

THE CITY OF OKLAHOMA CITY
FORMAL AGENDA
CITY COUNCIL
APRIL 18, 2006

- I. Invocation and Pledge of Allegiance.

- II. Call to Order.

- III. From the Office of the Mayor.
 - A. Resolution of Commendation for Fran Cory.
[\(ATTACHMENT\)](#)
 - B. Appointment of Patrick J. Ryan as Vice-Mayor.
[\(ATTACHMENT\)](#)

- IV.
 - A. Receive Journal of Council Proceedings for April 11, 2006.
 - B. Approve Journal of Council Proceedings for April 4, 2006.

- V. Request for Uncontested Continuances.

RECESS COUNCIL MEETING.

COUNCIL AGENDA

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CONVENE AS OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY.

(Majority of a Quorum required for approval)

1. Joint Resolution with the Oklahoma City Public Property Authority authorizing an additional purpose of the Oklahoma City Municipal Facilities Authority to loan money to a public trust whose sole beneficiary is the City; and authorizing a loan agreement between the Oklahoma City Municipal Facilities Authority and Oklahoma City Public Property Authority and related financial transactions according to the terms of the loan agreement; and authorizing the incurring indebtedness pursuant to the loan agreement; and waiving any requirement with respect to competitive bidding on the sale and issuance of the loan agreement. (ATTACHMENT)
(Two-thirds affirmative vote required to incur indebtedness.)
(Three-fourths affirmative vote required to waive competitive bidding.)
2. Joint Resolution approving a modified Administrative Services Agreement with Express Scripts, Inc. for the purposes of providing certain services related to the Medicare Prescription Drug Benefit Program as set forth in Part D of the Medicare Prescription Drug, Improvement and Modernization Act of 2003, retroactive to January 1, 2006 through December 31, 2006. (ATTACHMENT)
3. Resolution authorizing the Risk Manager and the Trust's legal counsel to enter into a Joint Petition Settlement of Workers' Compensation Court Claim styled: *Robert Davidson, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Petition to Judgment as authorized by 85 O.S. § 42, 62 O.S. §§ 365.1 et seq. and Article 10, Section 28 of the Oklahoma Constitution. (ATTACHMENT)
4. Joint Resolution approving Amendment No. 2 to the agreement with eVerge Group of Texas, Ltd., for the purchase of consulting services for implementation of an Enterprise Resource Planning System (C38066), estimated cost \$1,213,000. (ATTACHMENT)

- OCMFA. 5. Joint Resolution authorizing an additional purpose of the Trust to assist in funding projects within the city limits of Oklahoma City which are designated as projects in the Oklahoma Capitol Complex and Centennial Commemoration Commission's Master Plan for commemorating the centennial of Oklahoma's admission to statehood, and authorizing the Trust to enter into an agreement with the Commission to assist with the funding of a project on the Commission's Master Plan, the Oklahoma Sports Hall of Fame and Jim Thorpe Museum, a tourist attraction to be located at 4040 North Lincoln Boulevard, \$500,000. Ward 7.
(ATTACHMENT)

ADJOURN OCMFA.

CONVENE AS OKLAHOMA CITY PUBLIC PROPERTY AUTHORITY.

(Five affirmative votes required for approval.)

1. Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing an additional purpose of the Oklahoma City Municipal Facilities Authority to loan money to a public trust whose sole beneficiary is the City; and authorizing a loan agreement between the Oklahoma City Municipal Facilities Authority and Oklahoma City Public Property Authority and related financial transactions according to the terms of the loan agreement; and authorizing the incurring indebtedness pursuant to the loan agreement; and waiving any requirement with respect to competitive bidding on the sale and issuance of the loan agreement. (ATTACHMENT)
(Two-thirds affirmative vote required to incur indebtedness.)
(Three-fourths affirmative vote required to waive competitive bidding.)
2. Change Order No. 1, Project PC-0294, Phase I, Las Rosas Residential Development, paving and drainage, southeast of SE 25th Street and Byers Avenue, increase of \$17,036.25. Ward 7. (ATTACHMENT)

