

INTEROFFICE MEMO
Office of the City Manager

To: Honorable Mayor and City Councilors
From: Thomas M. Moton, Jr., City Manager
Date: June 20, 2014
Re: Notes to Council

1. STAFF REPORTS / ITEMS REQUIRING IMMEDIATE ATTENTION

- Broken Arrow Creek Flood Risk Review Meeting Invitation – June 25, 2014
- Tulsa County Sherriff's Office Letter regarding a 90 day extension on Inmate Housing Fees
- Voice of the People Award Nomination for Broken Arrow
- Update on Central on Main Pre-Fab Buildings/Parking Lot Improvements

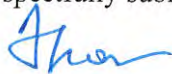
2. GENERAL CORRESPONDENCE / NOTIFICATION

- Press Release: City Council Approves Water, Sewer, Stormwater Rate Increases
- Press Release: Broken Arrow City Council Adopts New Budget
- Press Release: Summer Hours Keep Popular Swimming Center Open Longer
- BAPD Animal Control: Story of "Frenchie" the French Bulldog
- Fire Department report for May
- Joint Public Notice from U.S. Army Corps of Engineers and ODEQ 30-Day Comment Period Pursuant to Sections 404 and 401 of the Clean Water Act

3. SPECIAL EVENTS / ACTIVITIES

- Broken Arrow Animal Palooza – June 21, 2014 from 10:00am – 2:00pm
- Even at the Rose District Farmers Market to Raise Awareness for Abused Children's Shelter on June 28, 2014 from 9:00am – 11:00pm

Respectfully submitted,



Thomas M. Moton, Jr. ICMA – CM

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Attachments

1. STAFF REPORTS / ITEMS REQUIRING IMMEDIATE ATTENTION

To: Honorable Mayor and City Councilors
From: Thomas M. Moton, Jr., City Manager
Date: June 20, 2014
Re: Broken Arrow Creek Flood Risk Review Meeting Invitation - June 25, 2014

Below is an email received concerning a meeting on June 25, 2014 to discuss proposed changes to the panels listed below based on preliminary results of preliminary floodplain mapping.

The Oklahoma Water Resources Board (OWRB) has completed the preliminary floodplain mapping for segments of Broken Arrow Creek located within the City of Broken Arrow and unincorporated areas of Tulsa and Wagoner Counties. If approved by these communities, the proposed changes will result in revisions to the effective Digital Flood Insurance Map (DFIRM) panels listed below. Areas within the cities of Broken Arrow and Coweta and counties of Tulsa and Wagoner are shown on these panels.

<u>Tulsa County</u>	<u>Wagoner County</u>
40143C0391K	40145C0095H
40143C0392K	40145C0115H
40143C0393L	40145C0235H
40143C0394L	
40143C0456L	
40143C0457L	
40143C0458K	
40143C0459K	

A Flood Risk Review Meeting has been scheduled to discuss the proposed changes with your community. All Polecat-Snake Watershed communities are encouraged to attend. This is not a Community Coordination and Outreach (CCO) Meeting. Such a meeting will occur later if the communities agree to move forward in this process.

Flood Risk Meeting Details:

Date: Wednesday, June 25, 2014
Time: 3:00 p.m. – 5:00 p.m.
Location: Northeastern State University (NSU)
Administration Building Annex Meeting Room
3100 East New Orleans Street
Broken Arrow, Oklahoma 74014

Please contact Ana Stagg at (918) 392-5620 Ext 208 or by e-mail at AStagg@meshekengr.com if you have questions, need additional information, or wish to RSVP for the meeting. We look forward to meeting with you on June 25th.

Sincerely,



Julie Cunningham, Chief
Planning & Management Division

PRESS RELEASE


Contact: Krista Flasch
Director of Communications
City of Broken Arrow
Phone: (918) 259-2400, ext. 5309
Mobile: (918) 409-7771
Fax: (918) 259-8226

Public Invited to Broken Arrow Creek Flood Risk Review Meeting

Broken Arrow, Okla. (6/18/2014) – Property owners in Broken Arrow will have the opportunity to preview preliminary FEMA floodplain map revisions affecting Broken Arrow Creek and its tributaries at a Flood Risk Review Meeting next week.

The City of Broken Arrow, in partnership with FEMA and the Oklahoma Water Resources Board, is preparing a new drainage study and FEMA floodplain mapping for the Broken Arrow Creek watershed, which has not been studied in detail since the late 1970's.

Property owners will learn about the overall remapping process and look at specific preliminary floodplain boundaries affecting their properties with the engineering and mapping professionals preparing the study.

The meeting will be held Wednesday, June 25, 2014 from 3:00 p.m. to 5:00 p.m. at Northeastern State University, 3100 E. New Orleans Street in Broken Arrow.

The meeting will be held in the Annex Meeting Room of the Administration Building.

See attached map to view the affected areas.

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**You Are Invited to Attend
The Broken Arrow Creek
Flood Risk Review Meeting**

To review proposed FIRM panel revisions
for Broken Arrow Creek in Tulsa and Wagoner Counties

When:

June 25th, 2014
3:00 p.m. – 5:00 p.m.

Where:

Northeastern State University
Administration Building
Annex Meeting Room
3100 E New Orleans St
Broken Arrow, OK 74014

To RSVP please contact:
Ana Stagg, Meshek & Associates
918-392-5620
AStagg@meshekengr.com

PLEASE COMPLETE THE FOLLOWING AND RETURN TO THE ADDRESS BELOW AS SOON AS POSSIBLE. THE LATEST INFORMATION WILL ASSIST IN PROPER NOTIFICATION OF YOUR COMMUNITY'S CITIZENS. PLEASE CONTACT MESHEK AT 918.392.5620 EXT 208 IF YOU HAVE ANY QUESTIONS.

COMMUNITY/COUNTY: _____

CHIEF EXECUTIVE OFFICER:

Name: _____

Title: _____

Address: _____

TELEPHONE: _____

PRINCIPAL NFIP CONTACT: (Acting Floodplain Administrator)

Name: _____

Title: _____

Address: _____

TELEPHONE: _____

MAP REPOSITORY: (Street address where flood insurance maps can be viewed by citizens)

NEWSPAPER: (Where community may publish legal notices)

ARE MAPS ACCEPTABLE: YES NO (please circle one)

IF MAPS ARE NOT ACCEPTABLE, PLEASE PROVIDE COMMENTS UNDER SEPARATE COVER TO:

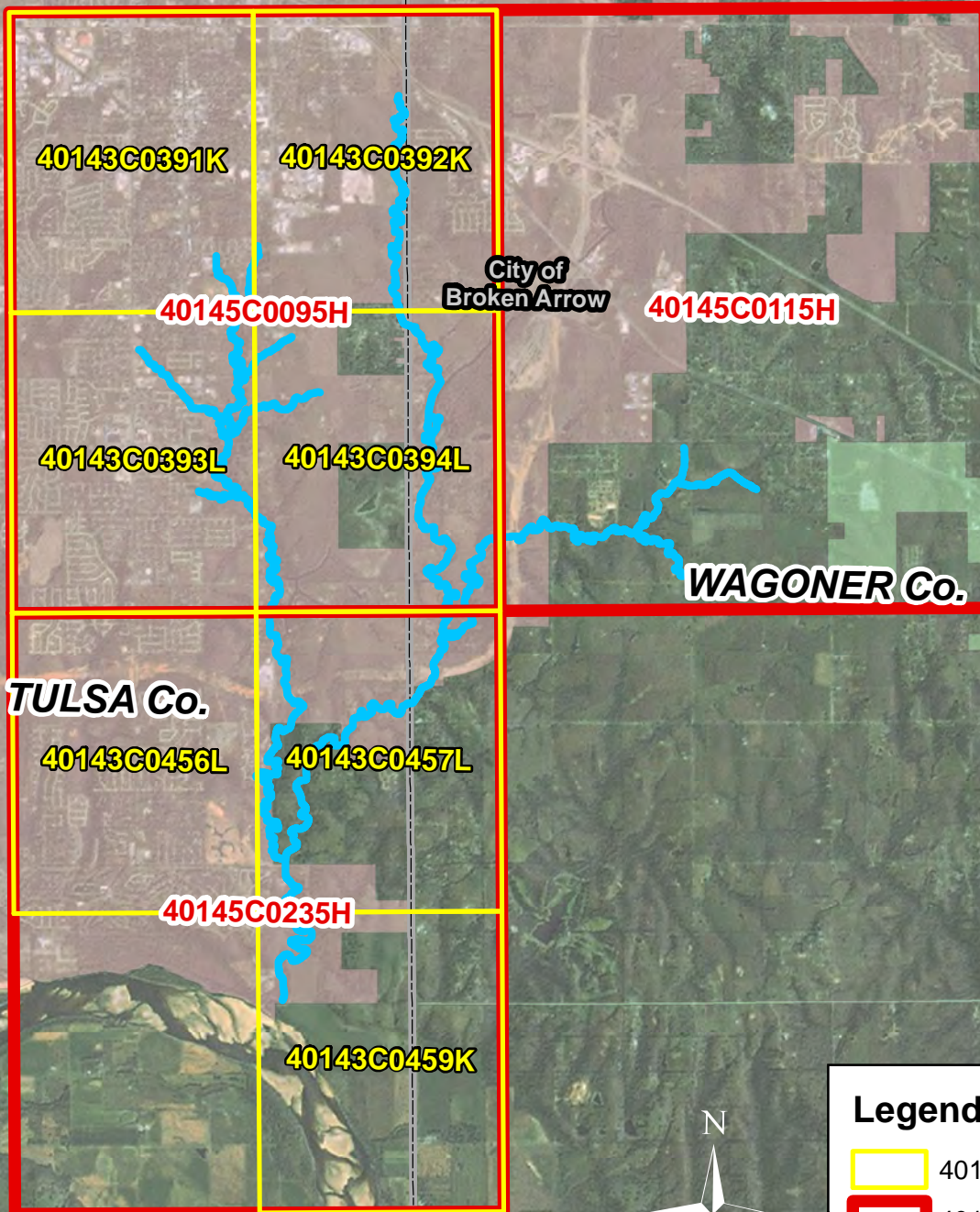
Meshek & Associates, PLC
Ana C. Stagg, P.E.
1437 S Boulder Ave Ste 1550 | Tulsa, OK 74119
(918) 392-5620 x208 | (918) 630-1782
AStagg@meshekengr.com

City of
Tulsa

OWRB MAS 2 Panel Revisions

City of
Fair Oaks

FIGURE 2







City of
Broken Arrow

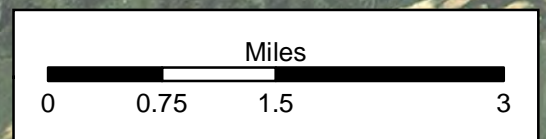
City of
Coweta

TULSA Co.

