

10/19/2018 3:33 pm

MICHAEL P. KIER  
CITY CLERK

## NOTICE AND AGENDA

### TULSA CITY COUNCIL - REGULAR MEETING

5:00 PM, Wednesday, October 24, 2018

Council Chamber, 2nd Floor - 175 E. 2nd St., Tulsa, OK 74103

#### INTRODUCTION

#### PLEDGE OF ALLEGIANCE AND INVOCATION

#### PROCLAMATIONS

#### SPECIAL ANNOUNCEMENTS

#### CALL TO ORDER & ROLL CALL

*Unless otherwise noted, there will be no public comment/discussion of items in Section 6, "First Reading."*

Council may discuss, review, and/or possibly take action on the following:

#### **1. RECEIPT & FILING OF MINUTES**

- a. Minutes of Regular Meeting held at 4:00 PM on September 26, 2018. [CC 10/24/18] 18-806-1
- b. Minutes of Regular Meeting held at 5:00 PM on September 26, 2018. [CC 10/24/18] 18-807-1
- c. Minutes of Special Meeting held at 2:20 PM on October 3, 2018. [CC 10/24/18] 18-805-1
- d. Minutes of Regular Meeting held at 4:00 PM on October 3, 2018. [CC 10/24/18] 18-803-1
- e. Minutes of Regular Meeting held at 5:00 PM on October 3, 2018. [CC 10/24/18] 18-804-1

#### **2. APPOINTMENTS & REAPPOINTMENTS**

- a. Jeannie Cue - Appointment to the Tulsa Authority for the Recovery of Energy replacing David Patrick; term expires July 31, 2020. (CD-2) [UED 10/24/18; CC 10/24/18] 18-815-1
- b. Elizabeth Osburn - Appointment to the Tulsa Authority for the Recovery of Energy replacing Benjamin Schiller; term expires July 31, 2021. (CD-9) [PW 10/3/18; CC 10/24/18] 18-714-1
- c. Sarah Kellert - Appointment to the Transportation Advisory Board as the Construction Industry Representative. (CD-2) [UED 10/24/18; CC 10/24/18] 18-816-1
- d. John Davis - Appointment to the Infrastructure Development Advisory Board replacing Douglas Shrout; term expires September 30, 2021. (CD-4) [PW 10/3/18; CC 10/24/18] 18-752-1

- e. Juan Reinoso - Appointment to the Greater Tulsa Area Hispanic Affairs Commission replacing Erica Quick. (CD-9) [PW 10/24/18; CC 10/24/18] 18-830-1
- f. Jim Turner - Reappointment to the Preservation Commission; term expires October 1, 2021. (Attended 16/18 meetings.) (CD-4) [PW 10/3/18; CC 10/24/18] 18-751-1

### **3. PUBLIC HEARINGS**

- a. Ordinance amending Title 43-H, Tulsa Revised Ordinances, Subsection 100.B., "Specific Projects and Purposes," relating to new 2014 Sales Tax Projects, under the category heading "Tulsa Zoo", by adding "Zoo Playground." (Required Press Conference held 10/9/18) (Public Hearings 10/24/18; 11/7/18) [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-757-1

