

To: Honorable Mayor and City Councilors
From: Michael Spurgeon, City Manager
Date: November 4, 2016
Re: Notes to Council

1. STAFF REPORTS / ITEMS REQUIRING IMMEDIATE ATTENTION

- Police Department Report – BAPD Honored with Agency Appreciation Award

2. GENERAL CORRESPONDENCE / NOTIFICATION

- Press Release – Moody’s Assigns Aa3 Rating to City of Broken Arrow’s GO Bonds
- Staff Memo - Update on Tourism Asset Inventory with Young Strategies
- Staff Memo – The Shops at Broken Arrow Update
- Staff Memo – Oneta Road Lift Station Construction Progress

3. SPECIAL EVENTS / ACTIVITIES

- N/A

Respectfully submitted,



Michael Spurgeon

jmh
Attachments

1. STAFF REPORTS / ITEMS REQUIRING IMMEDIATE ATTENTION



To: Michael Spurgeon, City Manager

From: David N. Boggs, Chief of Police *BCB 141*

Date: November 3, 2016

Re: **BAPD Honored**

Attached please find a copy of the Agency Appreciation Award presented to Chief Boggs and members of our Special Operations Team by Tulsa Police Chief Chuck Jordan.

Our Special Operations Team was deployed and stood ready for the possibility of civil unrest in Tulsa following the Officer Shelby shooting in September 2016.

DNB:trl

Attachment

Tulsa Police Department



Agency Appreciation Award

An award to any Agency who through an act or acts has aided the Tulsa Police Department in its efforts to better serve the citizens of Tulsa. This act can be one of heroism, bravery, volunteer service, or any act that directly benefits the Department and the City of Tulsa.

Broken Arrow Police Department Chief David Boggs

On September 16, 2016, Tulsa Police Officer Betty Shelby was involved in a shooting at 2300 East 36th Street North which resulted in the death of Terrance Crutcher. Due to the nature of the incident, the Tulsa Police Department began preparation for the possibility of civil unrest within the City of Tulsa. Concern was given to recent events on a national scale of violent protests and riots.

Video of the shooting was to be released on Monday, September 19, 2016. In advance of the release, Sgt. Brad Klingenberg, Commander of the Broken Arrow Special Operations Team, was contacted. A request was made for assistance, if needed, from Broken Arrow SOT in the form of manpower and/or resources. A short time later Sgt. Klingenberg advised that his Chain of Command had been notified and they had approved the request for assistance.

On Thursday, September 22, 2016, information was received that the Tulsa County District Attorney's office was going to hold a press conference to announce the decision as to charges being filed against Ofc. Shelby. This information was received approximately 35 minutes prior to the press conference. With the belief that this decision could spark civil unrest, Sgt. Klingenberg was notified and requested to assemble the Special Operations Team. With this single phone call, and the urgency of the request, Sgt. Klingenberg gathered his entire Team and staged for rapid response at the Tulsa County Fairgrounds in less than 60 minutes. This is an indication that Sgt. Klingenberg and the Broken Arrow Special Operations Team are true law enforcement professionals. This response time showed excellent pre-planning and dedication, as well as an appreciation for the magnitude of the request.

With the District Attorney's decision to file charges against Ofc. Shelby, Broken Arrow SOT was not deployed.

On Saturday, September 24, 2016, a large scale protest and march was planned for downtown Tulsa. Organizers of the event expected thousands of participants, some coming from great distances including Dallas, Memphis, Oklahoma City, Wichita and Kansas City. Intelligence had been gathered indicating the possibility of a large counter protest as well. Sgt. Klingenberg was again contacted and asked to deploy SOT for support.

For several hours Broken Arrow SOT stood by, ready and willing to respond to calls for assistance. Fortunately, the anticipated thousands were only a few hundred, and no major counter protest was seen.

We are thankful that the Broken Arrow Special Operations Team was not required to take action. Regardless of this fact, extreme gratitude and appreciation are expressed for their willingness to answer the call. We recognize the sacrifices made by the City of Broken Arrow, the Broken Arrow Police Department, and the members of the Special Operations Team.

A handwritten signature in black ink, appearing to read 'Chuck Jordan', is written over a horizontal line.

