
INTEROFFICE MEMO

To: Honorable Mayor and City Councilors
From: Thomas M. Moton, Jr., City Manager
Date: February 7, 2014
Re: Notes to Council

1. STAFF REPORTS / ITEMS REQUIRING IMMEDIATE ATTENTION

Memos: [Thom Moton, City Manager](#)

1. *Acting Engineering and Construction Department Director Designation/Transition*
2. *Oneta Road Area Project & Cambridge Estates HOA*

Press Release: [Stephanie Higgins, Director of Communications](#) | *City of Broken Arrow names Assistant City Manager*

Memo: [Norm Stephens, Assistant to the City Manager/Economic Development Director](#) | *Coalition of Tulsa Area Government 2014 Legislative Slate*

Memo: [Michael W. Skates, Development Services Report](#) | *January Development Report*

Report: [Tom Hendrix, Acting Director of Engineering and Construction](#) | *Progress Report through February 6, 2014*

Letter: [From Thom Moton to Mr. & Mrs. Nick Hood](#) | *City Interest in the Purchase of Property at 105 W. Kenosha*

Letter: [From Thom Moton to Linda Stiles Meyers](#) | *Receipt of Letter Regarding Broken Arrow Performing Arts Center*

2. GENERAL CORRESPONDANCE / NOTIFICATION

Memo: [Thom Moton, City Manager](#) | *Tulsa World article on retail development, from February 2, 2014*

Public Hearing: [Nuisance Abatement](#) | *4325 S. Cedar Ct. Lot 16 Block 5, Arrow Springs Addition-Case No. 14-18383*

Letter: [Kristen Peck, Vice President-Public Affairs, COX](#) | *Programming and Rate Changes*

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Letter: [Leslie L. Smith, P.E. DWSRF Project Engineer-Water Quality Division](#) | *DWSRF*

*Project No.: P40-1021508-03; ORF-11-0006-DW, System: Broken Arrow Water Supply
Improvements*

3. SPECIAL EVENTS / ACTIVITIES

Respectfully submitted,


Thomas M. Moton, Jr.

mdh

Attachments

1. STAFF REPORTS / ITEMS REQUIRING IMMEDIATE ATTENTION

To: All Department Directors

From: Thomas M. Moton, Jr., City Manager 

Date: February 1, 2014

Re: Acting Engineering & Construction Dept. Director Designation/ Transition

Tom Hendrix, Engineering Division Manager, will assume the duties of the Engineering and Construction Department Director role beginning Monday, February 3, 2014. While Tom serves as the director, Roger Hughes will move from the Utilities Department back to the Engineering and Construction Department on Monday, February 10. Upon Roger's return to ECD, he will assume the role of the Acting Engineering Division Manager.

Former Engineering and Construction Department Director Kenny Schwab and I worked together to map out a transition plan for the department. I am very appreciative of Tom, Roger and Kenny's efforts to help devise the plan. The Engineering and Construction Department Director recruitment process is underway and a professional search firm has been retained to assist in the process, which is expected to take about five months to hire a new director.

Contact me if you have any questions about this memo.

/tmm

Cc: Mayor and City Councilors
Stephanie Higgins, Communications Director/PIO
Norm Stephens, Assistant to the City Manager/ Economic Development Coordinator

To: Honorable Mayor and City Councilors
From: Thomas M. Moton, Jr., City Manager
Date: February 7, 2014
Re: Oneta Road Area Project & Cambridge Estates HOA

Construction of the Oneta/ Houston roadway project is progressing very well. However, there are some lingering issues that will need to be addressed. Those uncompleted project elements have Cambridge Estates Homeowner Association members disturbed. The HOA membership has requested through Vice Mayor Carter that a City Council agenda item be created for residents to present their concerns to City Council.

Prior to former Engineering and Construction Director Kenny Schwab's departure, he prepared the attached memo for me. The memo is intended to give me and you insight into the issues. I received the memo on Tuesday, February 4 from Tom Hendrix, Acting Engineering and Construction Director. This memo will provide context and background for the residents' comments to Council on the February 18 City Council meeting. If you have any questions about this memo or the attachment, you may contact me or Tom Hendrix.

Respectfully submitted,



Thomas M. Moton, Jr.

Attachment

CC: Tom Hendrix, Acting Engineering and Construction Director
Beth Anne Wilkening, City Attorney
Steve Arant, Streets and Storm water Director



INTEROFFICE MEMO

To: Mr. Thomas M. Moton, Jr.
City Manager

From: Mr. Kenneth D. Schwab, P.E., CFM
Engineering and Construction Department Director

Copied: Mr. Thomas Hendrix, P.E.
Acting Engineering and Construction Department Director

Date: January 31, 2014

Re: Cambridge Estates Subdivision and Oneta Road Update

KDS
01-31-14

This memorandum is intended to provide the City of Broken Arrow's Administration with an update concerning the discussions and agreements pertaining to the Oneta Road improvements between the City of Broken Arrow's Engineering and Construction Department and the Cambridge Estates Subdivision Homeowner's Association (HOA).

Prior to the commencement of construction on Oneta Road from Houston Street to Washington Street, members of the Cambridge Estates HOA meet with then-City Manager, Mr. Dave Wooden, to discuss a couple of concerns. One concern was the median and sign positioned within the right-of-way of Gordon Street, which connects directly to Oneta Road. The members indicated their desire to have the median and sign removed along with the construction of the project. In addition, and more importantly, the members indicated their concern with the intersection of Harp Place and Houston Street (E. 81st Street South).

Through the course of the discussion, Mr. Wooden agreed to address the public's concerns through the means of the Oneta Roadway Improvement project. Since Gordon Street was effectively a part of the project, this element was scheduled to be improved within the construction contract on Oneta Road. Presently, the General Contractor for Oneta Road has demolished the existing roadway along a short segment of Gordon Street in order to re-construct it in accordance with the approved set of construction documents. This work is underway and scheduled to be complete in the next few weeks.

Since the proposed work at the intersection of Harp Place and Houston Street is not directly associated with the contractual work associated with Oneta Road, staff decided to perform the re-grading and re-shaping of the western slopes along Harp Street at the end of the construction activity on Oneta Road. This allows the City an opportunity to change order to additional work in the present contract, if funds are available, or schedule the city crews to perform the work. Based upon the current schedule and amount of work required, the Engineering and Construction staff recommends force-labor perform the work as opposed to change ordering the work in to the current construction contract.

In addition to the original discussions and subsequent requests, the HOA later during the course of construction requested that the City investigate the possibility of constructing a retaining wall

and sidewalk along the west side of Oneta Road from Gordon Street to Houston Street intersection. It is important to note that the City of Broken Arrow took over the design of the Oneta Road Improvements project from an outside consulting engineering firm. The firm was having difficulties in providing the City with the specific design required on this project. Unfortunately, in the transition from one firm to in-house design professionals, the final construction documents had a discrepancy with respect to the construction of a sidewalk along the very section the HOA requested the City to investigate.

Prior to the commencement of construction, the City examined the proposed sidewalk by the consulting firm and determined that it would require the additional construction of a 4-foot to 6-foot wall and handrails. This construction was on the order of an additional \$100,000 to \$115,000, which was not originally budgeted in the scope of the project. Therefore, prior to the advertisement of the project for bids, the sidewalk along this segment was removed from the scope of the project. Instead, the sidewalk began at Gordon Street and ran to Quincy Boulevard in order to provide a walkway from Cambridge Estates to the new schools recently constructed. Although City staff, under my direction, properly removed the sidewalk drawn by the outside consulting firm from the plan view and details of the construction documents, we inadvertently failed to remove the earthwork effort for the construction of the sidewalk from the roadway cross-sections. By the time the discrepancy was brought to the Engineer of Record's attention, the Contractor had already performed a substantial amount of the earthwork on the side slopes where the sidewalk was originally shown.

After discussing this effort in detail, once again it was determined that it would cost on order of \$100,000 to construct the retaining wall, drainage and sidewalk along this segment of the project as opposed to simply re-grade the slope to a 3:1 ratio (horizontal to vertical), which generally reflected what the existing grade was prior to the start of the construction effort. The cost to re-grade the slope was less than \$5,000 versus the nearly \$100,000 cost to construct a retaining wall, drainage system and sidewalk plus possibly the additional cost to re-locate specific utilities. Staff once again concluded that a wall was cost-prohibitive at this time. In addition, staff recommends that a separate specific design be performed in order to more accurately and adequately address the concerns in this location. Once the design is complete, then the additional funding can be determined accordingly.

Lastly, it should be noted that the 4-foot offset with respect to the centerline of the roadway and the actual section line that the HOA identifies was done in order to maximum the funding for this project, which entailed more than originally budgeted. Originally, the project was slated for the widening of Oneta Road from Houston Street to Washington Street, approximately one mile. However, during the course of design, the Oklahoma Turnpike Authority unexpectedly offered to construct a new, wider bridge across the turnpike if the City of Broken Arrow and Wagoner County would pay for the new bridge approaches. In addition, the City of Broken Arrow had open discussions with the City of Coweta for a possible regional water transmission line that would provide the City of Coweta with a secondary or supplemental water supply system. This system required the inclusion of a 16-inch water main along Oneta Road as opposed to the customary 12-inch line.

In order to construct these elements that mutually benefited the residents of Broken Arrow as well as the residents of Coweta and Wagoner County, the City of Broken Arrow needed to maximize the amount of construction dollars budgeted for this project. One of the most crucial and critical aspects of this maximizing effort was to reduce the amount of right-of-way acquired for the construction of this project. Fortunately, by moving the roadway slightly to the west of the section line, the required right-of-way along the eastern side of the roadway was virtually

eliminated thus increasing the amount of funding directly available for the construction of the roadway and the remaining elements as detailed above. Unfortunately, the inclusion of a retaining wall and sidewalk from Gordon Street to Houston simply was not one of the elements that could be included in this project at this time for the available funds.

Without question, the Engineering and Construction Department fully supports and recommends that we continue to honor the agreement between the City of Broken Arrow and the Cambridge Estates HOA with respect to the improvements associated along Gordon Street and Harp Place. In addition, we recommend that the retaining wall feature be further examined outside the scope of this construction project for potential inclusion as a separate design and construction feature using a separate and distinct funding mechanism.



Google earth

feet
meters

2000
600



Contact: Stephanie Higgins
Director of Communications
City of Broken Arrow
Phone: (918) 259-2400, ext. 5309
Mobile: (918) 855-1055
Fax: (918) 259-8226

City of Broken Arrow names Assistant City Manager *Jeff Jenkins is scheduled to start March 17*

Broken Arrow, Okla. (February 6, 2014) – The City of Broken Arrow has named its next Assistant City Manager.

Jeff Jenkins will join the staff March 17

“We had several outstanding candidates following the national recruitment process,” said City Manager Thom Moton. “The selection committee and I thought Jeff stood out from the other candidates as the individual who could help Broken Arrow continue building relationships in the organization, community and with the City Council. He has 10 years of experience as a city manager and his breadth of experience will be an asset.”

Moton continued by saying he felt it was important to the organization’s future that the next assistant city manager have experience in council-manager government structure and the educational training to become a city management professional.

The selection committee was comprised of City of Broken Arrow department directors.

Jenkins was attracted to Broken Arrow because of the opportunity to work and manage a growing city with a multitude of opportunities.

“When I selected public administration as a career, I chose it in order to improve the quality of life for the citizens I serve,” Jenkins said. “I became interested in the Assistant City Manager position with Broken Arrow because it provides me the chance to work closely with Thom Moton, who is a highly experienced public administrator. I believe together we can use our skills, experiences, and public administration tools as a team to effectively manage the City into the future.”

Jenkins said he's looking forward to getting to know the people and experiencing all the things Broken Arrow has to offer.

"The community has different facilities, retail/entertainment, and a wonderful downtown, which has provided the City with a high quality of life," he said. "Being able to experience these things and find ways to further enhance the community really makes me excited about being in Broken Arrow."

Jenkins's most recently served as City Manager for the City of Lucas, Texas, the 12th fastest growing city in the Dallas/Fort Worth Metroplex. Prior to Lucas, Jenkins served as City Manager for Henrietta, Texas. He began his career with the City of Cactus, Texas. Not only did Jenkins serve as City Manager, but also in the role of Human Resources Director, Building Official and City Secretary

Jenkins is a member of ICMA, North Texas City Managers Association (NTCMA), and Texas City Managers Association (TCMA) where he served as Region 3 President and on the Professional Development Committee.

He earned a Bachelor of Arts in political science and history as well as a Master's in Public Administration from Midwestern State University in Wichita Falls, Texas.

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INTEROFFICE MEMO

To: Thomas Moton Jr., City Manager

**From: Norm Stephens, Assistant to the City Manager / Economic Development
Coordinator**

Date: February 5, 2014

Re: CTAG

Mr. Moton, Terri Cleveland provided me with the Coalition of Tulsa Area Government 2014 Legislative Slate. I am including a copy for your review.



2014 Legislative Slate

INITIATE:

Elimination of grievance arbitration for police officers terminated because of the use of excessive force. SB 1924 Crain

Increase state apportionment of motor vehicle fees to municipalities. HB 2185 Joyner

Increase the maximum amount that a local government can spend without competitive bidding in response to a declared emergency. HB 3251 Jordan

SUPPORT:

Remove the age cap on the hiring of volunteer firefighters – HB 3252 Jordan

Replace GTCA cap for excessive force law suits. SB 1503 Stanislawski


Support efforts to re-define nexus to include Internet retailers who do business in Oklahoma.

Support efforts to reduce the administrative fee charged by the Oklahoma Tax Commission to local governments for the collection of sales taxes. HB 1875 McCall

Support efforts to reform the Police and Fire pension administration in order to improve efficiency and reduce costs.

Support efforts to increase funding to local governments for emergency mental health transportation costs. HB 2842 McCall and others

Support OML's efforts to spread sales tax refunds over a period of time in order to ease the cash flow consequences to local governments.

To: Thomas M. Moton, Jr., City Manager
From: Michael W. Skates, Development Services Director 
Date: February 7, 2014
Re: Development Services Report

1. **Shops at Aspen Creek** – We received Engineering plans Wednesday, January 14 for the street and drainage, water and sewer and the Theatre site were received. Plans have been distributed for review. City staff reviewed the street and drainage and water and sewer plans and returned comments to the Consultant on January 23. City staff reviewed the theatre site engineering plans and returned comments to the Consultant on January 28.

The Consultant resubmitted the revised water and sewer plans on January 30. City staff reviewed and approved the plans on February 4 pending the submittal of separate instrument easements and bonds. We have not received final engineering plans for the street and drainage or the Theatre site.

Sig-BA's A/E, Mr. Barrick Rosenbaum, re-opened bids on the public improvements portion of their development (street/drainage/water/sewer) today. The bid came in much more favorable to the developer and more in-line with his budget. They intend on awarding the contract subject to the City's ratification. City staff presented the bids and award to City Council at the February 4 meeting. The bids are attached for reference.

2. **Annual Homeowners Workshop** - The Annual Homeowners Workshop (HOA) is scheduled for Saturday, March 1, 2014, at Central on Main, from 9am to noon. This is the 18th year we have held this free workshop. Each year the workshop is well attended. We typically average about 75 people. We offer different topics of interest in about 4 to 5 concurrent sessions. Topics include but not limited to zoning, real estate, legal issues related to HOA's and properties, engineering, code enforcement, inspections and safe neighborhood initiatives (police). An event flyer is attached.
3. **January Development Report** – Please see the attached report for permits, licenses and other related activities for the month of January 2014 for Development Services.



ANNUAL HOMEOWNERS WORKSHOP

THIS WORKSHOP IS FREE AND OPEN TO THE PUBLIC

BROKEN ARROW

Where opportunity lives

Saturday | March 1, 2014

Central on Main

210 N. Main Street

9:00 AM - 12:00 PM



BROKEN ARROW

CITY OF BROKEN ARROW

9:00-9:10 AM

Introduction and Welcome

9:15- 9:45 AM

1) 30 minute Concurrent Sessions

9:50- 10:20 AM

2) 30 minute Concurrent Sessions

10:25- 10:55 AM

3) 30 minute Concurrent Sessions

11:00- 11:30 AM

4) 30 minute Concurrent Sessions

11:30- 12:00 AM

Homeowners Association Round Table

The annual Homeowners Workshop, offered by the City of Broken Arrow, will present several informational sessions relevant to Homeowners and Homeowner Associations.

Each session will be presented by specialists within their field of expertise. These topics will be offered in four concurrent sessions. Participants can attend any session at any time.

FOR INFORMATION:

918-259-8412

FARHAD DAROGA,

City Planner

918-259-2400 EXT: 5418

fdaroga@brokenarrowok.gov

WIN A WEATHER RADIO AND OTHER DOOR PRIZES

**DOOR PRIZES will be given out during the Round Table discussion.
(Must be present to win.)**



MONTHLY REPORT
 Development Services Department
 One-Stop Division
 January 2014

Building Permits	QTY	QTY YTD	Valuation	VAL. YTD	SQ/FT	SQ/FT YTD
Industrial - New	1	1	\$65,000	\$65,000	2376	2376
Commercial - New	4	4	\$10,557,791	\$10,557,791	60052	60052
Multi-Family - New	0	0	\$0	\$0	0	0
Residential - New	26	26	\$4,645,151	\$4,645,151	72,375	72,375
Signs	10	10	N/A	N/A	623	623
TOTALS	41	41	\$15,267,942	\$15,267,942	135,426	135,426

Industrial Permits Include:	Arrowhead Precast
Commercial Permits Include:	Dental Depot, Warren Clinic, BA High School
Multi-Family Permits Include:	N/A
Residential Permits Include:	Bently Village III, Millicent Pond, Mission Gardens, Washington Lane V

Business License	QTY	QTY YTD	Revenue	Rev. YTD
All license types	290	290	\$13,810	\$13,810
Animal/Pet altered/unaltered	63	63	\$500	\$500
Beer/Liquor/Mixed Beverage	0	0	\$0	\$0
First Responder (alarm permits)	108	108	\$2,312	\$2,312
Food License	3	3	\$138	\$138
Massage Related	1	1	\$45	\$45

Neighborhood Improvements	New QTY	New YTD	Closed QTY	CL. YTD
All Case Types	136	136	114	114
Trash at curb too early	0	0	0	0
Inoperable Vehicles	7	7	7	7
Nuisance, not classified elsewhere	21	21	23	23
Parking in front yard	19	19	40	40
Trash	79	79	26	26
Weeds and Trash	3	3	11	11
Citations Issued	1	1		
ROW Signs Removed by NI	221	221		
Adopt a Corner Signs Removed	138	138		

Planning & Engineering	QTY	Acres	QTY YTD	Acres YTD
Total of all projects	22	N/A	22	N/A
Preliminary Plats	0	0	0	0
Conditional Final Plats	2	33	2	33
Site Plans	3	N/A	3	N/A
Engineering	6	N/A	6	N/A

Plats include:	Washington Lane VI, Golf World
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	Current Month	This Year to date	Prev Yr Month	Previous YTD	Mos. % Change	YTD % Change
Total Licenses Sold	290	290	279	279	4	4
Total Licenses Value	\$13,810	\$13,810	\$14,472	\$14,472	-5	-5
Total Permits Sold	41	41	62	62	-34	-34
Total Permits Value	\$15,267,942	\$15,267,942	\$8,820,008	\$8,820,008	42	42
Commercial Permits Sold	4	4	0	0	*	*
Commercial Permits Value	10557791	10557791	0	0	*	*
Commercial Inspections	331	331	229	229	31	31
Residential Permits Sold	26	26	46	46	-43	-43
Residential Permits Value	\$4,645,151	\$4,645,151	\$8,820,008	\$8,820,008	-47	-47
Residential Inspections	1,148	1,148	1,042	1,042	9	9
Certificate of Occupancies Issued	53	53	47	47	11	11
Total Planning Projects	22	22	13	13	41	41
Code Cases Initiated - New	136	136	89	89	35	35
Code Cases Resolved - Closed	114	114	349	349	-67	-67

*It is not possible to calculate a percent increase from 0

**CITY OF BROKEN ARROW
CONSTRUCTION AND ENGINEERING PROGRESS REPORT
UPDATE THROUGH FEBRUARY 6, 2014**

Project Name	Current Contract Value	Start Date	Contract End Date	Anticipated End Date
Central Park Improvements (CDBG and GO Bonds) Comments: Sports courts to advertise for bids 02/24/14. Splash pad to be advertised fall 2014. Restroom, picnic shelter completed.	\$1,556,000.00	2/9/2012	3/24/2014	12/29/2014
Water Treatment Plant Comments: Current schedule allows for finished water delivery to City in April 2014. Membrane filter installation is complete. High-service pump station on line. 6 MG clearwell in use. Raw water pump station pumping water to presedimentation basin. Working on final yard piping, pretreatment basins and membrane building.	\$57,906,455.00	3/5/2012	7/3/2014	6/1/2014
Public Safety Complex Comments: Expected occupancy 02/24/14. Final inspections underway. Work continues on interior finishes and site. Police Department moving furniture in.	\$6,938,514.46	8/28/2012	1/6/2014	2/24/2014
Aspen, Florence to Tucson, 5-Lanes Comments: Construction underway. New RCB constructed 01/07/14. Notice to Proceed with construction 10/21/2013. City Council approved contract award 9/17/13. Agreement with theater developer requires completion by 12/31/14.	\$2,829,831.37	10/21/2013	7/11/2014	7/11/2014
Tucson, Elm Pl. to Aspen, 5-Lanes Comments: Contractor installing new water line along Tucson St. Notice to Proceed with construction 11/1/13. City Council approved contract award 10/1/13. Agreement with Signorelli requires completion by 12/31/14.	\$3,735,548.30	11/1/2013	9/3/2014	9/3/2014
Oneta Road, Houston to Washington, 3-Lanes Comments: Rework of Gordon intersection awaiting ONG line lowering. Final lift of asphalt pending good weather. Construction underway. Notice to Proceed with construction 05/28/13. City Council approved contract award 1/15/13.	\$3,433,670.69	5/28/2013	3/24/2014	3/24/2014
9th Street, BAX to Albany, 5-Lanes Comments: City Council approved construction contract award and ONG relocation agreement 02/04/14. Bid opening 01/16/14.	\$1,185,997.12	3/1/2014	9/1/2014	9/1/2014
Old Town Street Improvements (Broadway Ave.) Comments: Contracts sent to contractor for signatures and bonds 02/05/14. City Council approved construction contract award 01/07/14. Bid opening 12/19/13. Advertised for bids on Broadway from Main to Birch and gateway at Elm Place 11/25/13.	\$672,000.00	1/30/2014	6/2/2014	6/2/2014
Downtown Streetscapes Phase III Comments: Work is complete except for installation of some late-arriving logos. Final completion was scheduled 12/6/13, delayed by weather. Subfreezing weather affected most remaining work items and will cause contract extension. Notice to proceed was 06/04/13.	\$4,063,021.43	6/4/2013	12/6/2013	2/10/2014

**CITY OF BROKEN ARROW
CONSTRUCTION AND ENGINEERING PROGRESS REPORT
UPDATE THROUGH FEBRUARY 6, 2014**

Project Name	Current Contract Value	Start Date	Contract End Date	Anticipated End Date
Hillside Drive West of 9th Phase 2 Comments: Wall alignment has been revised and PSO pole was relocated. Subfreezing temperatures have slowed work. Problems with retaining wall on north side of roadway. Notice to Proceed with construction 9/14/13. Contract award 08/06/13.	\$812,128.62	9/14/2013	4/12/2014	6/1/2014
ISSC Soccer Restroom Replacement Comments: Notice to proceed with construction 01/20/14. City Council approved construction contract award 12/17/13.	\$139,701.50	1/20/2014	7/15/2014	7/15/2014
Farmers Market Overflow Parking Lot Comments: Contract sent to contractor for signatures and bonds 02/04/14. City Council approved construction contract award 01/21/14. Bid opening 12/17/13. Advertised for bids 11/25/13. 60-space parking west of Ash Street and north of railroad.	\$256,283.50	3/4/2014	7/16/2014	7/16/2014
Wolf Creek Drainage Impr. East Floodplain Wall Comments: City Council rejected bids 01/21/14. Project will be reconfigured. Bid opening 12/17/13. Advertised for bids 11/25/13. Retaining wall for erosion and flood protection along East Branch Haikey Creek	\$200,000.00	1/15/2015	4/15/2015	4/15/2015



February 3, 2014

Mr. & Mrs. Nick Hood
515 West Joliet
Broken Arrow, OK 74012

Subject: City Interest in the Purchase of Property at 105 W. Kenosha

Dear Mr. & Mrs. Hood:

I enjoyed meeting with you and Mr. Brad White, Williams Real Estate, on Thursday, January 30, 2014, to discuss the City Council's direction to staff with respect your interest in selling your property at 105 West Kenosha to the City. As I advised in the meeting, the City Council advised staff that at this time the City does not have a strategic interest in purchasing your property nor funds to do so. As of late 2007, the City did have an interest in purchasing your property along with the property on the south east corner of Kenosha and Main. At that time, the City had funds available from the Vision 2025 program to create a gateway into downtown. Since the City was unable to acquire both properties, the City moved to use those funds to create a gateway into downtown elsewhere.

Given your property's history as an automotive/gasoline facility and the underground fuel storage tanks, purchase of your property would be less attractive to the City unless potential hazardous environmental issues are identified and remediated. As we discussed, the US Environmental Protection Agency (EPA) has a Brownsfield program that can help owners of property such as you. City staff and I would be happy to help you apply for a Brownsfield Assessment Grant. Through the grant, the EPA will provide up to \$200,000 to evaluate the environmental condition of your property. Additionally, there are funds available through the EPA's program to remediate environmental hazards, typically soil and groundwater contamination in cases like yours. Later this month, I will contact Mr. White to review the Brownsfield Assessment grant process.

Please feel free to contact me if you have any questions.

Kindest regards,

Thomas M. Moton, Jr., ICMA-CM
City Manager

CC: Brad White
Notes to Council
Norm Stephens, City of Broken Arrow



February 6, 2014

Linda Stiles Meyers
19108 E. 49th Street
Tulsa, OK 74134-7215

Subject: Receipt of Letter Regarding Broken Arrow PAC

Dear Ms. Meyers:

Thank you for taking the time to write the City regarding your passion and concern for our downtown and the Broken Arrow Performing Arts Center. The Broken Arrow Performing Arts Center is owned and operated by the Broken Arrow Public Schools. I have taken the liberty to forward your letter to the BAPS administration.

Kindest Regards,

A handwritten signature in blue ink, appearing to read "T Moton".

Thomas M. Moton, Jr.
City Manger
City of Broken Arrow

mdh

cc: Notes to Council

Tuesday 02/04/2014

City of Broken Arrow

FEB 05 2014

City Manager's Office

Broken Arrow City Council
City Hall
220 SO First Street
Broken Arrow, OK 74012

Re: Performing Arts Center

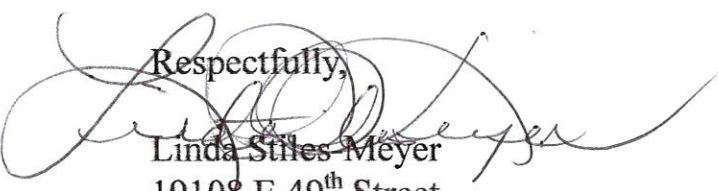
Dear City Council,

I love the progression that Broken Arrow is taking and know that everyone shares the same excitement as I do. I can say, that in my opinion, it's looking regal and warm and inviting and some of the stores moving in, such as the bicycle shop are so needed.

I would like to bring up the great venue that people have as well in Broken Arrow with The PAC. Since this is existing and present, I would like to know why the seating situation cannot be improved, being able to sell more seats. When you call to get tickets, one is told that they will not sell the seating that remains due to complaints. They also say that it puts the ticket counter in a very compromising position.

Let's get together and fix this situation, making more revenue to a great place here in Broken Arrow, apposed to people having to go to Tulsa. However, it needs to be addressed and not ignored, as it has been.

Respectfully,



Linda Stiles-Meyer
19108 E 49th Street
Tulsa, OK 74134-7215
918 286-3918

2. GENERAL CORRESPONDANCE / NOTIFICATION

FEB 04 2014

INTEROFFICE MEMO

To: Thomas Moton Jr., City Manager

**From: Norm Stephens, Assistant to the City Manager / Economic Development
Coordinator**

Date: February 4, 2014

Re: Tulsa World Article / Notes to Council

Mr. Moton, please find the attached Tulsa World article on retail development, from the February 2, 2014 publication.

Broken Arrow's aggressive economic plan paying off

By NOUR HABIB World Staff Writer | Posted: Sunday, February 2, 2014 12:00 am

BROKEN ARROW - Officials predict 2014 will be a banner year for economic development in Broken Arrow.

With more than a dozen sites available for development and an aggressive recruiting strategy by the city and the Broken Arrow Economic Development Corp., announcements of numerous new businesses coming to the city are expected this year.

The completion of the Rose District streetscape and the opening of a Warren Theatre and Sprouts Farmers Market this year will also help.

"Retail follows retail," said Warren Unsicker, vice president of the Economic Development Corp.

As large businesses such as Warren Theatres come to the city, others start paying attention, officials said.

"We are probably busier right now with economic development activity than we've ever been," said Norman Stephens, the city's economic development coordinator.

This "cascade effect" is welcome to city officials, who want sales tax revenue to stay in Broken Arrow.

According to a 2012 report from The Retail Coach, which the Economic Development Corp. contracted to do the study, Broken Arrow is losing more than \$1.1 billion a year to other communities because of a retail gap.

In Broken Arrow's primary trade area, which consists of more than 200,000 potential customers, the city is losing about \$194 million in restaurant sales, \$307 million in car sales and \$146 million in grocery store sales.

But Broken Arrow officials are working to fill that gap.

The Economic Development Corp.'s "Grounds for Development" publication is updated yearly, showing how much land is available at more than a dozen sites all over the city. "This piece helps us tell the story to national retailers," Unsicker said.

Demographic information, as well as specific information regarding what kinds of gaps are in the area, help retailers see opportunities.

For example, last year's publication showed a retail opportunity gap of \$15 million for specialty food stores within a 10-minute drive of Hillside Crossings, the area just north of the Broken Arrow Expressway on Lynn Lane. Early this year, Sprouts broke ground on a new store in the retail development.

Similarly, the report also shows a retail opportunity of about \$141 million for general merchandise retailers and \$30 million for retailers who sell building materials and garden equipment within a 10-minute drive from the development anchored by Warren Theaters, which officials say will be bigger than Tulsa Hills.

Unsicker said all this raw land throughout Broken Arrow is a draw to some developers who like to build from the ground up. Not many communities have this much raw land available, he said.

The majority of the land is located along the Broken Arrow Expressway or the Creek Turnpike, which is attractive to retailers because it makes them easily accessible to customers, said Broken Arrow Chamber of Commerce President Wes Smithwick.

Last year, Warren Theatres' Bill Warren said one of the reasons he chose to locate his newest and most luxurious theater in Broken Arrow was because the Creek Turnpike would provide easy access to the site, an important factor for this kind of regional destination.

Warren said he studied the Tulsa market for a few years before deciding on Broken Arrow because it was "an exciting community" with pro-business city leaders.

The city offered a \$7.25 million incentive package to the property developer for the Warren Theatres deal. Unsicker said having the flexibility to negotiate incentive offers on a case-by-case basis has helped Broken Arrow's economic development strategy stay aggressive. Broken Arrow's strategy was among the ones cited by Tulsa officials last year when they approved an incentive program of their own to compete with neighboring cities.

The city also offered incentives to various businesses locating in the Rose District, which has been drawing attention to Broken Arrow. The arts and entertainment district along Main Street in which the city invested about \$4 million is thriving it's currently at about 90 percent occupancy with several new developments on the way.

In The Raw Sushi is building a structure that will house its restaurant, as well as a rooftop bar. A cigar bar is opening this month. The first apartment complex on Main Street is expected to begin construction this summer, and its developer stated that he views what is happening in this area of town as the beginning of the "next great development" in the region.

This growth shows that the city's investment was not in vain, Unsicker said. "If not for what was done, we wouldn't be seeing what we see today," he said.

Stephens said things other than the "big, splashy announcements" will also spur economic development on in Broken Arrow this year.

"Opening up Hillside Drive from Bass Pro, that's huge," said Stephens, referencing the access road that's being completed to connect the west side of Hillside Drive to the east side that goes through The Shops at Broken Arrow development, which includes Target and Dick's Sporting Goods.

The connection, which Stephens says "is going to pay dividends for decades," will create a retail corridor that will allow traffic to go through the area more easily.

Stephens said the boom in development is changing the city's identity. "We've always been known as a bedroom community," he said.

That's no longer true.

"Right now, we're making it easy for people in Tulsa and other communities to come to us ... and the reason is we're finally providing them ample opportunities for recreation and retail."

Nour Habib 918-581-8369

nour.habib@tulsaworld.com

CITY OF BROKEN ARROW
PUBLIC HEARING FOR NUISANCE ABATEMENT
AGENDA

COUNCIL CHAMBERS
220 SOUTH FIRST STREET
BROKEN ARROW, OKLAHOMA 74012

February 6, 2013
12:00 PM

1. Call to Order
2. Roll Call/Officer Assignment
3. Approval of previous meeting minutes
4. Nuisance Abatements for Consideration
 - A. Consideration of 4325 S Cedar Ct, Lot 16 Block 5 Arrow Springs Addition; City of Broken Arrow, Tulsa County, State of Oklahoma, as a dilapidated structure and a public nuisance. Case No. 14-18383
5. Appeals
None
6. Continued Business
None
7. Adjourn

Notice:

All cell phones and pagers must be turned off or operated silently during Public Hearing meetings.

Exhibits, petitions, pictures, etc., presented to the Hearing Officer shall be received and deposited in case files to be kept by the City.

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 arrangement.

Posted this 4th day of February, 2014 at 8:30 (a.m./p.m.):

Lisa Blackford
Deputy City Clerk



NTZ

City of Broken Arrow

FEB 03 2014

City Manager's Office

Kristin Peck
VICE PRESIDENT - PUBLIC AFFAIRS

January 29, 2014

Mr. Thom Moton
City Manager, Broken Arrow
220 S. First St.
Broken Arrow, OK 74012

Dear Mr. Moton,

I am writing to inform you of a couple of changes regarding programming and rates on Cox's cable system serving the Tulsa metro.

At Cox Communications, it's our priority to add value to our products each year, and we are pleased to announce the following channel additions.

On or after February 27, 2014 we will be adding Syfy (SD 45, HD 752) to our Cox TV Economy package. In addition to current carriage in Cox TV Essential, Syfy will be available to Cox TV Economy subscribers with a digital receiver or CableCARD and Digital Tuning Adapter (DTA).

On or after March 25, 2014 we will be launching several new channels. Those launches are: OWN HD (HD 766) in the Bonus Pak, Nat Geo WILD HD (HD 776) in the Variety Pak, Nat Geo Mundo (SD 475) in the Latino Pak and El Mix, Baby TV (SD 477) in the Latino Pak and El Mix, Cbeebies (SD 478) in the Latino Pak and El Mix, Cine Estelar (SD 463) in the Latino Pak and El Mix, Encore en Español (SD 214) in Digital Essential, Playboy en Español PPV (SD 549) available with Advanced TV, FOX Life (SD 473) in the Latino Pak and El Mix, and Mun2 (SD 474) in the Latino Pak and El Mix. These new channels will be available with the aforementioned subscription and with a digital receiver or CableCARD with DTA. Also on or after March 25, 2014, NKB programming will replace Revenue Frontier 2 (SD 122) on the Cox Tulsa lineup. Additionally, FOX Business (SD 248, HD 790) and FXX (SD 262, HD 714) will change subscription authorization from Sports & Info Pak to Cox TV Essentials. FXX will continue to be authorized in El Mix. digital receiver or CableCARD with DTA will still be required to view FOX Business and FXX. This migration is a positive change both for Cox customers and for the networks; the number of subscribers able to view FOX Business and FXX will nearly double.

We have created a support page located at www.cox.com/channelchanges where customers can access more detailed information about these and other changes. Customers may contact Cox at (918) 806-6000 for more information. We are required by law to notify customers of any changes to our channel lineup. We are meeting this obligation through a bill message notification to customers as well as a newspaper notification.



In harmony with the Cox Conserves eco-friendly program, we are proud to print on Forest Stewardship Council-certified paper.

Also, some Cox customers may see rate changes reflected on their next monthly bill. As with any company, Cox's cost of doing business continues to rise. This is mostly due to the rising programming costs Cox is required to pay to the programmers our customers most want to see on their channel lineups. With the rate change, Cox continues to provide a great value for entertainment services. We're proud to offer increased programming choices, more On DEMAND options, DVR with enough storage to save everything you like and more mobile video apps to provide a superior video experience. Plus, Cox is continuously improving its network to maintain the best high speed Internet service with faster speeds, and telephone service with a reliable and crystal-clear connection to make sure your home phone works when our customers need it the most.

The changes listed will be effective March 1, 2014. All prices are listed per month unless otherwise noted and subject to surcharges, fees, taxes and deposits.

Please feel free to contact me at (405) 286-5288, if you have any questions.

Sincerely,



Kristin Peck
VP, Public Affairs
Cox Communications

Rates effective March 1, 2014:

TV

Prices for Cox TV and Advanced TV will be as follows:

Cox TV Starter will change from \$19.99 to \$24.99.

Cox TV Economy will change from \$34.99 to \$38.99.

Cox TV Essential will change from \$61.99 to \$67.99.

Advanced TV will change from \$61.99 to \$70.99.

Preferred TV will change from \$71.99 to \$80.99.

Premier TV will change from \$81.99 to \$91.99.

Ultimate TV will change from \$144.99 to \$151.99.

DVR service will change from \$9.99 to \$11.99.

Record 6 DVR service will change from \$14.99 to \$19.99.

Cox Advanced TV Service will change from \$0.00 to \$3.00.

Advanced TV Super Mix will change from \$68.99 to \$80.99.

Advanced TV El Mix will change from \$32.00 to \$37.99.

Advanced TV Paquete Latino will change from \$26.99 to \$34.99.

Advanced Ultimate with 3 Premiums will change from \$121.99 to \$138.48.

Advanced Ultimate with 3 Premiums and Whole Home DVR will change from \$126.99 to \$143.48.

Contour \$10 fee will no longer be charged.

Sports and Information Pak will change from \$8.50 to \$10.00.

Movie Pak will change from \$7.00 to \$8.00.

Latino Pak will change from \$7.00 to \$10.00.

Single premium channel rate will change from \$15.00 to \$15.99.

Two premium channel rate will change from \$25.00 to \$26.99.

Three premium channel rate will change from \$34.00 to \$36.99.

Four premium channel rate will change from \$42.00 to \$45.99.

INTERNET

Starter will change from \$26.99 to \$29.99.

Essential will change from \$39.99 to \$44.99.

Preferred will change from \$54.99 to \$60.99.

Premier will change from \$65.99 to \$71.99.

TELEPHONE

Cox Digital Telephone Essential will change from \$22.99 to \$24.99.

Limited Basic Telephone line will change from \$7.00 to \$8.50.

Distinctive Ringing will change from \$4.50 to \$5.50.

Distinctive Ring Fax will change from \$4.50 to \$4.99.

NTC

SL-35
8/6/04
FILE #1 CLIP #4



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

January 30, 2014

Mr. Larry Dearing, PE
Broken Arrow Municipal Authority
485 N. Poplar
Broken Arrow, OK 74012

City of Broken Arrow

FEB 03 2014

Re: DWSRF Project No.: P40-1021508-03; ORF-11-0006-DW
System: Broken Arrow Water Supply Improvements

City Manager's Office

Dear Mr. Dearing:

We are enclosing one approved copy of **Change Order Twenty One (CO #22)** for the above referenced project and are hereby authorized to put this change order into effect. Approval of this change order is subject to the provisions of the DEQ Construction Permit #WT000072110283 issued on October 14, 2011 and amendments thereof. This change order includes miscellaneous items such as buoys, electrical wire upgrade for PSI salt system, stainless steel ladder, pad reinforcement, etc. in the amount of an increase of \$41,948.55.

CONTRACT AMOUNT					
Change Order #	Contractor	Change in Contract		Modified Contract	
		Total Amt.	Eligible Amt.	Total Amt.	Eligible Amt.
22	Crossland Heavy	\$41,948.55	\$41,948.55	\$57,894,533.00	\$57,894,533.00

This approval does not constitute a contractual obligation for the State to increase DWSRF funding. If the existing DWSRF loan funds are insufficient to cover the change, you must have sufficient local funds available to complete the project. Costs incurred related to the items in this change order will be subject to an audit of project costs. Contract Line Item "a" on the DW-271 form for the DWSRF Construction amount will be increased by \$41,948.55, and the contingencies of Line Item "s" will be decreased by \$41,948.55.