### **4. MAYOR'S ITEMS**

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business. 97-631-3
- b. Donation of Roadway, General, and Utility Easement located at 3521 E. 31st St. by Arkansas Valley Petroleum, LLC, an Oklahoma Limited Liability Company as a requirement of IDP 9310 for Fiesta Mart (31st St. and Louisville Ave.) Project. (CD-9) [PW 10/3/18; CC 10/24/18] 18-745-1
- c. Donation of Detention Easement located at 1003 N. 129 E. Ave. by Willie George Industries Inc., d/b/a Church on the Move as a requirement of IDP 8591 for Church on the Move - Facilities Building Project. (CD-3) [PW 10/3/18; CC 10/24/18] 18-746-1
- d. Contract for a loan from the Gilcrease Museum collection to The Tucson Museum of Art and Historic Block for "Laguna Pueblo" and "Acoma Pueblo" by Thomas Moran. [CC 10/24/18] 18-798-1
- e. Contract for a loan from the Gilcrease Museum collection to The Cherokee Nation Businesses for The Cherokee Nation Capitol Museum for "George Lowery", (Artist unknown), George Washington engraved Peace Medal, and King George III Silver Peace Medal. [CC 10/24/18] 18-799-1
- f. Contract for a loan from the Gilcrease Museum collection to The Bullock State History Museum for five (5) items from the Anthropology collections: Moccasins; Comanche awl and case; bow, quiver and arrows; Comanche men's leggings; and a shell Gorget. [CC 10/24/18] 18-811-1
- g. Travel expense donation of three hundred twenty-two dollars and fifty-five cents (\$322.55) from Oklahoma Mechanical Inspectors Association for Phil Bradley to travel to Ada, OK on October 23-25, 2018, to attend the 2018 Joint Code Conference. [CC 10/24/18] 18-808-1
- h. Travel expense donation of five thousand, two hundred fourteen dollars and forty-nine cents (\$5,214.49) from Tulsa FOP 93 Health Trust for John Adams to travel to New Orleans, LA on October 12-16, 2018, to attend the International Foundation of Employee Benefit Plans Annual Benefits Conference. [CC 10/24/18] 18-812-1
- i. Travel expense donation of five thousand, two hundred fourteen dollars and forty-nine cents (\$5,214.49) from Tulsa FOP 93 Health Trust for Sarah Vas Spradlin to travel to New Orleans, LA on October 12-16, 2018, to attend the International Foundation of Employee Benefit Plans Annual Benefits Conference. [CC 10/24/18] 18-823-1

- j. Travel expense donation of one thousand, three hundred twenty-three dollars (\$1,323.00) from National Training and Technical Assistance Center for Jason White to travel to Quantico, VA on November 4-9, 2018, to attend the International Homicide Investigators Advanced Homicide Investigation Course. [CC 10/24/18] 18-813-1
- k. Travel expense donation of nine hundred seven dollars and sixty-six cents (\$907.66) from Results for America for Mayor Bynum to travel to Washington, DC on November 8-9, 2018, to speak on behalf of the City of Tulsa at the Results for America Local Government Fellowship. [CC 10/24/18] 18-822-1
- l. Travel expense donation of nine hundred sixty-five dollars (\$965.00) from Results for America for James Wagner to travel to Washington, D.C. on November 7-9, 2018, to attend the Results for America Local Government Fellowship. [CC 10/24/18] 18-833-1
- m. Special Event Application: BooHaHa in Brookside Parade scheduled for October 27, 2018, on 49th St. between Peoria Ave. and Quaker Ave. (CD-9) [CC 10/24/18] 18-835-1
- n. Special Event Application: Fall Free For All scheduled for October 28, 2018, at The Church at Downtown, 1915 E. 3rd St. (CD-4) [CC 10/24/18] 18-836-1
- o. Special Event Application: Marquette School Trunk or Treat scheduled for October 28, 2018, on S. Quincy Ave. between E. 15th St. and E. 16th St. (CD-4) [CC 10/24/18] 18-837-1
- p. Special Event Application: University of Tulsa Homecoming Event - Annual Street Painting scheduled for October 30, 2018, on 8th St. between Florence Ave. and Gary Ave. (CD-4) [CC 10/24/18] 18-838-1
- q. Special Event Application: Highland Park Fall Fun Fest scheduled for October 31, 2018, at 5708 E. 31st St. (CD-5) [CC 10/24/18] 18-839-1
- r. Special Event Application: Day of the Dead (Dia de los Muertos) Arts Festival scheduled for November 1-2, 2018, at 307 E. Mathew Brady St. (CD-4) [CC 10/24/18] 18-840-1
- s. Special Event Application: Jenks Half Marathon and 5K scheduled for November 3, 2018, in Jenks and on Tulsa streets. (CD-2) [CC 10/24/18] 18-841-1
- t. Special Event Application: BOK Center Events scheduled for November 2018, at the BOK Center, 200 S. Denver Ave. W. (CD-4) [CC 10/24/18] 18-846-1
- u. Special Event Application: McNellie's Pub Run scheduled for November 3, 2018, starting at 418 E. 2nd St. and continuing through downtown Tulsa. (CD-4) [CC 10/24/18] 18-847-1
- v. Special Event Application: Fall Fun Festival scheduled for October 27, 2018, at First Baptist Church, 403 S. Cincinnati Ave. (CD-4) [CC 10/24/18] 18-848-1
- w. Special Event Application: Guthrie Green Events scheduled for November 2018, at Guthrie Green, 111 E. Mathew Brady St. (CD-4) [CC 10/24/18] 18-849-1

