ 8,796.00 | \$ 14.00 | \$ 10,262.00 | \$ 8.00 | \$ 5,864.00 | \$ 12.50 | \$ 9,162.50 | \$ 16.00 | \$ 11,728.00 |
| 17 | NDS Riser w/ Grate (12" Diam.) - CIP | 27 | EA | \$ 450.00 | \$ 12,150.00 | \$ 600.00 | \$ 16,200.00 | \$ 425.00 | \$ 11,475.00 | \$ 330.00 | \$ 8,910.00 | \$ 520.00 | \$ 14,040.00 |
| 18 | Nyloplast Basin (18" Diam.) - CIP | 5 | EA | \$ 1,000.00 | \$ 5,000.00 | \$ 1,520.00 | \$ 7,600.00 | \$ 1,600.00 | \$ 8,000.00 | \$ 1,200.00 | \$ 6,000.00 | \$ 1,000.00 | \$ 5,000.00 |
| 19 | Drain Basin in Cart Trail (12" Diam.) - CIP | 1 | EA | \$ 750.00 | \$ 750.00 | \$ 2,300.00 | \$ 2,300.00 | \$ 425.00 | \$ 425.00 | \$ 610.00 | \$ 610.00 | \$ 570.00 | \$ 570.00 |
| 20 | In-line Drain (8" Diam.) - CIP | 4 | EA | \$ 300.00 | \$ 1,200.00 | \$ 620.00 | \$ 2,480.00 | \$ 480.00 | \$ 1,920.00 | \$ 305.00 | \$ 1,220.00 | \$ 250.00 | \$ 1,000.00 |
| 21 | Bubbler Grates - CIP | 21 | EA | \$ 500.00 | \$ 10,500.00 | \$ 1,020.00 | \$ 21,420.00 | \$ 480.00 | \$ 10,080.00 | \$ 540.00 | \$ 11,340.00 | \$ 425.00 | \$ 8,925.00 |
| Schedule 4 Total- Drainage | | | | | \$ 108,878.00 | \$ 93,041.50 | \$ 105,060.00 | \$ 121,283.00 | \$ 146,605.00 | | | | |
| 22 | Existing Irrigation System Removal - CIP | 1 | LS | \$ 10,000.00 | \$ 10,000.00 | \$ 17,300.00 | \$ 17,300.00 | \$ 18,000.00 | \$ 18,000.00 | \$ 15,950.00 | \$ 15,950.00 | \$ 24,000.00 | \$ 24,000.00 |
| 23 | Pump Stations Per Plan - CIP | 2 | EA | \$ 125,000.00 | \$ 250,000.00 | \$ 158,100.00 | \$ 316,200.00 | \$ 128,100.00 | \$ 256,200.00 | \$ 121,710.00 | \$ 243,420.00 | \$ 118,000.00 | \$ 236,000.00 |
| 24 | Irrigation System Complete Per Plan - CIP | 1 | LS | \$ 900,000.00 | \$ 900,000.00 | \$ 1,110,300.00 | \$ 1,110,300.00 | \$ 919,773.00 | \$ 919,773.00 | \$ 1,206,910.00 | \$ 1,206,910.00 | \$ 1,280,000.00 | \$ 1,280,000.00 |
| 25 | Large Turf Head (V-I-H) Contingency - CIP | 25 | EA | \$ 1,250.00 | \$ 31,250.00 | \$ 1,525.00 | \$ 38,125.00 | \$ 260.00 | \$ 6,500.00 | \$ 735.00 | \$ 18,375.00 | \$ 730.00 | \$ 18,250.00 |
| 26 | Quick Coupler Contingency - CIP | 10 | EA | \$ 175.00 | \$ 1,750.00 | \$ 265.00 | \$ 2,650.00 | \$ 165.00 | \$ 1,650.00 | \$ 295.00 | \$ 2,950.00 | \$ 200.00 | \$ 2,000.00 |
| 27 | Post Construction Irrigation Services - CIP | 1 | AL | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 | \$ 8,000.00 |
| Schedule 5 Total- Irrigation | | | | | \$ 1,201,000.00 | \$ 1,492,575.00 | \$ 1,210,123.00 | \$ 1,495,605.00 | \$ 1,568,250.00 | | | | |
| 28 | Cart Trail Construction - CIP | 41,453 | SF | \$ 5.00 | \$ 207,265.00 | \$ 3.75 | \$ 155,448.75 | \$ 5.50 | \$ 227,991.50 | \$ 5.55 | \$ 230,064.15 | \$ 4.15 | \$ 172,029.95 |
| 29 | Cart Trail Curb - CIP | 1,545 | LF | \$ 8.00 | \$ 12,360.00 | \$ 5.50 | \$ 8,497.50 | \$ 9.00 | \$ 13,905.00 | \$ 4.80 | \$ 7,416.00 | \$ 5.20 | \$ 8,034.00 |
| 30 | 4' H. Black Vinyl Fencing - CIP | 641 | LF | \$ 30.00 | \$ 19,230.00 | \$ 17.00 | \$ 10,897.00 | \$ 18.00 | \$ 11,538.00 | \$ 29.50 | \$ 18,909.50 | \$ 33.00 | \$ 21,153.00 |
| Schedule 6 Total- Hardscape | | | | | \$ 238,855.00 | \$ 174,843.25 | \$ 253,434.50 | \$ 256,389.65 | \$ 201,216.95 | | | | |
| 31 | Fine Grading/Finish Shaping/Seedbed Prep - CIP | 34.48 | AC | \$ 3,000.00 | \$ 103,440.00 | \$ 1,962.00 | \$ 67,649.76 | \$ 4,900.00 | \$ 168,952.00 | \$ 3,530.00 | \$ 121,714.40 | \$ 5,700.00 | \$ 196,536.00 |
| 32 | Astro Sod - CIP | 447,507 | SF | \$ 0.40 | \$ 179,002.80 | \$ 0.25 | \$ 111,876.75 | \$ 0.62 | \$ 277,454.34 | \$ 0.375 | \$ 167,815.13 | \$ 0.45 | \$ 201,378.15 |
| 33 | Astro Sprigs - CIP | 24.21 | AC | \$ 4,000.00 | \$ 96,840.00 | \$ 1,930.00 | \$ 46,725.30 | \$ 7,500.00 | \$ 181,575.00 | \$ 2,170.00 | \$ 52,535.70 | \$ 2,450.00 | \$ 59,314.50 |
| 34 | 70/30 Tyee/007 Bentgrass Seeding - CIP | 113,979 | SF | \$ 0.25 | \$ 28,494.75 | \$ 0.15 | \$ 17,096.85 | \$ 0.80 | \$ 91,183.20 | \$ 0.11 | \$ 12,537.69 | \$ 0.15 | \$ 17,096.85 |
| 35 | Native Area Seeding - CIP | 9.70 | AC | \$ 2,000.00 | \$ 19,400.00 | \$ 660.00 | \$ 6,402.00 | \$ 850.00 | \$ 8,245.00 | \$ 480.00 | \$ 4,656.00 | \$ 1,500.00 | \$ 14,550.00 |
| Schedule 7 Total- Grassing | | | | | \$ 427,177.55 | \$ 249,750.66 | \$ 727,409.54 | \$ 359,258.92 | \$ 488,875.50 | | | | |

Base Bid Subtotal \$ 3,447,214.30 \$ 3,532,450.16 \$ 3,768,795.20 \$ 3,769,251.17 \$ 3,810,974.20

*CIP = Complete In Place

John Conrad Regional Golf Course

Bid Tabulation

Prepared by Heckenkemper Golf Course Design

1/13/2021

| Item No. | Add. Alt. Bid Item | Estimated Quantity | Unit | Unit Cost | Cost | United Golf | | Mid-America Golf & Landscape | | Wadsworth Golf Construction Company | | Duininck, Inc. | |
|---|---|--------------------|------|---------------|----------------------|----------------------|----------------------|------------------------------|----------------------|-------------------------------------|---------------|----------------|---------------|
| A-1 | Driving Range Tee Internal Drainage - CIP | 1 | LS | \$ 24,000.00 | \$ 24,000.00 | \$ 20,000.00 | \$ 20,000.00 | \$ 14,680.00 | \$ 14,680.00 | \$ 18,880.00 | \$ 18,880.00 | \$ 49,000.00 | \$ 49,000.00 |
| A-2 | Driving Range Floor Shaping - CIP | 1 | LS | \$ 20,000.00 | \$ 20,000.00 | \$ 5,415.00 | \$ 5,415.00 | \$ 24,000.00 | \$ 24,000.00 | \$ 27,250.00 | \$ 27,250.00 | \$ 15,000.00 | \$ 15,000.00 |
| A-3 | Driving Range Floor Drainage - CIP | 1 | LS | \$ 3,000.00 | \$ 3,000.00 | \$ 4,810.00 | \$ 4,810.00 | \$ 12,000.00 | \$ 12,000.00 | \$ 3,760.00 | \$ 3,760.00 | \$ 4,000.00 | \$ 4,000.00 |
| A-4 | Driving Range Floor Irrigation - CIP | 1 | LS | \$ 45,000.00 | \$ 45,000.00 | \$ 49,000.00 | \$ 49,000.00 | \$ 26,400.00 | \$ 26,400.00 | \$ 25,580.00 | \$ 25,580.00 | \$ 28,000.00 | \$ 28,000.00 |
| A-5 | Driving Range Floor Astro Sprigs - CIP | 2.80 | AC | \$ 4,000.00 | \$ 11,200.00 | \$ 2,100.00 | \$ 5,880.00 | \$ 7,500.00 | \$ 21,000.00 | \$ 4,200.00 | \$ 11,760.00 | \$ 2,450.00 | \$ 6,860.00 |
| A-6 | Synthetic Turf Hitting Mats & Target Circles - CIP | 947 | SF | \$ 25.00 | \$ 23,675.00 | \$ 32.00 | \$ 30,304.00 | \$ 297.00 | \$ 281,259.00 | \$ 22.00 | \$ 20,834.00 | \$ 24.00 | \$ 22,728.00 |
| A-7 | Driving Range Target Poles - CIP | 10 | EA | \$ 200.00 | \$ 2,000.00 | \$ 480.00 | \$ 4,800.00 | \$ 600.00 | \$ 6,000.00 | \$ 555.00 | \$ 5,550.00 | \$ 300.00 | \$ 3,000.00 |
| A-8 | Driving Range Cart Trail Turnaround Concrete - CIP | 2,810 | SF | \$ 5.00 | \$ 14,050.00 | \$ 4.00 | \$ 11,240.00 | \$ 5.25 | \$ 14,752.50 | \$ 5.60 | \$ 15,736.00 | \$ 4.20 | \$ 11,802.00 |
| A-9 | Driving Range Cart Trail Turnaround Curb - CIP | 516 | LF | \$ 8.00 | \$ 4,128.00 | \$ 7.00 | \$ 3,612.00 | \$ 9.00 | \$ 4,644.00 | \$ 4.85 | \$ 2,502.60 | \$ 5.35 | \$ 2,760.60 |
| Schedule 8 Total- Driving Range Add. Alt. | | | | | \$ 147,053.00 | \$ 135,061.00 | \$ 404,735.50 | \$ 131,852.60 | \$ 143,150.60 | | | | |
| A-10 | Demolition of Starter Shack Building - CIP | 1 | LS | \$ 10,000.00 | \$ 10,000.00 | \$ 1,600.00 | \$ 1,600.00 | \$ 4,500.00 | \$ 4,500.00 | \$ 1,670.00 | \$ 1,670.00 | \$ 1,700.00 | \$ 1,700.00 |
| A-11 | Fence Line Silt Removal East of Driving Range - CIP | 1 | LS | \$ 10,000.00 | \$ 10,000.00 | \$ 4,200.00 | \$ 4,200.00 | \$ 6,500.00 | \$ 6,500.00 | \$ 1,500.00 | \$ 1,500.00 | \$ 8,000.00 | \$ 8,000.00 |
| A-12 | Pump House Refurbishment - CIP | 2 | AL | \$ 15,000.00 | \$ 30,000.00 | \$ 15,000.00 | \$ 30,000.00 | \$ 15,000.00 | \$ 30,000.00 | \$ 15,000.00 | \$ 30,000.00 | \$ 15,000.00 | \$ 30,000.00 |
| A-13 | Shade Structure Refurbishment - CIP | 3 | AL | \$ 5,000.00 | \$ 15,000.00 | \$ 5,000.00 | \$ 15,000.00 | \$ 5,000.00 | \$ 15,000.00 | \$ 5,000.00 | \$ 15,000.00 | \$ 5,000.00 | \$ 15,000.00 |
| Schedule 9 Total- Site Preparation Add. Alt. | | | | | \$ 65,000.00 | \$ 50,800.00 | \$ 56,000.00 | \$ 48,170.00 | \$ 54,700.00 | | | | |
| A-14 | Add 4" Gravel Layer to Greens Construction - CIP | 113,979 | SF | \$ 1.30 | \$ 148,172.70 | \$ 1.00 | \$ 113,979.00 | \$ 0.45 | \$ 51,290.55 | \$ 1.08 | \$ 123,097.32 | \$ 1.05 | \$ 119,677.95 |
| A-15 | Add Vapor Barrier to Greens Construction - CIP | 5,089 | LF | \$ 10.00 | \$ 50,890.00 | \$ 2.00 | \$ 10,178.00 | \$ 0.75 | \$ 3,816.75 | \$ 2.00 | \$ 10,178.00 | \$ 3.25 | \$ 16,539.25 |
| A-16 | Tee Construction (Cap w/ Recycled Greensmix) - CIP | 100,000 | SF | \$ 0.50 | \$ 50,000.00 | \$ 0.55 | \$ 55,000.00 | \$ 0.45 | \$ 45,000.00 | \$ 0.35 | \$ 35,000.00 | \$ 0.75 | \$ 75,000.00 |
| A-17 | Contractor Grow-In - CIP | 1 | LS | \$ 100,000.00 | \$ 100,000.00 | \$ 451,800.00 | \$ 451,800.00 | \$ 240,000.00 | \$ 240,000.00 | \$ 425,000.00 | \$ 425,000.00 | \$ 342,000.00 | \$ 342,000.00 |
| A-18 | Electrical Service at Event Lawn - CIP | 1 | EA | \$ 5,000.00 | \$ 5,000.00 | \$ 5,400.00 | \$ 5,400.00 | \$ 18,980.00 | \$ 18,980.00 | \$ 15,000.00 | \$ 15,000.00 | \$ 3,500.00 | \$ 3,500.00 |
| A-19 | Add Thickened Edge to Cart Trail Construction - CIP | 40,272 | SF | \$ 1.25 | \$ 50,340.00 | \$ 0.55 | \$ 22,149.60 | \$ 1.85 | \$ 74,503.20 | \$ 0.70 | \$ 28,190.40 | \$ 0.40 | \$ 16,108.80 |
| A-20 | Sub. Tahoma 31 for Astro Sod - CIP | 139,874 | SF | \$ 0.15 | \$ 20,981.10 | \$ 0.50 | \$ 69,937.00 | \$ 0.10 | \$ 13,987.40 | \$ 0.10 | \$ 13,987.40 | \$ 0.12 | \$ 16,784.88 |
| A-21 | Sub. Tahoma 31 for Astro Sprigs - CIP | 5.15 | AC | \$ 750.00 | \$ 3,862.50 | \$ 2,200.00 | \$ 11,330.00 | \$ 2,056.00 | \$ 10,588.40 | \$ 440.00 | \$ 2,266.00 | \$ 575.00 | \$ 2,961.25 |
| A-22 | Sub. Nyloplast Basin- 12" Diam. for Base Bid Item #17 - CIP | 27 | EA | \$ 300.00 | \$ 8,100.00 | \$ 1,000.00 | \$ 27,000.00 | \$ 475.00 | \$ 12,825.00 | \$ 385.00 | \$ 10,395.00 | \$ 190.00 | \$ 5,130.00 |
| A-23 | Sub. Wagon Wheel Drain Detail for Base Bid Item #17 - CIP | 27 | EA | \$ 2,000.00 | \$ 54,000.00 | \$ 800.00 | \$ 21,600.00 | \$ 850.00 | \$ 22,950.00 | \$ 725.00 | \$ 19,575.00 | \$ 600.00 | \$ 16,200.00 |
| A-24 | Sub. Premier Play Bunker Sand for Base Bid Item #12 - CIP | 17,145 | SF | \$ 1.00 | \$ 17,145.00 | \$ 2.25 | \$ 38,576.25 | \$ 1.85 | \$ 31,718.25 | \$ 1.56 | \$ 26,746.20 | \$ 1.43 | \$ 24,517.35 |
| A-25 | Additional Stump Removal | 1 | LS | \$ 75,000.00 | \$ 75,000.00 | \$ 74,049.00 | \$ 74,049.00 | \$ 35,000.00 | \$ 35,000.00 | \$ 75,380.00 | \$ 75,380.00 | \$ 140,000.00 | \$ 140,000.00 |
| Schedule 10 Total- Miscellaneous Add. Alt. | | | | | \$ 583,491.30 | \$ 900,998.85 | \$ 560,659.55 | \$ 784,815.32 | \$ 778,419.48 | | | | |

| | | | | | |
|---|------------------------|------------------------|------------------------|------------------------|------------------------|
| TOTAL ADD. ALT. | \$ 795,544.30 | \$ 1,086,859.85 | \$ 1,021,395.05 | \$ 964,837.92 | \$ 976,270.08 |
| TOTAL BASE BID & ADD. ALT. BID | \$ 4,242,758.60 | \$ 4,619,310.01 | \$ 4,790,190.25 | \$ 4,734,089.09 | \$ 4,787,244.28 |

Math Error
Differing Totals

This Bid Tabulation Sheet reflects corrected bid prices according to Bidder's Unit Cost Pricing times the estimated quantities listed in the Bid Form. Total numbers may vary from the total cost submitted by the Contractor in their Bid Form. We, the undersigned, do hereby certify that all bids on this Bid Tabulation Sheet were reviewed and there were no irregularities in the bids not otherwise noted and that said sums are true and correct to the best of my knowledge.

Submitted By:
Heckenkemper Golf Course Design

Heckenkemper Golf Course Design • 5314 South Yale Ave., Suite 510 • Tulsa, Oklahoma 74135 • 918/628-1255



January 18th, 2021

Mr. Vaughn Sullivan
Assistant City Manager
City of Midwest City
100 North Midwest Boulevard
Midwest City, OK 73110

VIA EMAIL

RE: John Conrad Regional Golf Course Renovations

Mr. Sullivan,

Bids were received from general contractors on the above referenced project on January 12, 2021 at 2:00 p.m. in the City of Midwest City Council Chambers.

A summation of the lowest acceptable bid is shown below:

| <u>Company</u> | <u>United Golf, LLC</u> |
|-------------------------------------|-------------------------|
| Base Bid | \$3,532,450.16 |
| Add. Alternate A-2 | \$5,415.00 |
| Add. Alternate A-3 | \$4,810.00 |
| Add. Alternate A-5 | \$5,880.00 |
| One (1) Item of Add. Alternate A-12 | \$15,000.00 |
| TOTAL BID | \$3,563,555.16 |

Based upon the review of the above, the apparent low bidder for the John Conrad Regional Golf Course Renovations Project is United Golf, LLC, with a Total Base Bid of \$3,532,450.16 and selected Alternates totaling \$31,105.00. Other add. alternates were not selected from the bid. The corrected Bid Tabulation information for each bidder is attached.

Heckenkemper Golf Course Design recommends the bid of United Golf, LLC of \$3,563,555.16 be accepted and placed on the City Council agenda for award of the construction contract.

Sincerely,
Heckenkemper Golf Course Design

A handwritten signature in black ink that reads "Conor Cummings".

Conor Cummings
Golf Course Architect



Memorandum

To: Vaughn Sullivan, Assistant City Manager, MWC

From: Melanie Draper, ADG

ADG Project Number: 18-119

ADG Project Name: John Conrad Golf Course

Date: 01.14.2021

Re: United Golf, LLC Contractor Selection

The following memo has been prepared and submitted to the City of Midwest City to formally document the decision to move forward with United Golf Construction as the General Contractor on the John Conrad Golf Course Renovation project. Heckenkemper Golf Course Design (HGCD) is the Architect of Record. The scope of the project included the redesign of the entire 18hole golf course while expanding both the driving and practice ranges. The scope excluded any renovations to the existing clubhouse. Bid documents were solicited in accordance with State Title 61 and were received on December 07, 2020. The solicitation yielded 4 contractors with the following base bids in order of lowest to highest:

- a. United Golf, LLC - \$3,532,450.16
- b. Mid-America Golf and Landscape - \$3,768,795.20
- c. Wadsworth Golf Construction Co. - \$3,769,251.17
- d. Duininick INC - \$3,810,974.20

As part of the due diligence, the project team began calling references on the low bidder to ensure they were qualified to deliver the scope of this project.

HGCD was very pleased United Golf came in as the low bidder for this project as they have worked with them on several other projects in the past. They spoke very highly of their qualifications and work product. HGCD indicated that United Golf was the only bidder that sent someone to John Conrad to evaluate the course during the bid effort. The other feedback provided was very positive as well regarding work quality, installation and service.

Based on our research and experience with the low bidder, the project team unanimously recommends awarding the bid to United Golf, LLC.