Chuck Jordan, Chief of Police

2. GENERAL CORRESPONDENCE / NOTIFICATION



CREDIT OPINION

3 November 2016

New Issue

Rate this Research >>

Contacts

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Broken Arrow (City of) OK

New Issue - Moody's Assigns Aa3 to City of Broken Arrow's, OK GO Bonds, Series 2016D

Summary Rating Rationale

Moody's Investors Service has assigned an Aa3 rating to the City of Broken Arrow's, OK \$18.72 million General Obligation Bonds, Series 2016D. Moody's maintains the Aa3 rating on the city's outstanding parity unlimited tax debt.

The Aa3 rating reflects the city's large and growing tax base, favorable wealth indices and manageable debt profile with average principal payout. The rating further incorporates the city's below average financial position which is reliant on economically sensitive sales tax revenues.

Credit Strengths

- » Large tax base benefiting from proximity to Tulsa
- » Favorable wealth indices

Credit Challenges

- » Below average reserves and liquidity
- » Reliance on economically sensitive revenues
- » Slightly elevated, though manageable, debt profile with exposure to variable rate debt

Rating Outlook

Moody's does not usually assign outlooks to local government credits with this amount of debt outstanding.

Factors that Could Lead to an Upgrade

- » Significant tax base expansion
- » Trend of surplus operations leading to improved reserves and liquidity

THIS REPORT WAS REPUBLISHED ON 03 NOVEMBER 2016 TO UPDATE WITH THE FOLLOWING SENTENCE: "THE CITY HAS NOT ACTIVELY COLLECTED ON RECEIVABLES IN THE PAST; HOWEVER, IN FISCAL 2017, THE CITY IS CONTRACTING WITH A THIRD PARTY COLLECTION AGENCY TO ASSIST WITH COLLECTIONS." IN THE LIQUIDITY SECTION.

Factors that Could Lead to a Downgrade

- » Tax base contraction
- » Decline of sales tax collections
- » Erosion of reserve position

Key Indicators

Exhibit 1

Broken Arrow (City of) OK	2011	2012	2013	2014	2015
Economy/Tax Base					
Total Full Value (\$000)	\$ 6,390,669	\$ 6,549,778	\$ 6,656,029	\$ 6,875,106	\$ 7,061,421
Full Value Per Capita	\$ 66,055	\$ 66,395	\$ 66,253	\$ 67,458	\$ 69,286
Median Family Income (% of US Median)	115.6%	116.3%	115.5%	116.4%	116.4%
Finances					
Operating Revenue (\$000)	\$ 54,805	\$ 58,227	\$ 58,687	\$ 62,481	\$ 69,320
Fund Balance as a % of Revenues	27.8%	28.7%	27.5%	26.6%	26.1%
Cash Balance as a % of Revenues	23.5%	20.1%	17.6%	17.2%	18.5%
Debt/Pensions					
Net Direct Debt (\$000)	\$ 99,593	\$ 106,768	\$ 108,558	\$ 108,788	\$ 113,668
Net Direct Debt / Operating Revenues (x)	1.8x	1.8x	1.8x	1.7x	1.6x
Net Direct Debt / Full Value (%)	1.6%	1.6%	1.6%	1.6%	1.6%
Moody's - adjusted Net Pension Liability (3-yr average) to Revenues (x)	N/A	1.0x	1.1x	1.1x	1.1x
Moody's - adjusted Net Pension Liability (3-yr average) to Full Value (%)	N/A	0.9%	1.0%	1.0%	1.1%

Operating Revenue, Fund Balance, and Cash Balance are General & Debt Service Funds Combined
 Source: Broken Arrow, OK; Moody's Investors Service

Detailed Rating Considerations

Economy and Tax Base: Large, Growing Tax Base with Favorable Socioeconomic Profile

The city's tax base is expected to remain stable over the medium term given ongoing development and proximity to [City of Tulsa](#) (Aa1 stable). Located in southeastern Tulsa County, with a portion in Wagoner County, the City of Broken Arrow serves as a bedroom community to the City of Tulsa. Fueled by strong population growth and housing demand, taxable values within the city continue to demonstrate growth, albeit at a somewhat slower pace than the robust economic expansion in the early 2000s. In fiscal 2017, assessed values grew by 5% to \$829.2 million, equivalent to \$7.7 billion in full valuation. On average, net assessed values (AV) grew 3.1% annually over the five-year period through fiscal 2017. The city's tax base is diverse, with the top ten taxpayers accounting for only 6.7% of fiscal 2016 AV. Officials report sustained residential and commercial development. The city's favorable location just outside of Tulsa and ongoing development will result in continuous modest growth in the medium-term.