- x. Special Event Application: APAC-Central Blasting Operations - regular road closures for area blasting, scheduled for November 2018, at 3605 N. 129th Ave. E., E. 46th St. N. between N. Garnett Rd. and 141st E. Ave. (CD-3) [CC 10/24/18] 18-850-1
- y. Special Event Application: Night Light Tulsa scheduled for all Thursdays in November 2018, at 202 N. Maybelle Ave. W. (CD-4) [CC 10/24/18] 18-851-1
- z. Special Event Application: DAV 5K Run scheduled for November 3, 2018, starting at Guthrie Green, 111 E. Mathew Brady St. (CD-4) [CC 10/24/18] 18-852-1
- z1. Special Event Application: Arvest Winterfest scheduled for November 23, 2018, to January 6, 2019, on 3rd St. between S. Denver Ave. and S. Frisco Ave. (CD-4) [CC 10/24/18] 18-853-1

## **5. AUTHORITIES, BOARDS & COMMISSIONS**

- a. No items this week. 04-680

## **6. FIRST READING**

- a. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of ten thousand, four hundred sixty-nine dollars and thirty-two cents (\$10,469.32) from the Oklahoma Office of Homeland Security to be received within the Homeland Security Programs SubFund. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-789-1
- b. Ordinance amending the fiscal year 2018-19 budget to transfer unencumbered and unexpended appropriation balances of two million, eighty-seven thousand, fifty dollars and twenty-three cents (\$2,087,050.23) between Org, Objects, and Projects within the 2006 Extended Sales Tax Fund. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-790-1
- c. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of eleven thousand, two hundred fifty dollars (\$11,250.00) within the Historic Preservation Grant SubFund from Grant Revenues to be received from the Oklahoma Historical Society, State Historic Preservation Office. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-809-1
- d. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of twenty-three thousand, three hundred thirty-three dollars and ninety-one cents (\$23,333.91) from Reimbursement Revenues received from the Oklahoma State Bureau of Investigation to be received within the General Fund and Penalty Assessment Law Enforcement Training Fund. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-810-1
- e. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of eighty-four thousand, three hundred dollars (\$84,300.00) from Grant Revenues to be received within the Traffic Enforcement SubFund. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-819-1
- f. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of eighty-five thousand dollars (\$85,000.00) from Grant Revenues to be received within the Assisted Outpatient Treatment SubFund. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-820-1