The following pages include the specific references contacted and their individual responses to the questions.

Rick Barnett with La Fortune Golf Course

How long have you worked with United Golf, LLC?

Tulsa County has used United Golf on and off through the years.

What was the scope of work?

Scope of work included the design of new courses, renovations, replacement of greens, bunkers, etc.

Were you happy with their work?

Yes

Were they cost conscious and find opportunity for savings?

Rick said they were cost conscious. Quality work is important for the County because the dollars are limited. United was good at ensuring the value was achieved.

Did they complete the project on time and within budget?

Yes

How was the project communication?

Communication was good, very easy to reach.

Were there many change orders?

There were a few change orders but nothing out of the ordinary.

How was their customer service / staff?

Rick said they staff was good to work with.

Were they responsive and collaborative?

Yes

Would you use them again?

Yes

Were they responsive after the project was complete?

Yes, they also followed up with the County after the project was complete.

Were there problems after the project was complete?

Yes, there were a few minor issues, but United Golf came out and took care of the issues.

Did they take care of all punch list items?

Yes

Thomas Clark, Architect on the Shangri-La Golf Course

How long have you worked with United Golf, LLC?

Thomas has worked with United Golf for over 20 years and has done over a dozen projects with them. For a while, it was 1-2 projects per year.

What was the scope of work?

They completed several new golf courses for them and have also done complete remodels of golf courses.

Were you happy with their work?

Thomas is always very happy with their work as they have very good and skilled people.

Were they cost conscious and find opportunity for savings?

Very cost conscious, which is very important to Thomas.

Did they complete the project on time and within budget?

Very efficient and always on time, stayed within budget.

How was the project communication?

Communication was very good.

Were there many change orders?

There were no change orders.

How was their customer service / staff?

They have a great support staff.

Were they responsive and collaborative?

Yes

Would you use them again?

Yes, Thomas thinks very highly of United Golf LLC., and has used them often.

Were they responsive after the project was complete?

If there is a problem after completion, they will take care of it.

Were there problems after the project was complete?

There was an issue with irrigation on one of the many projects, but it was quickly resolved.

Did they take care of all punch list items?

Yes, punch list completed in a timely manner. All paperwork released and taken care of at the end of the project.

Jason Sheffield, Shangri-La Golf Course

How long have you worked with United Golf, LLC?

Jason has worked with United Golf on a several projects.

What was the scope of work?

They completed new golf courses as well as several remodels.

Were you happy with their work?

Jason was very happy with their work. He would highly recommend United Golf, LLC., to anyone.

Were they cost conscious and find opportunity for savings?

Yes

Did they complete the project on time and within budget?

Yes, they finished on time and stayed within the budget.

How was the project communication?

Communication was great.

Were there many change orders?

No

How was their customer service / staff?

They provided personal service with immediate response and access to the owner at any time.

Were they responsive and collaborative?

Yes, absolutely.

Would you use them again?

Yes, Jason Sheffield already has them engaged in another project.

Were they responsive after the project was complete?

Yes

Were there problems after the project was complete?

There was an issue with the irrigation but United Golf responded quickly to resolve the issue.

Did they take care of all punch list items?

Yes

Darren Day, FireLake Golf Course, Shawnee, OK

How long have you worked with United Golf, LLC?

Darren only worked with United Golf, LLC., on this one project.

What was the scope of work?

This was a major \$4 million renovation.

Were you happy with their work?

Yes, he was very happy with United Golf.

Were they cost conscious and find opportunity for savings?

Yes, definitely.

Did they complete the project on time and within budget?

The only delay with the project was due to the owner and United Golf handled it great.

How was the project communication?

They had daily communication.

Were there many change orders?

There were no change orders.

How was their customer service / staff?

They had a hard-working crew. Staff was great.

Were they responsive and collaborative?

Yes, they were easy to work with.

Would you use them again?

Yes.

Were they responsive after the project was complete?

Yes.

Were there problems after the project was complete?

There were 29 sprinkler heads out of 800 that needed to be replaced. United Golf was quick to get them all 29 replaced.

Did they take care of all punch list items?

Yes, punch list completed in a timely manner.



NEW BUSINESS/
PUBLIC DISCUSSION





EXECUTIVE SESSION





City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: 405.739.1201
tlyon@midwestcityok.org
www.midwestcityok.org

MEMORANDUM

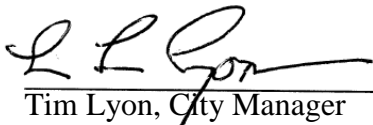
TO: Honorable Mayor and City Council

FROM: Tim Lyon, City Manager

DATE: January 26, 2021

SUBJECT: Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307 (B) (2) to discuss negotiations concerning employees and representatives of employee groups; and 2) in open session, authorizing the city manager to take action as appropriate based on the discussion in executive session.

Appropriate information will be available.



Tim Lyon, City Manager



FURTHER INFORMATION





The City Of Midwest City
Neighborhood Services Department
Neighborhoods In Action • Code Enforcement • Neighborhood Initiative

MEMO

To: Honorable Mayor and Council
From: Mike S. Stroh, Neighborhood Services Director
Date: January 26, 2021
Subject: Review of the monthly Neighborhood Services report for December 2020.

In December 2020, the Code Enforcement Division had very limited officers for the month as they were all working the ice storm debris. City Clerk's Code Officer was likewise engaged. Together they opened 46 new cases, cleared 96 cases, contracted 0 properties, and wrote 1 new citation. This makes 8,824 cases for the year and we currently have 832 open cases.

Here is a breakdown of all the violations worked for the month.

| | December 2019 | Total 2019 | December 2020 | Total 2020 |
|--------------------|---------------|------------|---------------|------------|
| Other Nuisance | 56 | 1,531 | 33 | 1,940 |
| Rubbish | 24 | 917 | 0 | 909 |
| Structures | 17 | 831 | 3 | 1,634 |
| Tall Grass & Weeds | 1 | 2,448 | 0 | 2,113 |
| Trash & Debris | 54 | 1,510 | 6 | 1,674 |
| Vehicles | 17 | 584 | 4 | 452 |

This shows a comparison between 2019 and 2020 of the total cases worked by each ward.

| | December 2019 | Total 2019 | December 2020 | Total 2020 |
|--------|---------------|------------|---------------|------------|
| Ward 1 | 65 | 2,368 | 10 | 3,201 |
| Ward 2 | 10 | 1,278 | 3 | 934 |
| Ward 3 | 31 | 1,627 | 10 | 2,160 |
| Ward 4 | 24 | 674 | 10 | 516 |
| Ward 5 | 32 | 1,405 | 10 | 1,418 |
| Ward 6 | 12 | 778 | 3 | 546 |

For the total in the Tall Grass & Weeds we only count the one notice type.

For the total in the Rubbish we only count the one notice type.

For the total in the Trash & Debris we only count the one notice type.

For the total in the Other Nuisance we count thirty-two notice types:

Alcoholic Beverages, Assistance to Another Officer, Beer License, Coin Amusement Devices, Collection/Donation Boxes-Debris, Collection/Donation Boxes-Maintenance, Collection/Donation Boxes-Registered, Computer Work, Family Amusement License, Garage Sale-Permit Required, Graffiti, Health License, Litter, Misc. Violation, Nuisance Yard, Personal Storage Units (Commercial), Personal Storage Units (Residential), PM-Sewer, PM-Utilities Required-Water, Polycarts, Pool and Billiard Halls, Sight Triangle, Solicitor-Permit Required, Sports Equipment, Temporary Signs, Thank You Cards, Trim Trees, Utilities Required-Sanitation, Zoning-Group Residential, Zoning-Merchandise For Sale, and Zoning-C-3.

For the total in the Structures we count thirteen notice types:

Address Numbers, PM-Accessory Structure, PM-Blighting Influence, PM-Boarded Dwellings, PM-Condemned Structure, PM-Exterior Paint, PM-Garage Doors, PM-General Exterior, PM-Open and Unsecure, PM-Roofs & Drainage, PM-Stairways and Porches, PM-Swimming Pools, Spas & Hot Tubs, PM-Vacant (Dilapidated) Structures, and PM-Windows and Glazing.

For the total in the Vehicle we count four notice types:

Commercial Soft Surface, Inoperative Vehicle, Parking or Storing Commercial Vehicles, and Soft Surface Parking.

Mike S. Stroh

Mike S. Stroh, Neighborhood Services Director



The City of
MIDWEST CITY
COMMUNITY DEVELOPMENT DEPARTMENT

To: Honorable Mayor and Council

From: Billy Harless, Community Development Director

Date: Tue, Jan 26, 2021

Subject: Monthly Residential and Commercial Building report for December 2020

Residential construction remained equal to last month. Roof replacements are still elevated from storms in previous months. We received several request to renew commercial permits that were previously put on hold due to COVID.

Billy Harless, AICP
Community Development Director

BH:mc

Midwest City Building Report
BUILDING REPORT DECEMBER 2020

| | | |
|----|---|-----------------------------|
| 3 | INDIVIDUAL RESIDENCES DUPLEXES APARTMENTS REMODEL/NEW CONDOMINIUMS/TOWNHOUSE/APARTMENTS (STUDENT HOUSING) PRIVATE GARAGES | \$ 623,000.00 |
| 3 | RESIDENTIAL REPAIR & EXPANSION | \$ 61,800.00 |
| 5 | FENCES | \$ 8,900.00 |
| 2 | SWIMMING POOLS/HOT TUBS | \$ 64,000.00 |
| 0 | CARPORTS | |
| 0 | PATIO COVER | |
| 2 | PERSONAL STORAGE UNIT | |
| 2 | ACCESSORY BLDG. | \$ 6,800.00 |
| 3 | STORM SHELTER | \$ 9,695.00 |
| 1 | DEMOLITION | |
| 5 | DRIVE WAY | |
| | HOUSE RELOCATE (MOVE IN) / HOUSE MOVING (OUT) | |
| 1 | RETAINING WALL | \$ 500.00 |
| 30 | ROOF | \$ 163,936.00 |
| | TOTAL VALUE OF RESIDENTIAL | <u>\$ 938,631.00</u> |

INDUSTRIAL AND COMMERCIAL:

| | | |
|---|--|-----------------------------|
| 1 | NEW BUSINESS STRUCTURES | \$ 100,000.00 |
| 1 | BUSINESS STRUCTURES REPAIRED/ EXPANDED ACCESSORY BLDG. | \$ 350,000.00 |
| 0 | SMALL WIRELESS FACILITIES OR TOWERS | |
| 7 | SIGNS DEMOLITION | \$ 14,575.00 |
| 1 | TENANT FINISH POOLS CANOPY/COVERED PARKING/PATIO COVER | \$ 350,000.00 |
| 1 | FENCE | \$ 25,000.00 |
| 2 | TENTS / SEASONAL BUILDINGS / REVOCABLE DRIVE WAY/ PARKING LOT RETAINING WALL ROOF | |
| | TOTAL VALUE OF INDUSTRIAL/ COMMERCIAL BUILDINGS | <u>\$ 839,575.00</u> |

PUBLIC AND SEMI PUBLIC

| | |
|--|--------------------|
| NEW SCHOOL STRUCTURES SCHOOL STRUCTURE REPAIR/ EXPANDED SCHOOL STRUCTURE MOVED IN SIGNS NEW CHURCH NEW CHURCHES (REMODEL EXISTING SPACE) ACCESSORY BLDG. HOTEL NEW OR REMODEL CHURCH REPAIR/ EXPANDED NEW HOSPITAL STRUCTURE HOSPITAL STRUCTURE REPAIR / EXPANDED CITY PROPERTY REPAIR CITY PROPERTY NEW DEMOLITIONS DRIVE WAY PARKING LOT ROOF | CITY MONUMENT SIGN |
| TOTAL VALUE OF PUBLIC AND SEMI-PUBLIC BUILDINGS | |

GRAND TOTAL VALUE OF BUILDING PERMITS ISSUED **\$ 1,678,206.00**

100 NORTH MIDWEST BLVD- MIDWEST CITY, OKLAHOMA

Community Development
405 739-1210

NEW SINGLE RESIDENTIAL BUILDING PERMITS

Dec-2020

| ADDRESS | BUILDER/CONTRACTOR | VALUE | PERMIT # |
|-----------------------|--------------------|--------------|-----------|
| 12702 FOREST TER | DK HOMES | \$285,000.00 | 20 2072 |
| 13267 SAWTOOTH OAK RD | IDEAL HOMES | \$196,000.00 | 20 2094 |
| 13235 SAWTOOTH OAK RD | IDEAL HOMES | \$142,000.00 | B-20 5078 |

NEW DUPLEX RESIDENTIAL BUILDING PERMITS

ADDRESS BUILDER/CONTRACTOR VALUE PERMIT #

DEMOLITION or MOVE

| ADDRESS | CONTRACTOR | VALUE | PERMIT # |
|----------------|------------|------------|----------|
| 8712 E MAIN ST | ESO | \$5,000.00 | 20 1889 |

REPLACE EXISTING ROOF

| ADDRESS | CONTRACTOR | VALUE | PERMIT # |
|-------------------------|--------------------------------|-------------|----------|
| 10800 WINDMILL FARMS RD | J & M ROOFING & SUPPLY CO | \$16,000.00 | 20 2277 |
| 1319 ST MATTHEWS DR | CHOICE SOLUTIONS | \$3,000.00 | 20 2282 |
| 133 W STEED DR | ORANGE ELEPHANT ROOFING | \$9,870.00 | 20 2267 |
| 1431 FELIX PL | H2O TECH | \$3,000.00 | 20 2252 |
| 2047 CAMELOT DR | ESPINOZA BROTHERS REMODELING I | \$15,000.00 | 20 2260 |
| 241 E JARMAN DR | WILLIAMS CONSTRUCTION | \$8,000.00 | 20 2249 |
| 3004 PARKLAWN | ORANGE ELEPHANT ROOFING | \$10,592.00 | 20 2266 |
| 303 HIGHLAND AVE | ORANGE ELEPHANT ROOFING | \$15,679.00 | 20 2184 |
| 304 E ROSE DR | ORANGE ELEPHANT ROOFING | \$9,214.00 | 20 2255 |
| 311 E ROSE DR | ORANGE ELEPHANT ROOFING | \$11,665.00 | 20 2270 |
| 3424 RIDGEWOOD DR | ORANGE ELEPHANT ROOFING | \$11,156.00 | 20 2180 |
| 3517 N GLENOAKS DR | PARKER BROTHERS (ESCROW) | \$7,900.00 | 20 2191 |
| 3612 ROLLING LANE CIR | ORANGE ELEPHANT ROOFING | \$11,627.00 | 20 2271 |
| 3613 MT PLEASANT DR | ORANGE ELEPHANT ROOFING | \$10,872.00 | 20 2153 |
| 385 CAMBRIDGE RD | CANTRELL EXTERIORS FINISHES | \$9,870.00 | 20 2278 |
| 924 W IDYLLWILD DR | ORANGE ELEPHANT ROOFING | \$10,491.00 | 20 2268 |

BUSINESS CERTIFICATE OF OCCUPANCY/CHANGE OF OWNERSHIP

Dec-2020

| ADDRESS | NAME OF BUSINESS | APPLICANT | PERMIT # |
|-------------------------|----------------------------------|---------------------|----------|
| 1620 S POST RD | BAKER INSURANCE AGENCY (FARMERS) | RONALD BAKER | 20 2169 |
| 2150 S DOUGLAS BLVD C | BLOOM CANNABIS COMPANY | AARON PHILLIPS | 20 2219 |
| 2300 S AIR DEPOT BLVD | SUPREME FLIGHT CANNABIS | CARMEN OLIVER | 20 2245 |
| 2601 LIBERTY PKY | CRESCENT SYSTEMS INC | GAYLE RED | 20 2237 |
| 351 N AIR DEPOT BLVD EE | ASIAN EDGELL MASSAGE THERAPY | WEIPING CHEN EDGELL | 20 2215 |
| 6300 E RENO AVE A | THE POOL DOJO | SEAN KING | 20 2146 |

TENANT FINISH OR WHITE BOX

| ADDRESS | DESCRIPTION | EST. COST | CONTRACTOR OR OWNER | PERMIT # |
|-----------------|-------------|--------------|---------------------------|----------|
| 5900 SE 15TH ST | NASHBIRD | \$350,000.00 | RIPPENKROEGER, DONALD LEE | 20 2135 |

DEMOLITION

ADDRESS VALUE

REPLACE EXISTING ROOF

ADDRESS VALUE CONTRACTOR PERMIT #

PUBLIC & SEMI PUBLIC BUILDINGS

Dec-2020

NEW

NEW ADDRESS DESCRIPTION CONTRACTOR OR OWNER EST. COST PERMIT #

SEMI PUBLI BUILDING

REMODEL/ADD ON

REPAIR/

REMODEL

ADDRESS DESCRIPTION CONTRACTOR OR OWNER EST. COST PERMIT #

REPLACE EXISTING ROOF

ADDRESS DESCRIPTION VALUE CONTRACTOR PERMIT #

| LOCATION / DESCRIPTION OF APPLICATION | NAME OF APPLICANT OR OWNER | PC# or BA# |
|---|---------------------------------|------------|
| Redistrict from C-3, Community Commercial to SPUD, Simplified Planned Unit Development, governed by the C-4, General Commercial subject to staff comments, for the properties described as Lots 1 and 2 of Block A of the Marydale Acres Addition, addressed as 1101 and 1107 N. Post Rd. | Arnold Sefcik | PC-2059 |
| Redistrict from C-3, Community Commercial, to C-4, General Commercial, and a resolution to amend the Comprehensive Plan from OR, Office/Retail to COMM, Commercial, for the property described as a part the SW/4 of Section 34, T12N, R2W, and addressed as 422 N. Air Depot Blvd. | Abdul Karem Alsalam | PC-2062 |
| Redistrict from R-HD, High Density Residential, to R-MH-2, Manufactured Home Park, for the property described as a part the SW/4 of Section 7, T11N, R1W, and addressed as 10301 S.E. 29th Street. | Mark W Zitzow | PC-2063 |
| Redistricting from Planned Unit Development (PUD) to Amended PUD, for the property described as a part of the NW/4 of Section 15, T-11-N, R-2-W, located at 7200 SE 29th Street. | Jimm Beach, Wallace Engineering | PC-2064 |

STORM WATER QUALITY PERMITS

Dec-2020

| DATE | LOCATION / DESCRIPTION | NAME OF CONTRACTOR OWNER | OR PERMIT # |
|------|------------------------|--------------------------|-------------|
|------|------------------------|--------------------------|-------------|

LAND DISTURBANCE PERMIT

| DATE | LOCATION / DESCRIPTION | NAME OF CONTRACTOR OWNER | OR PERMIT # |
|------|------------------------|--------------------------|-------------|
|------|------------------------|--------------------------|-------------|

TOTAL RESIDENTIAL PERMITS 2018

| MONTH | NO | ESTIMATED COST | |
|--------------|------------|-------------------------|------------------------|
| JANUARY | 7 | \$ 1,477,000.00 | |
| FEBRUARY | 5 | \$ 652,000.00 | |
| MARCH | 23 | \$3,441,025.00 | |
| APRIL | 26 | \$ 1,909,858.00 | 14 RESD \$1,851,250.00 |
| MAY | 32 | \$ 3,858,300.00 | |
| JUNE | 30 | \$ 4,186,100.00 | |
| JULY | 7 | \$ 709,400.00 | |
| AUGUST | 12 | \$ 1,847,800.00 | |
| SEPTEMBER | 16 | \$ 2,785,440.00 | |
| OCTOBER | 8 | \$ 1,018,500.00 | |
| NOVEMBER | 10 | \$ 1,200,000.00 | |
| DECEMBER | 19 | \$ 3,328,100.00 | |
| TOTAL | 195 | \$ 26,413,523.00 | |

TOTAL RESIDENTIAL PERMITS 2019

| MONTH | NO | ESTIMATED COST | |
|--------------|------------|-------------------------|------------------------|
| JANUARY | 2 | \$ 235,000.00 | |
| FEBRUARY | 11 | \$ 1,911,500.00 | |
| MARCH | 16 | \$ 2,472,200.00 | |
| APRIL | 22 | \$ 3,225,000.00 | |
| MAY | 12 | \$ 1,678,500.00 | 11 Single Family Homes |
| JUNE | 25 | \$ 3,070,400.00 | |
| JULY | 13 | \$ 1,838,200.00 | |
| AUGUST | 12 | \$ 2,189,900.00 | |
| SEPTEMBER | 7 | \$ 1,236,857.00 | |
| OCTOBER | 15 | \$ 1,809,000.00 | |
| NOVEMBER | 4 | \$ 490,500.00 | |
| DECEMBER | 12 | \$ 1,831,500.00 | |
| TOTAL | 151 | \$ 21,988,557.00 | |

TOTAL RESIDENTIAL PERMITS 2020

| MONTH | NO | ESTIMATED COST |
|--------------|------------|-------------------------|
| JANUARY | 12 | \$ 1,684,000.00 |
| FEBRUARY | 7 | \$ 3,268,500.00 |
| MARCH | 15 | \$ 2,158,000.00 |
| APRIL | 12 | \$ 2,339,000.00 |
| MAY | 9 | \$ 1,296,750.00 |
| JUNE | 15 | \$ 2,361,482.00 |
| JULY | 16 | \$ 2,399,938.00 |
| AUGUST | 8 | \$ 1,092,967.00 |
| SEPTEMBER | 5 | \$ 1,077,720.00 |
| OCTOBER | 5 | \$ 958,500.00 |
| NOVEMBER | 4 | \$ 796,000.00 |
| DECEMBER | 3 | \$ 623,000.00 |
| TOTAL | 111 | \$ 20,055,857.00 |

TOTAL COMMERCIAL PERMIT-2018 NEW/ADD ON/TF

| MONTH | NO | ESTIMATED COST |
|--------------|-----------|------------------------------|
| JANUARY | 3 | \$ 4,210,600.00 |
| FEBRUARY | 3 | \$ 21,170,300.00 |
| MARCH | 1 | \$ 35,000.00 |
| APRIL | 2 | \$ 115,000.00 |
| MAY | 1 | \$ 475,000.00 |
| JUNE | 0 | \$ - |
| JULY | 2 | \$ 2,500,000.00 |
| AUGUST | 1 | \$ 1,699,000.00 |
| SEPTEMBER | 6 | \$ 4,075,000.00 |
| OCTOBER | 0 | |
| OCTOBER | 5 | \$ 18,775,000.00 comm school |
| NOVEMBER | 3 | \$ 682,500.00 COMM |
| NOVEMBER | | \$ 11,615,772.00 SCHOOL |
| DECEMBER | 0 | |
| DECEMBER | 0 | |
| TOTAL | 27 | \$ 65,353,172.00 |

TOTAL COMMERCIAL PERMIT-2018 REMODEL/REPAIR

| MONTH | NO | ESTIMATED COST |
|--------------|-----------|------------------------|
| JANUARY | 1 | \$ 180,000.00 |
| FEBRUARY | 3 | \$ 230,000.00 |
| MARCH | 7 | \$ 422,200.00 |
| APRIL | 3 | \$ 618,391.00 |
| MAY | 2 | \$ 49,615.00 |
| JUNE | 5 | \$ 196,500.00 |
| JULY | 5 | \$ 1,042,452.00 |
| AUGUST | 5 | \$ 267,000.00 |
| SEPTEMBER | 4 | \$ 151,200.00 |
| OCTOBER | 6 | \$ 481,000.00 comm |
| OCTOBER | 2 | \$ 820,000.00 school |
| NOVEMBER | 4 | \$ 123,382.00 COMM |
| NOVEMBER | 3 | \$ 746,455.00 SCHOOL |
| DECEMBER | 2 | \$ 6,800.00 COMM |
| DECEMBER | 1 | \$ 40,000.00 SCHOOL |
| TOTAL | 53 | \$ 5,374,995.00 |

TOTAL COMMERCIAL PERMIT-2019 NEW/ADD ON/TF

| MONTH | NO | ESTIMATED COST |
|--------------|-----------|---|
| JANUARY | 6 | \$ 2,505,000.00 Comm |
| JANUARY | 1 | \$ 1,540,000.00 Church |
| FEBRUARY | 2 | \$ 3,025,000.00 |
| FEBRUARY | 0 | |
| MARCH | 4 | \$ 1,863,500.00 |
| APRIL | 0 | |
| MAY | 0 | |
| JUNE | 2 | \$ 115,000.00 |
| JULY | 2 | \$ 467,000.00 |
| AUGUST | 2 | \$ 1,540,000.00 add/new 3 TF 2 were rptd on shell |
| AUGUST | 3 | \$ 20,000.00 |
| SEPTEMBER | 1 | \$ 500,000.00 |
| OCTOBER | 3 | \$ 635,000.00 |
| NOVEMBER | 0 | |
| DECEMBER | 1 | \$ 2,400,000.00 Animal Services |
| TOTAL | 27 | \$ 14,610,500.00 |

TOTAL COMMERCIAL PERMIT-2019 REMODEL/REPAIR

| MONTH | NO | ESTIMATED COST |
|--------------|-----------|------------------------|
| JANUARY | 4 | \$292,000.00 Comm |
| JANUARY | 1 | \$3,000,000.00 School |
| FEBRUARY | 8 | \$22,365.00 |
| FEBRUARY | 1 | \$45,000.00 SCHOOL |
| MARCH | 3 | \$6,300.00 |
| APRIL | 6 | \$359,383.00 |
| MAY | 6 | \$755,500.00 |
| JUNE | 4 | \$1,025,000.00 |
| JULY | 4 | \$563,150.00 |
| AUGUST | 2 | \$163,000.00 |
| AUGUST | 1 | \$4,700,000.00 School |
| SEPTEMBER | 3 | \$59,000.00 |
| OCTOBER | 5 | \$1,049,900.00 |
| NOVEMBER | 3 | \$16,050.00 |
| DECEMBER | 5 | \$84,100.00 |
| TOTAL | 56 | \$12,140,748.00 |

TOTAL COMMERCIAL PERMIT-2020 NEW/ADD ON/TF

| MONTH | NO | ESTIMATED COST |
|--------------|----------|------------------------|
| JANUARY | 2 | \$ 2,425,000.00 |
| FEBRUARY | 0 | - |
| MARCH | 1 | \$ 250,000.00 |
| APRIL | 0 | |
| MAY | 0 | |
| JUNE | 2 | \$ 2,540,000.00 |
| JUNE | - | |
| JULY | 1 | \$ 175,000.00 |
| AUGUST | 0 | |
| SEPTEMBER | 0 | |
| OCTOBER | 1 | \$ 600,000.00 |
| NOVEMBER | 0 | |
| DECEMBER | 1 | \$850,000.00 |
| TOTAL | 8 | \$ 6,840,000.00 |

TOTAL COMMERCIAL PERMIT-2020 REMODEL/REPAIR

| MONTH | NO | ESTIMATED COST |
|--------------|-----------|-----------------------|
| JANUARY | 10 | \$439,000.00 |
| FEBRUARY | 6 | \$2,576,671.00 |
| MARCH | 4 | \$1,111,406.00 |
| APRIL | 3 | \$118,000.00 |
| MAY | 4 | \$778,500.00 |
| JUNE | 4 | \$684,500.00 |
| JUNE | 1 | \$131,000.00 LIBRARY |
| JULY | 2 | \$810,000.00 |
| AUGUST | 2 | \$23,000.00 |
| SEPTEMBER | 10 | \$646,021.00 |
| OCTOBER | 9 | \$1,850,880.00 |
| NOVEMBER | 4 | \$530,000.00 |
| DECEMBER | 1 | \$100,000.00 |
| TOTAL | 60 | \$9,798,978.00 |

Dec-2020

BUILDING INSPECTIONS

CURRENT MONTH YEAR TO

| | | |
|--|------------|--------------|
| NUMBER OF BUILDING FINAL INSPECTIONS: | 25 | 274 |
| NUMBER OF BUILDING C/O INSPECTIONS RESIDENTIAL: | 16 | 135 |
| NUMBER OF BUILDING C/O INSPECTIONS COMMERCIAL: | 19 | 210 |
| NUMBER OF MISC BUILDING INSPECTIONS: | 1 | 45 |
| NUMBER OF ENGINEERING SITE INSPECTIONS: | 0 | 105 |
| NUMBER OF STORM SHELTER INSPECTIONS: | 5 | 65 |
| NUMBER OF CITATIONS ISSUED: | | |
| NUMBER OF NOTICE AND ORDERS ISSUED: | | |
| NUMBER OF WARNINGS ISSUED: | | |
| NUMBER OF POSTING/PLACARD: | | 7 |
| NUMBER OF PENALTIES: | 14 | 291 |
| TOTAL NUMBER OF INSPECTIONS: all inspectors | 552 | 7,075 |

Notice of regular Midwest City Planning Commission meetings in 2021 was filed for the calendar year with the Midwest City Clerk prior to December 15, 2020 and copies of the agenda for this meeting were posted at City Hall at least 24 hours in advance of the meeting.

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

January 5, 2021 - 7:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on January 5, 2021 at 6:00 p.m., with the following members present:

Commissioners present: Russell Smith
 Jess Huskey
 Dee Collins
 Jim Campbell
 Dean Hinton
 Jim Smith

Commissioner absent: Rick Dawkins

Staff present: Billy Harless, Community Development Director
 Kellie Gilles, Current Planning Manager
 Brandon Bundy, City Engineer
 Sarah Steward, Associate Current Planner

A. CALL TO ORDER

The meeting was called to order by Chairperson R. Smith at 6:00 p.m.

B. MINUTES

1. A motion was made by Huskey, seconded by J. Smith, to approve the minutes of the December 1, 2020 Planning Commission meeting as presented. Voting aye: Huskey, R. Smith, Collins, Campbell, J. Smith and Hinton. Nay: none. Motion carried.

C. NEW MATTERS

1. (PC-2065) Discussion and consideration of approval of the Final Plat of Ryans Ridge, described as a part of the SW/4 of Section 6, T11N, R1W and addressed as 10332 SE 10th Street.

Staff presented a brief description of the request. The Community Development Director referenced an email with regard to the sidewalk requirement for item number 6 on the Planning Commission agenda and that the applicant for item number 1 had requested that he also be included. An alternative to requiring the developer to install sidewalks prior to final platting or providing a surety bond, the developer may submit a sidewalk plan and add a clear statement on the plat, the covenants and the sidewalk plan clarifying who is responsible for sidewalk construction. The applicant, Kevin Ergenbright, 11524 Surrey Ln., was present. There was

general discussion. A motion was made by Huskey, seconded by Collins to recommend approval of this item subject to staff comments and the requirement that a sidewalk plan be submitted and a statement regarding the construction of sidewalks is added to the covenants and plat. Voting aye: Huskey, Collins, Campbell, R. Smith, J. Smith and Hinton. Nay: none. Motion carried.

2. (PC-2066) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Residential to C-1, Restricted Commercial District and a resolution amend the Comprehensive Plan from LDR, Low Density Residential to OR, Office/Retail, for the property described as a part of the SE/4 of Section 6, T-11-N, R-1-W, located at 10601 SE 15th Street.

Staff presented a brief overview of this item. The applicant, David Box of 522 Colcord Drive, OKC, was present. There was general discussion about the item. The following people spoke:

- Pete Ewart, 10600 Quail Run
- Jerry Gulbranson, 10525 Songbird Ln.
- Van Wiley, 1404 Riverwind

A motion was made by Campbell, seconded by Collins, to recommend approval of this item subject to staff comments. Voting aye: Collins, R. Smith, Huskey, J. Smith, Campbell and Hinton. Voting nay: none. Motion carried.

3. (PC-2067) Public hearing with discussion and consideration of an ordinance to redistrict from R-6, Single Family Detached Residential with a Special Use Permit for a Church to C-3, Community Commercial, and a resolution to amend the Comprehensive Plan from PSP, Public/Semi-Public to COMM, Commercial, for the property described as part the NW/4 of Section 1, T-11-N, R-2-W, addressed as 208 S. Douglas Blvd.

Staff presented a brief overview of this item. The applicant, Rod Baker of 2800 NW 36th St., OKC, OK, was present. There was general discussion. A motion was made by Huskey, seconded by J. Smith, to recommend approval of this item subject to staff comments. Voting aye: Campbell, J. Smith, R. Smith, Collins, Huskey and Hinton. Nay: none. Motion carried.

4. (PC-2068) Public hearing with discussion and consideration of an ordinance redistricting from PUD, Planned Unit Development to Amended PUD, Amended Planned Unit Development, for the property described as Lot 1 of the Red Oak Development addressed as 2113 S Douglas Boulevard.

Staff presented a brief overview of this item. The applicant, Rick Rice of 1401 S. Douglas Blvd., Suite A, Midwest City, was present. There was general discussion. A motion was made by Collins, seconded by Campbell to recommend approval of this item subject to staff comments.

Voting aye: R. Smith, Collins, Campbell, J. Smith, Huskey and Hinton. Nay: none. Motion carried.

5. (PC-2069) Public hearing with discussion and consideration of an ordinance redistricting from R-2, Single Family Detached Residential, PUD, Planned Unit Development, O-2, General Office District to PUD, Planned Unit Development, governed by the R-HD, High Density Residential and a resolution to amend the Comprehensive Plan from LDR, Low Density Residential to MDR, Medium Density Residential for the property described as a part of the SW/4 of Section 6, T11N, R1W, addressed as 10100 S.E. 10th St. and 1120 S. Post Road.

Staff presented a brief overview of this item. A motion to take no action on this item was made by Huskey, seconded by Collins, Voting aye: R. Smith, Collins, Campbell, J. Smith, Huskey and Hinton. Nay: none. Motion carried.

6. (PC-2070) Discussion and consideration of approval of the Primrose Addition Preliminary Plat, described as a part of the SW/4 of Section 31, T12N, R1W and addressed as 316 N. Post Road.

Staff presented a brief overview of this item including the discussion about sidewalks from item number 1. The applicant, David Box of 522 Colcord Drive, OKC, was present. There was general discussion about the item. The applicant presented a plan showing a traffic circle on proposed Primrose Lane. The following people addressed the Commission:

- Roger Sanders, 400 N. Post
- Renee Phillips, 418 N. Post
- Richard Belicek, 312 N. Lawson

A motion was made by Huskey, seconded by Campbell to recommend approval of this item subject to staff comments, including the waivers and the requirement that a sidewalk plan be submitted and a statement regarding the construction of sidewalks is added to the covenants and plat. Voting aye: R. Smith, Collins, Campbell, J. Smith, Huskey and Hinton. Nay: none. Motion carried.

7. (PC-2071) Discussion and consideration of approval of the Replat of Lot 3, Block 2 of the Harper Addition, described as a part of the NW/4 of Section 31, T12N, R1W and addressed as 910 N. Poplar Lane.

Staff presented a brief overview of this item. The applicant, Rodney Tyra of 11001 SE 29th St., was present. There was general discussion. The following people addressed the Commission:

- Wendy McIntyre, 508 W. Poplar
- Roy Belez, 1010 N. Poplar

A motion was made by Huskey, seconded by Campbell to recommend approval of this item subject to staff comments. Voting aye: R. Smith, Collins, Campbell, J. Smith, Huskey and Hinton. Nay: none. Motion carried.

D. COMMISSION DISCUSSION: The Community Development Director notified the Commission that the Council approved a contract with Johnson & Associates to work with staff to make amendments to the Subdivision Regulations.

E. PUBLIC DISCUSSION: None.

F. FURTHER INFORMATION: None.

G. ADJOURNMENT

Collins made a motion to adjourn the meeting, seconded by Campbell Chairperson R. Smith adjourned the meeting. Nay: none. Motion carried.

The meeting ended at 7:19 p.m.

(KG)

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

January 26, 2021 – 6:01 PM

- A. CALL TO ORDER.
- B. CONSENT AGENDA. These items are placed on the Consent Agenda so that Trustees, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Trustees, or members of the audience wish to discuss an item, it will be removed and heard in regular order.
1. Discussion and consideration to approve the minutes of the January 12, 2021 meeting, as submitted. (Secretary - S. Hancock)
 2. Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending December 31, 2020. (City Manager - T. Lyon)
- C. NEW BUSINESS/PUBLIC DISCUSSION. The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the Authority on any Subject not scheduled on the Regular Agenda. The Authority shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.**
- D. ADJOURNMENT.



CONSENT AGENDA



Notice for the Midwest City Municipal Authority meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Municipal Authority Minutes

January 12, 2021

This meeting was held in Midwest City Council Chambers at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matt Dukes called the meeting to order at 8:14 PM with the following members present: Trustees Susan Eads, Pat Byrne, Española Bowen, Christine Allen, Rick Favors and Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Sean Reed.

CONSENT AGENDA. Allen made motion to approve the consent agenda as submitted, seconded by Byrne. Voting Aye: Byrne, Eads, Bowen, Allen, Favors and Chairman Dukes. Nay: None. Absent: Reed. Motion carried.

1. Discussion and consideration to approve the minutes of the December 8, 2020 meeting, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Sanitation Fund, revenue/Transfer In (00) \$55,400.
3. Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending November 30, 2020.
4. Discussion and consideration of awarding a bid to Jackson Mechanical Services, Inc. in the amount of \$299,052.00 for the complete boiler and burner replacement including all labor, material, and control systems to meet OSHA standards, located at the Water Resources Recover Facility (WRRF), 7420 NE 36th St., Midwest City, Oklahoma.

NEW BUSINESS/PUBLIC DISCUSSION. There was no new business or public discussion.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 8:15 PM.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



THE CITY OF
MIDWEST CITY

MEMORANDUM

TO: Honorable Chairman and Trustees
Midwest City Municipal Authority

FROM: Tim Lyon, City Manager

DATE: January 26, 2021

RE: Discussion and consideration of accepting the report on the current financial condition of the Sheraton Midwest City Hotel at the Reed Center for the period ending December 31, 2020.

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

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

Tim L. Lyon

Tim Lyon
City Manager

Attachment (1)

SHERATON MIDWEST CITY HOTEL AT THE REED CENTER

| Fiscal Year 2020-2021 | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 | Jan-21 | Feb-21 | Mar-21 | Apr-21 | May-21 | Jun-21 |
|------------------------------|----------|----------|-----------|-----------|-----------|------------------|--------|--------|--------|--------|--------|--------|
| Revenue | | | | | | | | | | | | |
| Budgeted (MTD) | 343,261 | 453,583 | 525,877 | 507,546 | 455,087 | 297,747 | | | | | | |
| Actual (MTD) | 209,220 | 96,171 | 166,050 | 141,030 | 196,284 | 98,762 | | | | | | |
| Budgeted (YTD) | 343,261 | 796,844 | 1,322,721 | 1,830,267 | 2,285,354 | 2,583,101 | | | | | | |
| Actual (YTD) | 209,220 | 305,391 | 471,441 | 612,471 | 808,756 | 907,517 | | | | | | |
| Expenses | | | | | | | | | | | | |
| Budgeted (MTD) | 402,630 | 455,299 | 469,746 | 481,160 | 435,035 | 370,311 | | | | | | |
| Actual (MTD) | 206,494 | 166,450 | 189,154 | 173,890 | 187,703 | 140,339 | | | | | | |
| Budgeted (YTD) | 402,630 | 857,929 | 1,327,675 | 1,808,835 | 2,243,910 | 2,614,221 | | | | | | |
| Actual (YTD) | 206,494 | 372,944 | 562,098 | 735,987 | 923,690 | 1,064,029 | | | | | | |
| Revenue vs. Expenses | | | | | | | | | | | | |
| Budgeted (MTD) | (59,369) | (1,716) | 56,131 | 26,386 | 20,912 | (72,564) | | | | | | |
| Actual (MTD) | 2,726 | (68,563) | (23,104) | (32,859) | 8,582 | (41,577) | | | | | | |
| Budgeted (YTD) | (59,369) | (61,085) | (4,954) | 21,432 | 41,444 | (31,120) | | | | | | |
| Actual (YTD) | 2,726 | (67,553) | (90,657) | (123,516) | (114,935) | (156,511) | | | | | | |

| Key Indicators | | | | | | | | | | | | |
|--------------------------|---------|--------|---------|---------|---------|---------------|--|--|--|--|--|--|
| Hotel Room Revenue | 168,157 | 71,699 | 112,527 | 109,674 | 152,555 | 80,762 | | | | | | |
| Food and Banquet Revenue | 35,006 | 17,406 | 42,681 | 26,967 | 42,673 | 10,407 | | | | | | |

| Fiscal Year 2019-2020 | Jul-19 | Aug-19 | Sep-19 | Oct-19 | Nov-19 | Dec-19 | Jan-20 | Feb-20 | Mar-20 | Apr-20 | May-20 | Jun-20 |
|------------------------------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Revenue | | | | | | | | | | | | |
| Budgeted (MTD) | 372,710 | 481,117 | 410,780 | 576,778 | 455,277 | 300,346 | 214,831 | 385,403 | 579,251 | 504,981 | 450,566 | 500,520 |
| Actual (MTD) | 299,162 | 477,929 | 466,117 | 476,300 | 456,684 | 291,649 | 223,347 | 367,534 | 351,603 | 23,119 | 85,751 | 163,728 |
| Budgeted (YTD) | 372,710 | 853,827 | 1,264,677 | 1,841,348 | 2,296,625 | 2,596,971 | 2,811,802 | 3,197,205 | 3,776,456 | 4,281,437 | 4,732,003 | 5,232,523 |
| Actual (YTD) | 299,162 | 777,091 | 1,243,207 | 1,719,507 | 2,176,191 | 2,467,840 | 2,691,187 | 3,058,721 | 3,410,324 | 3,433,443 | 3,519,194 | 3,682,922 |
| Expenses | | | | | | | | | | | | |
| Budgeted (MTD) | 389,068 | 464,352 | 422,790 | 486,888 | 449,400 | 360,787 | 341,646 | 383,600 | 513,820 | 454,826 | 426,083 | 459,919 |
| Actual (MTD) | 386,683 | 443,824 | 431,992 | 432,531 | 395,742 | 366,076 | 320,630 | 361,002 | 320,485 | 112,894 | 115,303 | 168,448 |
| Budgeted (YTD) | 389,068 | 853,420 | 1,276,210 | 1,786,169 | 2,235,569 | 2,596,356 | 2,938,002 | 3,321,602 | 3,835,422 | 4,290,248 | 4,716,331 | 5,176,250 |
| Actual (YTD) | 386,683 | 830,507 | 1,262,499 | 1,714,217 | 2,109,959 | 2,476,035 | 2,796,665 | 3,157,667 | 3,478,152 | 3,591,046 | 3,706,350 | 3,874,797 |
| Revenue vs. Expenses | | | | | | | | | | | | |
| Budgeted (MTD) | (16,358) | 16,765 | (12,040) | 66,812 | 5,877 | (60,441) | (126,815) | 1,803 | 65,431 | 50,155 | 24,483 | 40,601 |
| Actual (MTD) | (87,521) | 34,105 | 34,125 | 24,582 | 60,941 | (74,426) | (97,283) | 6,532 | 31,118 | (89,775) | (29,552) | (4,719) |
| Budgeted (YTD) | (16,358) | 407 | (11,633) | 55,179 | 61,056 | 615 | (126,200) | (124,397) | (58,966) | (8,811) | 15,672 | 56,273 |
| Actual (YTD) | (87,521) | (53,416) | (19,291) | 5,290 | 66,232 | (8,195) | (105,478) | (98,946) | (67,828) | (157,603) | (187,155) | (191,875) |



NEW BUSINESS/
PUBLIC DISCUSSION



CITY OF MIDWEST CITY MEMORIAL HOSPITAL AUTHORITY AGENDA

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

January 26, 2021 – 6:02 PM

- A. **CALL TO ORDER.**
- B. **CONSENT AGENDA.** These items are placed on the Consent Agenda so that Trustees, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Trustees, or members of the audience wish to discuss an item, it will be removed and heard in regular order.
- 1.** Discussion and consideration to approve the minutes of the January 5, 2021 special meeting, as submitted. (Secretary - S. Hancock)
 - 2.** Discussion and consideration to approve the minutes of the January 12, 2021 meeting, as submitted. (Secretary - S. Hancock)
- C. **DISCUSSION ITEMS.**
- 1.** Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. (Finance - J. Siemens)
 - 2.** Discussion and consideration of approving and entering into an engagement letter with Grant Thornton, LLP to perform a GAAP audit for the calendar year ending December 31, 2020 for STC II, LLC in an amount not to exceed \$28,100, plus 7% administrative fee of \$1,967, and authorizing the city manager and/or finance director to act on behalf of the Authority during the audit to provide information, oversee the audit process and make determinations as required. (City Manager - R. Rushing)
 - 3.** Discussion and consideration to authorize Savory Development, L.L.C. to submit construction documents and a building permit application for Lots 8 – 10, Block 1, Replat of Atkinson Heights Addition (a/k/a 2500 S Air Depot BL) on behalf of the Midwest City Memorial Hospital Authority. (Economic Development - R. Coleman)
- D. **NEW BUSINESS/PUBLIC DISCUSSION.** The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the Authority on any Subject not scheduled on the Regular Agenda. The Authority shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.**
- E. **ADJOURNMENT.**



CONSENT AGENDA



Notice for the Midwest City Hospital Authority special meeting was filed with the City Clerk of Midwest City 48 hours prior to the meeting. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityok.org).

Midwest City Hospital Authority Minutes
Special Meeting

January 05, 2021

This meeting was held in the Midwest Room at the Midwest City Community Center at, 200 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matt Dukes called the meeting to order at 6:03 PM with following members present: Trustees Susan Eads*, Pat Byrne, Española Bowen, Sean Reed, Christine Allen, Rick Favors and with City Clerk, Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: None.

DISCUSSION ITEM.

- 1. Discussion and consideration of establishing guidelines for the remainder of the FY 2020-2021 Hospital Authority Community Grant Program funds not utilized during the 2020 COVID-19 Small Business Disaster Recovery Program.**

*Eads arrived at 6:12 PM.

Coleman addressed the Trustees. After Staff and Trustee discussion, Eads made a motion, to approve accepting applications for COVID Related Relief Grants for Business and Community entities, with the BOG to rank the applications and recommend award of funds in an amount not to exceed \$340,590 and submit to Trustees for final approval, motion was seconded by Allen. Voting Aye: Eads, Byrne, Bowen, Reed, Allen, Favors, and Mayor Dukes. Nay: None. Motion carried.

ADJOURNMENT. There being no further business, Mayor Dukes adjourned the meeting at 7:00 PM.

ATTEST:

MATTHEW D DUKES II, Chairman

SARA HANCOCK, Secretary

Notice for the Midwest Memorial Hospital Authority meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Memorial Hospital Authority Minutes

January 12, 2021

This meeting was held in the Midwest City Chambers at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matt Dukes called the meeting to order at 8:15 PM with following members present: Trustees Susan Eads, Pat Byrne, Española Bowen, Christine Allen, Rick Favors with Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Sean Reed.

DISCUSSION ITEMS.

- 1. Discussion and consideration to approve the minutes of the December 8, 2020 meeting, as submitted.** Byrne made motion to approve the minutes, seconded by Bowen. Voting aye: Eads, Byrne, Bowen, Allen, Favors, and Chairman Dukes. Nay: None. Absent: Reed. Motion Carried.
- 2. Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.** No action needed.

NEW BUSINESS/PUBLIC DISCUSSION. There was no new business or public discussion.

EXECUTIVE SESSION.

- 1. Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(11), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate within the City, and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.** Item not needed.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 8:16 PM.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



DISCUSSION ITEMS





Midwest City Memorial Hospital Authority
100 North Midwest Boulevard
Midwest City, Oklahoma 73110
Office (405) 739-1201
www.midwestcityok.org

MEMORANDUM

To: Honorable Chairman and Trustees

From: Judy Siemens, Interim Finance Director

Date: January 26, 2021

Subject: Discussion and consideration of action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives.

Jim Garrels, President, Fiduciary Capital Advisors, asked staff to put this item on each agenda in the event the Hospital Authority's investments need to be reallocated, an investment fund manager needs to be changed or changes need to be made to the Statement of Investment Policy on short notice.

Action is at the discretion of the Authority.

Judy Siemens
Interim Finance Director



City Managers Office
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: 405-739-1205
www.midwestcityok.org

TO: Hospital Authority Board Members

FROM: Ryan Rushing, Director of Operations

DATE: January 26, 2021

SUBJECT: Discussion and consideration of approving and entering into an engagement letter with Grant Thornton, LLP to perform a GAAP audit for the calendar year ending December 31, 2020 for STC II, LLC in an amount not to exceed \$28,100, plus 7% administrative fee of \$1,967, and authorizing the city manager and/or finance director to act on behalf of the Authority during the audit to provide information, oversee the audit process and make determinations as required.

Attached for your review and approval is the agreement with Grant Thornton, LLP to provide the required audit for the property associated with STC II (Dicks, Office Depot and McAllister's).

The cost of the audit is borne by the LLC. Approval of the engagement letter allows the Authority to be a participant in the audit process and allows the Authority to review audit working papers and related documents.

Ryan Rushing
Director of Operations

GRANT THORNTON LLP

201 S. College St.
Suite 2500
Charlotte, NC 28244

D +1 704 632 3500
F +1 704 334 7701

November 25, 2020

Robert C. Collett
Managing Member
Sooner Town Center II, LLC
1111 Metropolitan Avenue, #700
Charlotte, NC 28204

Katherine Fox
Chief Financial Officer
Collett
1111 Metropolitan Avenue, #700
Charlotte, NC 28204

Matthew Dukes II
Chairman
Midwest City Hospital Authority and Midwest City Economic Development Authority
100 N Midwest City Blvd
Midwest City, OK 73110

Dear Mr. Collett, Ms. Fox, and Mr. Dukes:

Thank you for discussing with us the requirements of our forthcoming engagement. This letter (the "Engagement Letter") documents our mutual understanding of the arrangements for the services described herein.

Scope of services

Grant Thornton LLP ("Grant Thornton") will audit the balance sheet of Sooner Town Center II, LLC (the "Company"), as of December 31, 2020, and the related statements of operations, members' equity, and cash flows for the year then ended.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America ("US GAAS") established by the American Institute of Certified Public Accountants ("AICPA"). As part of an audit in accordance with US GAAS, we will exercise professional judgment and maintain professional skepticism throughout the audit. We will also identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall financial statement presentation, including disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that

raise substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time.

In assessing the risks of material misstatement, an auditor obtains an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances. An audit is not designed to identify control deficiencies or for the purpose of expressing an opinion on the effectiveness of internal control; accordingly, we will not express such an opinion. However, we are responsible for communicating to you (hereinafter referred to as "those charged with governance") significant deficiencies and material weaknesses in internal control that come to our attention during the course of our engagement.

When conducting an audit, the auditor is required to obtain reasonable assurance about whether the financial statements are free from material misstatement, whether due to error or fraud, to enable the auditor to express an opinion on whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Although not absolute assurance, reasonable assurance is, nevertheless, a high level of assurance. However, an audit is not a guarantee of the accuracy of the financial statements. Even though the audit is properly planned and performed in accordance with professional standards, an unavoidable risk exists that some material misstatements may not be detected due to the inherent limitations of an audit, together with the inherent limitations of internal control. Also, an audit is not designed to detect errors or fraud that is immaterial to the financial statements. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Upon the completion of the foregoing audit and subject to its findings, we will render our report and communicate our findings in accordance with US GAAS. However, it is possible that circumstances may arise in which our report may differ from its expected form and content, resulting in a modified report or disclaimer of opinion. Further, if in our professional judgment the circumstances necessitate, we may resign from the engagement prior to completion.

The parties are entering into this Engagement Letter at a time when a state of national emergency has been declared and the nation is responding to the Coronavirus (COVID-19) pandemic. The parties agree that each will use all reasonable efforts to complete the engagement as specified herein, so long as each can reasonably do so while also protecting the health, welfare and safety of its professionals and the public, and abiding by emergency or regular executive orders, or changes in law mandated to address the pandemic. Neither party shall be liable for any delay or failure in performance (excluding payment for fees and expenses incurred) due to circumstances resulting from the pandemic which are beyond its reasonable control.

Our audit does not relieve management or those charged with governance of their responsibilities.

Responsibilities of those charged with governance

Effective two-way communication with those charged with governance assists us in obtaining information relevant to the audit and also assists those charged with

governance in fulfilling their responsibility to oversee the financial reporting process. Those charged with governance play an important role in the Company's internal control over financial reporting by setting a positive tone at the top and challenging the Company's activities in the financial arena. Accordingly, it is important for those charged with governance to communicate to us matters they believe are relevant to our engagement. As indicated below, management also has a responsibility to communicate certain matters to those charged with governance and to Grant Thornton.

In connection with our engagement, professional standards require us to communicate certain matters that come to our attention to those charged with governance, such as the following:

- fraud involving senior management and fraud that causes a material misstatement
- illegal acts, unless clearly inconsequential
- disagreements with management and other serious difficulties encountered
- qualitative aspects of significant accounting practices, including accounting policies, estimates, and disclosures
- audit adjustments and uncorrected misstatements, including missing disclosures.

Management responsibilities

As you are aware, the financial statements are the responsibility of management. Management is responsible for preparing and fairly presenting the financial statements in accordance with accounting principles generally accepted in the United States of America, which includes adopting sound accounting practices and complying with changes in accounting principles and related guidance. Management is also responsible for:

- providing us with access to all information of which they are aware that is relevant to the preparation and fair presentation of the financial statements, including disclosures, whether obtained from within or outside of the general and subsidiary ledgers; this includes all financial records, documentation of internal control and related information, and any additional information that we may request for audit purposes
- providing us with unrestricted access to persons within the Company from whom we determine it necessary to obtain audit evidence
- ensuring that the Company identifies and complies with all laws, regulations, contracts, and grants applicable to its activities and for informing us of any known violations
- designing, implementing, and maintaining internal control to enable the preparation and fair presentation of financial statements that are free of material misstatement, whether due to error or fraud, and for informing us of all known significant deficiencies and material weaknesses in, and significant changes in, such internal control

- informing us of their views about the risk of fraud within the Company and their awareness of any known or suspected fraud and the related corrective action proposed
- adjusting the financial statements, including disclosures, to correct material misstatements and for affirming to us in a representation letter that the effects of any uncorrected misstatements, including missing disclosures, aggregated by us during the current engagement, including those pertaining to the latest period presented, are immaterial, both individually and in the aggregate, to the financial statements as a whole
- informing us of any events occurring subsequent to the balance sheet date through the date of our auditor's report that may affect the financial statements or the related disclosures
- informing us of any subsequent discovery of facts that may have existed at the date of our auditor's report that may have affected the financial statements or the related disclosures.

To assist those charged with governance in fulfilling their responsibility to oversee the financial reporting process, management should discuss with those charged with governance the:

- adequacy of internal control and the identification of any significant deficiencies or material weaknesses, including the related corrective action proposed
- significant accounting policies, alternative treatments, and the reasons for the initial selection of, or change in, significant accounting policies
- process used by management in formulating particularly sensitive accounting judgments and estimates and whether the possibility exists that future events affecting these estimates may differ markedly from current judgments
- basis used by management in determining that uncorrected misstatements, including missing disclosures, are immaterial, both individually and in the aggregate, including whether any of these uncorrected misstatements could potentially cause future financial statements to be materially misstated.

We will require management's cooperation to complete our services. In addition, we will obtain, in accordance with professional standards, certain written representations from management, which we will rely upon.

Use of our report(s)

The inclusion, publication, or reproduction by the Company of our report(s) in documents other than annual reports, such as private placement memoranda and regulatory filings containing information in addition to financial statements may require us to perform additional procedures to fulfill our professional or legal responsibilities. Accordingly, our report(s) should not be used for any such purposes without our prior permission. To avoid unnecessary delay or misunderstanding, it is important that the Company give us timely notice of its intention to issue any such document.

Other services

Supplementary information

Management is responsible for separately preparing the supplementary schedules including net operating income, debt service, net cash flow, and subtenant rents in accordance with the terms defined in the governing lease agreement with Midwest City, Oklahoma (the "Agreement"). Such supplementary information, which will be presented for purposes of additional analysis and is not a required part of the financial statements, will be subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures. These procedures will include comparing and reconciling the supplementary information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with US GAAS. The purpose of our procedures will be to form and express an opinion as to whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

In connection with our procedures, management is responsible for informing us about:

- the methods of measurement and presentation of the supplementary information
- whether those methods have changed from the methods used in the prior period and the reasons for the change, if any
- any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management will present the supplementary information with the audited financial statements. Management is responsible for including our report on the supplementary information in any document that contains the supplementary information and that indicates we reported on it.

We will require management to provide us with certain written representations related to their responsibilities described above, including whether management believes the supplementary information (including its form and content) is fairly presented in accordance with the applicable criteria.

Related non-audit services

We will also perform certain bookkeeping services for the Company. The objective of such services will be to draft the Company's financial statements based on information in the trial balance and other information to be provided to us that is approved by you.

As mentioned previously, the financial statements, including the data and information set forth therein, are the responsibility of management. With respect to our bookkeeping services, however, management is also responsible for:

- making all management decisions and performing all management functions
- designating an individual who possesses suitable skills, knowledge, or experience, preferably within senior management, to oversee the services

- evaluating the adequacy and the results of the services performed
- accepting responsibility for the results of the services.

Accordingly, our bookkeeping services will not include management functions or making management decisions. However, we may provide advice, research materials, and recommendations to assist you in performing your responsibilities.

Other services

Any other services that you request will constitute a separate engagement that will be subject to our acceptance procedures.

Fees

Standard billings

Our billings for the services set forth in this Engagement Letter, which we have estimated will total \$28,100, will be rendered in accordance with the enclosed Schedule of Standard Billings and are payable upon receipt.

In addition, we will bill for our expenses, including an administrative charge of seven percent of fees to cover items such as copies, postage, supplies, computer and technology usage, software licensing, research and library databases, and similar expense items.

If it appears that the estimated fee will be exceeded, we will bring this to your attention.

From time to time, Grant Thornton may receive certain incentives in the form of bonuses and rewards from its corporate card and other vendors. Such incentives to the extent received will be retained by Grant Thornton to cover firm expenses.

Additional billings

Of course, circumstances may arise that will require us to do more work. Some of the more common circumstances include changing auditing, accounting, and reporting requirements from professional and regulatory bodies; incorrect accounting applications or errors in Company records; restatements; failure to furnish accurate and complete information to us on a timely basis; and unforeseen events, including legal and regulatory changes. We are enclosing an explanation of various matters that can cause us to perform work in excess of that contemplated by our fee estimate.

At Grant Thornton, we pride ourselves on our ability to provide outstanding service and meet our clients' deadlines. To help accomplish this goal, we work hard to have the right professionals available. This involves complex scheduling models to balance the needs of our clients and the utilization of our people, particularly during peak periods of the year. Last minute client requested scheduling changes result in costly downtime due to our inability to make alternate arrangements for our professional staff.

We will coordinate a convenient time for Grant Thornton to begin work. If, after scheduling our work, you do not provide proper notice, which we consider to be one week, of your inability to meet the agreed-upon date(s) for any reason, or do not

provide us with sufficient information required to complete the work in a timely manner, additional billings will be rendered for any downtime of our professional staff.

Adoption of new revenue and leasing standards

ASC 842, *Leases*, is effective for non-public business entities for annual reporting periods beginning after December 15, 2021.

We will communicate with management and those charged with governance periodically to understand the Company's ASC 842 adoption and implementation plan and the progress in executing that implementation plan. As the Company executes on its implementation plan and identifies necessary changes to systems, processes, and policies, we will request meetings and review documentation related to those expected changes.

Any work we perform related to your ASC 842 implementation is not included in the scope of work for the audit services outlined in this Engagement Letter. We will discuss with you the fees for the ASC 842 implementation work. Those fees will be at higher rates than those utilized in the standard audit rates discussed above.

Adoption of other new accounting standards

Professional and regulatory bodies frequently issue new accounting standards and guidance. Sometimes, standards are issued and become effective in the same period, providing a limited implementation phase and preventing us from including the impact in our estimated fees. In such circumstances, we will discuss with you the additional audit procedures and related fees, including matters such as the retrospective application of accounting changes and changes in classification.

Other costs

Except with respect to a dispute or litigation between Grant Thornton and the Company, our costs and time spent in legal and regulatory matters or proceedings arising from our engagement, such as subpoenas, testimony, or consultation involving private litigation, arbitration, industry, or government regulatory inquiries, whether made at the Company's request or by subpoena, will be billed to the Company separately.

Professional standards impose additional responsibilities regarding the reporting of illegal acts that have or may have occurred. To fulfill our responsibilities, we may need to consult with Company counsel or counsel of our choosing about any illegal acts that we become aware of. Additional fees, including legal fees, will be billed to the Company. The Company agrees to ensure full cooperation with any procedures that we may deem necessary to perform.

Right to terminate services for nonpayment

In the event of nonpayment, we retain the right to (a) suspend the performance of our services, (b) change the payment conditions under this Engagement Letter, or (c) terminate our services. If we elect to suspend our services, such services will not be resumed until your account is paid as agreed. Alternatively, if we elect to terminate our services for nonpayment, the Company will be obligated to compensate us for all time expended and to reimburse us for all expenses through the date of termination.

Other matters

Relationship to Grant Thornton International Ltd

Grant Thornton is the U.S. member firm of Grant Thornton International Ltd (“GTIL”), an organization of independently owned and managed accounting and consulting firms. References to GTIL are to Grant Thornton International Ltd. GTIL and the member firms are not a worldwide partnership. Services are delivered independently by the member firms. These firms are not members of one international partnership or otherwise legal partners with each other internationally, nor is any one firm responsible for the services or activities of any other firm.

Use of third-party service providers and affiliates

Grant Thornton may use third-party service providers, such as independent contractors, specialists, or vendors, to assist in providing our professional services. We may also use GTIL member firms, other affiliates (including the GT US Shared Services Center India Private Limited and the Grant Thornton US Knowledge and Capability Center India Private Limited, affiliates of Grant Thornton located in Bangalore, India), or other accounting firms. Such entities may be located within or outside the United States.

Grant Thornton intends to use the professional services, technology, and resources of the following entity to assist us in the performance of the engagement:

- Capital Confirmation, Inc. – electronic confirmation services

Additionally, Grant Thornton may use third-party service providers to provide administrative or operational support to Grant Thornton, or to provide engagement team resource services. Such entities may be located within or outside the United States. All of these third party service providers are subject to confidentiality obligations to protect the confidentiality of client data.

You hereby consent and authorize us to disclose Company information to the GT US Shared Services Center India Private Limited and/or the Grant Thornton US Knowledge and Capability Center India Private Limited and the other above named entity for purposes of providing services to you as part of our professional relationship.

Data analytics and automated data gathering

Grant Thornton is committed to improving audit quality through the use of data analytics, which uses Company data collected to perform our services and includes analysis of anonymized data across clients. Grant Thornton also uses automated data gathering tools to efficiently extract large data sets needed to perform our services. These automated data gathering tools are designed to be executed by the Company’s information technology professionals within the Company’s information systems environment.