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- OCPPA.**
3. Change Order No. 1, with The City of Oklahoma City and the Oklahoma City Water Utilities Trust, Project PC-0289, Gordon Cooper Realignment; Project DC-0221, storm sewer improvements; Project SC-0699, sanitary sewer improvements; and Project WC-0532, waterline relocation, Oklahoma State Fairgrounds, 500 Land Rush Street, increase of \$90,519. Ward 6. ([ATTACHMENT](#))

 4. Resolution approving a Tenant Estoppel with Oklahoma Tower Realty Investors L.L.C. pertaining to a lease agreement for lease of space on the 18th floor of the Oklahoma Tower Building and a license agreement for placement of antennas on the roof of the Oklahoma Tower Building as a part of the 800 MHz Trunked Radio Communications System, 210 Park Avenue, retroactive to August 1, 2003 through August 31, 2013. Ward 6. ([ATTACHMENT](#))

ADJOURN OCPPA.

RECONVENE COUNCIL MEETING.

VI. Consent Docket.

- A. Ordinances to be introduced and set for final hearing May 9, 2006:
 1. (PUD-1159) 7840 South Pennsylvania Avenue from R-1 Single Family Residential to PUD-1159 Planned Unit Development. Ward 5. ([ATTACHMENT](#))
 2. (PUD-1166) 500 South MacArthur Boulevard from I-2 Moderate Industrial to PUD-1166 Planned Unit Development. Ward 3. ([ATTACHMENT](#))

- B. Resolution accepting the dedications contained in the final plat of Deer Creek Crossing, north of NW 178th Street and west of Portland Avenue. Ward 8. ([ATTACHMENT](#))

- C. Resolution accepting the irrevocable letter of credit and dedications contained in the final plat of Nile Village, a replat of Lot 7, Block 1, London Acres, north of Hefner Road and west of Western Avenue. Ward 2. ([ATTACHMENT](#))

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- VI. D. Resolution authorizing reallocation of 2004-05 Emergency Shelter Grant funds in the amount of \$1,085.25 to Transit Services, and \$1,085.24 to Traveler's Aid of Oklahoma City, and authorizing execution of necessary documents. [\(ATTACHMENT\)](#)
- E. Allocation of \$71,349.23 from 1995 General Obligation Bond Issue, Proposition No. 6 - New Parks, Bond No. Unlisted Funds "(a)" City-wide Park Improvements, and allocation of \$171,712.61 from 2005 Refunding Issue of the 2000 General Obligation Bond, Proposition No. 5 - Existing Parks, Bond No. Unlisted Funds "(a)" - City-wide Park Improvements to Project MP-0231, Lake Stanley Draper improvements. Ward 4. [\(ATTACHMENT\)](#)
- F. Amendment No. 1 and Change Order No. 1, Project BC-0124, rehabilitation of bridge over the Oklahoma River on Walker Avenue, increase of \$146,476. Ward 6. [\(ATTACHMENT\)](#)
- G. Amendment No. 1, Project TC-0328, traffic improvements, South Western Avenue and SW 66th Street, increase of \$1,708. Ward 5. [\(ATTACHMENT\)](#)
- H. Amendment No. 2 and Change Order No. 2, Project DC-0204, Oklahoma State Fairgrounds drainage channel improvements, Phase II, 500 Land Rush Street, increase of \$1,153.10. Ward 6. [\(ATTACHMENT\)](#)
- I. Change Order No. 3, Project MB-0643, Bricktown Police Substation, 219 East Main Street, increase of \$19,845. Ward 7. [\(ATTACHMENT\)](#)
- ¢ J. Final Acceptance of Project MB-0644, Police Headquarters Building Repairs, Phase I, main entrance steps, 701 Colcord Drive; and placing maintenance bond into effect. Ward 6. [\(ATTACHMENT\)](#)
- K. Resolution declaring the necessity for acquiring and owning permanent and temporary easements, Project PC-0268, street improvements, NW 150th Street, Pennsylvania Avenue to May Avenue. Ward 8. [\(ATTACHMENT\)](#)