WAGONER Co.

Legend

-  40143C-Tulsa Co
-  40145C-Wagoner Co
-  Studied Streams
-  County Boundaries



City of
Bixby

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

From: David N. Boggs, Chief of Police



Date: June 18, 2014

Re: **Letter from Tulsa County Sheriff's Office**

Attached please find a copy of the letter from the Tulsa County Sheriff, advising of the TCCJA's approval of a 90-day extension regarding fees for housing inmates.

Thank you.

DNB:trl

Attachment



TULSA COUNTY SHERIFF'S OFFICE

500 South Denver
Tulsa, Oklahoma 74103-3832
www.tcsso.org

Stanley Glanz
Sheriff

Tim Albin
Undersheriff



June 13, 2014

David Boggs, Chief
Broken Arrow Police Department
1101 North 6th Street
Broken Arrow, Oklahoma, 74012

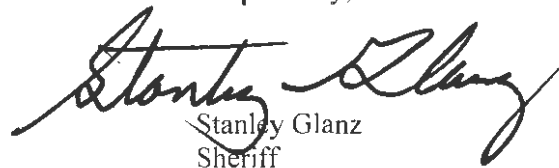
Dear Chief Boggs:

On June 12, 2014, the Tulsa County Criminal Justice Authority approved a ninety-day extension for the City of Tulsa for housing of municipal and open state charge inmates.

Due to the extension granted to the City of Tulsa, I feel it is only fair to grant your agency and other agencies affected the same ninety-day extension. Therefore, our previous correspondence that indicated July 1, 2014, as the date that the Tulsa County Sheriff's Office would no longer receive municipal inmates or inmates with open state charges is rescinded. The new target date for implementation is October 1, 2014. This should allow all of us time to work out any logistics or issues our agencies may have.

If you have any questions or concerns regarding this, please contact Undersheriff Tim Albin at 918/596-5634.

Respectfully,


Stanley Glanz
Sheriff

/bh

To: Thomas Moton Jr., City Manager
From: Norm Stephens, Assistant to the City Manager / Economic Development
Coordinator
Date: June 20, 2014
Re: Voice of the People Award

Mr. Moton, recently I was notified that the City of Broken Arrow was nominated for the National Research Center's Voice of the People Award. The awards are based on the city's participation in the National Citizen Survey and will be presented at the ICMA conference in September. According to the information provided, very few other communities improved at the level of Broken Arrow in the area of Safety.

To be considered for the award, we were required to fill out the application, and submit no more than five pages of information describing the actions taken by our community that led to the results, why we think residents ranked our community so highly, and what we plan to do in the future to ensure continued success in this area. I worked with Deputy Chief Brandon Berryhill and Assistant Chief James Annas on the project. The packet was submitted to the National Research Center on June 13th. I am attaching a copy of the final product with this memo.



Award Application

Congratulations! Your community has been nominated to receive a 2014 Voice of the People Award for **[Excellence/Transformation]** in the area of **[facet name]**. Please answer the following questions in any format you would like (but limit your response to no more than five pages, total). Application is due June 15, 2014.

Community Name: City of Broken Arrow, Oklahoma
(as you want it to appear on the award)

Contact Person: Norman Stephens, Assistant to the City Manager / Economic Development Coordinator
please include name and title)

Mailing Address: 200 s. 1st, Broken Arrow Ok. 74013

Email: nstephens@brokenarrowok.gov

Phone: (918) 259-2410

Describe the actions taken by your community that led to this result.

Why do you think residents ranked your community so highly in this area?

What action(s) does your community plan to take in the future to ensure continued success in this area?

Please submit 3-5 photographs to be used in promotional materials for the **Voice of the People Awards**

Introduction

Broken Arrow is a City located in the northeastern part of the State of Oklahoma, primarily in Tulsa County but also with a small section of the City in western Wagoner County. It is the largest suburb of Tulsa and is the fourth largest City in the state. The population of the Broken Arrow is approximately 105,000, making it the 277th largest city in the United States. The City is part of the Tulsa Metropolitan Area, which has a population of 937,478 residents.

In an effort to better serve the citizens of Broken Arrow, The National Citizen Survey was administered to a representative sample of residents about community quality of life, service delivery, civic participation and unique issues of local interest. Most residents experience a good quality of life in the city of Broken Arrow and believed the City was a good place to live. The overall quality of life in Broken Arrow was rated as “excellent” or “good” by 97% of respondents. Almost all reported they plan on staying in the City of Broken Arrow for the next five years.

In general, survey respondents demonstrated strong trust in local government. A majority rated the overall direction being taken by the City of Broken Arrow as “good” or “excellent”. This was much higher than the benchmark. Those residents who had interacted with an employee of the City in the previous 12 months gave high marks to those employees. Most rated their overall impression of employees as “excellent” or “good”.

Although City staffing per capita is among the lowest of all benchmarked cities, the residents of Broken Arrow enjoy a full service municipality. From the top of the organization down, City employees strive to lead with character and excellence. Staff works to provide exceptional services in a responsive, caring manner with a professional attitude. The City of Broken Arrow sets the standard by providing the best municipal programs and services in our region, while promoting a positive environment for families, business, community organizations and visitors. City leaders truly have established an environment that fosters growth and enhances the quality of life for all citizens.

Economic Development

Growth is a key element in the character of Broken Arrow. City leaders clearly understand that maintaining Broken Arrow as an attractive place to live and work and raise a family is of the utmost importance. Leadership seeks to provide an environment that encourages different types of growth, that is, office, commercial and industrial development in addition to residential. Enhancing the quality of life for all citizens means listening to and understanding citizens’ wide ranging needs and issues and being responsive in addressing them.

The City of Broken Arrow's Quality Service Program promotes the retention, expansion and recruitment of high quality, good paying jobs to Broken Arrow. The aggressive recruitment of retail and restaurants to the city provides residents and visitors greater shopping and dining opportunities.

With an understanding that a vibrant downtown is imperative for a healthy community, City Leadership voted to invest several million dollars into the Streetscape 3 project. City staff met with Main Street merchants to gain a better understanding for what they believed would provide them the greatest opportunity for success. Open citizen forums were held allowing residents the opportunity to interact with the project's architects and engineers. City staff made it a priority to keep not only the merchants, but those living in the surrounding neighborhoods apprised of timelines and construction activities.

In 2013, City Council officially branded the area, The Rose District. Public Private Partnerships were established with several entrepreneurs desiring to build their businesses in the Rose District. By 2014, private dollars exceeded the amount of public dollars dedicated to the project. Widening the sidewalks, narrowing the streets, and improving the aesthetics made the Rose District a gathering place where people want to shop, dine and relax. The newest trend in the Rose District is construction of high quality apartments.

In April 2014, after more than 30 years of relying on purchased water, Broken Arrow began to treat its own water. The new Verdigris Water Treatment Plant is a \$58 million investment that assures clean water will be provided to Broken Arrow citizens for the foreseeable future.

Police Department

The City of Broken Arrow's Police Department is nationally recognized as one of the best in the United States. Currently, the Police Department stands at 130 sworn officers and 52 full-time civilian employees. The City of Broken Arrow is typically one of the top two safest cities in Oklahoma despite being a suburb of statistically the most dangerous city in Oklahoma (Tulsa).

The Broken Arrow Police Department is nationally recognized for its interaction with the community. Although departments across the country have cut specialty unit budgets the department maintains a firm commitment to protecting our youth with the School Resource Officer program. The city encompasses two public school districts with numerous private schools with a daily student population approaching 18,000. Officers have been assigned to middle and elementary schools where early intervention, education and mentorship have the greatest impact. School Resource Officers during the summer instruct a Junior Police Academy to give students a better understanding of law enforcement, protective strategies and civic responsibility. Many of the graduates from the JPA become volunteers for the department at various civic events.

The department has a full-time Crime Prevention Specialist who manages the volunteer program. The Volunteers in Police Services program has grown over the years to encompass nearly every aspect in policing. Volunteers work in Records, Traffic, Criminal Investigations, Training, and Administrative Services to help stretch department resources. Volunteers are at the forefront of all public events hosted by the department. Volunteers for the department donated 11,733 hours of service which translates into a savings of \$259,783 for the department and the City of Broken Arrow.

The department has a vibrant and growing Reserve Officer program. Reserve Officers attend a state certified police academy in order to volunteer their service to the City of Broken Arrow. Reserve Officers assist with regular patrol duties but primarily staff city festivals and public events to ensure a safe environment for our citizens. The Broken Arrow Police Department prides itself on being a full-service agency. The department serves a resident population in excess of 100,000. The vast majority of officers working for the department reside in the city. Officers living within the community are connected to citizens they serve on and off-duty. The success or failure of the department has a direct impact on the lives of those officers residing in the community.

Broken Arrow typically experiences less violent crime compared to cities of similar size and geographic proximity to large cities. The city experienced zero homicides during the 2013 calendar year. While the department would like to take credit for this, we firmly believe our connectivity to the general public creates an overall safe environment. Alternative patrol methods can be attributed to some reductions in crime rates. The rate of theft from vehicles during 2013 dropped to 478 from 633 the previous year. The summer months generally experience the greatest car burglary rates. Police Mountain Bike Patrols are regularly scheduled in high theft areas at night to deter these specific types of crimes. The department supports this function by using budgeted and grant funded overtime expenditures.

Domestic Violence has remained a focus area for improvement for the department. The Broken Arrow Police Department has consistently worked with local victim advocate services to maintain a full-time staff member embedded within the department. Over the years this staff member has increased areas of concern from not just domestic violence victims, but to victims of all crimes regardless of age or circumstances. The 2013 Benchmark Cities Report showed a decrease in domestic violence incidents of 478 compared with 633 reported in 2012. The Broken Arrow Police Department consistently strives to find ways to effectively reduce crime and connect with our citizens.

Fire Department

The City of Broken Arrow's Fire Department is nationally recognized as one of the best in the United States by the Insurance Services Office (ISO). In 2004, following an ISO evaluation, the Broken Arrow Fire Department went from an ISO rating of 4 to a rating of 2. In 2012 when we were reevaluated by ISO, we proudly retained our ISO 2 rating. For perspective, ISO conducts fire protection classification evaluations on 49,010 Fire Departments nationwide. Of those, only 750 fire departments achieve the public protection classification rating of 2. Thus from a fire protection rating perspective, Broken Arrow Fire Department is in the top 1.5 % of all Fire Departments nationwide. Within Oklahoma, of the 1,630 Fire Departments evaluated by ISO, only 7 other departments achieved a public protection classification rating of 2.

Currently, the Fire Department employs 152 sworn personnel. The Department also employs three full-time and one part-time non-sworn civilian employees. The City of Broken Arrow Fire Department protects 105 square miles, and we are the fourth largest Fire Department in the state of Oklahoma.

While some fire departments across the country have cut fire prevention activities to balance dwindling budgets, the City of Broken Arrow Fire Department maintains a firm commitment to fire prevention education. For two weeks each March and September we conduct organized fire drills at four early childhood development centers, 19 elementary schools, 10 middle schools and our high school. In addition the Fire Department also conducts fire prevention education at each of these schools throughout the year via Engine Company crews conducting In-Service training sessions with the student population. We also conduct organized fire drills twice a year at five additional private schools and 20 day care centers throughout Broken Arrow. This ensures fire prevention education is delivered at least twice a year to a Broken Arrow student population of approximately 18,000.

Each October, during fire safety week, the Fire Prevention Division hosts a fire prevention poster contest for all third grade students in our fire response district. The winners of this contest, (one at each school) earn the right to be driven to school one day by a Fire Department Engine Company. This level of interaction with the community ensures that all children are familiar with fire department personnel and that they develop fire safety awareness throughout their adolescent years. To augment these direct, school based efforts, we also maintain a large Fire Prevention Safety Trailer which is staffed by our volunteer Fire Corps personnel. This trailer is transported to approximately nine different schools each year in addition to the In Service training and fire drills mentioned above. It also is deployed at numerous civic events where large crowds can be expected. As such, the trailer is used to educate both adolescents and their parents on fire safety.

The Broken Arrow Fire Department Prevention Division also ensures that no home goes unprotected, by providing access to free smoke detectors to all residents. If a resident asks for installation of a smoke detector, our Engine Company crews install the detector in the home at no charge. While there, they also use that opportunity to provide fire safety education to the homeowner and when appropriate, suggest changes to improve fire safety in the home environment.

The four sworn members of the Broken Arrow Fire Department Fire Prevention Division are supported by two non-sworn civilian prevention specialists. These specialists help manage our volunteer Fire Corp program in addition to their other duties, which include monitoring the flow of all site plans, building plans, sprinkler plans and life safety inspections throughout the prevention division. The Fire Corp program has grown over the years to encompass nearly every aspect of fire prevention activities. Volunteers help staff our prevention trailer, assist with community interactions, and provide administrative help to staff when requested. Fire Corp Volunteers are present at nearly all public events hosted by the fire department. The statistics demonstrate that these prevention efforts are having fantastic results in reducing the incidents of juvenile fire setting. In 2011, not a single juvenile was charged with the crime of arson. In 2012, the City only had three incidents which involved eight juveniles being charged with arson. Since December of 2012 until the present, we have not had a single juvenile charged with the crime of arson. When you consider that Broken Arrow has 18,000 students who fit the definition of juvenile, having only eight of them charged with arson in a three year period is testament that our efforts are paying off.

Starting in the Spring of 2014, the Fire Department has undertaken a new Public Safety initiative in conjunction with Oklahoma Homeland Security and the Broken Arrow Police Department. The City is fostering the development of a FEMA based CERT team, which will help augment our disaster management capabilities with civilian volunteers. The initial group of 30 CERT volunteers will draw its core membership from BA Police Reserve Officers, Broken Arrow Public Schools, and Home Owners Association members. Training for this new organization will take place in August 2014 at our new public safety training complex. The Fire Department will oversee the new organization.

In addition to our ISO rating of 2, which focuses solely on the fire suppression capabilities of a fire department, the Broken Arrow Fire Department also provides our 100,000+ residents with the best (EMS), Emergency Medical Service (EMS) in the State of Oklahoma. On a daily basis we staff six Advanced Life Support ambulances with a minimum of six Paramedics per shift. Of our 153 members, almost 70 possess a Paramedic License. As such, Broken Arrow Fire Department is the largest fire based EMS agency in the State of Oklahoma.

In 2013, The Fire Department responded to 2,190 fire incidents and 7,254 EMS incidents. NFPA 1710 sets the national standard for response times to both fire and EMS calls. Per that standard, a fire department providing Advanced Life Support EMS must have an ambulance respond and be on scene at a medical call within eight minutes. Our 2013 average response time to such EMS calls is only 5 minutes and 25 seconds. This response time is reflective of the commitment that the City of Broken Arrow has made to ensure its citizens receive the highest level of Emergency Medical treatment available. Another indication of the city's commitment is the almost one million dollars that have been spent in the last 18 months to purchase five new, state of the art ambulances.

In addition to these response capabilities, should a city resident not have insurance, they are not billed for their treatment or transport to the hospital. Nor, if they have insurance, are they balance billed in any way. City Staff knows that rapid response in many medical situations dictates the success or failure of the call. By removing any barriers to citizens calling for help and combining it with a sizable and capable group of trained fire and EMS professionals, the City believes it has helped create one of the safest and best places to live in the state of Oklahoma.





THE GREAT AMERICAN
OUTDOOR STORE





INTEROFFICE MEMO

To: Jeff Jenkins, Assistant City Manager
From: Lee Zirk, General Services Director
CC: Thomas Moton Jr., City Manager
Date: June 19, 2014
Re: RFP 14.140 Sale and removal of prefabricated buildings

On February 21, 2012, the City Council approved an agreement with Broken Arrow Public Schools to transfer ownership of three (3) prefabricated metal buildings located at Central on Main in exchange for parking improvements on the site. At the time of the agreement the City had plans for buildings to be moved and utilized elsewhere.

Later, the School District representatives approached staff about tying the purchase of the old Franklin Hospital, now the Military History Museum, to the parking lot in an effort to gain greater improvements than originally contemplated. In exchange for greater parking lot improvements, the School District offset the purchase price on the Franklin Hospital with the cost of the additional parking lot improvements. This new agreement provided for the City to design, engineer, construct and fund the parking lot improvements according to a conceptual parking lot layout. This agreement replaced the previous one and was approved by Council on August 21, 2012. According to this agreement both the prefabricated buildings were to be relocated and the parking lot improvements made utilizing City crews when feasible. Nonetheless, completion for both was to be on or before June 30, 2013.

Since this agreement was approved, the various planned uses for the buildings have been contemplated and ultimately replaced by alternatives. Cost and other factors have made moving and reusing these buildings impractical. Despite the fact the City has no use for the prefabricated buildings; they must be moved to allow the City to fulfill its obligation to construct agreed upon parking lot improvements. On December 3, 2013, the Council declared the three prefabricated metal buildings located at Central on Main surplus and authorized preparation of a contract to be publicly bid for the removal and disposal of the three buildings.

The development of a Request for Proposal (RFP) for the sale and removal of these three buildings is now ready to be solicited. Funding for this project, according to the agreement, is to come from the City of Broken Arrow's Tax Increment District No. 1, also known as the Broken Arrow FlightSafety & Downtown Economic Development Project Plan. The parking lot improvements were estimated to cost \$136,400 based on information from the agenda fact sheet on this subject dated August 21, 2012

INTEROFFICE MEMO

As the project is now twelve months overdue, the following schedule has been established and indicates what Engineering, Streets and General Services believe is a reasonable expectation of when this project can completed.

<u>Date</u>	<u>Item</u>
Completed	Parking Lot Engineering and Design
In Progress	Acquisition of Prefab titles
In progress	Disconnect Utilities
June 27, 2014	RFP advertising
July 23, 2014	RFP opens
August 5, 2014	Council approval if necessary
August 6, 2014	Award proposal and notice to proceed
August 7 -- November 7, 2014	Contractor performance period (60-90 days)

Street Department schedule/plan for accomplishing this work based on current workload is as follows:

Present -- November 30, 2014	Continue asphalt preservation work of city streets until ambient temperatures stop the work
December 1, 2014 -- February 28, 2015	Street Division: demo/ repair / prepare base / construct retaining wall / construct curb and gutter
March 1, 2015 – March 15, 2015	Complete project / asphalt overlay and stripe

If you require any additional information please contact myself, Steve Arant or Tom Hendrix.

The following attachments are included for your reference:

- Agenda item and agreement from February 21, 2012
- Agenda item and agreement from August 21, 2012
- Agenda item from December 3, 2013
- Draft of RPF 14.140



Lee Zirk

Attachments not included due to size
Please contact Mr. Moton for the additional attachments
NSummers

2. GENERAL CORRESPONDENCE / NOTIFICATION

PRESS RELEASE

 Contact: Krista Flasch
Director of Communications
City of Broken Arrow
Phone: (918) 259-2400, ext. 5309
Mobile: (918) 409-7771
Fax: (918) 259-8226

City Council Approves Water, Sewer, Stormwater Rate Increases
Changes go into effect July 1

Broken Arrow, Okla. (6/18/2014) – Broken Arrow City Councilors approved new utility rates that become effective with the Fiscal Year 2015 (FY15) budget. Engineering firm Black and Veatch recommended the rate changes, after completing a comprehensive utility study that analyzed the City’s cost of providing water, sewer, stormwater and flood control services.

“The comprehensive rate study by Black and Veatch provides an objective analysis of the City’s actual cost of providing services to its customers,” said City Manager Thom Moton. “At the same time, the study calculates how much revenue the City needs to generate in order to keep up with the cost of providing those services at a level expected by customers.”

A typical residential customer using 7,000 gallons of water per month will see their water bill increase \$2.31 per month and their sewer bill increase \$1.61 per month, for a combined increase of \$3.92 per month. While the rate increase becomes effective July 1, customers will see the changes reflected on bills received in August. The last utility rate change occurred in January 2012.

The rate increases will not only cover the cost of operations, it will also help pay for utilities infrastructure, such as replacing old sewer and waterlines, purchasing automated meter reading equipment, upgrading the Haikey Creek and Lynn Lane wastewater treatment plants, as well as paying the loan on the new \$58 million Verdigris River Water Treatment Plant and building fund balances to meet City policies. Capital improvement projects for infrastructure were deferred during the recession. The City has an aging infrastructure that has not kept up with growth. Capital improvement investments are needed in order to:

- minimize service disruptions
- ensure the system works as intended
- comply with state and federal regulatory standards

(continued)

The Black and Veatch rate study recommends a series of rate increases over the next five years, although City Council has only approved the rate increase as outlined in the FY15 budget. Staff will monitor the utilities' financial condition as a result of the first rate increase and make a recommendation to Council whether subsequent rate increases are needed. Council would consider any subsequent rate increases during the Fiscal Year 2015/2016 budget process.

A comparison chart showing how Broken Arrow rates compare to surrounding communities is attached.

Even with the FY15 rate increases, Broken Arrow's utility rates remain far lower than surrounding communities. When comparing rates for the average residential customer, Broken Arrow is currently the third lowest among 26 cities, including Tulsa, Owasso, Sand Springs, Bixby and Jenks. The new rate increase will make Broken Arrow rates the seventh lowest. Read the complete Black and Veatch report at www.brokenarrowok.gov/2014utilitypresentation.

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RATE COMPARISON – 7,000 GALLONS

Community	State	Water \$	Rank	Sewer \$	Rank	Combined \$	Rank
Abilene	Texas	29.43	9	25.35	8	54.78	5
Bartlesville	Oklahoma	28.84	6	32.96	17	61.80	12
Bixby	Oklahoma	45.82	26	24.85	7	70.67	19
Broken Arrow Existing	Oklahoma	30.87	10	22.55	4	53.42	3
Broken Arrow Proposed	Oklahoma	33.18	14	24.16	6	57.34	7
Coweta	Oklahoma	44.70	25	22.45	3	67.15	17
Edmond	Oklahoma	35.75	20	30.82	14	66.57	16
Fayetteville	Arkansas	29.08	8	44.14	23	73.22	21
Fort Smith	Arkansas	24.42	4	30.17	13	54.60	4
Jenks	Oklahoma	42.67	23	16.89	1	59.56	10
Lawton	Oklahoma	33.35	15	21.45	2	54.80	6
Lee's Summit	Missouri	32.38	11	42.94	21	75.32	23
Little Rock	Arkansas	16.15	1	43.85	22	60.00	11
Norman	Oklahoma	18.20	2	28.90	11	47.10	1
Oklahoma City	Oklahoma	28.40	5	29.66	12	58.06	8
Olathe	Kansas	33.51	16	45.89	26	79.40	25
Owasso	Oklahoma	40.40	21	27.62	9	68.02	18
Rural Water District #4	Oklahoma	32.98	13	31.22	15	64.20	13
Sand Springs	Oklahoma	43.32	24	44.43	24	87.75	26
Sapulpa	Oklahoma	42.57	22	34.03	19	76.60	24
Springfield	Missouri	34.08	17	31.78	16	65.85	14
Topeka	Kansas	34.87	18	36.08	20	70.95	20
Tulsa	Oklahoma	28.97	7	44.87	25	73.84	22
Waco	Texas	32.78	12	33.23	18	66.01	15
Wichita Falls	Texas	35.56	19	23.98	5	59.54	9
Wichita	Kansas	24.17	3	28.75	10	52.92	2
Average		32.94		31.65		64.59	
Median		33.08		30.50		65.03	

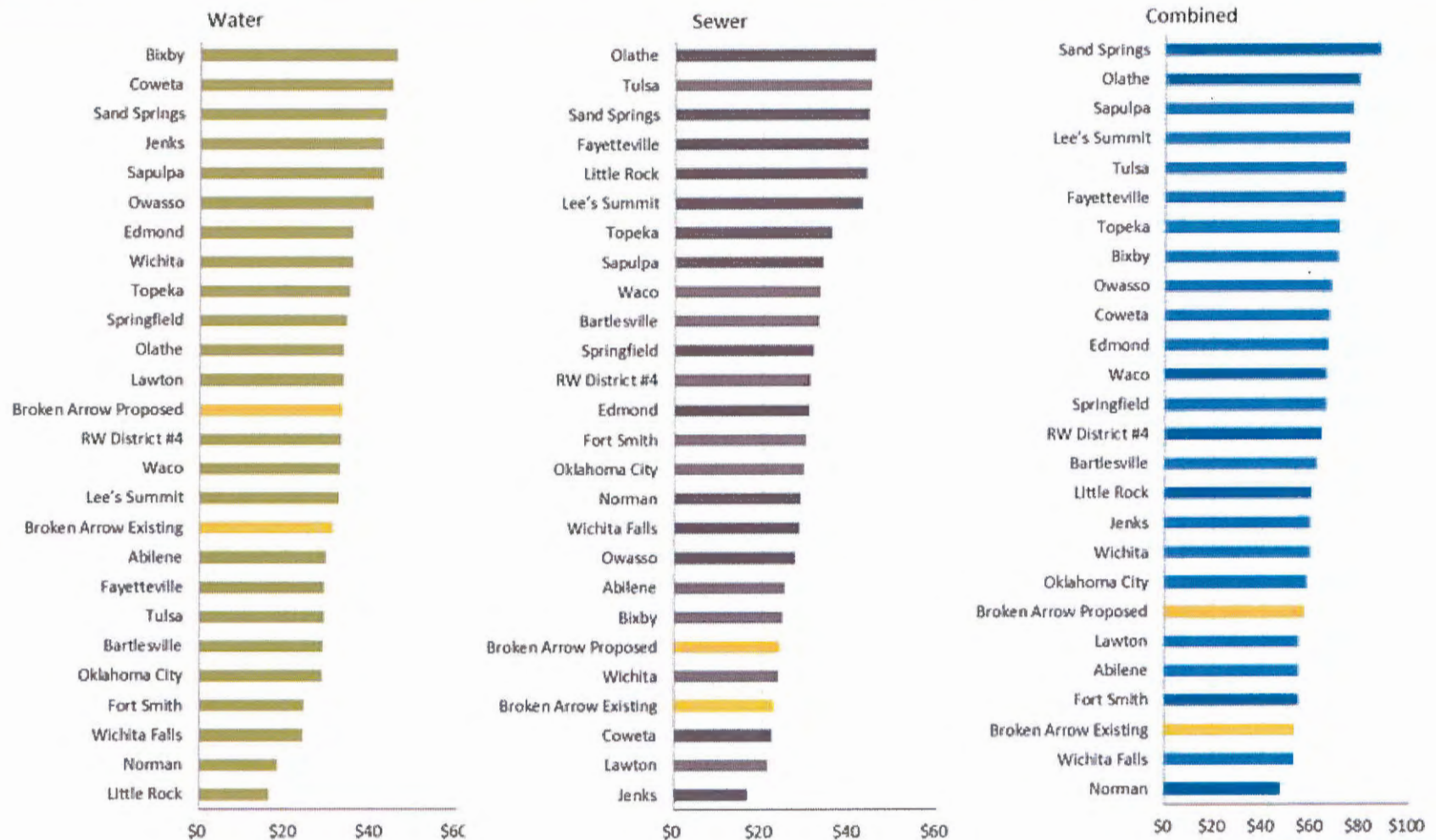
Broken Arrow Monthly Increase

Water - \$2.31

Sewer - \$1.61

Combined - \$3.92

RATE COMPARISON – 7,000 GALLONS





Contact: Krista Flasch
Director of Communications
City of Broken Arrow
Phone: (918) 259-2400, ext. 5309
Mobile: (918) 409-7771
Fax: (918) 259-8226

Broken Arrow City Council Adopts New Budget

Broken Arrow, Okla. (6/18/2014) – Broken Arrow City Council on Monday night approved the Fiscal Year 2015 Budget, which will go into effect July 1, and the Fiscal Year 2016 Financial Plan. Fiscal Year 2015 (FY15) begins July 1, 2014 and ends June 30, 2015.

This is the first time City Council has adopted a two-year budget and financial plan. This type of budget planning allows the City to better prepare for future expenses, by getting a longer range estimate of sales tax revenues, which fluctuate from month to month.

The FY15 Budget is made up of twenty-five (25) funds, which include the General Fund, the Broken Arrow Municipal Authority (BAMA) and the Broken Arrow Economic Development Authority (BAEDA).

Total FY15 **revenues** are projected to be \$155,551,238. This is an increase of 4.23 percent from the current fiscal year.

Total FY15 **expenditures** are planned at \$162,090,103. This is 5.49 percent below the current fiscal year's estimated expenditures.

Fund balances of \$8,960,165 will be used to bridge the gap between revenues and expenditures. The fund balances to be used are:

- General Fund: \$1,214,000
- BAMA: \$2,443,800
- 2008 General Obligation Bonds: \$3,467,000
- 2011 General Obligation Bonds: \$570,000
- Special revenue, other miscellaneous funds: \$1,265,365

Fund balances are a buildup of revenues greater than expenditures in any budget year.

(continued)

“I am very concerned about our deficit spending,” said Mayor Craig Thurmond. “But our employees have always stepped up during a financial crisis and found ways to save money. I’m confident they’ll do the same to help us get through this next fiscal year.”

General Fund Highlights

The General Fund is the City’s primary operating fund. It makes up 41 percent of the total FY15 budget.

Projected revenue growth can be attributed to a 3.5 percent increase in sales tax revenues, as well as payment in lieu of taxes (PILOT) fees from BAMA. Additionally, new revenues will be generated from increasing various development fees, the ambulance rate and school resource officer (SRO) contracts with Broken Arrow Public Schools.

FY15 expenses are budgeted 1.72 percent higher than the last fiscal year. The FY15 budget excludes a general wage increase and the soft hiring freeze will continue. Eligible employees will receive satisfactory performances increases, which the City calls a STEP increase.

“For a full service City that offers police, fire & EMS, jail, municipal court, parks, recreation, streets, cemetery, building inspections and permitting, we operate as a lean organization, with fewer employees per 1,000 residents than comparable size cities. We also provide these services at a much lower cost than peer cities” said City Manager Thom Moton. “City staff will continue to research and implement best practices that determine the true cost of services, to ensure the current level of services citizens expect and enjoy today are sustainable for the future.”

A copy of the FY15 Budget and FY16 Financial Plan can be viewed at www.brokenarrowok.gov/citybudget.

###



Contact: Krista Flasch
Director of Communications
City of Broken Arrow
Phone: (918) 259-2400, ext. 5309
Mobile: (918) 409-7771
Fax: (918) 259-8226

Summer Hours Keep Popular Swimming Center Open Longer

Broken Arrow, Okla. (6/19/2014) – Starting July 1, 2014, the Family Aquatic Center located at 1400 S. Main Street, will operate with new extended summer hours. The swimming facility will open two hours earlier and close one hour later during the weekday, except Monday when the facility is normally closed.

The new hours of operation will be:

- Monday: Closed
- Tuesday – Saturday: 11:00 a.m. to 7:00 p.m.
- Sunday: 1:00 p.m. to 6:00 p.m.

Private pool rentals will be available on Mondays only from 1:00 p.m. to 7:00 p.m. Reservations can be made by calling (918) 259-7000 ext. 7440.

Admission for the Family Aquatic Center is as follows: under the age of three, free; patrons under 48 inches, \$4.00; patrons over 48 inches, \$5.00; patrons 55 and over, \$4.00.

The Family Aquatic Center and the Nienhuis Aquatic Facility, 3201 N. 9th, will be open regular hours on July 4th.

In 2013, 39,090 visitors used the swimming facilities operated by the Broken Arrow Recreation, Parks, Cultural Affairs & Tourism Department.

###

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

From: Brandon C. Berryhill, Deputy Chief of Police *BCB 141*

Date: June 17, 2014

Re: "Frenchie" the Bulldog

A little female French bulldog was with a group of individuals arrested for burglarizing houses this week. Animal Control took custody of her after they were arrested. The dog was scanned for a microchip and found she had one registered and, in fact, that she had been stolen out of a home burglary in Houston 2 years ago. The owner was elated to find out she was alive & well after all this time.

The original owner drove from Houston to Broken Arrow on Monday in order to recover his dog. He gave \$2000 for the dog, which is the average cost for a French Bulldog.

A detailed story was aired on News on 6 Monday night. CPT Gilstrap also did interviews for the story with the Tulsa World, and news stations out of Houston & Beaumont, Texas.

Original story and picture of "Frenchie" was posted on our BAPD Facebook page and resulted in 822 "Shares" 2,841 "Likes" and 85,024 people saw the post.

INTEROFFICE MEMO

Broken Arrow Fire Department

To: Thomas M. Moton, Jr. City Manager
From: Steven Jarrett, Acting Fire Chief
Date: June 19, 2014
Re: May 2014 Monthly Report

Please see the attached reports detailing

EMS Responses
Fire Responses
Fire Prevention Inspections
Fire Investigations
Fire & EMS Overview



Broken Arrow Fire Department Monthly Report
May 2014

	<u>This Fiscal Year</u>	<u>Last Fiscal Year</u>	<u>Percentage Change</u>
EMS Responses	667	633	5%
Fire Responses	203	136	49%
Fire Prevention Inspections	107	44	143%
Fire Investigations	6	10	40%
Total Training Hours	1362	691	97%



Broken Arrow Fire Department Monthly Report
May 2014

	Station	Assist Other Stations	Assist EMS	
District 1	35	17	69	This Month
	465	181	803	Total Fiscal Year
District 2	49	05	84	This Month
	506	116	854	Total Fiscal Year
District 3	16	10	34	This Month
	189	89	341	Total Fiscal Year
District 4	36	03	38	This Month
	335	45	423	Total Fiscal Year
District 5	50	09	83	This Month
	501	107	974	Total Fiscal Year
District 6	39	09	68	This Month
	443	125	783	Total Fiscal Year
Total	225	53	376	This Month
	2439	663	4178	Total Fiscal Year
	7.3	1.7	12.1	Total Number Runs per Day



Broken Arrow Fire Department Monthly Report
May 2014

Fire Suppression Average Response Times

	This Month	Same Month Last F/Y	Total This F/Y	Total Last F/Y
Station #1 Eng 1	4:12	4:30	4:08	4:10
Station #2 Eng 2	4:41	3:57	5:01	4:17
Station #3 Eng 3	4:38	3:52	4:46	4:53
Station #4 Eng 4	5:17	5:25	5:35	6:06
Station #5 Eng 5	4:39	3:58	4:14	3:47
Station #6 Eng 6	4:44	4:49	4:42	4:56
Total Average	4:42	4:25	4:44	4:43

BAFD Bench Mark Average Time - 1st in Engine 5:00, 2nd in Engine 7:00

EMERGENCY MEDICAL SERVICES

EMS Unit Run Destinations

Saint Francis - Tulsa	117	Hillcrest MC South	55
Saint Francis South	93	Hillcrest MC Tulsa	16
Saint John MC - Tulsa	74	OSU Medical Center	6
Saint John MC -BA	77		

EMS Runs by Type

	This Month	Same Month Last F/Y	Total This F/Y	Total Last F/Y
Numbers of Runs	667	633	7100	6382
Transports	451	495	5284	4950
Persons Treated	470	529	5519	5118
Cancelled En-route	26	3	171	90
EMS Suppression	118	96	1363	1277



Broken Arrow Fire Department Monthly Report
May 2014

EMS Revenue	This Month	Fiscal Year to Date
Charges for the Month Intermedix	\$0.00	\$1,127,406.58
Charges for the Month EMS/MC	\$ 533,386.16	\$ 4,500,436.33
TOTAL CHARGES	\$533,386.16	\$5,627,842.91
Received by Intermedix	\$ 452.45	\$ 750,380.14
Paid to Intermedix by City of BA	\$ 2,674.16 XX	\$ 54,637.50
Sub-Total Received for Month	\$ 3,126.61	\$ 805,017.64
Received by EMSMC	\$ 110,556.70	\$ 880,171.60
Paid to EMSMC	(\$3,608.26)	(\$44,731.75)
Sub-Total received for Month	\$ 106,948.44	\$ 835,439.85
TOTAL RECEIVED	\$110,075.05	\$ 1,640,457.49
Percentile Rate of collection to Date	21%	29%
Percentile Rate of collection Same Month last year	47%	28%

XX - This month Intermedix showed City of BA over paid by \$ 2,674.16

EMS Average Response Times

	<u>This Month</u>	<u>Same Month Last F/Y</u>	<u>Total This F/Y</u>	<u>Total Last F/Y</u>
Station #1 Sq-1	4:15	3:53	4:01	3:52
Station #2 Sq-2	4:38	4:30	4:39	4:35
Station #3 Sq-3	4:48	4:31	4:34	4:16
Station #4 Sq-4	4:45	5:19	5:06	5:38
Station #5 Sq-5	3:47	4:05	3:39	3:44
Station #6 Sq-6	4:22	4:30	4:23	4:25
Total Average	4:26	4:28	4:24	4:24

BAFD Bench Mark Average Time 5:00

JUN 17 2014



City Manager's Office

Copy: NTC
- Jeff Bigby & Tom Hendrix
T.U
6/17/14

Public Notice

U.S. Army Corps
of Engineers
Tulsa District

Reply To:

SWT-2014-291
Public Notice No.

U.S. Army Corps of Engineers
ATTN: Regulatory Office
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4609

June 12, 2014
Public Notice Date

July 12, 2014
Expiration Date

RE: Creekside Apartments

2401 W. OMAHA (OMAHA + ASPEN AREA)

PURPOSE

The purpose of this public notice is to inform you of a proposal for work in which you might be interested and to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

SECTION 10

The U.S. Army Corps of Engineers is directed by Congress through Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) to regulate all work or structures in or affecting the course, condition, or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404

The U.S. Army Corps of Engineers is directed by Congress through Section 404 of the Clean Water Act (33 U.S.C. 1344) to regulate the discharges of dredged and fill material into all waters of the United States. These waters include lakes, rivers, streams, mudflats, sandflats, sloughs, wet meadows, natural ponds, and wetlands adjacent to other waters. The intent of the law is to protect these waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical, and biological integrity.

NOTICE TO PUBLISHERS

This public notice has been provided as a public service and may be reprinted at your discretion. However, any cost incurred as a result of reprinting or further distribution shall not be a basis for claim against the Government.

Application No. SWT-2014-291

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ)
(30-DAY COMMENT PERIOD)

Interested parties are hereby notified that the District Engineer (DE) has received an application for a Department of the Army (DA) permit and water quality certification pursuant to Sections 404 and 401 of the Clean Water Act. The ODEQ hereby incorporates this public notice and procedure as its own public notice and procedure by reference thereto.

The application is for the conversion of a stream channel and portions of 1.05 acre on-channel pond into a stormwater management basin and access road.

Name of Applicant:

Mr. Will Ralph
BD Creekside Apartments, Phase 1, LLC
Post Office Box 11890
Bozeman, MT 59718

Name of Agent:

Ms. Kathryn Herzog
Terracon Consultants, Inc.
25809 Interstate 30 South
Bryant, AR 72022

Location: This proposal would be constructed in the unnamed tributary of Mingo Creek. The location of the proposed project is in the Northeast 1/4 of Section 33, Township 19 North, Range 14 East, in Broken Arrow, Tulsa County, Oklahoma. The project site can be found on the Broken Arrow, Oklahoma, 7.5 Minute USGS Quadrangle map.

North Latitude: 36.085502, West Longitude: 95.817637 Decimal Degrees

Purpose: The basic purpose of this work is to manage the 100-year flood frequency event as required by an ordinance from the City of Broken Arrow.

A water dependency determination is not required because no special aquatic sites are located within the project site.

The overall purpose of this work is for construction of an apartment complex with 380 rental units and associated facilities.

Table of Impacts:

Original Proposal					
<u>Number or Location</u>	<u>Impact Activity</u>	<u>Type of Impact</u>	<u>Type of Fill Material</u>	<u>Quantity of Material (CY) below OHWM</u>	<u>Footprint (AC and/or LF)</u>
Unnamed tributary of Mingo Creek	Placement of Fill Material	Construction of Stormwater Management Basin	Earthen Material-Clay	900 CY	245 LF 0.06 AC
On-channel pond (pond)	Placement of Fill Material	Construction of Stormwater Management Basin-Access Road	Earthen Material-Clay Riprap	1,147 CY 33 CY	0.41 AC Fill 0.31 AC Re-grade 0.72 AC Total
Access Road (pond)	Placement of Fill Material	Access Road	Earthen Material-Clay	721 CY	60 LF Stream 0.17 AC Pond

Description of Work: The applicant proposal requires the placement of fill material into an existing 1.05-acre pond and stream channel for the construction of a stormwater retention basin and access road in Reserve Area B. The applicant has proposed the placement of 900 CY of clay into 245 linear feet (0.06 acre) of stream channel. Also, the placement of 1,868 CY of clay and 33 CY of riprap would be placed into 0.72 acre of the existing on-channel pond. The size of the manipulated pond would be reduced to 0.33 acre. An approximately 70-LF long dual 5- by 5-foot box culvert and a 14- by 15- foot concrete wing wall would be constructed for a road crossing and would discharge water from the stormwater management basin into the unnamed tributary of Mingo Creek.

Avoidance and Minimization Information: The applicant provided the following statement with regard to how avoidance and minimization of impacts to aquatic resources was incorporated into the project plan:

Avoidance and minimization of impacts to the stream channel and on channel pond are some of the top goals of the proposed project. Throughout the conceptual design phase, the project's development planning team has taken proactive steps to minimize the potential for impacts to natural resources located at the site. For example, placement of the access road further north would have been more economically feasible for this development but with more impacts of the natural resources; therefore, it was placed further south and west, avoiding further impacts to local natural resources. The project footprint has been re-evaluated and redesigned to avoid further stream and pond areas onsite. The proposed apartment complex development design and resulting footprint were made as compact as practicable without substantially compromising safety and operational functionality.

Four alternative configurations were considered during the preliminary design of the project.

1. No Action: This alternative would not allow for the construction of a luxury apartment home complex and associated facilities in Broken Arrow, Oklahoma, thus not accommodating present and future growth.

2. Alternative 1: This alternative would allow for construction of a luxury apartment home complex with approximately 1.01 acres of stream and pond impacts. The impacts would be 350 LF of stream impacts and creation of the stream to the west of the culvert, and 0.58 acre of impacts to the on-channel pond.

3. Alternative 2: This alternative would allow for the construction of a luxury apartment home complex without a stormwater detention basin and an emergency access road. Terracon understands that this alternative was not further analyzed because of the unfeasibility due to the City of Broken Arrow's ordinances; therefore, the amount of impacts was not configured.