Hiring of personnel

The Company acknowledges that hiring current or former Grant Thornton (or GTIL member firm) personnel participating in the engagement may be perceived as compromising our objectivity, and depending on the applicable professional standards, impairing our independence in certain circumstances. Accordingly, prior to

entering into any employment discussions with such known individuals, you agree to discuss the potential employment, including any applicable independence ramifications, with the engagement partner responsible for the services.

Privacy

Grant Thornton is committed to protecting personal information and will maintain such information in confidence in accordance with professional standards and governing laws. The Company will not provide any personal information to Grant Thornton unless necessary to perform the services described herein. When providing any personal information to us, the Company will comply with all applicable laws (both foreign and domestic) and will anonymize, mask, obfuscate, and/or de-identify, if reasonably possible, all personal information that is not necessary to perform the services described herein. Any personal information provided to us by the Company will be kept confidential and not disclosed to any third party unless expressly permitted by the Company or required by law, regulation, legal process, or professional standards. The Company is responsible for obtaining, pursuant to law or regulation, consents from parties that provided the Company with their personal information, which will be obtained, used, and disclosed by Grant Thornton for its required purposes.

Documentation

The documentation for this engagement is the property of Grant Thornton and constitutes confidential information. We have a responsibility to retain the documentation for a period of time sufficient to satisfy any applicable legal or regulatory requirements for records retention.

Pursuant to law or regulation, we may be requested to make certain documentation available to regulators, governmental agencies, or their representatives (“Regulators”). If requested, access to the documentation will be provided to the Regulators under our supervision. We may also provide copies of selected documentation, which the Regulators may distribute to other governmental agencies or third parties. You hereby acknowledge we will allow and authorize us to allow the Regulators access to, and copies of, the documentation in this manner.

Electronic communications

During the course of our engagement, we may need to electronically transmit confidential information to each other and to third-party service providers or other entities engaged by either Grant Thornton or the Company. Electronic methods include telephones, cell phones, e-mail, secure file transfers, use of collaboration sites, and fax. These technologies provide a fast and convenient way to communicate. However, all forms of electronic communication have inherent security weaknesses, and the risk of compromised confidentiality cannot be eliminated. The Company agrees to the use of electronic methods to transmit and receive information, including confidential information.

Standards of performance

We will perform our services in conformity with the terms expressly set forth in this Engagement Letter, including all applicable professional standards. Accordingly, our services shall be evaluated solely on our substantial conformance with such terms and standards. Any claim of nonconformance must be clearly and convincingly shown.

With respect to the services and this Engagement Letter, in no event shall the liability of Grant Thornton and its present, future, and former partners, principals, directors, employees, agents, and contractors for any claim, including but not limited to Grant Thornton's own negligence, exceed the fees it receives for the portion of the work giving rise to such liability. This limitation shall not apply to the extent that it is finally determined that any claims, losses, or damages are the result of Grant Thornton's gross negligence or willful misconduct. In addition, Grant Thornton shall not be liable for any special, consequential, incidental, or exemplary damages or loss (nor any lost profits, interest, taxes, penalties, loss of savings, or lost business opportunity) even if Grant Thornton was advised in advance of such potential damages. This paragraph and the paragraph directly below shall apply to any type of claim asserted, including contract, statute, tort, or strict liability, whether by the Company, Grant Thornton, or others.

Further, the Company shall, upon receipt of written notice, indemnify and hold harmless Grant Thornton and its present, future, and former partners, principals, directors, employees, agents, and contractors from and against any liability and damages (including punitive damages), fees, expenses, losses, demands, and costs (including defense costs) associated with any claim arising from or relating to the Company's knowing misrepresentations or false or incomplete information provided to Grant Thornton. In the event of any controversy or claim against Grant Thornton arising from or related to the services described herein, Grant Thornton shall be entitled to defend itself from such controversy or claim and to participate in any settlement, administrative, or judicial proceedings.

It is expressly agreed by the Company and Grant Thornton that any claim by, or on behalf of either party, arising out of services or this Engagement Letter, whether it be in contract, tort, or otherwise, shall be deemed waived if a claim is filed more than two (2) years from: (i) the date of the report(s) issued by Grant Thornton; or (ii) the date of this Engagement Letter if no report has been issued.

If because of a change in the Company's status or due to any other reason, any provision in this Engagement Letter would be prohibited by laws, regulations, or published interpretations by governmental bodies, commissions, state boards of accountancy, or other regulatory agencies, such provision shall, to that extent, be of no further force and effect, and the Engagement Letter shall consist of the remaining portions.

Dispute resolution

Any controversy or claim arising out of or relating to the services, related fees, or this Engagement Letter shall first be submitted to mediation. A mediator will be selected by agreement of the parties, or if the parties cannot agree, a mediator acceptable to all parties will be appointed by the American Arbitration Association ("AAA"). The mediation will proceed in accordance with the customary practice of mediation. In the unlikely event that any dispute or claim cannot be resolved by mediation, we both recognize that the matter will probably involve complex business or accounting issues that would be decided most equitably to us both by a judge hearing the evidence without a jury. Accordingly, to the extent now or hereafter permitted by applicable law, the Company and Grant Thornton agree to waive any right to a trial by jury in any action, proceeding, or counterclaim arising out of or relating to our services or this Engagement Letter.

If the above jury trial waiver is determined to be prohibited by applicable law, then the parties agree that the dispute or claim shall be settled by binding arbitration. The arbitration proceeding shall take place in the city in which the Grant Thornton office providing the relevant services is located, unless the parties mutually agree to a different location. The proceeding shall be governed by the provisions of the Federal Arbitration Act (“FAA”) and will proceed in accordance with the then current Arbitration Rules for Professional Accounting and Related Disputes of the AAA, except that pre-hearing discovery must be specifically authorized by the arbitrator. The arbitrator will be selected from AAA, JAMS, the Center for Public Resources, or any other internationally or nationally-recognized organization mutually agreed upon by the parties. Potential arbitrator names will be exchanged within 15 days of the parties’ agreement to settle the dispute or claim by binding arbitration, and arbitration will thereafter proceed expeditiously. The arbitration will be conducted before a single arbitrator, experienced in accounting and auditing matters. The arbitrator shall have no authority to award non-monetary or equitable relief and will not have the right to award punitive damages. The award of the arbitration shall be in writing and shall be accompanied by a well-reasoned opinion. The award issued by the arbitrator may be confirmed in a judgment by any federal or state court of competent jurisdiction. Each party shall be responsible for their own costs associated with the arbitration, except that the costs of the arbitrator shall be equally divided by the parties. The arbitration proceeding and all information disclosed during the arbitration shall be maintained as confidential, except as may be required for disclosure to professional or regulatory bodies or in a related confidential arbitration. In no event shall a demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim would be barred under the applicable statute of limitations.

This Engagement Letter, including its formation and the parties’ respective rights and duties, and all disputes that might arise from or in connection with the Engagement Letter or the services contemplated herein, shall be governed by and construed in accordance with the laws of the State of New York, without regard to its conflict of laws provisions.

Authorization

This Engagement Letter sets forth the entire understanding between the Company and Grant Thornton regarding the services described herein and supersedes any previous proposals, correspondence, and understandings, whether written or oral. If any portion of this Engagement Letter is held invalid, it is agreed that such invalidity shall not affect any of the remaining portions.

Please confirm your acceptance of this Engagement Letter by signing below and returning one copy to us.

Sincerely,

GRANT THORNTON LLP




Hunter Jackson
Partner

cc: Sara Hancock, City Clerk, and Heather Poole, City Attorney

Enc: Schedule of standard billings
Matters that can cause work in excess of fee estimate

Agreed and accepted by:

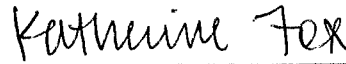
SOONER TOWN CENTER II, LLC



Robert C. Collett, Managing Member

12/14/2020

Date



Katherine Fox, Chief Financial Officer of Collett
As an agent of Sooner Town Center II, LLC

12/17/2020

Date

MIDWEST CITY HOSPITAL AUTHORITY and MIDWEST CITY ECONOMIC
DEVELOPMENT AUTHORITY

Matthew Dukes II, Chairman

Date

ATTEST

Sara Hancock, City Clerk

Date

Approved as to form and legality this _____ day of December 2020

Heather Poole, City Attorney

Date

**Schedule of standard
billings**

| Billing date | Fees |
|---------------------|-------------|
| December 2020 | \$9,000 |
| March 2021 | \$9,000 |
| April 2021 | \$10,100 |
| Total | \$28,100 |

Matters that can cause work in excess of fee estimate

We want you to receive the maximum value for our professional services and to perceive that our fees are reasonable and fair. However, in seeking to provide you with such value, we find there are various matters that can cause us to perform work in excess of that contemplated by our fee estimate. The following explains the matters that arise most frequently.

Changing requirements

Today, there are numerous governmental or rule-making bodies that regularly add or change various requirements. Although we attempt to plan our work to anticipate the requirements that will affect our engagement, three types of situations make this difficult. Sometimes, these new requirements are not communicated in time for us to anticipate their effects in our preliminary planning. Secondly, in spite of our anticipation and planning, the work necessary to comply with new requirements may be underestimated. Finally, in some instances, you may decide that it is advantageous to you to have the new requirements applied immediately.

Incorrect accounting applications or errors in your records

We generally form our fee estimates on the expectation that your accounting records are in good order so that our work can be completed based upon our normal testing and other procedures. However, should we find numerous errors, incomplete records, or disorganized bookkeeping methods, we will have to do additional work to determine that the necessary corrections have been made and properly reflected in the financial statements.

Lack of audit facilitation or timely preparation

To minimize your costs, we plan the means by which your personnel can facilitate the audit (for example, what schedules they will prepare, how to prepare them, the supporting documents that need to be provided, and so forth). We also discuss matters such as availability of your key personnel, deadlines, and working conditions. Indeed, the information concerning these matters that you furnish to us is a key element in our fee quotation. Therefore, if your personnel are unable, for whatever reasons, to provide these materials on a timely basis, it may substantially increase the work we must do to complete the engagement within the established deadlines. Moreover, in some circumstances, this may require a staff withdrawal, as discussed below.

Staff withdrawal

A staff withdrawal consists of our removing one or all staff because the condition of your records, or the inability of your personnel to provide agreed upon materials within the established timetable, makes it impossible for us to perform our work in a timely, efficient manner, as established by our engagement plan. Sometimes, a complete staff withdrawal is necessary to permit an orderly audit approach. A staff withdrawal is not necessarily an adverse reflection on your personnel. However, it involves additional costs, as we must reschedule our personnel, incur additional start-up costs, and so forth, to prevent total engagement costs from increasing significantly.

Unforeseen events

Even though we communicate frequently with clients and plan our engagement with management and their staff, unforeseen events can occur. Examples include

accounting problems, litigation, changes in your business or business environment, contractual or other difficulties with suppliers, third-party service providers, or customers, and so forth. When those circumstances occur, additional time is needed to provide you with assistance and to complete our engagement in accordance with professional standards.

Again, we emphasize that we strive to give you optimum value for our professional services. Fee quotations are provided based upon the facts and circumstances that you describe to us. However, unlike the sale of products, the performance of professional services is affected by many variables, such as the foregoing, which may cause fee estimates to change.



Midwest City Memorial Hospital Authority
100 North Midwest Boulevard
Midwest City, Oklahoma 73110
Office (405) 739-1207/Fax (405) 739-1208
www.midwestcityok.org

MEMORANDUM

To: Honorable Chairman and Trustees

From: Tim Lyon, General Manager/Administrator

Date: January 26, 2020

Subject: Discussion and consideration to authorize Savory Development, L.L.C. to submit construction documents and a building permit application for Lots 8 – 10, Block 1, Replat of Atkinson Heights Addition (a/k/a 2500 S Air Depot BL) on behalf of the Midwest City Memorial Hospital Authority.

The Authority approved a contract with Savory on December 8, 2020, to purchase the MCMHA-owned tract that lies south of Schlotzsky's Deli on the east side of S Air Depot Boulevard. As part of its due diligence prior to Closing, Savory wants to verify City approval of construction plans for a Swig Drive-In.

Said approval will not waive any fee or other requirements traditionally associated with construction plan review and permitting.

Staff recommends approval.

Please contact Robert Coleman, Economic Development Director, at (405) 739-1218 with any question.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tim Lyon', is written over a horizontal line.

Tim Lyon, General Manager/Administrator

Tim Lyon, General Manager/Administrator

Trustees: Matthew D. Dukes II, Susan Eads, Pat Byrne, Española Bowen, Sean Reed, Christine Allen, and Rick Favors



NEW BUSINESS/
PUBLIC DISCUSSION



CITY OF MIDWEST CITY ECONOMIC DEVELOPMENT COMMISSION AGENDA

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

January 26, 2021 – 6:03 PM

- A. **CALL TO ORDER.**
- B. **CONSENT AGENDA.** These items are placed on the Consent Agenda so the Commissioners, by unanimous consent, can approve routine agenda items by one motion. If any item proposed does not meet with approval of all Commissioners, or members of the audience wish to discuss an item, it will be removed and heard in regular order.
- 1.** Discussion and consideration to approve the minutes of the October 29, 2020 special meeting, as submitted. (City Clerk - S. Hancock)
 - 2.** Review of the Convention and Visitors Bureau Quarterly Activity Report for the period ending December 30, 2020. No action is necessary; this item is presented for informational and discussion purposes only. (City Manager - R. Rushing)
 - 3.** Review of the Midwest City Chamber of Commerce's Quarterly Activity Report for the period ending September 30, 2020 and December 31, 2020. No action is necessary; this item is presented for informational and discussion purposes only. (City Manager - T. Lyon)
- C. **NEW BUSINESS/PUBLIC DISCUSSION.** The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the Commission on any Subject not scheduled on the Regular Agenda. The Commission shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Commission will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE COMMISSION ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COMMISSION.**
- D. **ADJOURNMENT.**



CONSENT AGENDA



Notice for the Midwest City Economic Development Commission meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Economic Development Commission Minutes
Special Meeting

October 29, 2020

This meeting was held in the Midwest City Chambers at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matt Dukes called the meeting to order at 7:20 PM with following members present: Trustees Pat Byrne, Española Bowen, Sean Reed*, and Rick Favors with Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Susan Eads and Christine Allen.

*Trustee Reed was present via teleconference per Oklahoma State Bill 661.

CONSENT AGENDA. Byrne made a motion to approve the consent agenda, as submitted, seconded by Bowen. Voting aye: Bowen, Byrne, Reed, Favors, and Dukes. Nay: none. Absent: Eads and Allen. Motion carried.

1. Discussion and consideration to approve the minutes of the June 23, 2020 regular meeting, as submitted.
2. Review of the Convention and Visitors Bureau Quarterly Activity Report for the period ending September 30, 2020. No action is necessary; this item is presented for informational and discussion purposes only.
3. Review of the Midwest City Chamber of Commerce's Quarterly Activity Report for the period ending September 30, 2020. No action is necessary; this item is presented for informational and discussion purposes only.

NEW BUSINESS/PUBLIC DISCUSSION. There was no new business or public discussion.

EXECUTIVE SESSION.

1. **Discussion and consideration of 1) entering into executive session, as allowed under 25 O.S. § 307(C)(11), to confer on matters pertaining to economic development, including the transfer of property, financing or the creation of a proposal to entice a business to remain or to locate within the City, and 2) in open session, authorizing the general manager/administrator to take action as appropriate based on the discussion in executive session.**

At 7:22 PM, Byrne made a motion to enter into executive session, seconded by Bowen. Voting aye: Bowen, Byrne, Reed, Favors, and Dukes. Nay: none. Absent: Eads and Allen. Motion carried.

**Reed left meeting at 7:35pm

At 7:50 PM, Byrne made a motion to return to open session, seconded by Favors. Voting aye: Bowen, Byrne, Favors, and Dukes. Nay: none. Absent: Eads, Allen, and Reed. Motion carried. No action was taken.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 7:50 PM.

ATTEST:

SARA HANCOCK, Secretary

MATTHEW D DUKES II, Chairman



Communications and Marketing

100 N. Midwest Blvd.
Midwest City, OK 73110
rushing@midwestcityok.org
Office: 405-739-1205
www.midwestcityok.org

MEMORANDUM

TO: Honorable Chairman and Commissioners

FROM: Ryan Rushing, Director of Operations

DATE: January 26, 2021

SUBJECT: Review of the Convention and Visitors Bureau Quarterly Activity Report for the period ending December 30, 2020. No action is necessary; this item is presented for informational and discussion purposes only.

The Convention and Visitors Bureau has provided the attached report.

Ryan Rushing, Director of Operations



Convention & Visitors Bureau Activities: Q4 October, November, December 2020

The mission of the Convention & Visitors Bureau is to stimulate Midwest City's economic vitality through tourism by positioning and selling the community in partnership with public and private sectors as a premier destination for conventions, tradeshow, corporate meetings, group tours, and individual leisure travel. The CVB offers assistance with site tours and acquiring bids at our hospitality venues and information on special events, dining, catering, entertainment and local attractions.

In pursuit of its mission, the CVB generates increased visitor spending for the overall business community through creative marketing programs, attractive incentive packages, and special events.

- We entered the calendar year end for 2020 with optimism for group bookings and catering events. The COVID-19 situation continued to have a profound effect on the fall conference season and holiday group bookings.
- The cancellations and rebooking of group business continues.
- The CVB is waiting on updated booking numbers from the conference center. Although we do not have exact dates for groups that have rebooked; it is not anticipated that much has changed from the previous report.
- The CVB is working with all Midwest City hotels to evaluate new inquiries for 2021.
- Hotel operators and meeting planners appear to be optimistic as more news regarding the COVID-19 vaccine is announced.
- Comprehensive plans to serve small and mid-size groups are in place with full implementation of COVID-19 precautions as recommended by the CDC and Midwest City ordinances.

Please note: The CVB does not work with every group booked at the center. The CVB works with groups who seek the CVB's support in a convention services capacity that exceeds reasonable expectations of the conference center staff. This includes; but not limited to, conference planning, welcome bags, exhibitor participation, conference sponsorship, assistance with registration, name tags, welcome speeches, proclamations, transportation to off property events. The CVB welcomes opportunities to groom accounts, secure repeat bookings, and to offer groups special attention they do not get in other cities. Current bookings, status and value amounts (to the best of CVB knowledge) as of January 2021:

| | |
|---------------|---------|
| Definite - 7 | 353,000 |
| Tentative - 2 | 180,000 |
| Pending - 2 | 144,000 |

Midwest City Hotel / Motel Assembly Quarterly) Meeting – With COVID-19 and the effects it has had on the hotels; we did not conduct a fall Hotel / Motel Assembly Meeting. We are communicating via email and telephone. This meeting has not been rescheduled due to state and city COVID-19 precautionary recovering phases.

Airshow 2021 – Father’s Day weekend June 19 & 20, 2021 – Cancelled

- Due to ongoing concerns of COVID-19, the 2021 airshow has been cancelled
- Dates to move the airshow to 2022 are being explored. This would be ‘out of cycle’ as the airshow is an every other year event. However, one main consideration would be if an airshow in 2023 would be needed to get back in airshow cycle. Tinker AFB hosts their airshow / open house on odd years. Altus AFB and Enid AFB hosts smaller airshow/ open house events on even years.
- Other considerations: The United States Air Force’s 75th Birthday is in 2022, which is also Midwest City’s 80th Anniversary and the year we will unveil the new W.P. “Bill” Atkinson Park, Town Center Plaza in Midwest City’s Original Mile. These highlights make 2022 an attractive year for such a high profile event.
- **CVB Marketing Campaigns-**
 - **Digital**
 - **E- newsletter** – Total E-newsletter monthly distribution is over 3,150 constant contacts. Each month email addresses from the OTRD monthly report are added.
 - **Website** – www.visitmidwestcity.com Online request form for visitors guide directly to CVB. Tourism video is budgeted to be updated FY 20/21.
 - **Social Media – Facebook & Twitter-** posts are made on a regular basis on all social media resources. Some weeks with heavy events or activities, multiple posts are made on a daily basis.
 - **Cross promote** – Rose State College activities, Hudiburg Chevrolet Center shows & events, Parks & Recreation Activities & Special Events, Shopping, dining and Hotels.
 - **Print**
 - We have continued to foster our relationship with MWC Beacon Sales whereas we are a first call for special advertising rates.
 - **OTRD – Oklahoma Tourism & Recreation Department** MWC advertisement in State Travel Guide, Visitors Guide distribution at all state Welcome Centers and online request fulfillment program. The OTRD Fulfillment Program has been a pleasant surprise with 490+ monthly visitor’s guides requested this quarter.
 - **OSAE – Oklahoma Society of Association Executives** – Member and Sponsor (joint sponsorship with the Sheraton Hotel), ad quarterly meeting planner magazine. OSAE is the state’s premier organization for meeting planner networking and showcasing meeting facilities and hotels. Communication has been limited to emails and Zoom calls.
 - **OTIA- Oklahoma Travel Industry Association-** Member & Sponsor. Communication has been limited to Zoom calls and emails. OTIA has offered complimentary continued education training webinars.