- g. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of twenty thousand, three hundred dollars (\$20,300.00) from Grant Revenues to be received within the Traffic Enforcement SubFund. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-821-1
- h. Ordinance closing a portion of a utility easement located at 2005 E. 21st St., Reddin Third Addition, requested by Nathalie Cornett. (CD-4) [PW 10/24/18; CC 10/24/18; CC 11/7/18] 18-788-1
- i. Ordinance closing a portion of a utility easement located at 431 W. 23rd St., McMichael Acres Addition, requested by William Eagleton IV. (CD-2) [PW 10/24/18; CC 10/24/18; CC 11/7/18] 18-791-1
- j. Ordinance amending Title 43-H, Tulsa Revised Ordinances, Subsection 100.B., "Specific Projects and Purposes," relating to new 2014 Sales Tax Projects, under the category heading "Tulsa Zoo", by adding "Zoo Playground." (Required Press Conference held 10/9/18) (Public Hearings 10/24/18; 11/7/18) [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-757-1
- k. Ordinance amending Title 11-B, Tulsa Revised Ordinances, titled "Solid Waste Management"; amending Chapters 1 through 8 to conform to current residential and commercial solid waste services, program structures and service levels by revising or adding further defined terms; providing for additional requirements for the collection of residential solid waste, curbside yard waste, program recyclable materials and bulky waste. (**Emergency Clause**) [PW 10/24/18; CC 10/24/18; 11/7/18] 18-800-1
- l. Ordinance related to the regulation of Recreational Vehicle Parks; amending Title 51 Tulsa Revised Ordinances titled "Building Code", Chapter 3, titled "Manufactured Homes, Mobile Homes, Modular Structures, Recreational Vehicles and Mobile Home Parks", Section 307, titled "Recreational Vehicle Parks"; amending spacing requirements, the number of required toilet facilities and the number of required laundry facilities. (Ewing) [PW 10/24/18; CC 10/24/18; CC 11/7/18] 18-828-1
- m. Ordinance related to the regulation of bicycle traffic on public streets; amending Title 37 Tulsa Revised Ordinances, titled "Tulsa Revised Traffic Code"; amending Chapter Six, titled "Moving Regulations and Traffic-Control Devices", Section 622, titled "Speed Too Slow for Conditions"; amending Chapter 10 titled "Bicycles", Section 1003, titled "Riding on Right Side" and Section 1015, titled "Overtaking Bicycles". (**Emergency Clause**) (Ewing) [PW 10/24/18; CC 10/24/18; CC 11/7/18] 18-829-1
- n. Ordinance changing the name of the street now designated as "Mathew Brady Street" to "Reconciliation Way", within the Corporate Limits of City of Tulsa; providing that this renaming shall be effective February 1, 2019. (Ewing) [PW 10/24/18; CC 10/24/18; CC 11/7/18] 18-845-1
- o. Ordinance ZCA-12 amending the Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, to provide for medical marijuana uses licensed by the Oklahoma State Department of Health, to establish specific uses, to identify the zoning districts in which such uses are permitted, to establish supplemental use regulations and parking requirements for such uses and to provide related definitions. [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-843-1

## **7. ORDINANCES - SECOND READING**

- a. Rezoning Ordinance Z-7452 from CS, CH to MX2-U-U for property located at the NW/c of E. 15th St. S. and S. St. Louis Ave. requested by Carolyn Back. (Property owner: Cherry Street Plaza II LLC, c/o Joshua A. Walker) (CD-4) (TMAPC voted 8-0-1 to recommend **APPROVAL** of MX2-U-U zoning.) [PW 9/26/18; CC 10/3/18; CC 10/24/18] 18-726-2