Sincerely yours,

Leslie L. Smith, P.E.

DWSRF Project Engineer - Water Quality Division

LS/file CC w/Original CO

CC w/copy of CO

- Roger Hughes, P.E., COBA, 485 N. Poplar, Broken Arrow, OK 74012
- Kenneth D. Schwab, P.E. COBA 485 N. Poplar, Broken Arrow, OK 74012
- Joel Cantwell, P.E., HDR, 17111 Preston Road, Suite 200, Dallas, TX 75248
- Tony Mensah, P.E., OWRB, 3800 N. Classen, OKC, OK 73118
- Tom Caldwell, Finance Director, P.O. Box 610, Broken Arrow, OK 74013
- Jason Lundry, Crossland Heavy, 35608 E. 66th St. South, Broken Arrow, OK 74014
- David Myers, COBA, 485 N. Poplar, Broken Arrow, Ok 74012
- Thomas M. Moton, Jr., City Manager, PO Box 610, Broken Arrow, Ok 74012
- Anthony Daniel, Utilities Director, COBA, 485 N. Poplar, Broken Arrow, OK 74012
- 707 NORTH ROBINSON, P.O. BOX 1677, OKLAHOMA CITY, OKLAHOMA 73101-1677



**CITY OF BROKEN ARROW, OKLAHOMA
ENGINEERING/CONSTRUCTION DEPARTMENT**

APPLICATION FOR APPROVAL OF "MAJOR" CHANGE ORDER

Name: Crossland Heavy Contractors

Contract Number: 075036

Location: Broken Arrow Municipal Authority Water Supply Improvements

Date: January 9, 2014

Major Change Order C022

RECEIVED

JAN 29 2014

WATER QUALITY DIVISION

Approval is requested for the following changes:

1. Total Number of Days Added by this Change Order: 0
2. Construction of an access road to the new PSO Substation.
3. For each Emergency Generator Set, total of (3), add remote fuel level monitoring capability. Also install software and associated required programming to set up automatic exercising cycles.
4. Furnish and install heat tape and insulation on the Surge Tank water level piping and the Pretreatment Basin sludge discharge piping.
5. Construct asphalt in lieu of concrete drive lane at future Membrane Building expansion areas.
6. Delete unused equipment hours established for East Presediment Basin cleaning in Change Order C-015.

Which are necessary for the following reasons:

1. These changes do not impact the Project Schedule Critical Path.
2. This work was not included in the original contract design because the exact location and size of the new PSO Substation were not known at the time bids were taken. This provides an all weather access road per PSO requirements to access the substation for maintenance and repairs.
3. This will permit checking fuel level from within the HSPS building versus manually checking each generator fuel tank level at each generator. Generator operation is often in adverse weather conditions and this provides for employee safety and better assessment of fuel needs during an emergency event. Automatic exercise cycles for the generators will save manpower. This is a standard feature on all other generator sets in the City.
4. This cold weather protection was omitted in the original design however, it is needed to prevent the pipe contents in the controls at the tank from freezing during winter months. This has already proven to be problematic and this change also reimburses some temporary measures taken by the contractor to protect the equipment.
5. The driveways from the Membrane Building connecting to the Plant Access Road will be all asphalt. This change of lane from concrete to asphalt. This lane will require modification in the future should plant expansion occur and asphalt will be an easier removal than concrete in the future. This will be a no cost change and will be reflected on as-builts.
6. This reduction in quantities is made to reduce the previous quantity of equipment hours which were established by Change Order C-015 to remove sediment from the East Presediment basin. The basin was cleaned without using all the hours previously added.

**STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
APPROVED**

JAN 30 2014

Additions to the original contract:

Item #	Item	Unit	Price	Quantity	Amount
SP-62	Construct PSO Substation Access Road	LS	\$56,725.00	1.00	\$56,725.00
SP-63	Generator Fuel Level and Exercise Cycle	LS	\$19,717.00	1.00	\$19,717.00
SP-64	Insulation and Heat Tape at Surge Tank and Pretreat Basin Sludge Discharge Piping	LS	\$5,446.00	1.00	\$5,446.00
SP-65	Substitute Asphalt for Concrete in Portion of Membrane Building Drive	LS	\$0.00	1.00	\$0.00
Total Additions:					\$81,888.00

Deletions to the original contract:

Item #	Item	Unit	Price	Quantity	Amount
SP-39	Cat D-6 Dozer	Hour	\$190.83	47.00	\$8,969.01
SP-40	Cat 140 Grader	Hour	\$204.40	18.50	\$3,781.40
SP-41	Cat 627 Scraper	Hour	\$369.33	16.50	\$6,093.95
SP-42	Cat 330 Excavator	Hour	\$248.33	30.00	\$7,449.90
SP-43	Terex 40 Ton Truck	Hour	\$227.42	60.00	\$13,645.20
Total Deletions:					\$39,939.46

This Change Order is a Net Overrun: \$41,948.55

Submitted: Larry E. Deary
 Approved: R. J. Robt
 Recommended/Approved: Kenneth Schuch
 Approved: Shen not

Engineer
 Contractor
 Director, Engr. & Const.
 City Manager

Date: 9 Jan 2014
 Date: 1-10-2014
 Date: 01-10-14
 Date: 1/21/14

**STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
APPROVED**

JAN 30 2014

Rocky W. Chen, P.E.
Water Quality Division

This change was approved at the City Council/BAMA meeting held on 1-21-2014
 Original Clerk--Original Contractor--Original File--Copy to Finance

ATTEST:

Margie Bruce
 (Seal) CITY CLERK
 P.B.A.M.A. Secretary

Leslie L. Smith, P.E.
 Construction Permitting Section

ENTERED
1-29-14
 CM

3. SPECIAL EVENTS / ACTIVITIES