

THE CITY OF OKLAHOMA CITY
FORMAL AGENDA
CITY COUNCIL
FEBRUARY 21, 2006

- I. Invocation and Pledge of Allegiance.

- II. Call to Order.

- III. From the Office of the Mayor.
 - A. Appointment of R. Michael Barber and Tom Garner to the Stockyards City Urban Design Committee. [\(ATTACHMENT\)](#)
 - B. Appointment of Harry Wilson and John Mobley to the Urban Design Commission. [\(ATTACHMENT\)](#)
 - C. Appointment of Craig Knutson and Barry W. Murphy, Jr. to the Board of Directors - The Port Authority of the Greater Oklahoma City Area. [\(ATTACHMENT\)](#)

- IV. A. Receive Journal of Council Proceedings for February 14, 2006.
B. Approve Journal of Council Proceedings for February 7, 2006.

- V. Request for Uncontested Continuances.

RECESS COUNCIL MEETING.

CONVENE AS OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY.

(Majority of a Quorum required for approval)

- 1. Joint Resolution authorizing the Risk Manager and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Court Claim, styled: *Myrl J. Cuppy, 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 Award 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. [\(ATTACHMENT\)](#)

ADJOURN OCMFA.

CONVENE AS OKLAHOMA CITY PUBLIC PROPERTY AUTHORITY.

(Five affirmative votes required for approval.)

1. Final Acceptance of Project MB-0737, Fairgrounds North Warm-up Arena, 500 Land Rush Street; and placing maintenance bond into effect. Ward 6. [\(ATTACHMENT\)](#)
2. Enter into executive session with the Municipal Counselor to discuss an asserted claim by the United States Army Corps of Engineers related to litigation in the Armed Services Board of Contract Appeals proceeding, styled: *Claim of C. Watts & Sons Construction Co. Inc., No. DACW56-02-1016, as authorized by 25 O.S. (2001) §307(B) (4).* [\(ATTACHMENT\)](#)

ADJOURN OCPPA.

RECONVENE COUNCIL MEETING.

VI. Consent Docket.

- A. Reject bids (BID66029), class "C" fly ash, fiscal year 2005-06. [\(ATTACHMENT\)](#)
- B. Resolution approving the purchase of one tractor-trailer heavy technical rescue vehicle from City of Tulsa Contract 24782 (S6-C24782), estimated cost \$333,017.41, February 21, 2006 through June 30, 2006. [\(ATTACHMENT\)](#)
- C. Ordinance to be introduced and set for final hearing March 21, 2006 (PUD-1146) 6201 South Bryant Avenue from R-1 Single Family Residential and I-2 Moderate Industrial to PUD-1146 Planned Unit Development. Ward 4. [\(ATTACHMENT\)](#)
- D. Custodial Agreement for Security Documents with JP Morgan Chase Bank, N.A. to store and retain Section 108 Revolving Loan Fund documents, February 21, 2006 through June 30, 2006. [\(ATTACHMENT\)](#)

- VI. E. Resolutions accepting the dedications contained in the final plats:
1. Fieldstone, Section 1, south of SW 44th Street and east of County Line Road. Ward 3. [\(ATTACHMENT\)](#)
 2. Lakeside of Oakdale, north of Hefner Road and east of Air Depot Boulevard. Ward 7. [\(ATTACHMENT\)](#)
 3. South Lake Estates, Section 5, south of SW 89th Street and east of May Avenue. Ward 5. [\(ATTACHMENT\)](#)
- F. 1. Resolutions accepting the dedications contained in the final plat of Thornberry Place, north of SW 29th Street and west of Morgan Road. Ward 3.
2. Acceptance of an off-site drainage easement. Ward 3.
[\(ATTACHMENT\)](#)
- G. Resolution releasing the subdivision bond for Sonoma Lake, Phase III, south of NW 164th Street and east of Pennsylvania Avenue. Ward 8. [\(ATTACHMENT\)](#)
- H. Final Specifications to be advertised for bids:
1. Project PM-0178, utility cut repairs, Citywide. Wards 1, 2, 3, 4, 5, 6, 7 and 8. [\(ATTACHMENT\)](#)
 2. Project PM-0179, street repairs, Citywide. Wards 1, 2, 3, 4, 5, 6, 7 and 8. [\(ATTACHMENT\)](#)
- I. Change Order No. 1, Project MC-0224, Citywide fence repair and installation, increase of \$588. Wards 1, 2, 3, 4, 5, 6, 7 and 8. [\(ATTACHMENT\)](#)
- J. Amendment No. 1 to contract for engineering services, Project DC-0205 and Project DC-0206, drainage improvements, Project DC-0205, 11500 block of North St. Charles Avenue, NE 141st Street and Smith Hurst Road, and 1100 block of NW 91st Street; Project DC-0206, 1300 block of Anita Place, fee increase of \$3,512. Wards 1, 2, 7 and 8. [\(ATTACHMENT\)](#)
- § K. Partial Acceptance, Project MB-0710, Cox Convention Center Exhibit Hall, slab replacement, One Myriad Gardens; and placing maintenance bond into effect. Ward 7. [\(ATTACHMENT\)](#)

VI. L. Allocations:

1. \$75,000 from 2000 General Obligation Bond Funds, Proposition No. 2 - Bridges, Bond Project No. Unlisted Funds "(a)" Citywide Bridge Improvement for BC-0169 Bridge Database Maintenance Program. Wards 1, 2, 3, 4, 5, 6, 7 and 8. [\(ATTACHMENT\)](#)
2. \$82,394.28 from 1995 General Obligation Bond Funds Proposition No. 4 - Drainage, Bond Project No. Unlisted Funds "(a)" Citywide Drainage Improvements, and \$165,605.72 from 2000 General Obligation Bond Funds, Proposition No. 4 - Drainage, Bond Project No. Unlisted Funds "(a)" Citywide Drainage Improvements for Project DC-0223, under the Union Pacific Railroad, south of Melrose Lane and east of Rockwell Avenue. Ward 3. [\(ATTACHMENT\)](#)
3. \$20,000 from 2000 General Obligation Bond Funds, Proposition No. 3 - Traffic, Unlisted Funds "(a)", Acquire/Install/Improve Signals, Signs and Devices, and Proposition No. 1 - Streets, Unlisted Funds "(c)" - Citywide Street Improvements, Project TC-0360, Mustang Road and NW Expressway. Ward 8. [\(ATTACHMENT\)](#)
4. \$20,000 from 2000 General Obligation Bond Funds, Proposition No. 3 - Traffic, Unlisted Funds "(a)", Acquire/Install/Improve Signals, Signs and Devices, and Proposition No. 1 - Streets, Unlisted Funds "(c)" - Citywide Street Improvements, Project TC-0361, Pennsylvania Avenue and SW 134th Street. Ward 5. [\(ATTACHMENT\)](#)

M. Revised allocation \$63,000 from 1989 General Obligation Bond Funds, Proposition No. 1 - Limited Access Facility System, Bond Project No. 84 - Unlisted Funds Street Improvements, and allocation of \$40,000 from 2000 General Obligation Bond, Proposition No. 1 - Streets, Bond No. Unlisted Funds "(c)" Citywide Street Improvements, Project TC-0249, Railroad Safety Improvements, five current locations and three revised locations. Wards 3, 6 and 7. [\(ATTACHMENT\)](#)

- VI. N. Resolution approving project agreement with the Oklahoma Department of Transportation for Federal-Aid Project No. SEC 115-OH17(010)SG, State Job No. 22680(04) for Project PR-3-05/06, Rehabilitation of East Draper Drive, east of dam, north to Westminster Road. Ward 4. [\(ATTACHMENT\)](#)
- O. Receive Consultant Review Committee Report, Project BC-0169, Bridge Maintenance Program Consulting Engineer; and authorization to negotiate a contract. Wards 1, 2, 3, 4, 5, 6, 7 and 8. [\(ATTACHMENT\)](#)
- P. Acceptance of permanent easements:
1. Ten permanent easements for fire lines. Wards 1, 2, 3, 5, 7 and 8. [\(ATTACHMENT\)](#)
 2. Ten permanent easements for fire lines, water lines and sanitary sewer lines. Wards 1, 3, 4, 7 and 8. [\(ATTACHMENT\)](#)
 3. Ten permanent easements for fire lines. Wards 2, 3, 7 and 8. [\(ATTACHMENT\)](#)
 4. Four permanent easements for sanitary sewer lines. Ward 3. [\(ATTACHMENT\)](#)
 5. Ten permanent easements for fire lines. Wards 3, 4, 7 and 8. [\(ATTACHMENT\)](#)
 6. Nine permanent easements for sanitary sewer lines. Wards 3 and 8. [\(ATTACHMENT\)](#)
 7. Ten permanent easements for fire lines. Wards 3, 4, 5, 6, 7 and 8. [\(ATTACHMENT\)](#)
- Q. Resolution accepting the donation of \$3,000 from Oklahoma City Running Club, Inc., to be used for the purchase of park benches to be installed at Lake Hefner Trails, Overholser Trail and the Oklahoma River Trail. [\(ATTACHMENT\)](#)
- R. Airport Lease Agreement with Hangar 80, LLC, construction of hangar and associated facilities for specialty activities for government aircraft including maintenance, modifications, and avionics, 20 years from completion of construction, Will Rogers World Airport. Ward 3. [\(ATTACHMENT\)](#)

