

Resolution

Version 2.3 released on 8/3/21
Use for all types of Resolutions



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Date Received: _____	Tracking #: _____	<input type="checkbox"/> Scanned <input type="checkbox"/> Posted	Date: <u>05.10.2023</u>
Committee Date: _____	Committee: _____		Item #: <u>2305.00980</u>
1 st Agenda Date: _____	Hearing Date: _____		
2 nd Agenda Date: _____			

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Board Approval

Department
Mayors Office

Contact Name
Jack Neely

Other Board Name

Email
Jneely@cityoftulsa.org

City Council Approval

☒ Yes ☐ No

Phone
918-576-5403

Resolution Type
Other

Owner-Grantor

Amount

Case Number

TMAPC Number

Council District

Description (Subject)

Calling Special Election for Approval of Three Bond Issues-August 8, 2023

Bid/Project Number

Section

Township

Range

Addition

Lot

Block

Address

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department: Jack Neely

Legal: [Signature]

Board: [Signature]

Mayor: [Signature]

Other: _____

[Signature] (M. SWINEY)

Date: May 10, 2023

Date: MAY 10, 23

Date: _____

Date: MAY 11 2023

Date: _____

Policy Statement

Background Information

Attached is a Resolution calling a special election on August 8, 2023, to place before the voters of the City of Tulsa three (3) bond issues, namely: One for streets, bridges and transportation, one for community facilities, and one for public safety buildings and facilities, and listing the individual projects and costs.

Provide background information on the requested action.

Summation of the Requested Action

Mayor and Council, please approve the attached Resolution

Summarize the pertinent details of the requested action.

Emergency Clause?

- ☒ Yes
- ☐ No

Reason for Emergency Clause

The election is August 8, 2023; therefore an emergency measure is necessary

Explain why you are requesting that the City Council approve the action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- ☐ Mail vendor copy (addtl signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Addtl governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the *Tulsa World*

_____, 2023.)

RESOLUTION NO. _____

A RESOLUTION CALLING FOR A NON-PARTISAN SPECIAL ELECTION IN THE CITY OF TULSA, STATE OF OKLAHOMA, ON THE 8TH DAY OF AUGUST, 2023, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF THE CITY OF TULSA THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN THE SUM OF ONE HUNDRED SEVENTY MILLION, FIFTY FIVE THOUSAND AND NO/100S DOLLARS (\$170,055,000.00) TO BE ISSUED IN SERIES, TO PROVIDE FUNDS (EITHER WITH OR WITHOUT STATE OR FEDERAL AID) FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING, EXTENDING, ENLARGING, IMPROVING, AND REPAIRING STREETS BRIDGES AND TRANSPORTATION SYSTEMS WITHIN THE CITY, AS AUTHORIZED BY SECTION 27,ARTICLE X OF THE OKLAHOMA CONSTITUTION, AND STATUTES OF THE STATE OF OKLAHOMA AND ACTS SUPPLEMENTARY AND ENACTED PURSUANT THERETO; AND FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF THE CITY OF TULSA THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN THE SUM OF ONE HUNDRED FORTY SIX MILLION, SEVEN HUNDRED TWENTY FIVE THOUSAND AND NO/100S DOLLARS (\$146,725,000.00) TO BE ISSUED IN SERIES, TO PROVIDE FUNDS (EITHER WITH OR WITHOUT STATE OR FEDERAL AID) FOR THE PURPOSE OF PURCHASING, CONSTRUCTING, EQUIPPING, IMPROVING, EXTENDING, RENOVATING, AND REPAIRING PUBLIC PARKS AND PARK LANDS, CULTURAL AND RECREATIONAL FACILITIES, ALL TO BE OWNED EXCLUSIVELY BY SAID CITY, AS AUTHORIZED BY SECTION 27,ARTICLE X OF THE OKLAHOMA CONSTITUTION, AND STATUTES OF THE STATE OF OKLAHOMA AND ACTS SUPPLEMENTARY AND ENACTED PURSUANT THERETO; AND FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF THE CITY OF TULSA THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN THE SUM OF SIXTY EIGHT MILLION, ONE HUNDRED TWENTY THOUSAND AND NO/100S DOLLARS (\$68,120,000.00) TO BE ISSUED IN SERIES, TO PROVIDE FUNDS (EITHER WITH OR WITHOUT STATE OR FEDERAL AID) FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, IMPROVING, REPAIRING AND/OR PURCHASING PUBLIC SAFETY BUILDINGS AND FACILITIES, ALL TO BE OWNED EXCLUSIVELY BY SAID CITY, AS AUTHORIZED BY SECTION 27,ARTICLE X OF THE

