

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
November 6, 2012**

6:30 PM

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**
 - A. Approval of the meeting minutes of October 16, 2012
 - B. Approval of Workers' Compensation Settlement Agreement for Gregory Duane Stout, former Police Department employee
 - C. Approval of and authorization to execute Budget Amendment Number 5 for Fiscal Year 2012-2013
 - D. Approval of and authorization to execute Resolution Number 767, a Resolution authorizing specific Officers to open accounts, deposit and withdraw funds, and designating the F & M Bank & Trust, Tulsa, OK as a Depository Bank
 - E. Approval of and authorization to declare Kilo, a Police K-9 as surplus property and retiring said K-9 to his Handler, effective November 6, 2012
 - F. Approval of the 2013 One Voice Legislative Agenda
 - G. Ratification of an Expedited Settlement Agreement between the United States Environmental Protection Agency (EPA) and the City of Broken Arrow with regard to the Lynn Lane Wastewater Treatment Plant
 - H. Approve and authorize execution of Amendment Number 1 to Professional Consultant Agreement with RL Shears Company for design of Downtown Streetscapes Phase III
 - I. Approval of and authorization to execute Amendment Number 2 to the Blackboard Connect-CITY services agreement dated August 18, 2010, between Blackboard Connect Inc. and the City of Broken Arrow for Emergency/System Notification System
 - J. Approval of and authorization to execute an Inter-local Agreement with Independent School District No. 3 of Broken Arrow Public Schools to assist with crossing guards
 - K. Approval of and authorization to execute a Professional Consultant Agreement with Traffic Engineering Consultants, Inc., for a Traffic Study and Recommendations for Improvements at the Intersections in the Vicinity of the Broken Arrow Expressway and Elm Place and the Broken Arrow Expressway and 9th Street
 - L. Notification of Contracts, Change Orders and Work Orders with a value of less than \$25,000 on Engineering and Construction Contracts since the last City Council Meeting

- M. Approval to renew annual subscription to Target Solutions online training program utilizing Wagoner County Fire Tax Funds
- N. Approval to reject all bids for mechanical work at the Military History Museum and specifically find that rejection is in the best interests of the citizens of Broken Arrow
- O. Review bids received, award the lowest and best bid to Raceway Electric, Inc., and approve and authorize execution of a construction contract for the Military History Museum Electrical (Re-bid)
- P. Approval of bids received and award the most advantageous bid to Fleet Distributors for the purchase of Police patrol vehicle lighting
- Q. Approval of bids received and award the most advantageous bid to Turn Key Mobile for the purchase of 15 Police patrol vehicle prisoner transport cells and gun racks
- R. Review bids received and award the most advantageous bid to Emergency Fire Equipment for the purchase of a Spartan ERV fire pumper truck for the Fire Department
- S. Approval of and authorization to execute a General Warranty Deed, permanent Drainage Easement and a Temporary Construction Easement between the City of Broken Arrow and BA Corner L.L.C., an Oklahoma Limited Liability Company, located in part of the SW/4 SW/4 of Section 34, Township 18 North, Range 14 East; and approve the expenditure of \$148,183.00 to be remitted to BA Corner L.L.C., at the time of a closing
- T. Approval of and authorization to execute conveyance documents that grant a Right of Way and Easement located at the Broken Arrow Water Treatment Plant (The SE/4 of the NW/4 and the North 330 feet of the North 660 feet of the NE/4 of the SW/4 in Section 2 Township 18 North Range 16 East, Wagoner County
- U. Acceptance of a Utility Easement located approximately 1072 feet south and 1122 feet east of South 177th East Avenue (South 9th Street) and East Houston Street (East 81st Street) intersection from Rick Marvin Properties, LLC., (Sec 13 T18N R14E)(Project #SW 1215)(East Houston Industrial Park Drainage Schedule A)
- V. Acceptance of a Utility Easement located approximately 3960 feet south and 1320 feet east of the intersection of West New Orleans Street (East 101st Street) and South Garnett Road from Laura L. Eckstein, Trustee of the Laura L. Eckstein Revocable Living Trust (Sec 29 T18N R14E)(Project Stacey Lynn 7 Drainage Improvements)
- W. Acceptance of a Utility Easement located approximately 3962 feet south and 1320 feet east of the intersection of West New Orleans Street (E. 101st Street) and South Garnett Road from Wesley Clark Eldridge, Trustee of the Wesley Clark Eldridge Revocable Living Trust (Sec 29 T18N R14E) (Project Stacey Lynn 7 Drainage Improvements)
- X. Approval of Claims List

6. Consideration of Items Removed from Consent Agenda

7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths

- A. Recognition of City of Broken Arrow Floodplain Manager, Jeff Bigby, PE., who was selected as the Floodplain Manager of the year by the Oklahoma Floodplain Managers Association