- **Cross Promotion & Marketing-** The Communication & Marketing Department continues to work closely with the Parks & Recreation Dept., Rose State College/ Hudiburg Chevrolet Center, Town Center Plaza and the Chamber of Commerce to ensure the overall brand message & public impression of Midwest City is conveyed as the ideal place to work, shop, live, educate and visit. Although the CVB promotes all the aspects of Midwest City; the focus of the CVB is to market, promote, position and sell the tourism amenities featured in Midwest City.
- **Special Events** – With the move, the CVB, Public Information Office and Special Events have now effectively merged into the Communication & Marketing Team. The team encompasses the programing, sponsorships, marketing, execution and follow-up for Midwest City special events.
- Many events have had to be reimagined; new events have been programmed as “COVID-19 friendly” through promoting, exercising and implementing all sanitation precautions.
 - One such substitution for the annual Mid-America Street Fest, was the addition of our **“Rockin’ Regional”** concert in the Regional Park. As an ‘introductory’ event to explore new ideas, multi-departmental execution and implementation and CDC guidelines, this event was a huge success.
 - Trick or Treat City was modified into a drive thru trick or treat event- **Trick or Trail** at the Sears parking lot. The turnout for this event greatly exceeded expectations. The overall perception was even in the midst of COVID-19 and uncertainty, the community was still eager to embrace some normalcy for Halloween.
 - The October ice storm had devastating effects on our annual **Holiday Lights Spectacular** event. The preparations start in August for the 40 day event. With many trees outfitted with lights and a few of the larger displays set-up; the ice storm and debris made it impossible for Midwest City to host the annual event.
- All available resources are utilized to promote all Midwest City special events including Websites, Newsletters, Social Media, Digital and Print when applicable.

Submitted By: **Susan MacQuarrie, January 18, 2021**



City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
tlyon@midwestcityok.org
Office: 405.739.1201
www.midwestcityok.org

MEMORANDUM

TO: Honorable Chairman and Commissioners
Midwest City Economic Development Commission

FROM: Tim Lyon, City Manager

DATE: January 26, 2021

SUBJECT: Review of the Midwest City Chamber of Commerce's Quarterly Activity Report for the period ending September 30, 2020 and the period ending December 31, 2020. No action is necessary; this item is presented for informational and discussion purposes only.

The Chamber of Commerce has provided the attached report.

Tim Lyon, City Manager

Midwest City Chamber of Commerce
Quarterly Reports
Thursday January 14, 2021

The following is a quarterly report of the Midwest City Chamber of Commerce staff's economic development activities for the quarters ending September 30, 2020 and December 31, 2020.

Due to COVID-19 restrictions and guidelines, many of the Chamber's events and programs were canceled or postponed until 2021, however staff continually sent out information electronically to businesses regarding Covid-19 guidelines and information regarding grants and PPP loans.

Monday June 15, 2020: Chamber staff and the TAP Committee participated in a teleconference meeting for the 2020 Tinker and the Primes.

Chamber Director, City Economic Development Director, Marketing Director, and the CVB Director, met to discuss plans for a re-grand opening of Warren Theater.

Tuesday June 16, 2020: Chamber staff attended a Veteran's Day Parade Meeting at the Community center.

Tuesday June 23, 2020: Chamber Staff participated in a teleconference with the 2020 Tinker and the Primes committee.

Thursday June 25, 2020: Chamber Executive Director and Chamber President attended a special meeting regarding grants from the Hospital Trust Authority for small businesses.

Friday June 26, 2020: Chamber staff and the TAP Committee members met with Reed Center staff regarding 2020 TAP.

Monday June 29, 2020: Executive Director met with Brig. Gen Chris Hill and Brig. Gen Jeff King at the Chamber.

Tuesday, June 30, 2020: Chamber staff assisted the City of Midwest City with a groundbreaking at Center Marketplace.

Chamber Director, TAP Project Manager, and Executive Director of the Oklahoma City Air Logistics Center, held a teleconference. The decision was made at this time to cancel the 2020 Tinker and the Primes due to DOD travel restrictions, cancelations and speakers inability to attend. Chamber staff notified all exhibitors and participants and staff was successful in securing 45 of the 66 exhibitor's booths for 2021.

Wednesday July 1, 2020: Chamber Director attended a change of command ceremony virtually for Brig. Gen. Chris Hill, /OCALC Commander

Saturday July 4, 2020: Chamber staff co-hosted the VIP tent for Tribute to Liberty.

Monday July 20, 2020: Chamber staff attended virtually the Oklahoma Aerospace conference.

Tuesday July 21, 2020: Chamber staff participated in a teleconference with the Veteran's Day Parade Committee.

Wednesday July 22, 2020: Chamber staff met with Business Staff director for Tony Mussado regarding business development in Midwest City.

Thursday July 23,, 2020: Chamber staff attended a Virtual State Chamber meeting regarding Covid-19 Guidelines.

Thursday, July 30, 2020: Chamber staff hosted the State Insurance Commissioner and Insurance agents in the Chamber boardroom.

Chamber director attended a virtual meeting with Congressman Tom Cole.

Wednesday August 5, 2020: Chamber staff assisted Mid-Del Schools with a ribbon cutting and grand opening of Midwest City Middle School.

Wednesday August 12,, 2020: Chamber Director, Chamber President, Mayor and Joyce George met to discuss the Chamber hosting a Back the Police event.

Chamber staff assisted Louie's Bar & grill with a ribbon cutting.

Wednesday August 19, 2020: Chamber hosted Oklahoma Blood Institute for a local blood drive.

Thursday, August 20, 2020: Chamber Director attended the retirement ceremony for Chief Master Sergeant Melissa Erb.

Wednesday August 26, 2020: Chamber assisted Brightway Insurance with a ribbon cutting.

Thursday August 27, 2020: Chamber Director met with Field Representative Thomas Lewis for Congressman Tom Cole.

Tuesday September 1, 2020: Chamber staff along with 2020 Leadership class members, presented a donation check to the MWCPD for the K-9 Fundraiser.

Tuesday August 15, 2020: Chamber Director attended Veteran's Day Parade Committee meeting.

Chamber Director met with Field Representative Thomas Lewis for Congressman Tom Cole.

Chamber staff assisted Jazzercise with a ribbon cutting.

Thursday September 17, 2020: Chamber hosted the annual Picnic with Protectors and Public Works Personnel at the Joe B. Barnes Regional Park. Over 250 in attendance.

Tuesday September 22, 2020: Chamber held an Executive Board and Board of Director's meeting at Rose State College in order to social distance.

Monday September 28, 2020: Chamber staff attended an unmanned aerial systems demonstration at Rose State College.

Tuesday September 29, 2020: Chamber staff attended and assisted a ribbon cutting and grand opening for the Student Union at Rose State College.

Wednesday September 30, 2020: Chamber assisted Leah's Hope with a ribbon cutting.

Monday October 5, 2020: Chamber Executive board and City officials met to discuss amending the MWC Hospital Trust Authority.

Wednesday October 7, 2020: Chamber Director met with the Mayor and Chuck DeBellevue (Grand Marshal) regarding the Veteran's Day Parade and Reception.

Chamber Director met with facilitator Becky Wood regarding hosting an inclusion and diversity training workshop.

Chamber Director met with Reed Center staff, City Marketing Director and CVB Director to plan Veterans Reception.

Friday October 9, 2020: The Chamber hosted their annual golf tournament at John Conrad Regional Golf Course.

Wednesday, October 14, 2020: Chamber hosted the Midwest City, Del City and Moore Association of Realtors in the Chamber Board room.

Tuesday, October 20, 2020: Chamber Staff attended a virtual Veteran's Day Parade meeting.

Thursday October 22, 2020: Chamber staff assisted Brielle's Bistro with a ribbon cutting.

Chamber staff participated in the Department of Commerce virtual meeting regarding Covid-19.

Friday October 23, 2020: Chamber staff assisted Billy Sim's Burgers with a ribbon cutting.

Friday October 30, 2020: Due to Covid-19 conditions and the DOD's inability to participate the decision was made to cancel the Annual Veteran's Day Parade. Chamber and city staff began notifying all parade participants.

In lieu of the Veteran's Day Parade, chamber staff met with City Marketing Director regarding hosting citywide 'Fly Our Flag' campaign

Monday November 2 through Friday November 13, 2020: Chamber staff coordinated and marketed a city-wide Fly our flag campaign on social media, in the Chamber's newsletter, on our billboard, and in the Midwest City Beacon.

Chamber staff along with city employees and Rotary club members placed flags throughout the city to include Town Center Plaza. Chamber staff recruited volunteers to participate in a flag-waving video, which KOCO 5 helicopter pilot, who is a veteran, flew over Town Center to video tape the event. KOCO 5 featured and aired the filmed tribute on a Veteran's Day segment. The video included TAFB Leadership, personnel, and city first responders

Wednesday November 11, 2020: Chamber Director attended the MWC Vietnam Memorial Ceremony.

Monday November 16, 2020: Chamber Director assisted and presented a proclamation to Charlie Fincher for Midwest City Tag Agency 50 year anniversary.

Thursday December 10, 2020: Chamber Director, President, and President-Elect, attended virtually the Oklahoma City Chamber State of the Aerospace Forum.

Wednesday December 16, 2020: Chamber staff attended virtually the OAC Aerospace Forum.

Chamber staff continues to provide information, referrals and support for the continued efforts of economic development.

Bonnie Cheatwood
Executive Director
Midwest City Chamber of Commerce



NEW BUSINESS/
PUBLIC DISCUSSION



CITY OF MIDWEST CITY
SPECIAL ECONOMIC DEVELOPMENT AUTHORITY AGENDA
City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

January 26, 2021 – 6:04 PM

- A. CALL TO ORDER.
- B. DISCUSSION ITEMS.
1. Discussion and consideration to approve the minutes of the November 10, 2020 special meeting, as submitted. (City Clerk - S. Hancock)
 2. Discussion and consideration of approving and entering into engagement letters with Grant Thornton, LLP to perform GAAP audits for the calendar year ending December 31, 2020 for 1) Sooner Town Center (STC), LLC and STC Lowe's, LLC in an amount not to exceed \$46,600, plus 7% administrative fee of \$3,262; and 2) STC II, LLC in an amount not to exceed \$28,100, plus 7% administrative fee of \$1,967; and 3) authorizing the city manager and/or finance director to act on behalf of the Authority during the audits to provide information, oversee the audit process and make determinations as required. (City Manager - R. Rushing)
- C. PUBLIC DISCUSSION. The purpose of the "Public Discussion Section" of the Agenda is for members of the public to speak to the Authority on any Subject not scheduled on the Regular Agenda. The Authority shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. **THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.**
- D. ADJOURNMENT.



DISCUSSION ITEMS



Notice for the Midwest City Economic Development Authority special meeting was filed with the City Clerk of Midwest City 48 hours prior to the meeting. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website. (www.midwestcityokorg).

Midwest City Economic Development Authority Minutes
Special Meeting

November 10, 2020

This special meeting was held in the Midwest City Chambers at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma. Chairman Matthew Dukes, called the meeting to order at 6:35 PM with following members present: Trustees Susan Eads, Pat Byrne, Española Bowen, Christine Allen, Rick Favors with Secretary Sara Hancock, City Attorney Heather Poole, and City Manager Tim Lyon. Absent: Sean Reed.

CONSENT AGENDA. Bowen made a motion to approve consent agenda, as submitted, seconded by Byrne. Voting aye: Eads, Bowen, Byrne, Allen, Favors, and Dukes. Nay: None. Absent: Reed. Motion carried.

1. Discussion and consideration to approve the minutes of the September 22, 2020 special meeting, as submitted.
2. Discussion and consideration of supplemental budget adjustments to the following funds for FY 2020-2021, increase: Economic Development Authority Fund, expenses/Economic Dev Auth (95) \$6,193.

PUBLIC DISCUSSION. There was no public discussion.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 6:36 PM.

ATTEST:

MATTHEW D. DUKES II, Chairman

SARA HANCOCK, Secretary



City Manager's Office
100 N. Midwest Boulevard
Midwest City, OK 73110
Office: 405-739-1205
www.midwestcityok.org

TO: Economic Development Authority Board Members
FROM: Ryan Rushing, Director of Operations

DATE: January 26, 2021

SUBJECT: Discussion and consideration of approving and entering into engagement letters with Grant Thornton, LLP to perform GAAP audits for the calendar year ending December 31, 2020 for 1) Sooner Town Center (STC), LLC and STC Lowe's, LLC in an amount not to exceed \$46,600, plus 7% administrative fee of \$3,262; and 2) STC II, LLC in an amount not to exceed \$28,100, plus 7% administrative fee of \$1,967; and 3) authorizing the city manager and/or finance director to act on behalf of the Authority during the audits to provide information, oversee the audit process and make determinations as required.

Attached for your review and approval is an agreement with Grant Thornton, LLP, Charlotte, NC, to provide the required audit for property associated with the Downtown Redevelopment project. STC III (Old Navy and Versona) has been combined with STC, LLC and STC Lowe's, LLC when we issued the 2018 revenue bonds in February, 2018 to provide refinancing to Sooner Investment. STC II (Dicks, Office Depot and McAllister's) was created as a separate entity and, therefore must have its own separate audit.

The costs of the audits are borne by each LLC. Approval of the engagement letters allows the Authority to be a participant in the audit process and allows the Authority to review audit working papers and related documents.

Ryan Rushing
Director of Operations

GRANT THORNTON LLP

201 S. College St.
Suite 2500
Charlotte, NC 28244

D +1 704 632 3500
F +1 704 334 7701

November 25, 2020

Robert C. Collett
Managing Member
Sooner Town Center II, LLC
1111 Metropolitan Avenue, #700
Charlotte, NC 28204

Katherine Fox
Chief Financial Officer
Collett
1111 Metropolitan Avenue, #700
Charlotte, NC 28204

Matthew Dukes II
Chairman
Midwest City Hospital Authority and Midwest City Economic Development Authority
100 N Midwest City Blvd
Midwest City, OK 73110

Dear Mr. Collett, Ms. Fox, and Mr. Dukes:

Thank you for discussing with us the requirements of our forthcoming engagement. This letter (the "Engagement Letter") documents our mutual understanding of the arrangements for the services described herein.

Scope of services

Grant Thornton LLP ("Grant Thornton") will audit the balance sheet of Sooner Town Center II, LLC (the "Company"), as of December 31, 2020, and the related statements of operations, members' equity, and cash flows for the year then ended.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America ("US GAAS") established by the American Institute of Certified Public Accountants ("AICPA"). As part of an audit in accordance with US GAAS, we will exercise professional judgment and maintain professional skepticism throughout the audit. We will also identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall financial statement presentation, including disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that

raise substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time.

In assessing the risks of material misstatement, an auditor obtains an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances. An audit is not designed to identify control deficiencies or for the purpose of expressing an opinion on the effectiveness of internal control; accordingly, we will not express such an opinion. However, we are responsible for communicating to you (hereinafter referred to as "those charged with governance") significant deficiencies and material weaknesses in internal control that come to our attention during the course of our engagement.

When conducting an audit, the auditor is required to obtain reasonable assurance about whether the financial statements are free from material misstatement, whether due to error or fraud, to enable the auditor to express an opinion on whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Although not absolute assurance, reasonable assurance is, nevertheless, a high level of assurance. However, an audit is not a guarantee of the accuracy of the financial statements. Even though the audit is properly planned and performed in accordance with professional standards, an unavoidable risk exists that some material misstatements may not be detected due to the inherent limitations of an audit, together with the inherent limitations of internal control. Also, an audit is not designed to detect errors or fraud that is immaterial to the financial statements. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Upon the completion of the foregoing audit and subject to its findings, we will render our report and communicate our findings in accordance with US GAAS. However, it is possible that circumstances may arise in which our report may differ from its expected form and content, resulting in a modified report or disclaimer of opinion. Further, if in our professional judgment the circumstances necessitate, we may resign from the engagement prior to completion.

The parties are entering into this Engagement Letter at a time when a state of national emergency has been declared and the nation is responding to the Coronavirus (COVID-19) pandemic. The parties agree that each will use all reasonable efforts to complete the engagement as specified herein, so long as each can reasonably do so while also protecting the health, welfare and safety of its professionals and the public, and abiding by emergency or regular executive orders, or changes in law mandated to address the pandemic. Neither party shall be liable for any delay or failure in performance (excluding payment for fees and expenses incurred) due to circumstances resulting from the pandemic which are beyond its reasonable control.

Our audit does not relieve management or those charged with governance of their responsibilities.

Responsibilities of those charged with governance

Effective two-way communication with those charged with governance assists us in obtaining information relevant to the audit and also assists those charged with

governance in fulfilling their responsibility to oversee the financial reporting process. Those charged with governance play an important role in the Company's internal control over financial reporting by setting a positive tone at the top and challenging the Company's activities in the financial arena. Accordingly, it is important for those charged with governance to communicate to us matters they believe are relevant to our engagement. As indicated below, management also has a responsibility to communicate certain matters to those charged with governance and to Grant Thornton.

In connection with our engagement, professional standards require us to communicate certain matters that come to our attention to those charged with governance, such as the following:

- fraud involving senior management and fraud that causes a material misstatement
- illegal acts, unless clearly inconsequential
- disagreements with management and other serious difficulties encountered
- qualitative aspects of significant accounting practices, including accounting policies, estimates, and disclosures
- audit adjustments and uncorrected misstatements, including missing disclosures.

Management responsibilities

As you are aware, the financial statements are the responsibility of management. Management is responsible for preparing and fairly presenting the financial statements in accordance with accounting principles generally accepted in the United States of America, which includes adopting sound accounting practices and complying with changes in accounting principles and related guidance. Management is also responsible for:

- providing us with access to all information of which they are aware that is relevant to the preparation and fair presentation of the financial statements, including disclosures, whether obtained from within or outside of the general and subsidiary ledgers; this includes all financial records, documentation of internal control and related information, and any additional information that we may request for audit purposes
- providing us with unrestricted access to persons within the Company from whom we determine it necessary to obtain audit evidence
- ensuring that the Company identifies and complies with all laws, regulations, contracts, and grants applicable to its activities and for informing us of any known violations
- designing, implementing, and maintaining internal control to enable the preparation and fair presentation of financial statements that are free of material misstatement, whether due to error or fraud, and for informing us of all known significant deficiencies and material weaknesses in, and significant changes in, such internal control

- informing us of their views about the risk of fraud within the Company and their awareness of any known or suspected fraud and the related corrective action proposed
- adjusting the financial statements, including disclosures, to correct material misstatements and for affirming to us in a representation letter that the effects of any uncorrected misstatements, including missing disclosures, aggregated by us during the current engagement, including those pertaining to the latest period presented, are immaterial, both individually and in the aggregate, to the financial statements as a whole
- informing us of any events occurring subsequent to the balance sheet date through the date of our auditor's report that may affect the financial statements or the related disclosures
- informing us of any subsequent discovery of facts that may have existed at the date of our auditor's report that may have affected the financial statements or the related disclosures.

To assist those charged with governance in fulfilling their responsibility to oversee the financial reporting process, management should discuss with those charged with governance the:

- adequacy of internal control and the identification of any significant deficiencies or material weaknesses, including the related corrective action proposed
- significant accounting policies, alternative treatments, and the reasons for the initial selection of, or change in, significant accounting policies
- process used by management in formulating particularly sensitive accounting judgments and estimates and whether the possibility exists that future events affecting these estimates may differ markedly from current judgments
- basis used by management in determining that uncorrected misstatements, including missing disclosures, are immaterial, both individually and in the aggregate, including whether any of these uncorrected misstatements could potentially cause future financial statements to be materially misstated.

We will require management's cooperation to complete our services. In addition, we will obtain, in accordance with professional standards, certain written representations from management, which we will rely upon.

Use of our report(s)

The inclusion, publication, or reproduction by the Company of our report(s) in documents other than annual reports, such as private placement memoranda and regulatory filings containing information in addition to financial statements may require us to perform additional procedures to fulfill our professional or legal responsibilities. Accordingly, our report(s) should not be used for any such purposes without our prior permission. To avoid unnecessary delay or misunderstanding, it is important that the Company give us timely notice of its intention to issue any such document.

Other services

Supplementary information

Management is responsible for separately preparing the supplementary schedules including net operating income, debt service, net cash flow, and subtenant rents in accordance with the terms defined in the governing lease agreement with Midwest City, Oklahoma (the "Agreement"). Such supplementary information, which will be presented for purposes of additional analysis and is not a required part of the financial statements, will be subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures. These procedures will include comparing and reconciling the supplementary information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with US GAAS. The purpose of our procedures will be to form and express an opinion as to whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

In connection with our procedures, management is responsible for informing us about:

- the methods of measurement and presentation of the supplementary information
- whether those methods have changed from the methods used in the prior period and the reasons for the change, if any
- any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management will present the supplementary information with the audited financial statements. Management is responsible for including our report on the supplementary information in any document that contains the supplementary information and that indicates we reported on it.

We will require management to provide us with certain written representations related to their responsibilities described above, including whether management believes the supplementary information (including its form and content) is fairly presented in accordance with the applicable criteria.

Related non-audit services

We will also perform certain bookkeeping services for the Company. The objective of such services will be to draft the Company's financial statements based on information in the trial balance and other information to be provided to us that is approved by you.

As mentioned previously, the financial statements, including the data and information set forth therein, are the responsibility of management. With respect to our bookkeeping services, however, management is also responsible for:

- making all management decisions and performing all management functions
- designating an individual who possesses suitable skills, knowledge, or experience, preferably within senior management, to oversee the services

- evaluating the adequacy and the results of the services performed
- accepting responsibility for the results of the services.