OKLAHOMA CONSTITUTION, AND STATUTES OF THE STATE OF OKLAHOMA AND ACTS SUPPLEMENTARY AND ENACTED PURSUANT THERETO; AND IN CONNECTION WITH EACH OF SAID BONDS, THE QUESTION OF LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL OF SAID BONDS; LISTING SPECIFIC PROJECTS PURSUANT TO TITLE 62 OKLAHOMA STATUTES, SECTION 574, WITH A FURTHER LISTING OF THE DOLLAR AMOUNTS TO BE EXPENDED ON EACH PROJECT; REQUESTING THE MAYOR TO ISSUE A PROCLAMATION AND NOTICE OF SAID ELECTION AS PROVIDED IN ARTICLE VI OF THE AMENDED CHARTER OF THE CITY OF TULSA, SECTION 4; REQUESTING THAT ABSENTEE BALLOTS BE PROVIDED FOR SAID ELECTION IN THE MANNER AND IN ACCORDANCE WITH PROVISIONS NOW ESTABLISHED BY THE LAWS OF THE STATE OF OKLAHOMA; NOTIFYING THE TULSA, OSAGE, ROGERS, AND WAGONER COUNTY ELECTION BOARDS OF THE HOLDING OF SUCH ELECTION; SETTING FORTH OTHER INFORMATION NECESSARY FOR CONDUCTING SAID ELECTIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, it is deemed advisable by the City of Tulsa to acquire, construct, reconstruct, extend, enlarge, improve, and repair streets, bridges and transportation systems within said City; and to purchase, construct, equip, improve, extend, renovate, and repair public parks and park lands, cultural and recreational facilities; and to construct, reconstruct improve, repair and/or purchase public safety buildings and facilities; and

WHEREAS, the estimated amount necessary for the City to acquire, construct, reconstruct, extend, enlarge, improve, and repair streets, bridges and transportation systems within said City is the sum of One Hundred Seventy Million, Fifty Five Thousand and no/100s Dollars (\$170,055,000.00); and the amount necessary to purchase, construct, equip, improve, extend, renovate, and repair public parks and park lands, cultural and recreational facilities is the sum of One Hundred Forty Six Million, Seven Hundred Twenty Five Thousand and no/100s Dollars (\$146,725,000.00); and the amount necessary to construct, reconstruct improve, repair and/or purchase public safety buildings and facilities is the sum of Sixty Eight Million, One Hundred Twenty Thousand and no/100s Dollars (\$68,120,000.00); and

WHEREAS, power is granted to said City by Section 27, Article X of the Oklahoma Constitution, and other laws of the State of Oklahoma, to issue bonds to provide funds for such purposes, provided the same be authorized by the registered, qualified voters thereof voting at an election held for that purpose; and

WHEREAS, the eighth (8th) day of August 2023 is a designated election day of the State of Oklahoma per Title 26 Oklahoma Statutes, Section 3-101, and is convenient for holding a special election in the City of Tulsa, Oklahoma, to authorize the issuance of the said bonds; and

WHEREAS, Title 26 Oklahoma Statutes, Section 13-102, requires the City of Tulsa, Oklahoma, to give, sixty (60) days' notice of said special election to the Tulsa, Osage, