



**City of Broken Arrow**  
**Meeting Agenda**  
**Broken Arrow City Council**

*Mayor Craig Thurmond*

*Vice Mayor Scott Eudey*

*Council Member Johnnie Parks*

*Council Member Debra Wimpee*

*Council Member Christi Gillespie*

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**Tuesday, November 5, 2019**

**6:30 PM**

**Council Chambers**  
**220 South 1st Street**  
**Broken Arrow, OK**

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**A M E N D E D   A G E N D A**

- 1. Call to Order**
- 2. Invocation**
- 3. Roll Call**
- 4. Pledge of Allegiance to the Flag**
- 5. Consideration of Consent Agenda**

- A. [19-21](#) Approval of the City Council Meeting Minutes of October 15, 2019
- B. [19-1329](#) Acceptance of Planning Commission meeting minutes of October 10, 2019
- C. [19-1281](#) Acceptance of Drainage Advisory Committee meeting minutes of September 30, 2019
- D. [19-1324](#) Acceptance of Elm Place and New Orleans Advisory Committee meeting minutes of October 3, 2019
- E. [19-1290](#) Approval of and authorization to execute Budget Amendment Number 5 for Fiscal Year 2020
- F. [19-1354](#) Approval of and authorization to execute Budget Amendment Number 6 for Fiscal Year 2020
- G. [19-1315](#) Approval of and authorization to execute the Office of Attorney General 2020 Safe Oklahoma Grant Program Contract for fiscal year 2019-2020
- H. [19-1334](#) Approval to declare certain City owned vehicles and equipment as surplus and authorize the sale of those items by an on-line public auction
- I. [19-1349](#) Approval of and authorization for the City Attorney to sign a change of affiliation form transferring the City of Broken Arrow v. Contech et. al,

J. [19-1383](#) Approval of and authorization to execute the Professional Services Agreement between the City of Broken Arrow and McAfee & Taft, P.C. for providing counsel and legal advice regarding Joshua Andre Garza v. City of Broken Arrow, 19-CV-423-TCK-JKJ

K. [19-1327](#) Approval of and authorization to execute an Agreement with CoreSource, Inc. utilizing Aetna Signature Administrators PPO Managed Care Services to provide third party administration for the employee health plan for calendar year 2020

L. [19-1350](#) Approval of and authorization to execute Amendment No. 1 to the License and Services Agreement between the City of Broken Arrow and Tyler Technologies

M. [19-1273](#) Approval of and authorization to execute Amendment Number 1 to Agreement for Professional Services with Poe and Associates, Inc. for providing additional design services for the Aspen and Washington Street Improvements project (Project No. ST1705)

N. [19-1287](#) Notification of City Manager's, Assistant City Manager's and Department Director's execution of Professional Consultant Agreements with a value of less than \$25,000

O. [19-1289](#) Approval of and authorization to execute the purchase of seven (7) Motorola APX 6000 handheld radios and accessories from Motorola Solutions, pursuant to the Oklahoma Statewide Contract, for the Police Department

P. [19-1326](#) Approval of and authorization to purchase one (1) Pierce fire apparatus from Conrad Fire Equipment, Inc. pursuant to the Houston-Galveston Area Council (HGACBuy) contract, using the "prepay" option, for the Fire Department

Q. [19-1331](#) Approval of and authorization to reject bids received for a Cemetery utility cart, find that the best interest of the City of Broken Arrow will be served by the rejection

R. [19-1375](#) Approval of authorizing a 15 day extension to award bids for good cause shown for the purchase of two (2) Firehouse D1 Dump Body Trucks for the Streets Division of the Streets and Stormwater Department

S. [19-1307](#) Award the most advantageous bid to Warren Cat for the purchase of one (1) Superior Broom DT74C self-propelled, street sweeper for the Streets Division of the Streets and Stormwater Department

T. [19-1322](#) Award the lowest responsible bid to Becco Contractors, Inc. and approve and authorize execution of a construction contract for the Florence Street Widening from Olive to Aspen (ST1410)

U. [19-1337](#) Approval of and authorization to execute Change Order CO2 with Ellsworth Construction, LLC for Construction Contract ST1210; 9th Street Widening, Elgin to El Paso

V. [19-1339](#) Approval of and authorization to execute Change Order CO3 for Construction Contract 171703; Tiger Hill Soldier Pile Retaining Wall

W. [19-1323](#) Approval of and authorization to execute Resolution No. 1278, a Resolution authorizing acceptance of a General Warranty Deed for a tract of land which consists of 1.6695 acres of Permanent Right-of-Way for future projects in the area of Florence and Garnett. The Parcel is located in the Southwest Quarter of Section 29, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma, from American Southwest Properties, LLC, Guadalupe Investors, LLC, and SHS, LLC

X. [19-1328](#) Acceptance of a Temporary Construction Easement consisting of 0.0053 acres from Goodwill Industries of Tulsa, Inc., on property located at 2210 West Washington Street, Broken Arrow, Oklahoma, located in part of the Southeast Quarter of Section 16, Township 18 North, Range 14 East, Tulsa County, State of Oklahoma for the Washington Street Improvements, Olive to Aspen, Parcel 5A (Project No. ST1616A)

Y. [19-1382](#) Ratification of the Claims List Check Register dated 10/29/2019

## **6. Consideration of Items Removed from Consent Agenda**

## **7. Public Hearings, Appeals, Presentations, Recognitions, Awards**

A. [19-1351](#) Presentation and annual programming update by the Broken Arrow Community Playhouse

B. [19-1346](#) Presentation by Ghost Creative on the Shop Local messaging and visuals

## **8. Citizens' Opportunity to Address the Council on General Topics Related to City Business or Services (No action may be taken on matters under this item)**