- VI. L. Acceptance of permanent easement, Project PC-0236, street widening, Western Avenue, NW 150th Street to NW 164th Street. Ward 8. [\(ATTACHMENT\)](#)
- M. Acceptance of privately constructed projects and placing maintenance bonds into effect as of the final inspection dates:
1. Four sanitary sewer projects. Wards 6 and 8. [\(ATTACHMENT\)](#)
 2. One drainage project, one channel improvements project, one paving project and three paving and drainage projects. Wards 3, 7 and 8. [\(ATTACHMENT\)](#)
- N. Resolution approving the renewal of wrecker and towing service contracts with Arrow Wrecker Service, Zone 1, Puckett's Inc., Zone 2, Car Cab Wrecker Service, Zone 3 and AAAA Wrecker Service Zone 4, May 1, 2006 to April 30, 2007, and approving performance bonds. Wards 1, 2, 3, 4, 5, 6, 7, and 8. [\(ATTACHMENT\)](#)
- O. Request for Proposals to be advertised, redevelopment and sale of city property located at 131 Dean A. McGee Avenue, former Downtown Library. Ward 7. [\(ATTACHMENT\)](#)
- ¢ P. Receive Public Safety Sales Tax Report, fiscal year 2004-05. [\(ATTACHMENT\)](#)
- Q. Resolution authorizing the City Manager of The City of Oklahoma City to serve as the designee of the City Council in accordance with Section 3.B.3. of the Oklahoma Natural Gas Franchise Ordinance No. 22,790, when in the best interest of the City; ratifying the City Manager's approval of license agreements received between March 29, 2006 and April 3, 2006 with Asian Palace, L.L.C.; Baptist Building Corporation; Blumenthal Manufacturing; Citadel Suites Apartments; DHM Oklahoma City Hotel GP, L.L.C.; Downtown OKC Properties, L.L.C.; Elite Laundries, Inc.; Federal Express Corporation; Food Concepts International, L.P.; Fox Collision Center; GW & Son Auto Body Shop, Inc.; HiTech, Inc.; Macerich Property Management, L.L.C.; Marriott International, Inc.; Midstate Traffic Control, Inc.; Remington Park, Inc.; S&W Power System

- VI. Q. & Engine Service, Inc.; Sopha Bella's Chicago Grill; Target Corporation; The Board of County Commissioners of Oklahoma County; Tower Tech, Inc.; Univar USA, Inc.; Young Men's Christian Association; 1031 Financial Managers, L.L.C., transport customers of Oklahoma Natural Gas Company, to authorize Oklahoma Natural Gas Company to transport third-party natural gas through the Oklahoma Natural Gas Company pipeline system located in the public ways of the City and to deliver the gas to the specified transport customers; authorizing any and all technical execution defects to be waived; authorizing execution of the approved license agreements by the Mayor and City Clerk; and specifying the date and time on which Oklahoma Natural Gas Company began billing the volumetric rate fee to the specified transport customers on behalf of the City. [\(ATTACHMENT\)](#)
- R. Joint Resolution with Oklahoma City Municipal Facilities Authority authorizing an additional purpose of the Trust to assist in funding projects within the city limits of Oklahoma City which are designated as projects in the Oklahoma Capitol Complex and Centennial Commemoration Commission's Master Plan for commemorating the centennial of Oklahoma's admission to statehood, and authorizing the Trust to enter into an agreement with the Commission to assist with the funding of a project on the Commission's Master Plan, the Oklahoma Sports Hall of Fame and Jim Thorpe Museum, a tourist attraction to be located at 4040 North Lincoln Boulevard, \$500,000. Ward 7. [\(ATTACHMENT\)](#)
- S. Resolution approving an application for a \$5,000 Local Government Challenge Grant through the Oklahoma Arts Council, with matching funds of \$5,000 from the City, for the Arts in the Park Program. [\(ATTACHMENT\)](#)
- T. Landscape Improvement and Maintenance Agreement with Oklahoma City Beautiful, Inc., medians at NW Expressway and May Avenue. Ward 2. [\(ATTACHMENT\)](#)
- U. Request for Proposals to be advertised, Technical Assistance for Neighborhood Capacity Building for low- to moderate-income neighborhoods. [\(ATTACHMENT\)](#)

- VI. V. Joint Resolution with the Oklahoma City Municipal Facilities Authority approving Amendment No. 2 to the agreement with eVerge Group of Texas, Ltd., for the purchase of consulting services for implementation of an Enterprise Resource Planning System (C38066), estimated cost \$1,213,000. [\(ATTACHMENT\)](#)
- W. Joint Resolution with the Oklahoma City Municipal Facilities Authority approving a modified Administrative Services Agreement with Express Scripts, Inc. for the purposes of providing certain services related to the Medicare Prescription Drug Benefit Program as set forth in Part D of the Medicare Prescription Drug, Improvement and Modernization Act of 2003, retroactive to January 1, 2006 through December 31, 2006. [\(ATTACHMENT\)](#)
- X. Resolution declaring a 2002 Dodge Durango 4 x 2 Sport, City Equipment No. 0226362 (V.I.N. 1B4HR38N82F187186) surplus property due to a vehicular accident which totaled the vehicle; authorizing the General Services Director or designee to execute transfer of the title to Oklahoma Farmers Union Insurance Company in exchange for settlement of the property damage by the Municipal Counselor or designee; and providing for deposit of insurance proceeds. [\(ATTACHMENT\)](#)
- Y. 1. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$1,038.71 and all costs of the action in the Oklahoma County District Court in the claim filed by Theresa Burnworth. [\(ATTACHMENT\)](#)
2. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$23,000 and all costs of the action in the Oklahoma County District Court in the claim filed by Constance Rucker. [\(ATTACHMENT\)](#)
- Z. Resolution approving the First Amendment and Restatement of the Reciprocal Easement Agreement, the First Amendment and Restatement of the Declarations of Protective Covenants, and the Memorandum of Agreement pertaining to the Bricktown Entertainment Center, and authorizing execution. [\(ATTACHMENT\)](#)

VI. AA. Change Order No. 1, with the Oklahoma City Public Property Authority and the Oklahoma City Water Utilities Trust, Project PC-0289, Gordon Cooper Realignment; Project DC-0221, storm sewer improvements; Project SC-0699, sanitary sewer improvements; and Project WC-0532, waterline relocation, Oklahoma State Fairgrounds, 500 Land Rush Street; increase of \$90,519. Ward 6. ([ATTACHMENT](#))

BB. Ratifying and approving Addenda No. 1 and award contract to ThyssenKrupp Elevator Corporation, Project MC-0268, Cox Convention Center - Arena escalator replacement, One Myriad Gardens, \$621,580; and approving contract and bonds. Ward 6. ([ATTACHMENT](#))

VII. Concurrence Docket.

VIII. Items Requiring Separate Votes.

A. Ordinances on final hearing (emergency) recommended for approval (five affirmative votes required for approval):

1. (ABC-612) ABC-2 Alcoholic Beverage Consumption, Restaurant With Alcohol overlaying PUD-78B Planned Unit Development, 7011 West Hefner Road. Ward 8. ([ATTACHMENT](#))
 2. (PC-10031) 239 SE 59th Street from R-1 Single Family Residential to I-1 Light Industrial. Ward 4. ([ATTACHMENT](#))
 3. (PC-10033) 1717 South Pennsylvania Avenue from R-1 Single Family Residential to I-1 Light Industrial. Ward 6. ([ATTACHMENT](#))
 4. (PC-10035) 12 South Mustang Road from I-2 Moderate Industrial to I-1 Light Industrial. Ward 3. ([ATTACHMENT](#))
 5. (PUD-1145) property south of NW 10th Street and west of Czech Hall Road from PUD-1086 Planned Unit Development to PUD-1145 Planned Unit Development. Ward 3. ([ATTACHMENT](#))
- Planning Commission approval subject to the Summary of Technical Evaluation.