Accordingly, our bookkeeping services will not include management functions or making management decisions. However, we may provide advice, research materials, and recommendations to assist you in performing your responsibilities.

Other services

Any other services that you request will constitute a separate engagement that will be subject to our acceptance procedures.

Fees

Standard billings

Our billings for the services set forth in this Engagement Letter, which we have estimated will total \$28,100, will be rendered in accordance with the enclosed Schedule of Standard Billings and are payable upon receipt.

In addition, we will bill for our expenses, including an administrative charge of seven percent of fees to cover items such as copies, postage, supplies, computer and technology usage, software licensing, research and library databases, and similar expense items.

If it appears that the estimated fee will be exceeded, we will bring this to your attention.

From time to time, Grant Thornton may receive certain incentives in the form of bonuses and rewards from its corporate card and other vendors. Such incentives to the extent received will be retained by Grant Thornton to cover firm expenses.

Additional billings

Of course, circumstances may arise that will require us to do more work. Some of the more common circumstances include changing auditing, accounting, and reporting requirements from professional and regulatory bodies; incorrect accounting applications or errors in Company records; restatements; failure to furnish accurate and complete information to us on a timely basis; and unforeseen events, including legal and regulatory changes. We are enclosing an explanation of various matters that can cause us to perform work in excess of that contemplated by our fee estimate.

At Grant Thornton, we pride ourselves on our ability to provide outstanding service and meet our clients' deadlines. To help accomplish this goal, we work hard to have the right professionals available. This involves complex scheduling models to balance the needs of our clients and the utilization of our people, particularly during peak periods of the year. Last minute client requested scheduling changes result in costly downtime due to our inability to make alternate arrangements for our professional staff.

We will coordinate a convenient time for Grant Thornton to begin work. If, after scheduling our work, you do not provide proper notice, which we consider to be one week, of your inability to meet the agreed-upon date(s) for any reason, or do not

provide us with sufficient information required to complete the work in a timely manner, additional billings will be rendered for any downtime of our professional staff.

Adoption of new revenue and leasing standards

ASC 842, *Leases*, is effective for non-public business entities for annual reporting periods beginning after December 15, 2021.

We will communicate with management and those charged with governance periodically to understand the Company's ASC 842 adoption and implementation plan and the progress in executing that implementation plan. As the Company executes on its implementation plan and identifies necessary changes to systems, processes, and policies, we will request meetings and review documentation related to those expected changes.

Any work we perform related to your ASC 842 implementation is not included in the scope of work for the audit services outlined in this Engagement Letter. We will discuss with you the fees for the ASC 842 implementation work. Those fees will be at higher rates than those utilized in the standard audit rates discussed above.

Adoption of other new accounting standards

Professional and regulatory bodies frequently issue new accounting standards and guidance. Sometimes, standards are issued and become effective in the same period, providing a limited implementation phase and preventing us from including the impact in our estimated fees. In such circumstances, we will discuss with you the additional audit procedures and related fees, including matters such as the retrospective application of accounting changes and changes in classification.

Other costs

Except with respect to a dispute or litigation between Grant Thornton and the Company, our costs and time spent in legal and regulatory matters or proceedings arising from our engagement, such as subpoenas, testimony, or consultation involving private litigation, arbitration, industry, or government regulatory inquiries, whether made at the Company's request or by subpoena, will be billed to the Company separately.

Professional standards impose additional responsibilities regarding the reporting of illegal acts that have or may have occurred. To fulfill our responsibilities, we may need to consult with Company counsel or counsel of our choosing about any illegal acts that we become aware of. Additional fees, including legal fees, will be billed to the Company. The Company agrees to ensure full cooperation with any procedures that we may deem necessary to perform.

Right to terminate services for nonpayment

In the event of nonpayment, we retain the right to (a) suspend the performance of our services, (b) change the payment conditions under this Engagement Letter, or (c) terminate our services. If we elect to suspend our services, such services will not be resumed until your account is paid as agreed. Alternatively, if we elect to terminate our services for nonpayment, the Company will be obligated to compensate us for all time expended and to reimburse us for all expenses through the date of termination.

Other matters

Relationship to Grant Thornton International Ltd

Grant Thornton is the U.S. member firm of Grant Thornton International Ltd (“GTIL”), an organization of independently owned and managed accounting and consulting firms. References to GTIL are to Grant Thornton International Ltd. GTIL and the member firms are not a worldwide partnership. Services are delivered independently by the member firms. These firms are not members of one international partnership or otherwise legal partners with each other internationally, nor is any one firm responsible for the services or activities of any other firm.

Use of third-party service providers and affiliates

Grant Thornton may use third-party service providers, such as independent contractors, specialists, or vendors, to assist in providing our professional services. We may also use GTIL member firms, other affiliates (including the GT US Shared Services Center India Private Limited and the Grant Thornton US Knowledge and Capability Center India Private Limited, affiliates of Grant Thornton located in Bangalore, India), or other accounting firms. Such entities may be located within or outside the United States.

Grant Thornton intends to use the professional services, technology, and resources of the following entity to assist us in the performance of the engagement:

- Capital Confirmation, Inc. – electronic confirmation services

Additionally, Grant Thornton may use third-party service providers to provide administrative or operational support to Grant Thornton, or to provide engagement team resource services. Such entities may be located within or outside the United States. All of these third party service providers are subject to confidentiality obligations to protect the confidentiality of client data.

You hereby consent and authorize us to disclose Company information to the GT US Shared Services Center India Private Limited and/or the Grant Thornton US Knowledge and Capability Center India Private Limited and the other above named entity for purposes of providing services to you as part of our professional relationship.

Data analytics and automated data gathering

Grant Thornton is committed to improving audit quality through the use of data analytics, which uses Company data collected to perform our services and includes analysis of anonymized data across clients. Grant Thornton also uses automated data gathering tools to efficiently extract large data sets needed to perform our services. These automated data gathering tools are designed to be executed by the Company’s information technology professionals within the Company’s information systems environment.

Hiring of personnel

The Company acknowledges that hiring current or former Grant Thornton (or GTIL member firm) personnel participating in the engagement may be perceived as compromising our objectivity, and depending on the applicable professional standards, impairing our independence in certain circumstances. Accordingly, prior to

entering into any employment discussions with such known individuals, you agree to discuss the potential employment, including any applicable independence ramifications, with the engagement partner responsible for the services.

Privacy

Grant Thornton is committed to protecting personal information and will maintain such information in confidence in accordance with professional standards and governing laws. The Company will not provide any personal information to Grant Thornton unless necessary to perform the services described herein. When providing any personal information to us, the Company will comply with all applicable laws (both foreign and domestic) and will anonymize, mask, obfuscate, and/or de-identify, if reasonably possible, all personal information that is not necessary to perform the services described herein. Any personal information provided to us by the Company will be kept confidential and not disclosed to any third party unless expressly permitted by the Company or required by law, regulation, legal process, or professional standards. The Company is responsible for obtaining, pursuant to law or regulation, consents from parties that provided the Company with their personal information, which will be obtained, used, and disclosed by Grant Thornton for its required purposes.

Documentation

The documentation for this engagement is the property of Grant Thornton and constitutes confidential information. We have a responsibility to retain the documentation for a period of time sufficient to satisfy any applicable legal or regulatory requirements for records retention.

Pursuant to law or regulation, we may be requested to make certain documentation available to regulators, governmental agencies, or their representatives (“Regulators”). If requested, access to the documentation will be provided to the Regulators under our supervision. We may also provide copies of selected documentation, which the Regulators may distribute to other governmental agencies or third parties. You hereby acknowledge we will allow and authorize us to allow the Regulators access to, and copies of, the documentation in this manner.

Electronic communications

During the course of our engagement, we may need to electronically transmit confidential information to each other and to third-party service providers or other entities engaged by either Grant Thornton or the Company. Electronic methods include telephones, cell phones, e-mail, secure file transfers, use of collaboration sites, and fax. These technologies provide a fast and convenient way to communicate. However, all forms of electronic communication have inherent security weaknesses, and the risk of compromised confidentiality cannot be eliminated. The Company agrees to the use of electronic methods to transmit and receive information, including confidential information.

Standards of performance

We will perform our services in conformity with the terms expressly set forth in this Engagement Letter, including all applicable professional standards. Accordingly, our services shall be evaluated solely on our substantial conformance with such terms and standards. Any claim of nonconformance must be clearly and convincingly shown.

With respect to the services and this Engagement Letter, in no event shall the liability of Grant Thornton and its present, future, and former partners, principals, directors, employees, agents, and contractors for any claim, including but not limited to Grant Thornton's own negligence, exceed the fees it receives for the portion of the work giving rise to such liability. This limitation shall not apply to the extent that it is finally determined that any claims, losses, or damages are the result of Grant Thornton's gross negligence or willful misconduct. In addition, Grant Thornton shall not be liable for any special, consequential, incidental, or exemplary damages or loss (nor any lost profits, interest, taxes, penalties, loss of savings, or lost business opportunity) even if Grant Thornton was advised in advance of such potential damages. This paragraph and the paragraph directly below shall apply to any type of claim asserted, including contract, statute, tort, or strict liability, whether by the Company, Grant Thornton, or others.

Further, the Company shall, upon receipt of written notice, indemnify and hold harmless Grant Thornton and its present, future, and former partners, principals, directors, employees, agents, and contractors from and against any liability and damages (including punitive damages), fees, expenses, losses, demands, and costs (including defense costs) associated with any claim arising from or relating to the Company's knowing misrepresentations or false or incomplete information provided to Grant Thornton. In the event of any controversy or claim against Grant Thornton arising from or related to the services described herein, Grant Thornton shall be entitled to defend itself from such controversy or claim and to participate in any settlement, administrative, or judicial proceedings.

It is expressly agreed by the Company and Grant Thornton that any claim by, or on behalf of either party, arising out of services or this Engagement Letter, whether it be in contract, tort, or otherwise, shall be deemed waived if a claim is filed more than two (2) years from: (i) the date of the report(s) issued by Grant Thornton; or (ii) the date of this Engagement Letter if no report has been issued.

If because of a change in the Company's status or due to any other reason, any provision in this Engagement Letter would be prohibited by laws, regulations, or published interpretations by governmental bodies, commissions, state boards of accountancy, or other regulatory agencies, such provision shall, to that extent, be of no further force and effect, and the Engagement Letter shall consist of the remaining portions.

Dispute resolution

Any controversy or claim arising out of or relating to the services, related fees, or this Engagement Letter shall first be submitted to mediation. A mediator will be selected by agreement of the parties, or if the parties cannot agree, a mediator acceptable to all parties will be appointed by the American Arbitration Association ("AAA"). The mediation will proceed in accordance with the customary practice of mediation. In the unlikely event that any dispute or claim cannot be resolved by mediation, we both recognize that the matter will probably involve complex business or accounting issues that would be decided most equitably to us both by a judge hearing the evidence without a jury. Accordingly, to the extent now or hereafter permitted by applicable law, the Company and Grant Thornton agree to waive any right to a trial by jury in any action, proceeding, or counterclaim arising out of or relating to our services or this Engagement Letter.

If the above jury trial waiver is determined to be prohibited by applicable law, then the parties agree that the dispute or claim shall be settled by binding arbitration. The arbitration proceeding shall take place in the city in which the Grant Thornton office providing the relevant services is located, unless the parties mutually agree to a different location. The proceeding shall be governed by the provisions of the Federal Arbitration Act (“FAA”) and will proceed in accordance with the then current Arbitration Rules for Professional Accounting and Related Disputes of the AAA, except that pre-hearing discovery must be specifically authorized by the arbitrator. The arbitrator will be selected from AAA, JAMS, the Center for Public Resources, or any other internationally or nationally-recognized organization mutually agreed upon by the parties. Potential arbitrator names will be exchanged within 15 days of the parties’ agreement to settle the dispute or claim by binding arbitration, and arbitration will thereafter proceed expeditiously. The arbitration will be conducted before a single arbitrator, experienced in accounting and auditing matters. The arbitrator shall have no authority to award non-monetary or equitable relief and will not have the right to award punitive damages. The award of the arbitration shall be in writing and shall be accompanied by a well-reasoned opinion. The award issued by the arbitrator may be confirmed in a judgment by any federal or state court of competent jurisdiction. Each party shall be responsible for their own costs associated with the arbitration, except that the costs of the arbitrator shall be equally divided by the parties. The arbitration proceeding and all information disclosed during the arbitration shall be maintained as confidential, except as may be required for disclosure to professional or regulatory bodies or in a related confidential arbitration. In no event shall a demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim would be barred under the applicable statute of limitations.

This Engagement Letter, including its formation and the parties’ respective rights and duties, and all disputes that might arise from or in connection with the Engagement Letter or the services contemplated herein, shall be governed by and construed in accordance with the laws of the State of New York, without regard to its conflict of laws provisions.

Authorization

This Engagement Letter sets forth the entire understanding between the Company and Grant Thornton regarding the services described herein and supersedes any previous proposals, correspondence, and understandings, whether written or oral. If any portion of this Engagement Letter is held invalid, it is agreed that such invalidity shall not affect any of the remaining portions.

Please confirm your acceptance of this Engagement Letter by signing below and returning one copy to us.

Sincerely,

GRANT THORNTON LLP




Hunter Jackson
Partner

cc: Sara Hancock, City Clerk, and Heather Poole, City Attorney

Enc: Schedule of standard billings
Matters that can cause work in excess of fee estimate

Agreed and accepted by:

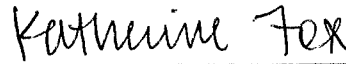
SOONER TOWN CENTER II, LLC



Robert C. Collett, Managing Member

12/14/2020

Date



Katherine Fox, Chief Financial Officer of Collett
As an agent of Sooner Town Center II, LLC

12/17/2020

Date

MIDWEST CITY HOSPITAL AUTHORITY and MIDWEST CITY ECONOMIC
DEVELOPMENT AUTHORITY

Matthew Dukes II, Chairman

Date

ATTEST

Sara Hancock, City Clerk

Date

Approved as to form and legality this _____ day of December 2020

Heather Poole, City Attorney

Date

**Schedule of standard
billings**

| Billing date | Fees |
|---------------------|-------------|
| December 2020 | \$9,000 |
| March 2021 | \$9,000 |
| April 2021 | \$10,100 |
| Total | \$28,100 |

Matters that can cause work in excess of fee estimate

We want you to receive the maximum value for our professional services and to perceive that our fees are reasonable and fair. However, in seeking to provide you with such value, we find there are various matters that can cause us to perform work in excess of that contemplated by our fee estimate. The following explains the matters that arise most frequently.

Changing requirements

Today, there are numerous governmental or rule-making bodies that regularly add or change various requirements. Although we attempt to plan our work to anticipate the requirements that will affect our engagement, three types of situations make this difficult. Sometimes, these new requirements are not communicated in time for us to anticipate their effects in our preliminary planning. Secondly, in spite of our anticipation and planning, the work necessary to comply with new requirements may be underestimated. Finally, in some instances, you may decide that it is advantageous to you to have the new requirements applied immediately.

Incorrect accounting applications or errors in your records

We generally form our fee estimates on the expectation that your accounting records are in good order so that our work can be completed based upon our normal testing and other procedures. However, should we find numerous errors, incomplete records, or disorganized bookkeeping methods, we will have to do additional work to determine that the necessary corrections have been made and properly reflected in the financial statements.

Lack of audit facilitation or timely preparation

To minimize your costs, we plan the means by which your personnel can facilitate the audit (for example, what schedules they will prepare, how to prepare them, the supporting documents that need to be provided, and so forth). We also discuss matters such as availability of your key personnel, deadlines, and working conditions. Indeed, the information concerning these matters that you furnish to us is a key element in our fee quotation. Therefore, if your personnel are unable, for whatever reasons, to provide these materials on a timely basis, it may substantially increase the work we must do to complete the engagement within the established deadlines. Moreover, in some circumstances, this may require a staff withdrawal, as discussed below.

Staff withdrawal

A staff withdrawal consists of our removing one or all staff because the condition of your records, or the inability of your personnel to provide agreed upon materials within the established timetable, makes it impossible for us to perform our work in a timely, efficient manner, as established by our engagement plan. Sometimes, a complete staff withdrawal is necessary to permit an orderly audit approach. A staff withdrawal is not necessarily an adverse reflection on your personnel. However, it involves additional costs, as we must reschedule our personnel, incur additional start-up costs, and so forth, to prevent total engagement costs from increasing significantly.

Unforeseen events

Even though we communicate frequently with clients and plan our engagement with management and their staff, unforeseen events can occur. Examples include

accounting problems, litigation, changes in your business or business environment, contractual or other difficulties with suppliers, third-party service providers, or customers, and so forth. When those circumstances occur, additional time is needed to provide you with assistance and to complete our engagement in accordance with professional standards.

Again, we emphasize that we strive to give you optimum value for our professional services. Fee quotations are provided based upon the facts and circumstances that you describe to us. However, unlike the sale of products, the performance of professional services is affected by many variables, such as the foregoing, which may cause fee estimates to change.

GRANT THORNTON LLP

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Charlotte, NC 28244

D +1 704 632 3500
F +1 704 334 7701

November 25, 2020

Robert C. Collett
Managing Member
Sooner Town Center, LLC
1111 Metropolitan Avenue, #700
Charlotte, NC 28204

Katherine Fox
Chief Financial Officer
Collett
1111 Metropolitan Avenue, #700
Charlotte, NC 28204

Matthew Dukes II
Chairman
Midwest City Economic Development Authority
100 N Midwest City Blvd
Midwest City, OK 73110

Dear Mr. Collett, Ms. Fox, and Mr. Dukes:

Thank you for discussing with us the requirements of our forthcoming engagement. This letter (the "Engagement Letter") documents our mutual understanding of the arrangements for the services described herein.

Scope of services

Grant Thornton LLP ("Grant Thornton") will audit the consolidated balance sheet of Sooner Town Center, LLC and its subsidiaries (collectively, the "Company"), as of December 31, 2020, and the related consolidated statements of operations, members' equity, and cash flows for the year then ended.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America ("US GAAS") established by the American Institute of Certified Public Accountants ("AICPA"). As part of an audit in accordance with US GAAS, we will exercise professional judgment and maintain professional skepticism throughout the audit. We will also identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall financial statement presentation, including disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will also conclude, based on the audit evidence

obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time.

In assessing the risks of material misstatement, an auditor obtains an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances. An audit is not designed to identify control deficiencies or for the purpose of expressing an opinion on the effectiveness of internal control; accordingly, we will not express such an opinion. However, we are responsible for communicating to you (hereinafter referred to as "those charged with governance") significant deficiencies and material weaknesses in internal control that come to our attention during the course of our engagement.

When conducting an audit, the auditor is required to obtain reasonable assurance about whether the financial statements are free from material misstatement, whether due to error or fraud, to enable the auditor to express an opinion on whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Although not absolute assurance, reasonable assurance is, nevertheless, a high level of assurance. However, an audit is not a guarantee of the accuracy of the financial statements. Even though the audit is properly planned and performed in accordance with professional standards, an unavoidable risk exists that some material misstatements may not be detected due to the inherent limitations of an audit, together with the inherent limitations of internal control. Also, an audit is not designed to detect errors or fraud that is immaterial to the financial statements. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Upon the completion of the foregoing audit and subject to its findings, we will render our report and communicate our findings in accordance with US GAAS. However, it is possible that circumstances may arise in which our report may differ from its expected form and content, resulting in a modified report or disclaimer of opinion. Further, if in our professional judgment the circumstances necessitate, we may resign from the engagement prior to completion.

The parties are entering into this Engagement Letter at a time when a state of national emergency has been declared and the nation is responding to the Coronavirus (COVID-19) pandemic. The parties agree that each will use all reasonable efforts to complete the engagement as specified herein, so long as each can reasonably do so while also protecting the health, welfare and safety of its professionals and the public, and abiding by emergency or regular executive orders, or changes in law mandated to address the pandemic. Neither party shall be liable for any delay or failure in performance (excluding payment for fees and expenses incurred) due to circumstances resulting from the pandemic which are beyond its reasonable control.

Our audit does not relieve management or those charged with governance of their responsibilities.

Responsibilities of those charged with governance

Effective two-way communication with those charged with governance assists us in obtaining information relevant to the audit and also assists those charged with governance in fulfilling their responsibility to oversee the financial reporting process. Those charged with governance play an important role in the Company's internal control over financial reporting by setting a positive tone at the top and challenging the Company's activities in the financial arena. Accordingly, it is important for those charged with governance to communicate to us matters they believe are relevant to our engagement. As indicated below, management also has a responsibility to communicate certain matters to those charged with governance and to Grant Thornton.

In connection with our engagement, professional standards require us to communicate certain matters that come to our attention to those charged with governance, such as the following:

- fraud involving senior management and fraud that causes a material misstatement
- illegal acts, unless clearly inconsequential
- disagreements with management and other serious difficulties encountered
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- audit adjustments and uncorrected misstatements, including missing disclosures.