## **9. General Council Business**

A. [19-1298](#) Consideration, discussion, and possible approval of the proposed name for the Broken Arrow Events Park Adult Softball Complex

B. [19-1291](#) Consideration, discussion, and possible approval of changing the name of Chisholm Trail South Park (Events Park)

C. [19-1319](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1277, a Resolution of Support for the Tulsa Chamber 2020 OneVoice Legislative Priorities

D. [19-1325](#) Consideration, discussion, and possible approval to publish the 2020 notification of regularly scheduled meetings of the Broken Arrow City Council, and its Boards and Trusts

E. [19-1361](#) Consideration, discussion, and possible award of the most advantageous bid to Prestige Roofing to re-roof the Broken Arrow Senior Activity Center for the Parks and Recreation Department

F. [19-1333](#) Consideration, discussion and possible approval of and authorization to execute Resolution 1279, a Resolution adopting Continuing Disclosure Policies and Procedures for the City and its Public Trust and Authorities with respect to the obligations covered under Securities and Exchange Commission rules 15c2-12 (the Rule)

G. [19-1352](#) Consideration, discussion and possible approval of and authorization to execute Resolution 1281, a Resolution of the City of Broken Arrow, Oklahoma (the “City”) approving the incurrence of indebtedness by the Broken Arrow Municipal Authority (the “Authority”) issuing its Utility System and Sales Tax Revenue Note, Taxable Series 2019 (the “Note”); providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of said Note; waiving competitive bidding with respect to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note; ratifying and confirming a Lease Agreement by and between the City and the Authority pertaining to the City’s water, sanitary sewer, and solid waste disposal systems; ratifying and confirming a Security Agreement by and between the City and the Authority pertaining to pledge of certain sales tax revenues, and approving and authorizing execution of a Sales Tax Agreement; and containing other provisions relating thereto

H. [19-1378](#) Receipt and consideration of bids for and possible action awarding the sale of \$23,250,000 in principal amount of Series 2019A General Obligation Bonds and authorization to execute the pertinent documents related thereto

I. [19-1342](#) Consideration, discussion and possible approval of PUD-293 (Planned Unit Development) and BAZ-2035 (Rezoning), Albany Village, 3.20 acres, PUD-139/ON and R-3 to PUD-293/RD, located one-quarter mile west of 23rd Street (193rd East Avenue/County Line Road), north of Albany Street (61st Street)

J. [19-1368](#) Consideration, discussion, and possible approval of a Second Amendment to Capital Improvements Agreement with the Board of County Commissioners of Tulsa County for Vision 2025 Surplus Funds for Center for Arts, Innovation and Creativity

K. [19-1369](#) Consideration, discussion, and possible approval of a Second Amendment to Capital Improvements Agreement with the Board of County Commissioners of Tulsa County for Vision 2025 Surplus Funds for Streetscapes V

L. [19-1381](#) Consideration, discussion, and possible approval and authorization to execute Resolution No. 1282, a Resolution of the Broken Arrow City Council identifying funding source for the design and construction of

Albany Street from 23rd Street to 37th Street

M. [19-1384](#) Consideration, discussion, and possible approval of and authorization to execute Resolution No. 1283, a Resolution of the Broken Arrow City Council declaring an Emergency as a result of a Sanitary Sewer Trunk Line Sewer Infiltration near the corner of 91st Street and 225th Street (Evans Road); activation of the City's Emergency Operation Protocols, including waiving state and local provisions pertaining to competitive bidding as allowed by law; authorizing an informal bidding process; authorizing the City Manager to execute emergency contracts as necessary to purchase materials for repairs and any subsequent critical events; ratifying all prior actions of the City Manager, providing for the termination and extension of the provisions of this Resolution; and directing the City Manager to carry out all applicable provisions

**10. Preview Ordinances**

A. [19-1266](#) Consideration, discussion, and possible preview of an Ordinance closing a portion of Right-of-Way on property located one-quarter mile north of Washington Street (91st Street), one-quarter mile west of 225th East Avenue (Evans Road), Wagoner County, State of Oklahoma, (Section 18, T18N, R15E)(Creek 51 Business Park); repealing all ordinances to the contrary; and declaring an emergency

B. [19-1270](#) Consideration, discussion, and possible preview of an Ordinance closing a portion of Right-of-Way on property located one-quarter mile north of Washington Street (91st Street), one-quarter mile west of 225th East Avenue (Evans Road), Wagoner County, State of Oklahoma, (Section 18, T18N, R15E)(Creek 51 Business Park); repealing all ordinances to the contrary; and declaring an emergency

**11. Ordinances**

A. [19-1353](#) Consideration, discussion, and possible adoption of Ordinance 3604, an ordinance of the City of Broken Arrow providing for the issuance of \$23,250,000 general obligation bonds, series 2019A by the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue and declaring an emergency

**12. Remarks and Inquiries by Governing Body Members**

**13. Remarks and updates by City Manager, including Recognition of Recent Accomplishments by Employees and Elected Officials**

#### **14. Executive Session**

**Executive Session for the purpose of confidential communications between the City Council, the City Manager, the City Attorney and any other pertinent staff members discussing and conferring on matters pertaining to:**

- 1. Discussing the purchase and appraisal of real property located at 1811 S. Main Street and 1757 S. Main Street and taking appropriate action in open session, including making an offer of purchase, under 25 O.S. §307(B)(3);**

**In the opinion of the City Attorney, the Council is advised that disclosure will impair the ability of the Council to process the pending appraisal and acquisition of real property 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 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.

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City Clerk