- VIII. A. 6. (PUD-1152) 1701 SE 59th Street from I-2 Moderate Industrial to PUD-1152 Planned Unit Development. Ward 4. (ATTACHMENT)
Planning Commission approval subject to the Summary of Technical Evaluation as amended.
7. (PUD-1155) 2401 NW 192nd Street from R-1 Single Family Residential to PUD-1155 Planned Unit Development. Ward 8. (ATTACHMENT)
Easement to be accepted.
Planning Commission approval subject to the Summary of Technical Evaluation.
8. (PUD-1157) 1701-1722 NW 27th Street, and 1805-1815 NW 27th Street, 1821-1835 NW 27th Street, 1700-1732 NW 28th Street from R-2 Medium Low Density Residential and PUD-666 Planned Unit Development to PUD-1157 Planned Unit Development. Ward 2. (ATTACHMENT)
9. (SPUD-385) 3124 and 3130 NW 23rd Street from R-2 Medium Low Density Residential to SPUD-385 Simplified Planned Unit Development. Ward 6. (ATTACHMENT)
10. (SPUD-386) 3636 NW 24th Street from R-1 Single Family Residential to SPUD-386 Simplified Planned Unit Development. Ward 1. (ATTACHMENT)
- B. Ordinances on final hearing (emergency) recommended for denial (five affirmative votes of nine required for approval):
1. (PC-9996) 14949 NW 10th Street from AA Agricultural to R-A Single Family Rural Residential. Ward 3. (ATTACHMENT)
2. (PC-10018) 5818 North Shartel Avenue from R-1 Single Family Residential to I-1 Light Industrial. Ward 2. (ATTACHMENT)
Deferred from February 28, 2006.
- C. 1. Public hearing regarding dilapidated structures:
- a. 2237 West Eubanks Street (garage and house) Ward 2
- b. 1136 NE Grand Boulevard (house) Ward 7
- c. 900 South MacArthur Boulevard aka 1000 South MacArthur Boulevard (shed) Ward 3
- d. 1426 Milam Court (garage) Ward 7
- e. 900 Oakdale Drive (4th shed from east) Ward 3

- VIII. C. 1. f. 3601 North Roff Avenue (small northeast shed) Ward 1
g. 1924 Vine Street (house) Ward 7
h. 1535 NE 18th Street (back porch add-on and front porch) Ward 7
i. 2124 SW 19th Street (shed) Ward 6
j. 2435 NW 20th Street aka 2429 NW 20th Street (garage) Ward 6
k. 2935 SW 21st Street (house) Ward 6
l. 1233 SW 23rd Street (add on at back of garage) Ward 6
m. 4416 NW 45th Street (shed) Ward 1
n. 439 SE 49th Street (house) Ward 4
o. 1323 NW 96th Street (house) Ward 2
2. Resolution declaring the structures are dilapidated; directing said structures to be torn down, establishing dates of April 19, 2006 and May 19, 2006 for commencement and completion of removal by owners. [\(ATTACHMENT\)](#)
- D. 1. Public hearing regarding unsecured structures:
a. 1710 North Broadway Avenue (apartment building) Ward 7
b. 1506 North Drexel Boulevard aka 1504 North Drexel Boulevard (house) Ward 6
c. 1638 Exchange Avenue (house and shed) Ward 6
d. 2814 North Lyon Drive (duplex) Ward 7
e. 1431 Milam Court (house) Ward 7
f. 1435 Milam Court (house) Ward 7
g. 814 Parker Drive aka 902 Kel Drive (mobile home) Ward 3
h. 2928 Tulsa Drive (house) Ward 1
i. 1304 NW 7th Street (house) Ward 6
j. 3015 NW 15th Street (house) Ward 6
k. 1521 NW 17th Street aka 1523 NW 17th Street (apartment building) Ward 6
l. 3033 NW 17th Street (house and shed) Ward 6
m. 1535 NE 18th Street (house) Ward 7
n. 1233 SW 23rd Street (garage and north house and south house) Ward 6
2. Resolution declaring the structures are unsecured.
[\(ATTACHMENT\)](#)