4. Alternative 3: This alternative would allow for the construction of a luxury apartment home complex with approximately 0.78 acre of stream and pond impacts. Specifically, 245 LF of stream channel with maintaining as much of existing stream as possible, as well as 0.72 acre of pond impacts. Included in these measurements are the impacts from the construction of the access road. Specifically, the access road will impact 60 LF of stream channel and 0.17 acre of the pond. This alternative would also allow for construction of the necessary associated facilities (preferred alternative design).

Mitigation: Furthermore, the applicant proposes the following as compensatory mitigation for the unavoidable impacts to aquatic resources expected from the proposed project:

On-site mitigation includes creation (out of the approximately 696 LF of stream that will exist on-site) of 411 LF of stream, preservation of 400 LF of stream, restoration of 285 LF of stream, 0.15 acre of restoration and preservation stream buffer, and 0.23 acre of restoration and 0.33 acre of preservation of the remain pond. The creation, restoration, and preservation mitigation activities are proposed in order to compensate for impacts made to the existing on-site tributary and pond. Stream mitigation activities include the installation of boulders and riprap within the channel to create dynamic and sinuosity. Stream and pond buffer mitigation include planting native grasses and trees in the proposed mitigation area (Zone 1 and Zone 2). The applicant has proposed to plant 7,000 square feet of big bluestem (*Andropogon gerardii*), fifty-five 1-gallon American holly (*Ilex opaca*), and sixty-four 5-gallon American elm (*Ulmus americana*) trees. The applicant has proposed to monitor the mitigation areas for 5 years with performance standard of 80% survival rates for the trees and place a deed

restriction to protect the mitigation areas from future development. For mitigation of the on-channel pond the applicant has proposed to construct a 0.64 acre off-channel pond in the uplands (Reserve Area A) and has proposed to protect the remaining 0.33 acre on-channel pond.

This mitigation plan is the applicant's proposal. The Corps has made no determination at this time with regard to the adequacy of the proposed mitigation relative to the federal mitigation rules and guidance, including Tulsa District's Mitigation and Monitoring Guidelines. The Corps is accepting comments on the need for and nature of the proposed mitigation in addition to comments on the applicant's primary proposal. The Corps bears the final decision on the need for and extent of mitigation required if the project proposed herein is authorized.

Site History: One Sierra Plaza Place, Regulatory Project Identification Number SWT-2008-268, a similar project for this parcel of land was authorized by the Corps in September 2009. Consultation with the U. S. Fish and Wildlife Service and Section 106 National Historic Preservation Act was completed. The Service advised in a letter dated April 21, 2009, that because of the level of development surrounding the project site, the Service believes the project is unlikely to affect the American bury beetle (*Nicrophorus americanus*), or other federally-listed endangered and threatened species. The Oklahoma Historical Society advised in a letter dated April 22, 2009, that there are no known historical properties affected by the proposed project. The Oklahoma Archaeological Survey advised in a letter dated March 31, 2009, that there are no known archaeological properties affected by the proposed project.

Project Setting: This project is located within the Oklahoma Ecoregion of Cross Timber Transition, which is part of the Central Great Plains geomorphic province. The Transition is characterized by a series of grasslands and prairies.

Existing Conditions: The 23.7-acre parcel of land is comprised mostly grasslands in the uplands. The intermittent stream channel and on-channel pond which are jurisdictional waters of the United States are located in the southern portion of the property has native shrubs and trees. The primary uses for the land historically was for agriculture that was composed of fields of corn, soybeans, and wheat, as well as cattle.

Plans and Data: Plans showing the location of the proposed activity and other data are enclosed with this notice (Enclosure 1 of 5). If additional information is desired, it may be obtained from U.S. Army Corps of Engineers, Tulsa District, ATTN: Regulatory Office, 1645 South 101st East Avenue, Tulsa, OK 74128-4609, or telephone 918-669-7400.

Cultural Resources: The DE has consulted the National Register of Historic Places and it has been determined that there are no properties currently listed in the National Register which would be directly affected by the proposed work. The DE has also consulted the listing of Eligibility Determinations for Oklahoma and determined that the proposed project is not in the vicinity of properties eligible for listing. This public notice is

also being sent to State Historic Preservation Officer and to Native American Tribal governments to reveal if other known historic or archeological resources may be eligible for listing in the National Register exist in the project area and which could be directly affected by the proposed work. This coordination is being done to fulfill our requirements under the National Historic Preservation Act of 1966 (Public Law 89-665) and associated historic preservation laws. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological or other historic properties which may be affected by the proposed work, the DE will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966, as amended, and 36 CFR Part 800, in accordance with implementing regulations 33 CFR 325, Appendix C.

Threatened and Endangered Species: The following federally listed species are known to occur in the vicinity or are listed for the county in which the proposed action is located: interior least tern (*Sterna antillarum*), piping plover (*Charadrius melodus*), and the American burying beetle (*Nicrophorus americanus*), red knot (*Calidris canutus rufa*) (proposed listing). A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies. This notice constitutes a request to those agencies for information on whether any other listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

We are currently assessing the potential effects of the proposed action on these species and will comply with the Endangered Species Act with regard to any affect of our decision on this permit application.

Environmental Considerations: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownerships, and, in general, the needs and welfare of the people. A permit will be denied if the discharge does not comply with the Environmental Protection Agency's 404(b)(1) Guidelines. Subject to the 404(b)(1) Guidelines and any other applicable guidelines or criteria, a permit will be granted unless the DE determines that it would be contrary to the public interest.

Comments: In order to consider and evaluate the impacts of this proposed activity the Corps is soliciting comments from the public, federal, state, and local agencies and officials; Indian tribes; and other interested parties. Comments concerning the issuance

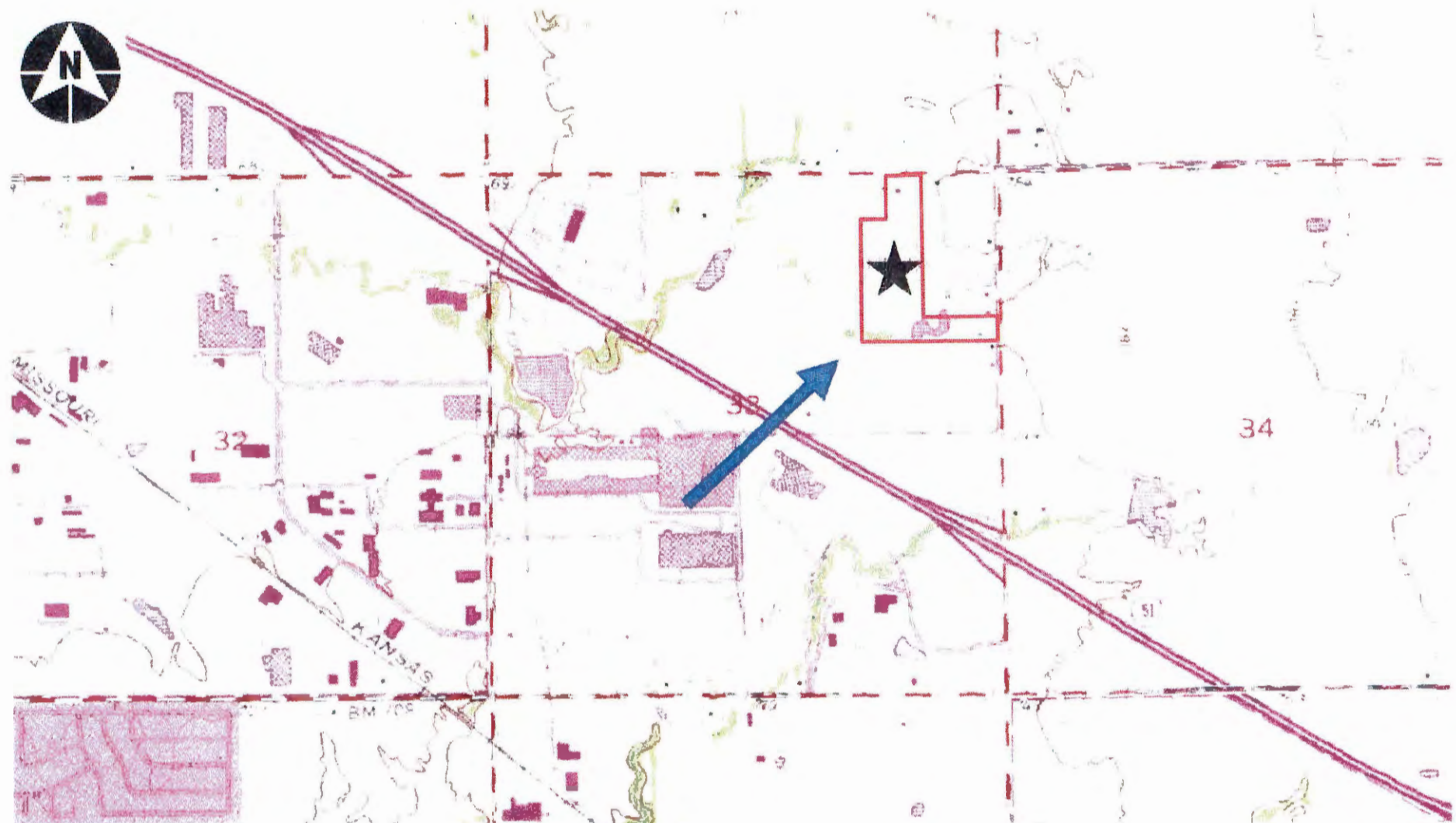
of this permit should be received by the DE no later than 30 days from the date of this public notice. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

At the request of the Oklahoma Water Resources Board's National Flood Insurance Program State Coordinator, we are sending a copy of this notice to the local floodplain administrator to apprise the administrator of proposed development within their jurisdiction. In accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. The local floodplain administrator is required to perform this review for all proposed development and maintain records of such review.

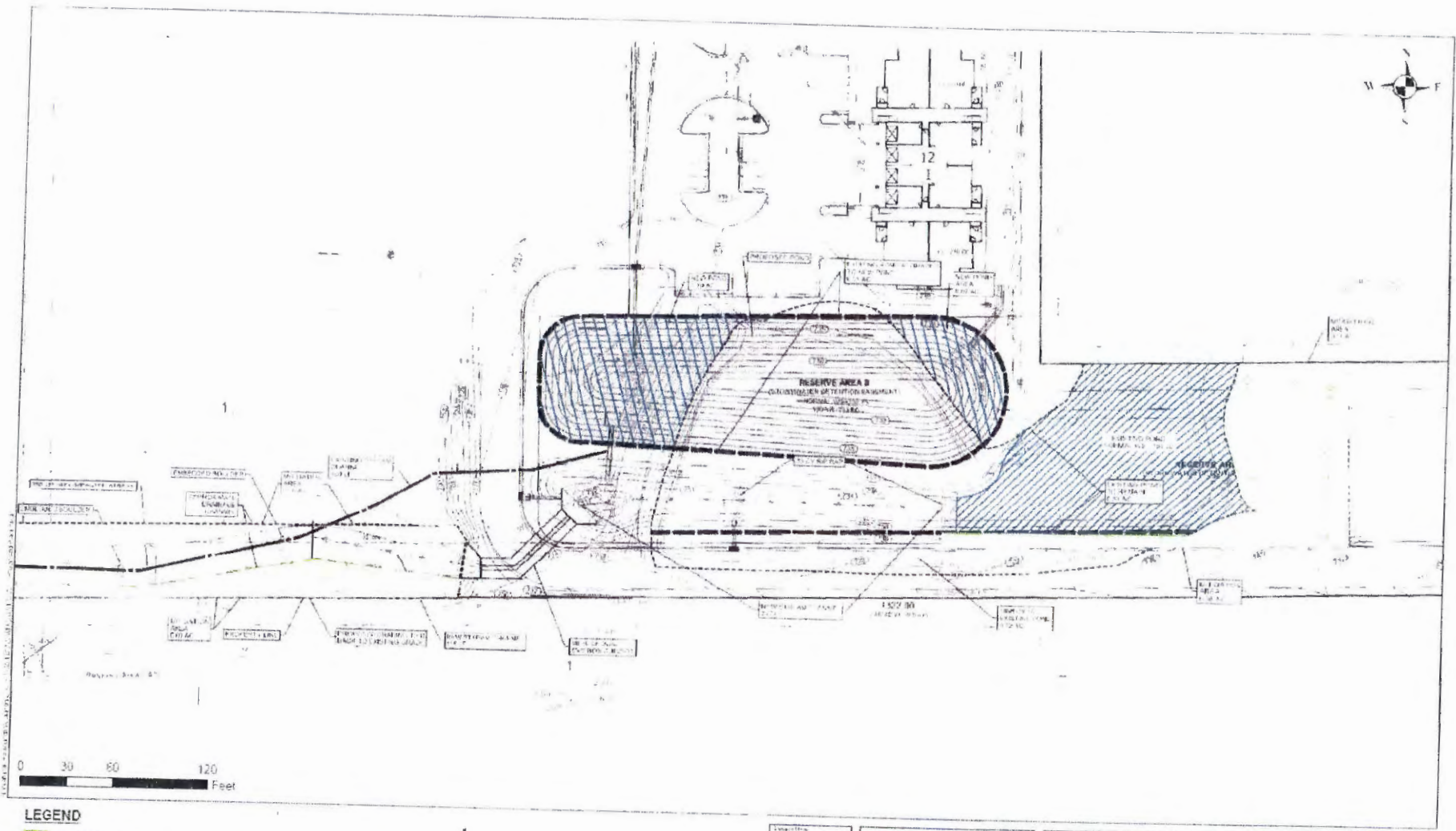
Comments concerning water quality impacts will be forwarded to ODEQ for consideration in issuing a Water Quality Section 401 certification for the proposed project. Work may **not** commence until decisions have been made on both Sections 401 and 404 of the Clean Water Act.




Andrew R. Commer
Chief, Regulatory Office

Enclosures



SWT-2014-291
Stormwater Management Basin and Access Road Project
BD Creekside Apartments Phase 1
Unnamed tributary and Pond of Mingo Creek
Broken Arrow, Tulsa County, Oklahoma
Enclosure 1 of 5



- LEGEND**
-  Mitigation Area
 -  New Pond Area
 -  Existing Pond Area to Remain

Authoring	AC
Design	AC
Check	AC
Draw	AC
Plot	AC

Terracon

JASON WILSON, P.E. PROJECT NO. 2014-291
 1500th Street BROKEN ARROW, OKLAHOMA

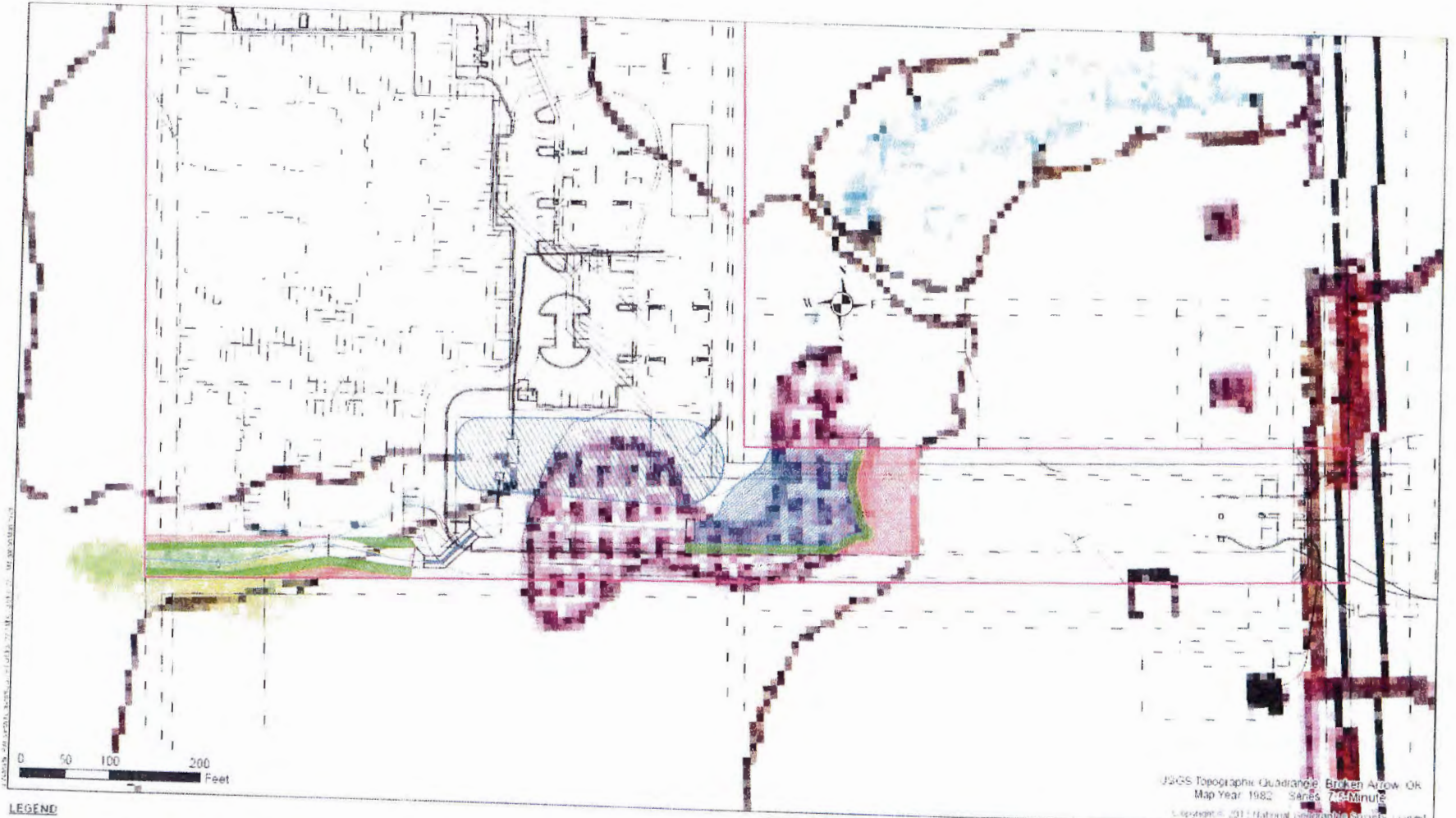
PROPOSED PLAN

USACE PERMIT AND
 PROPOSED STREAM/POND MITIGATION
 BD CREEKSIDE APARTMENTS PHASE I, LLC
 BROKEN ARROW, TULSA COUNTY OKLAHOMA

EXHIBIT

1A

SWT-2014-291
 Stormwater Management Basin and Access Road Project
 BD Creekside Apartments Phase I
 Unnamed tributary and Pond of Mingo Creek
 Broken Arrow, Tulsa County, Oklahoma
 Enclosure 2 of 5



- LEGEND**
- Existing Stream To Be Relocated
 - Existing Stream To Remain
 - Proposed New Stream Channel
 - Approximate Site Boundary
 - Proposed Stormwater Detention Pond
 - Existing Pond to Remain
 - Proposed Mitigation Area (Zone 1)
 - Proposed Mitigation Area (Zone 2)

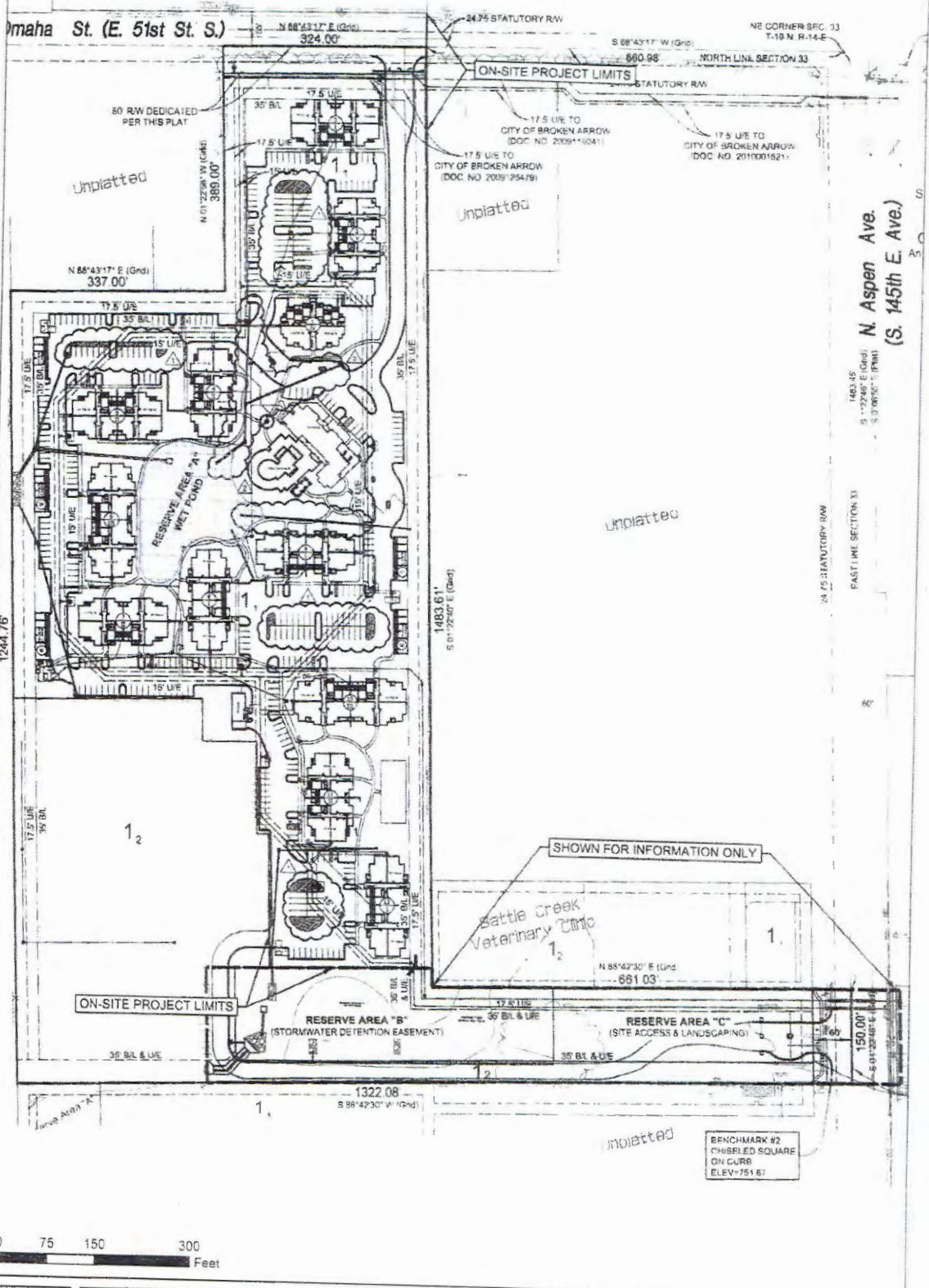
Project No.	291
Sheet No.	05
Project Name	BD
Date	08/12/2014
Scale	AS SHOWN

Terracon

TOPOGRAPHIC MAP
 USACE PERMIT AND
 PROPOSED STREAM/POND MITIGATION
 BD CREEKSIDE APARTMENTS PHASE I LLC
 BROKEN ARROW, TULSA COUNTY OKLAHOMA

EXHIBIT
 2

SWT-2014-291
 Stormwater Management Basin and Access Road Project
 BD Creekside Apartments Phase I
 Unnamed tributary and Pond of Mingo Creek
 Broken Arrow, Tulsa County, Oklahoma
 Enclosure 3 of 5



SW I-2014-291
 Stormwater Management Basin and Access Road Project
 BD Creekside Apartments Phase I
 Unmanned tributary and Pond of Mingo Creek
 Broken Arrow, Tulsa County, Oklahoma
 Enclosure 4 of 5



Drawn By:	CS
Checked By:	CS
Plotted By:	CS
Date:	04/13/2011
Time:	03:12:00

Terracon
 28409 Interstate 40 S.W. Dr. Suite 1241
 Broken Arrow, OK 75007
 Phone: (918) 251-1241
 Fax: (918) 251-1242

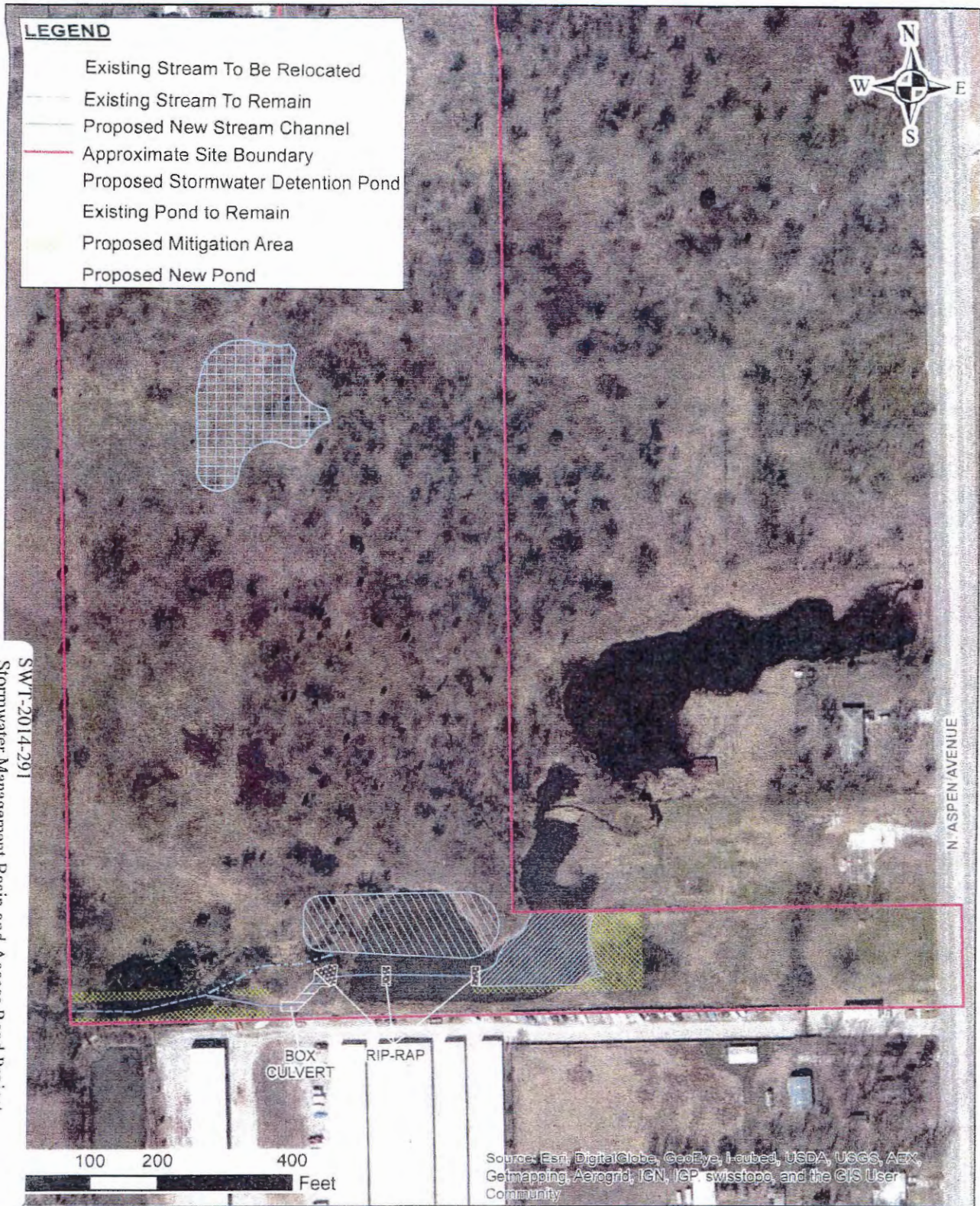
LEGEND
 Proposed New Pond

PROPOSED PLAN
 USACE PERMIT AND
 PROPOSED STREAM/POND MITIGATION
 BD CREEKSIDE APARTMENTS PHASE I, LLC
 BROKEN ARROW, TULSA COUNTY OKLAHOMA

EXHIBIT
 1B

LEGEND

- Existing Stream To Be Relocated
- Existing Stream To Remain
- Proposed New Stream Channel
- Approximate Site Boundary
- Proposed Stormwater Detention Pond
- Existing Pond to Remain
- Proposed Mitigation Area
- Proposed New Pond



SW/T-2014-291
 Stormwater Management Basin and Access Road Project
 BD Creekside Apartments Phase I
 Unnamed tributary and Pond of Mingo Creek
 Broken Arrow, Tulsa County, Oklahoma
 Enclosure 5 of 5

Project Mgr	JWC
Drawn By	LEB
Checked By	JWC
Project No	35137227
Date	03/12/2014

Terracon
 Consulting Engineers & Scientists

25809 Interstate 30 South Ph [501] 847 9292
 Bryant, AR 72022 Fax [501] 847 9210

STREAM AND POND MITIGATION MAP
 USACE PERMIT AND
 PROPOSED STREAM/POND MITIGATION
 BD CREEKSIDE APARTMENTS, PHASE I, LLC
 BROKEN ARROW, TULSA COUNTY, OKLAHOMA

EXHIBIT

4

3. SPECIAL EVENTS / ACTIVITIES



BROKEN ARROW POLICE DEPARTMENT
1101 N. 6th Street, Broken Arrow, OK 74012
PHONE: (918) 259-8400; FAX: (918) 251-2427

Press Release No. **PIO-14-21**

Date: **6-16-14**

Subject: **Broken Arrow Animal Palooza**

Authority/Title: **Cpl. Leon Calhoun**

Phone Number: **918-451-8200 ext. 8517 / 918-720-5098 (text)**

On Saturday, June 21st from 10am to 2pm, the Broken Arrow Police Department's Animal Shelter will be hosting Animal Palooza. During this time, customers can adopt an animal from the shelter for \$25.00, half of the normal price of \$50.00. This includes vaccinations and spaying/neutering.

There will be a Jupiter Jump, giant slide, and face painting for the kids. \$1.00 hot dogs and a soda will also be available, along with free popcorn. All proceeds will benefit the animal shelter.

Keep an eye on Broken Arrow Police Department's Facebook page to see some of the dogs and cats available for adoption. The goal is to adopt all animals out of the shelter, so no animals will be accepted on the day of the event.

The Broken Arrow Animal Shelter is located at 4121 E. Omaha Street (approx. ½ mile east of 209th E. Ave on 51st Street).

KF

Contact: Krista Flasch
Director of Communications
City of Broken Arrow
Phone: (918) 259-2400, ext. 5309
Mobile: (918) 409-7771
Fax: (918) 259-8226

Rose District Farmers Market to Raise Awareness for Abused Children's Shelter

Broken Arrow, Okla. (6/20/2014) – In conjunction with Local Food Week, the Laura Dester Children's Shelter will host the Kids Corner at the Rose District Farmers Market on Saturday, **June 28** to raise awareness of the needs of local abused children.

Customers are encouraged to bring their children for a special Kids Corner event called "Plant a Seed, Change a Life". From 9:00 a.m. to 11:00 a.m., children may plant watermelon, corn or sunflower seeds to take home and grow. Forest Carpenter, the shelter's volunteer coordinator, will be available to answer questions about the work they are doing to help abused and orphaned children in Oklahoma. The shelter will be accepting donations.

For more information, visit www.localfoodweek.com.

The Rose District Farmers Market is in its sixth year of operation in downtown Broken Arrow. The market is unique to the area because it exclusively promotes Oklahoma made and Oklahoma grown products. Shoppers benefit by buying the freshest produce available while supporting local farms. Follow us on Facebook: Rose District Farmers Market.

What: Kids Corner: Plant a Seed, Change a Life, hosted by the Laura Dester Shelter

Where: Rose District Farmers Market, 418 S. Main, Broken Arrow, OK

When: Saturday, June 28, 9-11 a.m.

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