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As you are aware, the financial statements are the responsibility of management. Management is responsible for preparing and fairly presenting the financial statements in accordance with accounting principles generally accepted in the United States of America, which includes adopting sound accounting practices and complying with changes in accounting principles and related guidance. Management is also responsible for:

- providing us with access to all information of which they are aware that is relevant to the preparation and fair presentation of the financial statements, including disclosures, whether obtained from within or outside of the general and subsidiary ledgers; this includes all financial records, documentation of internal control and related information, and any additional information that we may request for audit purposes
- providing us with unrestricted access to persons within the Company from whom we determine it necessary to obtain audit evidence
- ensuring that the Company identifies and complies with all laws, regulations, contracts, and grants applicable to its activities and for informing us of any known violations

- designing, implementing, and maintaining internal control to enable the preparation and fair presentation of financial statements that are free of material misstatement, whether due to error or fraud, and for informing us of all known significant deficiencies and material weaknesses in, and significant changes in, such internal control
- informing us of their views about the risk of fraud within the Company and their awareness of any known or suspected fraud and the related corrective action proposed
- adjusting the financial statements, including disclosures, to correct material misstatements and for affirming to us in a representation letter that the effects of any uncorrected misstatements, including missing disclosures, aggregated by us during the current engagement, including those pertaining to the latest period presented, are immaterial, both individually and in the aggregate, to the financial statements as a whole
- informing us of any events occurring subsequent to the balance sheet date through the date of our auditor's report that may affect the financial statements or the related disclosures
- informing us of any subsequent discovery of facts that may have existed at the date of our auditor's report that may have affected the financial statements or the related disclosures.

To assist those charged with governance in fulfilling their responsibility to oversee the financial reporting process, management should discuss with those charged with governance the:

- adequacy of internal control and the identification of any significant deficiencies or material weaknesses, including the related corrective action proposed
- significant accounting policies, alternative treatments, and the reasons for the initial selection of, or change in, significant accounting policies
- process used by management in formulating particularly sensitive accounting judgments and estimates and whether the possibility exists that future events affecting these estimates may differ markedly from current judgments
- basis used by management in determining that uncorrected misstatements, including missing disclosures, are immaterial, both individually and in the aggregate, including whether any of these uncorrected misstatements could potentially cause future financial statements to be materially misstated.

We will require management's cooperation to complete our services. In addition, we will obtain, in accordance with professional standards, certain written representations from management, which we will rely upon.

Use of our report(s)

The inclusion, publication, or reproduction by the Company of our report(s) in documents other than annual reports, such as private placement memoranda and regulatory filings containing information in addition to financial statements may require

us to perform additional procedures to fulfill our professional or legal responsibilities. Accordingly, our report(s) should not be used for any such purposes without our prior permission. To avoid unnecessary delay or misunderstanding, it is important that the Company give us timely notice of its intention to issue any such document.

Other services

Supplementary information

Management is responsible for separately preparing the consolidated balance sheet and statement of operations and other supplementary schedules including net operating income, debt service, net cash flow, and subtenant rents in accordance with SAS 11, *Supplementary Information in Relation to the Financial Statements as a Whole* (the “applicable criteria”). The supplementary schedules of net operating income, debt service, net cash flow, and subtenant rents will be prepared in compliance with the terms defined in the governing lease agreement with Midwest City, Oklahoma (the “Agreement”). Such supplementary information, which will be presented for purposes of additional analysis and is not a required part of the financial statements, will be subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures. These procedures will include comparing and reconciling the supplementary information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with US GAAS. The purpose of our procedures will be to form and express an opinion as to whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

In connection with our procedures, management is responsible for informing us about:

- the methods of measurement and presentation of the supplementary information
- whether those methods have changed from the methods used in the prior period and the reasons for the change, if any
- any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management will present the supplementary information with the audited financial statements. Management is responsible for including our report on the supplementary information in any document that contains the supplementary information and that indicates we reported on it.

We will require management to provide us with certain written representations related to their responsibilities described above, including whether management believes the supplementary information (including its form and content) is fairly presented in accordance with the applicable criteria.

Related non-audit services

We will also perform certain bookkeeping services for the Company. The objective of such services will be to draft the Company’s financial statements based on

information in the trial balance and other information to be provided to us that is approved by you.

As mentioned previously, the financial statements, including the data and information set forth therein, are the responsibility of management. With respect to our bookkeeping services, however, management is also responsible for:

- making all management decisions and performing all management functions
- designating an individual who possesses suitable skills, knowledge, or experience, preferably within senior management, to oversee the services
- evaluating the adequacy and the results of the services performed
- accepting responsibility for the results of the services.

Accordingly, our bookkeeping services will not include management functions or making management decisions. However, we may provide advice, research materials, and recommendations to assist you in performing your responsibilities.

Other services

Any other services that you request will constitute a separate engagement that will be subject to our acceptance procedures.

Fees

Standard billings

Our billings for the services set forth in this Engagement Letter, which we have estimated will total \$46,600, will be rendered in accordance with the enclosed Schedule of Standard Billings and are payable upon receipt.

In addition, we will bill for our expenses, including an administrative charge of seven percent of fees to cover items such as copies, postage, supplies, computer and technology usage, software licensing, research and library databases, and similar expense items.

If it appears that the estimated fee will be exceeded, we will bring this to your attention.

From time to time, Grant Thornton may receive certain incentives in the form of bonuses and rewards from its corporate card and other vendors. Such incentives to the extent received will be retained by Grant Thornton to cover firm expenses.

Additional billings

Of course, circumstances may arise that will require us to do more work. Some of the more common circumstances include changing auditing, accounting, and reporting requirements from professional and regulatory bodies; incorrect accounting applications or errors in Company records; restatements; failure to furnish accurate and complete information to us on a timely basis; and unforeseen events, including legal and regulatory changes. We are enclosing an explanation of various matters that can cause us to perform work in excess of that contemplated by our fee estimate.

At Grant Thornton, we pride ourselves on our ability to provide outstanding service and meet our clients' deadlines. To help accomplish this goal, we work hard to have the right professionals available. This involves complex scheduling models to balance the needs of our clients and the utilization of our people, particularly during peak periods of the year. Last minute client requested scheduling changes result in costly downtime due to our inability to make alternate arrangements for our professional staff.

We will coordinate a convenient time for Grant Thornton to begin work. If, after scheduling our work, you do not provide proper notice, which we consider to be one week, of your inability to meet the agreed-upon date(s) for any reason, or do not provide us with sufficient information required to complete the work in a timely manner, additional billings will be rendered for any downtime of our professional staff.

Adoption of new revenue and leasing standards

ASC 842, *Leases*, is effective for non-public business entities for annual reporting periods beginning after December 15, 2021.

We will communicate with management and those charged with governance periodically to understand the Company's ASC 842 adoption and implementation plan and the progress in executing that implementation plan. As the Company executes on its implementation plan and identifies necessary changes to systems, processes, and policies, we will request meetings and review documentation related to those expected changes.

Any work we perform related to your ASC 842 implementation is not included in the scope of work for the audit services outlined in this Engagement Letter. We will discuss with you the fees for the ASC 842 implementation work. Those fees will be at higher rates than those utilized in the standard audit rates discussed above.

Adoption of other new accounting standards

Professional and regulatory bodies frequently issue new accounting standards and guidance. Sometimes, standards are issued and become effective in the same period, providing a limited implementation phase and preventing us from including the impact in our estimated fees. In such circumstances, we will discuss with you the additional audit procedures and related fees, including matters such as the retrospective application of accounting changes and changes in classification.

Other costs

Except with respect to a dispute or litigation between Grant Thornton and the Company, our costs and time spent in legal and regulatory matters or proceedings arising from our engagement, such as subpoenas, testimony, or consultation involving private litigation, arbitration, industry, or government regulatory inquiries, whether made at the Company's request or by subpoena, will be billed to the Company separately.

Professional standards impose additional responsibilities regarding the reporting of illegal acts that have or may have occurred. To fulfill our responsibilities, we may need to consult with Company counsel or counsel of our choosing about any illegal acts that we become aware of. Additional fees, including legal fees, will be billed to the Company. The Company agrees to ensure full cooperation with any procedures that we may deem necessary to perform.

Right to terminate services for nonpayment

In the event of nonpayment, we retain the right to (a) suspend the performance of our services, (b) change the payment conditions under this Engagement Letter, or (c) terminate our services. If we elect to suspend our services, such services will not be resumed until your account is paid as agreed. Alternatively, if we elect to terminate our services for nonpayment, the Company will be obligated to compensate us for all time expended and to reimburse us for all expenses through the date of termination.

Other matters

Relationship to Grant Thornton International Ltd

Grant Thornton is the U.S. member firm of Grant Thornton International Ltd (“GTIL”), an organization of independently owned and managed accounting and consulting firms. References to GTIL are to Grant Thornton International Ltd. GTIL and the member firms are not a worldwide partnership. Services are delivered independently by the member firms. These firms are not members of one international partnership or otherwise legal partners with each other internationally, nor is any one firm responsible for the services or activities of any other firm.

Use of third-party service providers and affiliates

Grant Thornton may use third-party service providers, such as independent contractors, specialists, or vendors, to assist in providing our professional services. We may also use GTIL member firms, other affiliates (including the GT US Shared Services Center India Private Limited and the Grant Thornton US Knowledge and Capability Center India Private Limited, affiliates of Grant Thornton located in Bangalore, India), or other accounting firms. Such entities may be located within or outside the United States.

Grant Thornton intends to use the professional services, technology, and resources of the following entity to assist us in the performance of the engagement:

- Capital Confirmation, Inc. – electronic confirmation services

Additionally, Grant Thornton may use third-party service providers to provide administrative or operational support to Grant Thornton, or to provide engagement team resource services. Such entities may be located within or outside the United States. All of these third party service providers are subject to confidentiality obligations to protect the confidentiality of client data.

You hereby consent and authorize us to disclose Company information to the GT US Shared Services Center India Private Limited and/or the Grant Thornton US Knowledge and Capability Center India Private Limited and the other above named entity for purposes of providing services to you as part of our professional relationship.

Data analytics and automated data gathering

Grant Thornton is committed to improving audit quality through the use of data analytics, which uses Company data collected to perform our services and includes analysis of anonymized data across clients. Grant Thornton also uses automated data gathering tools to efficiently extract large data sets needed to perform our services. These automated data gathering tools are designed to be executed by the Company’s

information technology professionals within the Company's information systems environment.

Hiring of personnel

The Company acknowledges that hiring current or former Grant Thornton (or GTIL member firm) personnel participating in the engagement may be perceived as compromising our objectivity, and depending on the applicable professional standards, impairing our independence in certain circumstances. Accordingly, prior to entering into any employment discussions with such known individuals, you agree to discuss the potential employment, including any applicable independence ramifications, with the engagement partner responsible for the services.

Privacy

Grant Thornton is committed to protecting personal information and will maintain such information in confidence in accordance with professional standards and governing laws. The Company will not provide any personal information to Grant Thornton unless necessary to perform the services described herein. When providing any personal information to us, the Company will comply with all applicable laws (both foreign and domestic) and will anonymize, mask, obfuscate, and/or de-identify, if reasonably possible, all personal information that is not necessary to perform the services described herein. Any personal information provided to us by the Company will be kept confidential and not disclosed to any third party unless expressly permitted by the Company or required by law, regulation, legal process, or professional standards. The Company is responsible for obtaining, pursuant to law or regulation, consents from parties that provided the Company with their personal information, which will be obtained, used, and disclosed by Grant Thornton for its required purposes.

Documentation

The documentation for this engagement is the property of Grant Thornton and constitutes confidential information. We have a responsibility to retain the documentation for a period of time sufficient to satisfy any applicable legal or regulatory requirements for records retention.

Pursuant to law or regulation, we may be requested to make certain documentation available to regulators, governmental agencies, or their representatives ("Regulators"). If requested, access to the documentation will be provided to the Regulators under our supervision. We may also provide copies of selected documentation, which the Regulators may distribute to other governmental agencies or third parties. You hereby acknowledge we will allow and authorize us to allow the Regulators access to, and copies of, the documentation in this manner.

Electronic communications

During the course of our engagement, we may need to electronically transmit confidential information to each other and to third-party service providers or other entities engaged by either Grant Thornton or the Company. Electronic methods include telephones, cell phones, e-mail, secure file transfers, use of collaboration sites, and fax. These technologies provide a fast and convenient way to communicate. However, all forms of electronic communication have inherent security weaknesses, and the risk of compromised confidentiality cannot be eliminated. The

Company agrees to the use of electronic methods to transmit and receive information, including confidential information.

Standards of performance

We will perform our services in conformity with the terms expressly set forth in this Engagement Letter, including all applicable professional standards. Accordingly, our services shall be evaluated solely on our substantial conformance with such terms and standards. Any claim of nonconformance must be clearly and convincingly shown.

With respect to the services and this Engagement Letter, in no event shall the liability of Grant Thornton and its present, future, and former partners, principals, directors, employees, agents, and contractors for any claim, including but not limited to Grant Thornton's own negligence, exceed the fees it receives for the portion of the work giving rise to such liability. This limitation shall not apply to the extent that it is finally determined that any claims, losses, or damages are the result of Grant Thornton's gross negligence or willful misconduct. In addition, Grant Thornton shall not be liable for any special, consequential, incidental, or exemplary damages or loss (nor any lost profits, interest, taxes, penalties, loss of savings, or lost business opportunity) even if Grant Thornton was advised in advance of such potential damages. This paragraph and the paragraph directly below shall apply to any type of claim asserted, including contract, statute, tort, or strict liability, whether by the Company, Grant Thornton, or others.

Further, the Company shall, upon receipt of written notice, indemnify and hold harmless Grant Thornton and its present, future, and former partners, principals, directors, employees, agents, and contractors from and against any liability and damages (including punitive damages), fees, expenses, losses, demands, and costs (including defense costs) associated with any claim arising from or relating to the Company's knowing misrepresentations or false or incomplete information provided to Grant Thornton. In the event of any controversy or claim against Grant Thornton arising from or related to the services described herein, Grant Thornton shall be entitled to defend itself from such controversy or claim and to participate in any settlement, administrative, or judicial proceedings.

It is expressly agreed by the Company and Grant Thornton that any claim by, or on behalf of either party, arising out of services or this Engagement Letter, whether it be in contract, tort, or otherwise, shall be deemed waived if a claim is filed more than two (2) years from: (i) the date of the report(s) issued by Grant Thornton; or (ii) the date of this Engagement Letter if no report has been issued.

If because of a change in the Company's status or due to any other reason, any provision in this Engagement Letter would be prohibited by laws, regulations, or published interpretations by governmental bodies, commissions, state boards of accountancy, or other regulatory agencies, such provision shall, to that extent, be of no further force and effect, and the Engagement Letter shall consist of the remaining portions.

Dispute resolution

Any controversy or claim arising out of or relating to the services, related fees, or this Engagement Letter shall first be submitted to mediation. A mediator will be selected by agreement of the parties, or if the parties cannot agree, a mediator acceptable to

all parties will be appointed by the American Arbitration Association (“AAA”). The mediation will proceed in accordance with the customary practice of mediation. In the unlikely event that any dispute or claim cannot be resolved by mediation, we both recognize that the matter will probably involve complex business or accounting issues that would be decided most equitably to us both by a judge hearing the evidence without a jury. Accordingly, to the extent now or hereafter permitted by applicable law, the Company and Grant Thornton agree to waive any right to a trial by jury in any action, proceeding, or counterclaim arising out of or relating to our services or this Engagement Letter.

If the above jury trial waiver is determined to be prohibited by applicable law, then the parties agree that the dispute or claim shall be settled by binding arbitration. The arbitration proceeding shall take place in the city in which the Grant Thornton office providing the relevant services is located, unless the parties mutually agree to a different location. The proceeding shall be governed by the provisions of the Federal Arbitration Act (“FAA”) and will proceed in accordance with the then current Arbitration Rules for Professional Accounting and Related Disputes of the AAA, except that pre-hearing discovery must be specifically authorized by the arbitrator. The arbitrator will be selected from AAA, JAMS, the Center for Public Resources, or any other internationally or nationally-recognized organization mutually agreed upon by the parties. Potential arbitrator names will be exchanged within 15 days of the parties’ agreement to settle the dispute or claim by binding arbitration, and arbitration will thereafter proceed expeditiously. The arbitration will be conducted before a single arbitrator, experienced in accounting and auditing matters. The arbitrator shall have no authority to award non-monetary or equitable relief and will not have the right to award punitive damages. The award of the arbitration shall be in writing and shall be accompanied by a well-reasoned opinion. The award issued by the arbitrator may be confirmed in a judgment by any federal or state court of competent jurisdiction. Each party shall be responsible for their own costs associated with the arbitration, except that the costs of the arbitrator shall be equally divided by the parties. The arbitration proceeding and all information disclosed during the arbitration shall be maintained as confidential, except as may be required for disclosure to professional or regulatory bodies or in a related confidential arbitration. In no event shall a demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim would be barred under the applicable statute of limitations.

This Engagement Letter, including its formation and the parties’ respective rights and duties, and all disputes that might arise from or in connection with the Engagement Letter or the services contemplated herein, shall be governed by and construed in accordance with the laws of the State of New York, without regard to its conflict of laws provisions.

Authorization

This Engagement Letter sets forth the entire understanding between the Company and Grant Thornton regarding the services described herein and supersedes any previous proposals, correspondence, and understandings, whether written or oral. If any portion of this Engagement Letter is held invalid, it is agreed that such invalidity shall not affect any of the remaining portions.



Please confirm your acceptance of this Engagement Letter by signing below and returning one copy to us.

Sincerely,

GRANT THORNTON LLP

Hunter M Jackson

Hunter Jackson
Partner

cc: Sara Hancock, City Clerk, and Heather Poole, City Attorney

Enc: Schedule of standard billings
Matters that can cause work in excess of fee estimate

Agreed and accepted by:

SOONER TOWN CENTER, LLC

Robert C. Collett 12/14/2020
Robert C. Collett, Managing Member Date

Katherine Fox 12/17/2020
Katherine Fox, Chief Financial Officer of Collett
As an agent of Sooner Town Center, LLC Date

MIDWEST CITY ECONOMIC DEVELOPMENT AUTHORITY

Matthew Dukes II, Chairman Date

ATTEST

Sara Hancock, City Clerk Date

Approved as to form and legality this _____ day of December 2020

Heather Poole, City Attorney Date

**Schedule of standard
billings**

| Billing date | Fees |
|---------------------|-------------|
| December 2020 | \$16,000 |
| March 2021 | \$16,000 |
| April 2021 | \$14,600 |
| Total | \$46,600 |

Matters that can cause work in excess of fee estimate

We want you to receive the maximum value for our professional services and to perceive that our fees are reasonable and fair. However, in seeking to provide you with such value, we find there are various matters that can cause us to perform work in excess of that contemplated by our fee estimate. The following explains the matters that arise most frequently.

Changing requirements

Today, there are numerous governmental or rule-making bodies that regularly add or change various requirements. Although we attempt to plan our work to anticipate the requirements that will affect our engagement, three types of situations make this difficult. Sometimes, these new requirements are not communicated in time for us to anticipate their effects in our preliminary planning. Secondly, in spite of our anticipation and planning, the work necessary to comply with new requirements may be underestimated. Finally, in some instances, you may decide that it is advantageous to you to have the new requirements applied immediately.

Incorrect accounting applications or errors in your records

We generally form our fee estimates on the expectation that your accounting records are in good order so that our work can be completed based upon our normal testing and other procedures. However, should we find numerous errors, incomplete records, or disorganized bookkeeping methods, we will have to do additional work to determine that the necessary corrections have been made and properly reflected in the financial statements.

Lack of audit facilitation or timely preparation

To minimize your costs, we plan the means by which your personnel can facilitate the audit (for example, what schedules they will prepare, how to prepare them, the supporting documents that need to be provided, and so forth). We also discuss matters such as availability of your key personnel, deadlines, and working conditions. Indeed, the information concerning these matters that you furnish to us is a key element in our fee quotation. Therefore, if your personnel are unable, for whatever reasons, to provide these materials on a timely basis, it may substantially increase the work we must do to complete the engagement within the established deadlines. Moreover, in some circumstances, this may require a staff withdrawal, as discussed below.

Staff withdrawal

A staff withdrawal consists of our removing one or all staff because the condition of your records, or the inability of your personnel to provide agreed upon materials within the established timetable, makes it impossible for us to perform our work in a timely, efficient manner, as established by our engagement plan. Sometimes, a complete staff withdrawal is necessary to permit an orderly audit approach. A staff withdrawal is not necessarily an adverse reflection on your personnel. However, it involves additional costs, as we must reschedule our personnel, incur additional start-up costs, and so forth, to prevent total engagement costs from increasing significantly.

Unforeseen events

Even though we communicate frequently with clients and plan our engagement with management and their staff, unforeseen events can occur. Examples include

accounting problems, litigation, changes in your business or business environment, contractual or other difficulties with suppliers, third-party service providers, or customers, and so forth. When those circumstances occur, additional time is needed to provide you with assistance and to complete our engagement in accordance with professional standards.

Again, we emphasize that we strive to give you optimum value for our professional services. Fee quotations are provided based upon the facts and circumstances that you describe to us. However, unlike the sale of products, the performance of professional services is affected by many variables, such as the foregoing, which may cause fee estimates to change.



PUBLIC DISCUSSION