- b. Rezoning Ordinance Z-7453 from IL to MX2-V-U for property located at the NW/c of E. 91st St. S. and S. Delaware requested by Carolyn Back. (Property owner: Oak Properties, LLC) (CD-2) (TMAPC voted 9-0-0 to recommend **APPROVAL** of MX2-V-U zoning.) [PW 9/26/18; CC 10/3/18; CC 10/24/18] 18-727-2
- c. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of two hundred six thousand, eight hundred sixty dollars (\$206,860.00) from The Department of Justice to be received within the DNA Backlog Reduction SubFund. [UED 10/3/18; CC 10/3/18; CC 10/24/18] 18-747-1
- d. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of eight hundred sixty-six thousand, four hundred thirty dollars (\$866,430.00) from fund balance within the E911 Fund. [UED 10/3/18; CC 10/3/18; CC 10/24/18] 18-748-1
- e. Ordinance naming Increment District "C" as Increment District Number Thirteen, City of Tulsa, and establishing the date for the creation thereof; ratifying and confirming the actions, recommendations and findings of the review committee and the Tulsa Metropolitan Area Planning Commission with regard to Increment District "C"; ratifying and confirming the action of the City of Tulsa in enacting Ordinance No. 23832 that approved and adopted the Downtown Area Economic Development Project Plan, established the project area, and established Increment District "C"; ratifying and confirming the City of Tulsa and the Tulsa Industrial Authority as the entities authorized to carry out and administer the Project Plan, including administration of the Tax Apportionment Fund and the use of increment revenues for the payment of certain project costs directing continuing apportionment. **(Emergency Clause)** [UED 9/26/18; CC 10/3/18; CC 10/24/18] 18-731-1
- f. Ordinance amending Title 37, entitled "Tulsa Revised Traffic Code," Tulsa Revised Ordinances, by amending Section 100, entitled "Words and Phrases Defined"; providing definitions for "Electric Scooter" and "Electric Bicycle". **(Emergency Clause)** [UED 10/3/18; CC 10/3/18; CC 10/24/18] 18-781-2
- g. Ordinance amending Title 21, entitled "Licenses," Tulsa Revised Ordinances, by adding thereto Chapter 24, entitled "Shared Active Transportation"; stating its purpose and intent; providing definitions; setting forth permitting and fee requirements; establishing shared active transportation procedures; stating parking, safety, maintenance and operation requirements; requiring service to under-served areas of the city; setting forth data collection and reporting functions; requiring appropriate insurance and other guarantees, and allowing for termination; repealing any conflicting ordinances; guaranteeing severability. **(Emergency Clause)** [UED 10/3/18; CC 10/3/18; CC 10/24/18] 18-780-2
- h. Ordinance closing an open air easement (vertical air space) located at 502 S. Main Mall, within the Tulsa-Original Town Subdivision, Lot 6, Block 149, requested by Steve Schuller on behalf of Arvest Bank. (CD-4) **(Emergency Clause)** (Public Hearing 10/3/18) [PW 10/3/18; CC 10/3/18; CC 10/24/18] 18-717-1

## **8. COUNCIL ITEMS**

- a. Council Chair's report on community events, briefing on Council activities, Council efforts, and new business. 16-722-1

- b. Receipt of Official Certificates of Votes for election held August 28, 2018 for Council Districts 1, 3, 4, 5, 6, and 9. Charter Article VI, Section 5, provides that Election returns be “canvassed” by Council, by acknowledging receipt of certificates, and directing the certificates to be filed with the City Clerk. [CC 10/24/18] 18-801-1
- c. Resolution adopting Vision Zero for the City of Tulsa to achieve zero traffic deaths and serious injuries on Tulsa streets. (Ewing) [PW 10/3/18; PW 10/24/18; CC 10/24/18] 18-779-2
- d. Pursuant to the Council's authority under Article XII, Section 7 of the City Charter, consideration and possible vote on a request by Bernadette Riley to waive fees (mowing \$115.00, removal of twenty-one (21) cubic yards of debris \$639.00, removal of one (1) tire \$6.98, and administrative fees - \$300.00, Invoice #415191 total \$1,114.98) incurred by an order of nuisance abatement for property located at 2747 N. St. Louis Ave. (Hall-Harper) (CD-1) [CC 10/24/18] 18-707-1

## **9. NEW BUSINESS**

- a. New Business. 02-268

## **10. HEARING OF APPEALS**

- a. No items this week. 04-680

## **11. HEARING OF PUBLIC COMMENTS**

- a. Public Comment: Criminal Justice Reform, Mass Incarceration. [CC 10/24/18] 18-715-1
- b. Public Comment: Speed limits in school zones should go from 25 MPH to 15 MPH. [CC 10/24/18] 18-794-1
- c. Public Comment: The need for a No Kill Animal Shelter. [CC 10/24/18] 18-831-1

## **12. ADJOURNMENT**

- a. Adjournment. 97-399