

**BROKEN ARROW CITY COUNCIL
AGENDA
COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012
August 3, 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 20, 2010
 - B. Acceptance of minutes of the Planning Commission meeting held July 8, 2010
 - C. Approval of and authorization to execute Budget Amendment Number 3 for Fiscal Year 2010-2011
 - D. Consideration and approval of a Use Agreement between the City of Broken Arrow and Broken Arrow Youth Football Association
 - E. Approval of and authorization to execute a Contract for Services to assist at-risk Broken Arrow youth
 - F. Approval of and authorization to execute a Memorandum of Understanding concerning Wireless Fee Remissions between Indian Nations Council of Governments and the City of Broken Arrow
 - G. Approval of a Special Events Permit for Broken Arrow High School's Annual Homecoming Parade on Thursday, September 30, 2010 at 4:00pm
 - H. Approval of bids received, award the most advantageous bid to Becco Contractors, Inc., and authorization for the City Manager to execute a construction contract for Indian Springs Estates Additions Asphalt Concrete Street Mill and Overlay
 - I. Review bids received, award of the most advantageous bid for the provision of wrecker services to Storey Wrecker and authorization for the City Manager to execute the contract
 - J. Approval of bids received and award the most advantageous bid for a utility tractor
 - K. Acceptance of a Temporary Construction Easement from Glover Properties, Inc (S17 T18N R14E)(Project: N&S Olive between Washington St & Houston St)
 - L. Acceptance of a General Warranty Deed from Glover Properties, Inc (S17 T18N R14E) (Project: S Olive Ave between Washington & Houston) (Project: #ST0522)
 - M. Acceptance of a General Warranty Deed from Thomas and Linda Glover (S17 T18N R14E) (Project: ST0522)
 - N. Consideration of and approval of BAZ 1849, 2.58 acres, AR-1 to RS-1, east of Elm Place (161st E. Avenue), approximately one-third mile north of Jasper Street (131st Street) and consideration and approval of abrogation of BAZ 1814
 - O. Consideration of and approval of PUD 205, Hillside Park, 38.00 acres, BAZ 1850, RM, CN and CG to CG and IL, southwest corner of 9th Street (Lynn Lane/177th East Avenue) and Kenosha Street (71st Street)

P. Consideration of and approval of PT10-100, conditional final plat of Arlington Court II, 5.27 acres, 39 lots, RD/PUD 134D, one-third mile north of Kenosha Street (71st Street), east of Olive Avenue (129th East Avenue) at the southeast corner of Olive Avenue (129th East Avenue) and East 67th Street

Q. Approval of the Claims List

6. Consideration of Items Removed from Consent Agenda

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

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

9. General Council Business

A. Consideration and possible action on the redevelopment and rehabilitation activities in Camino Villa, to include a request from the Camino Villa Homeowner's Association to pass a Resolution declaring that the Camino Villa area is no longer blighted and potential direction to the Broken Arrow Development Authority

B. Consideration of and possible action on a request to waive sidewalk along New Orleans Street (101st Street), approximately one-half mile east of 23rd Street (County Line Road/193rd E. Avenue), Camp Russell

C. Consideration and possible approval of the Fiscal Year 2010-11 labor agreement between the Communication Workers of America District 6 and the City of Broken Arrow

D. Consideration, possible approval of and authorization to execute Community Development Block Grant (CDBG) Fiscal Year 2010 Social Services allocation recommendation:

E. Consideration and possible approval of a Resolution 658, a Resolution authorizing the City Attorney to confess judgment without admitting liability in the District Court of Tulsa County, Okon C. Udoumoh v. City of Broken Arrow, Case Number CJ-2010-04294 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement including a Journal Entry incorporating this Resolution for the Court's approval pursuant to 51 O.S. § 158

F. Consideration and possible approval of Resolution 660, a Resolution approving action taken by the Broken Arrow Municipal Authority authorizing the issuance of its promissory note in principal amount not to exceed \$5,735,000 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

G. Consideration and possible approval of Resolution 661, a Resolution authorizing the City Attorney to agree to Entry of Judgment in the case of The City of Broken Arrow, Oklahoma v. The Brandy, L.L.C., et al., Wagoner County District Court Case Number CJ-07-49 and directing the City Attorney to prepare and file the necessary documents to effectuate settlement, including a Journal Entry for the Court's approval

H. Consideration and possible approval of Resolution 662, a Resolution of the Broken Arrow City Council approving and adopting the construction plans, specifications and estimates of probable cost for the improvements to the stormwater sewer systems of SteepleChase Farms and Amended Glen Eagles located North of Dearborn (41st Street) and West of 209th East Avenue, ordering that the improvements be constructed in accordance with the final detailed plans, specifications, and profiles of the City Engineer and providing for compliance with the provisions of 11 O.S. §37-216

I. Consideration and possible approval of Resolution 663, a Resolution of the Broken Arrow City Council approving and adopting the construction plans, specifications and estimates of probable cost for the improvements to the sanitary sewer system of Arrow Acres located south of Washington Street and West of 1st Street, ordering that the improvements be constructed in accordance with the final detailed plans, specifications and profiles of the City Engineer and providing for the compliance with the provisions of 11 O.S. §37-216

J. Consideration and possible approval of appointment 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

None

11. Preview Ordinances

A. An ordinance amending Chapter 10, Article 1, Section 3 of the Broken Arrow Code pertaining to Manufacture, Sale, Use, etc., of Fireworks; repealing all ordinances to the contrary; and declaring an emergency.

12. Ordinances

A. Adopt Ordinance Number 3117, 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; repealing all ordinances to the contrary and declaring an emergency

B. Adopt Ordinance Number 3118, an ordinance amending Article VI, Section 24-606 of the Broken Arrow Code, Charges associated with discontinuance of service; 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 between the City Council, the City Manager, and the City Attorney for the purpose of discussing litigation and offers of settlement and taking appropriate action in open session in City of Broken Arrow, Oklahoma, a Municipal Corporation v. Terry L. Minnick and Susan M. Minnick, et al., Tulsa County District Court Case Number CJ-2008-01626; Mike M. Jackson v. City of Broken Arrow, Workers' Compensation Court for the State of Oklahoma, Case Number 2010-00433H, 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