The city's stable tax base is further supported by an above average socioeconomic profile, with per capita income and median family income reported at 104.4% and 116.4% of US, respectively, per the 2014 American Community Survey. Due to employment opportunities in Tulsa, unemployment remains favorable at 4.2% compared to the state and US rates of 5.1% and 5%, respectively, as of August 2016.

Financial Operations and Reserves: Below Average Financial Position Expected to Improve

We expect the city's financial position to improve over the near-term despite currently limited cash reserves and a General Fund balance position below medians for similarly rated credits. Fiscal 2015 concluded with a General Fund surplus of \$1.2 million, improving General Fund balance to \$8.4 million, or 11.8% of revenues. When including the Debt Service Fund, total operating balance equaled

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\$19.8 million, or a healthier 28.5% of total revenues. Like other Oklahoma cities, Broken Arrow is largely dependent on economically sensitive sales taxes as its main revenue stream. The city levies a 3% sales and use tax and designates 1.5% of the receipts to general purposes, 1.0% pledged to the municipal utility authority (BAMA), and 0.5% for capital improvements. General Fund sales tax revenues of \$35 million in fiscal 2015 represented 49.2% of total General Fund revenues. Over the past five years, General Fund sales tax collections have increased annually by 5.4%, on average. Unaudited 2016 sales tax collections reflect a 3.3% increase from the prior year.

The city's second largest revenue stream is transfers in from BAMA, which reflect PILOT payments and overhead and the unused portion of the utility's 1% sales tax. Given BAMA's significant future debt plans, starting in fiscal 2015, transfers will be reduced gradually, ensuring the General Fund will not be adversely impacted. In fiscal 2015, the transfer to the General Fund was \$12.7 million when actual sales tax collections were closer to \$13.3 million. Likewise, in fiscal 2016, the transfer was \$12.5 million.

Unaudited results for fiscal 2016 exhibit a \$1.8 million surplus, which is anticipated to increase the total General Fund balance to \$10.3 million (roughly 14% of revenues). Management attributes a portion of the unaudited surplus to the new \$5.45 ambulance (EMS) subscription fee (effective September 2015). This revenue will continue to help address the historic shortfall between EMS revenues and expenditures, which was as large as \$2.3 million in fiscal 2015 but down to \$700,000 in fiscal 2016.

City voters recently voted to extend 55/100th of a penny of the existing Vision 2025 sales tax. Vision 2025 was originally authorized in 2003 as a county-wide tax of \$0.060, which is set to expire in 2016. The tax was for regional economic development and capital improvements throughout Tulsa County. Over the 13 years it was in effect, Broken Arrow received \$47 million. In November 2015, voters approved 55/100th of a penny (\$0.0055) in sales taxes collected within the city; \$0.003 will be used to hire additional police officers, firefighters and paramedics and the remaining \$0.0025 will be used for improving, constructing and maintaining streets. Officials assume that this new tax will generate \$7 million per year beginning in January 2017. Additionally, the city will move police and fire operations out of the General Fund and into their own respective special revenue funds. The General Fund will then transfer a dedicated portion of revenues (36.7% for police and 30.7% for fire) to the respective funds and any remaining balances will remain in the funds. The move provides the city's General Fund with public safety cost certainty and further reduces General Fund operating expenditures (exclusive of transfers).

LIQUIDITY

At close of fiscal 2015, the city's General Fund reported \$1.5 million in net cash and investments, a limited 2.2% of revenues. The city's cash position dramatically narrowed due to inter-fund loans between the General Fund and BAMA. Operating net cash, including both the General Fund and Debt Service Fund, is much healthier at \$12.8 million, or 18.5% of operating revenues.

A large portion of the General Fund balance is in the form of receivables, with monies owed from BAMA, the state (for capital reimbursement) and users of the city's ambulance (EMS) services. At the end of fiscal 2015, approximately \$5 million was recorded as an ambulance receivable attributable to the city not writing down uncollectible accounts and insurance payment delays. The city has not actively collected on receivables in the past; however, in fiscal 2017, the city is contracting with a third party collection agency to assist with collections. Given the unaudited surplus and increases in receivable collections, the city's unaudited cash position in the General Fund increased to \$5.5 million, or 7.7% of revenues.

Debt and Pensions: Slightly Elevated, But Manageable Debt Burden

We expect the city's debt burden will remain slightly elevated, though manageable, despite planned issuances given above average principal amortization. At 1.7% of fiscal 2017 full value, the city's direct debt burden is slightly higher than national medians in the rating category. Approximately \$30.14 million in unissued debt authorization remains from the 2014 election. The city plans to issue \$18 million in 2017 and the remainder in 2018.

DEBT STRUCTURE

The city's debt consists of \$120.4 million fixed-rate general obligation bonds, inclusive of the current issuance, maturing over the long-term (final maturity fiscal 2036). Principal amortization is average with 67.2% retired in ten years.

DEBT-RELATED DERIVATIVES

The city has \$12.8 million in total variable rate debt outstanding, consisting of 2004 note payable maturing in 2025. Note proceeds were used to construct a Bass Pro facility. This note is secured by a pledge of \$2.75 million in sales tax revenues, subject to annual

appropriation by the city, and a mortgage on the property. In fiscal 2015, officials report the annual debt service payment was \$1.8 million, with \$820,000 received from lease payments. The city appropriated \$942,000 in sales tax revenues for the remaining debt service. The note is 75% synthetically fixed at 7.2975% through an interest rate swap with [Bank of America, N.A.](#) (A1 stable) through maturity. The balance is floating at 6 month LIBOR plus 1%. The most recent (July 2015) mark-to-market value of the swap is negative \$3.8 million.

PENSIONS AND OPEB

City employees participate in one of three retirement plans: Oklahoma Municipal Retirement Fund (OkMRF), Oklahoma Firefighters' Pension and Retirement Fund (OkFPRF) and the Oklahoma Police Pension and Retirement Fund (OkPPRF). OkMRF is a multiple employer, defined contribution public employee retirement system managed by a nine-member board of trustees on behalf of the city. The Firefighters and Police pension plans are cost-sharing, multiple-employer defined benefit retirement plans sponsored by the state. Moody's adjusted net pension liability (ANPL) for the city is \$102.8 million, or a manageable 1.48 times operating revenues for fiscal 2015. The three year average ANPL to operating revenues and full value were 1.14 times and 1.12%, respectively.

Moody's ANPL reflects certain adjustments we make to improve comparability of reported pension liabilities. The adjustments are not intended to replace the city's reported contribution information, or the reported liability information of the statewide cost sharing plans, but to improve comparability with other rated entities. For more information on Moody's insights on employee pensions and the related credit impact on companies, governments, and other entities across the globe please visit Moody's on Pensions at www.moody.com/pensions.

Management and Governance: Good Management Team

The city operates under a Council-Manager form of government. The legislative and policy-making body consists of a five-member City Council, elected by wards with staggered terms for a period of four years. The Mayor is elected within the Council membership. The City Manager is responsible for the day-to-day operations of City government.

Oklahoma cities have an institutional framework score of "A," or moderate. The majority of revenues come from sales taxes, which are moderately predictable given that Oklahoma sales taxes are broad-based and have demonstrated a relatively stable history. However, cities are restricted in their revenue raising flexibility, and sales tax rate increases require voter approval. Cities have moderate expenditure-reduction ability due to favorable union relationships, and moderate fixed and public safety costs, which account for a sizeable portion of the budget.

Legal Security

The bonds are secured by ad valorem or property taxes levied annually without limitation as to rate or amount to pay principal and interest.

Use of Proceeds

Proceeds of the bonds will mainly be used to finance street projects and quality of life improvements. A smaller portion will be used for public safety and stormwater projects.

Obligor Profile

The city is a bedroom community of Tulsa, located 14 miles southeast of downtown, with 2014 population of 101,917 (American Community Survey).

Methodology

The principal methodology used in this rating was US Local Government General Obligation Debt published in January 2014. Please see the Rating Methodologies page on www.moody.com for a copy of this methodology.

Ratings

Exhibit 2

Broken Arrow (City of) OK

Issue	Rating
General Obligation Bonds, Series 2016D	Aa3
Rating Type	Underlying LT
Sale Amount	\$18,720,000
Expected Sale Date	11/07/2016
Rating Description	General Obligation

Source: Moody's Investors Service

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REPORT NUMBER 1047328

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Japan	81-3-5408-4100
EMEA	44-20-7772-5454

To: Michael Spurgeon, City Manager
From: Lori Hill
CC: Norman Stephens
Date: November 1, 2016
Re: Notes to Council – Update on Tourism Asset Inventory with Young Strategies

Young Strategies is currently in the process of collecting the visitor surveys as part of the tourism asset inventory project for the Broken Arrow Convention and Visitors' Bureau. In order to have a complete visitor profile for this project, a minimum of 500 visitor survey responses is needed.

The online visitor survey response has been slower than anticipated, so Young Strategies has enlisted the assistance of a few Broken Arrow hotels to provide the visitor survey to their hotel guests. Young Strategies has also set up custom URL visitor survey links for partners in our community such as youth sports associations, The Museum Broken Arrow, Military History Center, Broken Arrow Performing Arts Center, Rhema, and the Broken Arrow Chamber of Commerce.

Due to the currently low visitor survey response, Young Strategies may purchase a database from a third-party research company to help distribute our survey to increase the number of responses needed. The deadline for the visitor survey responses has been pushed to the end of this year.

Young Strategies will present the final Broken Arrow tourism asset inventory report to City Council after the first of the year.

Hooks, Jennifer

From: Spurgeon, Michael
Sent: Wednesday, November 02, 2016 12:47 PM
To: Skates, Michael
Cc: Schwab, Kenneth; Hooks, Jennifer
Subject: Re: The Shops at BA II Amended; Adjacent Property Owners

Great!
Thank you, Michael

Jennifer: since this matter came before the City Council, please include this communication in his week's NTC.

Thanks,
MLS

Sent from my iPhone

On Nov 2, 2016, at 12:08 PM, Skates, Michael <MSkates@brokenarrowok.gov> wrote:

Kenny,

Just letting you know that I have talked to Mark Capron this morning regarding the Austen's who spoke at city Council last night regarding the sidewalk related to the shops a broken your face to PUD and he has already sent the information that they provided regarding a dumpster and trash and some other things to his client.

He indicated that the developers property management team was going to address the issues today and get them taken care of this week.

I am going to contact the Austen's and go out and meet with them and review the area with them so that they're clear on the sidewalk and where it's tying into as well as making sure that the area is cleaned up now and with the future development.

Thanks,

Michael

Sent from my iPhone

Begin forwarded message:

From: Mark Capron <mcapron@sw-assoc.com>
Date: November 2, 2016 at 11:04:12 AM CDT
To: "Skates, Michael (MSkates@brokenarrowok.gov)" <MSkates@brokenarrowok.gov>
Subject: RE: The Shops at BA II Amended; Adjacent Property Owners

918.355.3064
Meant to send that before.

Mark B. Capron, LLA

SW&A 918.665.3600

From: Mark Capron

Sent: Wednesday, November 02, 2016 7:19 AM

To: Skates, Michael (MSkates@brokenarrowok.gov)

Subject: The Shops at BA II Amended; Adjacent Property Owners

Tommy & Sharon Austin

1605 N. 15th Street

Broken Arrow, OK 74012

When I spoke to them after the meeting they had more complaints about trash, the dumpster in the AEP easement, lack of mowing, lack of fence maintenance and storm water drainage. They showed me the pictures and stated that they have contacted the owners multiple. For the most part I think these are legitimate concerns although not relevant the PUD. I will communicate their concerns with the Owners to see if that can resolve the issues.

Mark

Mark B. Capron, LLA

Sisemore Weisz & Associates, Inc.

Sisemore Weisz & Associates Landscape Architecture

a division of Sisemore Weisz & Associates, Inc.

6111 East 32nd Place, Tulsa, OK 74135

918.665.3600

Hooks, Jennifer

From: Schwab, Kenneth
Sent: Wednesday, November 02, 2016 12:56 PM
To: Hooks, Jennifer
Cc: Flasch, Krista
Subject: FW: Oneta Road Lift Station main stack

NTC

From: Mills, Alex
Sent: Wednesday, November 02, 2016 9:13 AM
To: Schwab, Kenneth <kschwab@brokenarrowok.gov>; Daniel, Anthony <adaniel@brokenarrowok.gov>
Subject: Fwd: Oneta Road Lift Station main stack

Didn't know if you two had seen this one. Progress.

Begin forwarded message:

From: "Robins, Timothy" <trobins@brokenarrowok.gov>
To: "Mills, Alex" <AMills@brokenarrowok.gov>
Subject: Oneta Road Lift Station main stack

Thanks,

Timothy Robins, P.E. CWI
Construction Department Manager
City of Broken Arrow
485 N. Poplar Ave.
Broken Arrow, OK 74012
(918) 259-7000 Ext. 7631
[Trobin@brokenarrowok.gov](mailto:Trobins@brokenarrowok.gov)