VIII. E. Joint Resolution with the Oklahoma City Municipal Facilities Authority and the Oklahoma City Public Property Authority authorizing an additional purpose of the Oklahoma City Municipal Facilities Authority to loan money to a public trust whose sole beneficiary is the City; and authorizing a loan agreement between the Oklahoma City Municipal Facilities Authority and the Oklahoma City Public Property Authority and related financial transactions according to the terms of the loan agreement; and authorizing the incurring indebtedness pursuant to the loan agreement; and waiving any requirement with respect to competitive bidding on the sale and issuance of the loan agreement. (ATTACHMENT) (Two-thirds affirmative vote required to incur indebtedness.) (Three-fourths affirmative vote required to waive competitive bidding.)

F. Resolution accepting the Oklahoma City Parks and Recreation Comprehensive Plan as an amendment to the Oklahoma City Comprehensive Plan 2000-2020. (ATTACHMENT) Deferred from February 28, and March 28, 2006.

- VIII. G. Resolution recognizing American Federation of State, County, and Municipal Employees, Local 2406, as the exclusive bargaining representative for certain municipal employees of The City of Oklahoma City, a municipal corporation, as specified in Article 2 and Addendum A of the collective bargaining agreement between American Federation of State, County, and Municipal Employees and the City that was in effect on December 31, 2004; appointing the City Manager of the City, or his designee, as the designated representative of the City for all collective bargaining with American Federation of State, County, and Municipal Employees; appointing the City Manager of the City, or his designee, as the designated representative of the City and all City corporate authorities for all collective bargaining with International Association of Firefighters, Local 157, which is the bargaining agent for City fire fighters; and appointing the City Manager of the City, or his designee, as the designated representative of the City and all City corporate authorities for all collective bargaining with Fraternal Order of Police, Lodge 123, which is the bargaining agent for City police officers. [\(ATTACHMENT\)](#)
- H. Enter into executive session to discuss the upcoming Settlement Conference in the case of Ray Johnson vs. R & R Homes L.L.C., Hicks Heating, Air Conditioning and Refrigeration, Inc. vs. The City of Oklahoma City, Case No. CJ-2005-7653 in the District Court of Oklahoma County, as authorized by 25 O.S. (2001) §307 (B) (4). [\(ATTACHMENT\)](#)
- I. 1. Claims recommended for denial:
- a. Steve Carse \$191.92
 - b. Kenneth R. McKee \$1,336.25
 - c. Karen Pelman \$197.70
 - d. Mohammad S. Salehi \$1,147.96
- AND/OR
2. Enter into executive session with the Municipal Counselor to discuss the above claims as authorized by 25 O.S. (2001) §307(B) (4).
[\(ATTACHMENT\)](#)

IX. A. 1. Claims for Approval:

- a. Belinda Castillo \$349.16
- b. Loretta Davis \$50.94
- c. Chris Janka \$65
- d. Dorothy Snow \$686.57

AND/OR

2. Enter into executive session with the Municipal Counselor to discuss the above claims as authorized by 25 O.S. (2001) §307(B)(4).

[\(ATTACHMENT\)](#)

X. Items from Council.

- A. Resolution authorizing travel expenses for Councilwoman, Willa Johnson to attend the National League of Cities, 2006 Annual Advisory Council May Meeting, May 11-12, 2006, Little Rock, Arkansas.

[\(ATTACHMENT\)](#)

(Two-thirds affirmative vote required for approval.)

XI. City Manager Reports.

- A. Presentation of the Scenic River Overlay and Proposed Downtown Zoning Plans [\(ATTACHMENT\)](#)
- B. Claims and Payroll [\(ATTACHMENT\)](#)

XII. Citizens to be Heard.

XIII. Adjournment.

XIV. City Council Workshop

(City Council Executive Conference Room)

- A. 2007 General Obligation Bond Authorization
- B. FY 2006-07 Budget Process
- C. Bricktown Fire Station and Fire Vehicle Storage Building funding alternatives.