

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
July 20, 2010
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 regular meeting minutes of July 6, 2010
 - B. Acceptance of the minutes of the Planning Commission meeting held June 24, 2010
 - C. Approval of and authorization to execute Budget Amendment Number 2 for Fiscal Year 2010-2011
 - D. Approval of and authorization to execute Amendment No. 2 to an A-E contract with Cobb Engineering Company to design an Interchange at the intersection of the Creek Turnpike and Aspen Avenue
 - E. Approval of the contract renewal with the Metropolitan Tulsa Transit Authority to provide public transportation services for Fiscal Year 2010-11
 - F. Approval of and authorization to execute a contract with Sungard Public Sector, Inc. to provide software maintenance services for the period August 1, 2010 to July 31, 2011
 - G. Approval of and authorization to execute contract with Oneok for third party gas supply
 - H. Approval of and authorization to execute an Inter-local Agreement with Union School District for the provision of school crossing guards
 - I. Review bids received and award the most advantageous for the purchase of equipment for quint fire truck and pumper fire truck
 - J. Consideration and possible approval of BAZ 1847, 20.23 acres, R-2 to CG, northeast corner of Aspen Avenue (145th East Avenue) and the Creek Turnpike
 - K. Consideration and possible approval of BAZ 1848, 25.48 acres, A-1 to CG, northwest corner of Aspen Avenue (145th East Avenue) and the Creek Turnpike
 - L. Acceptance of dedication of utility easement from E.A. Schermerhorn, B.K. Schermerhorn, Starlight Investments, LLC, J. Alan Davis and Joan Zappe Davis on a property located in the southeast quarter of section Thirty Five (35), Township Nineteen (19) North, Range Fourteen (14) East, in the City of Broken Arrow, County of Tulsa County, State of Oklahoma
 - M. Acceptance of dedication of utility easement from White Earth, LLC located on a property in the Southeast Quarter of Section Thirty Five (35), Township Nineteen (19), Range Fourteen (14)
 - N. Acceptance of dedication of utility easements from White Earth, LLC located on a property in the Southeast Quarter of Section Thirty Five (35), Township Nineteen (19), Range Fourteen (14)

- O. Acceptance of a utility easement from Johanna Woods LLC (S31 T19N R 15E) (Project: Adams Creek NW Sewer Improvements #S0405)
 - P. Acceptance of a temporary construction easement from Johanna Woods LLC (S31T19N R15E)
 - Q. Acceptance of public Improvements for Tulsa Technology Center
 - R. Approval of the Claims List
- 6. Consideration of Items Removed from Consent Agenda**
- 7. Public Hearings, Appeals, Presentations, Recognitions, Awards and Oaths**
- A. Proclamation recognizing and commending Alex Walker for community service
- 8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services**
- 9. General Council Business**
- A. Consideration of and possible approval of Resolution 656 requesting programming of FFY2014 Tulsa Urbanized Area Surface Transportation Funds for 23rd Street Improvements between Kenosha and Houston Streets
 - B. Consideration of and possible approval of Resolution 657 approving Amendment No. 2 to the City of Broken Arrow Architecture/Engineer Contract Number ST0915 between Cobb Engineering Co. and the City of Broken Arrow and authorizing the City Manager to execute this Amendment
 - C. Discussion of and potential action on amendments to Chapter 10, Article I, Section 10-3, which pertains to the manufacture, sale and use of Fireworks
 - D. Approval of nomination of Mark Frie to the Convention and Visitors Bureau to fill the unexpired term of James Gordon, whose term expires September 30, 2010
- 10. City Manager's Report**
- 11. Preview Ordinances**
- A. An ordinance amending Article II, Section 24-207 of the Broken Arrow Code, Billing: when due and payable; penalty for delinquency; discontinuing service for failure to pay
 - B. An ordinance amending Article VI, Section 24-606 of the Broken Arrow Code, Charges associated with discontinuance of service; and repealing all ordinances to the contrary.
 - C. An ordinance amending Chapter 2, Article IX, Sections 2-148, 2-150, 2-151, 2-152, 2-153, 2-155, 2-157, 2-168, and 2-169, of the Broken Arrow Code pertaining to Employee Rules and Regulations; repealing all ordinances to the contrary; and declaring an emergency
- 12. Ordinances**
- A. An Ordinance closing a utility easement in a tract of land lying in the Southeast Quarter of Section 35, Township 19 North, Range 14 East of the Indian Meridian, in Tulsa County, Oklahoma
 - B. An Ordinance closing a utility easement in a tract of land lying in the Southeast Quarter of Section 35, Township 19 North, Range 14 East of the Indian Meridian, in Tulsa County, Oklahoma
- 13. Remarks and Inquiries by Governing Body Members**

14. **Executive Session** for the purpose of confidential communications between the City Council, the City Manager, and the City Attorney for the purpose of discussing the hiring of potential candidates for the position of Fire Chief under 25 O.S. §307(B)(1), and discussing taking appropriate action in open session on the litigation of United States of America v. Union Pacific Railroad Company (Double Eagle Refinery Superfund Site, Oklahoma City, OK), United States District Court for the Western District of Oklahoma, Case No. 5:06-CV-0887-C 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 City Council business. All cell phones and pagers must be turned OFF or operated SILENTLY during Council meetings.

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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 _____, 2010, at _____ a.m./p.m.

City Clerk

**BROKEN ARROW MUNICIPAL AUTHORITY
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
July 20, 2010**

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 regular meeting minutes of July 6, 2010
- B. Approval of and authorization to execute Financial Plan Adjustment Number 1 for Fiscal Year 2010-2011
- C. Approval and authorization to execute a contract with Rural Water District #5 for the sale of potable water
- D. Approval of bids received and award the most advantageous bid for three refuse truck cab & chassis
- E. Approval of bids received and award the most advantageous bid for three refuse packers
- F. Authorization for the Chairman to participate in the closing process and execute all closing documents, and accept a Deed of Dedication for a parcel of land being transferred to the City of Broken Arrow from The Park at Adams Creek Property Owners' Association, Inc., as per the Regulatory Flood Area Management Program, and located in Lt Four (4), Blk One (1), The Shops at Broken Arrow II, a Subdivision in the City of Broken Arrow, Tulsa County (SW/4 & SE/4 Sec. 1 T18N R14E) (Project #SW0910A)
- G. Approval of the Claims List

4. General Authority Business

- A. None

5. Executive Session

- A. None

6. Adjournment

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