8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services

9. General Council Business

- A. Review of bids received and award of the most advantageous bid to Nebkan Emergency Vehicles LLC for the purchase of two ambulances for the Fire Department
- B. Consideration of and possible approval of and authorization to execute Resolution Number 763, a Resolution establishing written procedures to monitor compliance with provisions of Internal Revenue Code and U.S. Treasury regulations pertaining to tax exempt bonds
- C. Consideration of and possible approval of and authorization to execute Resolution Number 764, a Resolution authorizing the City Attorney to enter into the Final Journal Entry of Judgment in the matter of Homes by Classic Properties, L.L.C. v. The City of Broken Arrow, Oklahoma, Case number CV-2012-01271, authorizing foreclosure and vacation of a utility easement located at THE VILLAGES AT WOOD CREEK III, a Subdivision in the City of Broken Arrow, Tulsa County, Oklahoma, Plat Number 6138 being a Subdivision of a part of the Northwest Quarter (NW/4) of Section 17, Township 18 North, Range 14 East of the Indian Base and Meridian
- D. Consideration of and possible approval of and authorization to execute Resolution Number 765, a Resolution authorizing the City Attorney to agree to judgment in the case of City of Broken Arrow, Oklahoma v. Ernest Couch, et al., Wagoner County District Court Case No. CJ-2012-391 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry of Judgment for the Court's Approval
- E. Consideration of and possible approval of and authorization to execute Resolution Number 766, a Resolution authorizing the City Attorney to agree to judgment in the case of City of Broken Arrow v. Grace Irene Couch Revocable Living Trust Dated August 30, 1994 et al., Tulsa County District Court Case No. CJ-2012-04952 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a journal entry for the Court's Approval
- F. Consideration and possible approval to reappoint Jill Norman, Lee Whelpley and Greg Graham to the Downtown Advisory Board with terms expiring October 31, 2016

10. City Manager's Report

- A. None

11. Preview Ordinances

- A. Consideration, discussion and possible preview of an Ordinance adopting an employee retirement system, defined contribution plan for the position of City Manager for the City of Broken Arrow, Oklahoma; providing retirement benefits for eligible employees of the City of Broken Arrow, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a committee and providing for powers, duties, and rights of committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purposes of administration, management and investment as part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement fund for management and

investment; providing for non-alienation of benefits and loss of benefits for cause; adopting those amendments mandated by the Internal Revenue Code; providing for repealer and severability; and declaring an emergency

12. Ordinances

- A. Consideration, discussion and possible adoption of Ordinance 3216, an ordinance amending Chapter 16, Article I, Section 16-22.1 of the Broken Arrow Code pertaining to Transporting a firearm improperly, and specifically allowing unconcealed pistols to be transported by persons with a license authorized pursuant to the Oklahoma Self-Defense Act and addressing the confiscation of firearms; repealing all ordinances to the contrary; and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

14. Executive Session

None

15. Adjournment

NOTICE: *If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. Topics are limited to items on the currently posted agenda, or relevant business.*

All cell phones and pagers must be turned OFF or operated SILENTLY during meetings.

Exhibits, petitions, pictures, etc., shall be received and deposited in case files to be kept at the Broken Arrow City Hall. If you are a person with a disability and need some accommodation in order to participate in this meeting, please contact the City Clerk at 918-259-2400 Ext. 5418 to make arrangements.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk

**BROKEN ARROW MUNICIPAL AUTHORITY
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
November 6, 2012**

TIME: Immediately following the City Council Meeting which begins at 6:30 p.m.

1. Call to Order

2. Roll Call

3. Consideration of Consent Agenda

- A. Approval of the meeting minutes of October 16, 2012
- B. Approval of and authorization to execute Resolution No. 762 adopting the Environmental Information Document and Engineering Report for the Tulsa Water Connection
- C. Approval of and authorization to execute a Professional Consultant Agreement with Holloway, Updike and Bellen, Inc. (HUB) for an Update of the Comprehensive Water Model
- D. Approval of a 15-day extension of the time to award a construction contract for Sanitary Sewer Lift Station Improvements, Contract C (Oak Creek South and Ridgeway Heights)
- E. Approval of Major Change Order MC05 for Water Supply Improvements, Contract #075036
- F. Approval of Claims List

4. General Authority Business

- A. Consideration, discussion and possible approval of and authorization to execute a proposed Consent Order on Case Number 12-122 from the Oklahoma Department of Environmental Quality (ODEQ), Water Quality Division

5. Executive Session

- A. None

6. Adjournment

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City Clerk

BROKEN ARROW ECONOMIC DEVELOPMENT AUTHORITY

AGENDA

**COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012**

November 6, 2012

TIME: Follows City Council meeting which begins at 6:30 p.m. and the Broken Arrow Municipal Authority meeting which follows City Council

1. Call to Order

2. Roll Call

3. Consideration of Consent Agenda

A. Approval of the meeting minutes of October 16, 2012

B. Approval of Claims List

4. General Authority Business

A. None

5. Executive Session

A. None

6. Adjournment

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