- VI. S. 1. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$1,986.45 and all costs of the action in the Oklahoma County District Court in the claim filed by SBC Communications. [\(ATTACHMENT\)](#)
2. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$3,250 and all costs of the action in the Oklahoma County District Court in the claim filed by Dora Gloria Silva. [\(ATTACHMENT\)](#)
3. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$1,516.42 and all costs of the action in the Oklahoma County District Court in the claim filed by Shelley Taylor. [\(ATTACHMENT\)](#)
- T. 1. Resolution approving the Economic Development Agreement, Environmental Agreement and Restrictive Covenants with Dell, Inc. for the development of the Dell Business Service Center, Oklahoma River, between I-44 and South Portland Avenue. Ward 6. [\(ATTACHMENT\)](#)
2. Resolution authorizing the conveyance of property to the Oklahoma City Redevelopment Authority for the Dell Business Service Center pursuant to the Economic Development Agreement, Oklahoma River, between I-44 and South Portland Avenue. Ward 6. [\(ATTACHMENT\)](#)
3. Resolution authorizing the submission of an application to participate in the Oklahoma Local Development and Enterprise Zone Incentive Leverage Act, Oklahoma River, between I-44 and South Portland Avenue. Ward 6. [\(ATTACHMENT\)](#)

- VI. U. Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing the Risk Manager and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Court Claim, styled: Myrl J. Cuppy, 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 Award 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)

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-601) ABC-1 Alcoholic Beverage Consumption, Restaurant With Limited Alcohol overlaying C-3 Community Commercial, 10600 South Pennsylvania Avenue. Ward 5. (ATTACHMENT)
 2. (ABC-608) ABC-1 Alcoholic Beverage Consumption, Restaurant With Limited Alcohol overlaying C-3 Community Commercial, 10925 SE 59th Street. Ward 4. (ATTACHMENT)
 3. (ABC-610) ABC-2 Alcoholic Beverage Consumption, Restaurant With Alcohol overlaying C-3 Community Commercial, 544 West I-240 Service Road. Ward 5. (ATTACHMENT)
 4. (PC-10021) 300 North Allen Street from R-1 Single Family Residential to R-2 Medium Low Density Residential. Ward 6. (ATTACHMENT)
 5. (PUD-1134) 1401-1425 NW 122nd Street and 1601-1625 NW 122nd Street from R-1 Single Family Residential to PUD-1134 Planned Unit Development. Ward 8. (ATTACHMENT)
Easement to be accepted.
Planning Commission approval subject to the Summary of Technical Evaluation.

- VIII. A. 6. (PUD-1139) 1125 South Walker Avenue from R-4 General Residential and C-4 General Business to PUD-1139 Planned Unit Development. Ward 6. (ATTACHMENT)
Planning Commission approval subject to the Summary of Technical Evaluation.
7. (SPUD-382) 800 NW 87th Street from R-1 Single Family Residential and O-1 Limited Office to SPUD-382 Simplified Planned Unit Development. Ward 2. (ATTACHMENT)
Planning Commission approval subject to the Summary of Technical Evaluation.
8. (SPUD-383) 1115 NW 56th Street from R-1 Single Family Residential to SPUD-383 Simplified Planned Unit Development. Ward 2. (ATTACHMENT)
Planning Commission approval subject to the Summary of Technical Evaluation as amended.
- B. Resolution approving the request for salary continuation for Fire Major Michael Fleming while he continues to require rehabilitation for an on-duty injury, for up to an additional six months, as permitted by State law 11 O.S. §49-111, providing for an effective date of February 9, 2006. (ATTACHMENT)
- C. 1. Resolution authorizing the Municipal Counselor to institute legal proceedings on behalf of The City of Oklahoma City against Jordan Contractors, Inc.;
AND/OR
2. Enter into executive session with the Municipal Counselor to discuss the claim listed above as authorized by 25 O.S. (2001) §307(B)(4).
(ATTACHMENT)
- D. 1. Claim recommended for denial:
a. Tarthur Ford \$775
AND/OR
2. Enter into executive session with the Municipal Counselor to discuss the above claim as authorized by 25 O.S. (2001) §307(B)(4).
(ATTACHMENT)

IX. A. 1. Claim for Approval:

a. Marcus Lambert \$526.25

AND/OR

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

(ATTACHMENT)

X. Items from Council.

A. Ordinance on final hearing recommended for approval, relating to Zoning, amending Chapter 59, Article IV, Section 59-6300.1.J. of the Oklahoma City Municipal Code, 2002, as amended, pertaining to limitations of trash receptacles. (ATTACHMENT)
Deferred from December 13, 2005.
Councilwoman Simank.

B. Resolution authorizing City staff to initiate the process to rename Grove Park "Jack W. Cornett Park", NW 30th Street and Grove Avenue. Ward 3. (ATTACHMENT)
Councilman McAtee.

XI. City Manager Reports.

A. Presentation of Homeland Security (ATTACHMENT)

B. Presentation by Greater Oklahoma City Chamber of Commerce (ATTACHMENT)

C. Claims and Payroll (ATTACHMENT)

D. FY 05-06 Fund Transfer Report - July 1, 2005 through December 31, 2005 (ATTACHMENT)

E. Food and Beverage Availability Pre-Security at Will Rogers World Airport (ATTACHMENT)

XI. City Manager Reports.

F. General Fund Interim Financial Report Through December
31, 2006 [\(ATTACHMENT\)](#)

XII. Citizens to be Heard.

XIII. Adjournment.