

**AMENDED
BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
December 20, 2011**

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 December 6, 2011
 - B. Acceptance of minutes of the Planning Commission meeting held November 17, 2011
 - C. Approval of and authorization to execute Budget Amendment Number 6 for Fiscal Year 2011-2012
 - D. Approval of and authorization to execute an Intergovernmental Agreement with OWRB for Broken Arrow Creek Master Drainage Plan
 - E. Approval of a Workers' Compensation Order for Ricky Barnett a former Police Department employee
 - F. Notification of Contracts, Change Orders, Quantity Changes and Work Orders with a value of less than \$25,000 on Engineering and Construction Contracts since the last City Council Meeting
 - G. Approval of and authorization to execute a Use Agreement with the Broken Arrow Adult Softball Association (BAASA) for use of the Al Graham Adult Softball Fields at the Indian Springs Sports Complex
 - H. Approval of and authorization to execute a Use Agreement with the Broken Arrow Girls Softball League (BAGSL) for use of the Youth Softball Fields at the Central Park Softball Complex and Arrowhead Park Softball Complex
 - I. Approval of and authorization to execute a Use Agreement with the Broken Arrow Youth Baseball Association (BAYBA) for use of the Youth Baseball Fields at the Indian Springs Sports Complex
 - J. Approval of and authorization to execute the Clinical Rotation Agreement with Tulsa Technology Center
 - K. Approval of and authorization to execute a professional services agreement with Tripp Davis and Associates for design and construction oversight of Battle Creek Golf Course Bunker Renovation

- L. Approval of bids received and award of the most advantageous bid to Frontier International for the purchase of one dump truck for the Street Department
 - M. Approval of SP 258, Southpark Assembly of God, 5.00 acres, 1 lot, A-1, north of the Creek Turnpike, west of Elm Place (161st E. Avenue) at 5850 South Elm Place
 - N. Approval of Final Acceptance for the Public Improvement for MidFirst Bank at Florence, located at 4802 S Elm Place
 - O. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
- A. Approval of and authorization for the Mayor to accept incentive funds from PSO for energy efficient upgrades made under PSO's Model Cities Program
- 8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services**
- 9. General Council Business**
- A. Consideration and possible approval of Resolution Number 723, a resolution in support of the Coalition of Tulsa Area Government's 2012 Legislative Slate
 - B. Consideration and possible approval of Resolution Number 727, a resolution approving action taken by the Broken Arrow Municipal Authority authorizing the issuance of its promissory note in the principal amount of \$35,000,000 to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement and operation and maintenance contract and a security agreement between the City and the Authority and containing other provisions relating thereto
 - C. Consideration and possible approval of Resolution Number 728, a resolution approving action taken by the Broken Arrow Municipal Authority authorizing the issuance of its promissory note in principal amount not to exceed \$30,000,000 to the Oklahoma Water Resources Board; ratifying and confirming a lease agreement and operation and maintenance contract and a security agreement between the City and the Authority and containing other provisions relating thereto
 - D. Consideration, possible approval and authorization for staff to present a plan to provide for a change in refuse service to a volume-based program with provisions to include single stream recycling when facilities for single stream recyclables become available
- 10. City Manager's Report**
- A. None
- 11. Preview Ordinances**
- A. None
- 12. Ordinances**
- A. Ordinance No. 3178 - An ordinance amending Chapter 15, Nuisance Code, Section 15-1, Nuisance Code, Section 15-2, Abatement generally, 15-3, Abatement of graffiti, 15-4,

Abatement of dilapidated buildings or structures, Section 15-5, Boarding and securing dilapidated buildings, Section 15-6, Abandoned, inoperable or junked vehicles, Section 15-7, Emergency Abatement, Section 15-8 Penalty, Section 15-9, Exceptions, Section 15-10, State law references, and Sections 15-11 through 15-43 Reserved, Section 15-44, Adopted, and Section 15-45 Amendments, of the Broken Arrow Code and specifically by correcting misspellings and including better nuisance definitions; and adopting the 2009 International Property Maintenance Code as the Property Maintenance and Existing Structures Code; repealing all ordinances to the contrary; and declaring an emergency

- B. Ordinance No. 3195 - An Ordinance amending Chapter 2, Administration, Article IX, Employee Rules and Regulations, Section 2-165 of the Broken Arrow Code pertaining to Department Director evaluation and compensation and specifically removing the Assistant City Manager from the scope of this Ordinance, the integration of base salary increases for Department Directors, elimination of wage increases for based on a percentage and providing for longevity; repealing all ordinances to the contrary; and declaring an emergency

13. Remarks and Inquiries by Governing Body Members

- 14. Executive Session** for the purpose of confidential communications, and specifically settlement negotiations, (and taking appropriate action, including authority to settle, in open session) between the City Council, the City Manager, and the City Attorney for the purpose of discussing *Steven Joseph Breeckner II v. City of Broken Arrow*, Workers' Compensation Court Case Number 2011-07474Y, under 25 O.S. §307(B)(4). In the opinion of the City Attorney, the Council is advised that disclosure will seriously impair the ability of the public body to process the pending litigation in the public interest. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

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 to matters relevant to the City Council's business

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

Exhibits, petitions, pictures, etc., presented to the authority 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
December 20, 2011**

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 December 6, 2011
- B. Approval of bids received and award the most advantageous bid for the purchase of a sewer camera system for the Utilities Department
- C. Approval of the Claims List

4. General Authority Business

- A. Consideration and possible approval of Resolution Number 725; a resolution authorizing a loan from the Oklahoma Water Resources Board in principal amount of \$35,000,000; Authorizing the issuance of a Series 2012 Drinking Water SRF Promissory Note in said principal amount; Approving and authorizing the execution of a loan agreement for Drinking Water SRF loan and a security agreement pertaining to said promissory note; Ratifying and confirming a lease agreement and operation and maintenance contract and a security agreement with the City of Broken Arrow; Approving and authorizing payment of fees and expenses; Approving various covenants and authorizing execution of other documents pertaining to said loans and containing other provisions relating thereto
- B. Consideration and possible approval of Resolution Number 726; a resolution authorizing a loan from the Oklahoma Water Resources Board in principal amount not to exceed \$30,000,000; Authorizing the issuance of a Series 2012 Promissory Note not to exceed said principal amount; Approving and authorizing the execution of a loan agreement and a security agreement pertaining to said promissory note; Designating a local trustee; Ratifying and confirming a lease agreement and operation and maintenance contract and a security agreement with the City of Broken Arrow; Approving and authorizing payment of fees and expenses; Approving various covenants and authorizing execution of other documents pertaining to said loans and containing other provisions relating thereto

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**

December 20, 2011

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

1. Call to Order

2. Roll Call

3. Consent Agenda

A. Approval of the meeting minutes of December 6, 2011

B. Approval of the Claims List

4. Presentations, Status Reports, and General Discussion

A. None

5. General Authority Business Requiring Action

A. None

**6. Public Comments Regarding Matters Related to Authority Business But Not On The Agenda
(NOTICE: No action may be taken on items that are not on the meeting agenda)**

7. Remarks and Inquiries by Authority Members

8. Executive Session

A. None

9. Adjournment

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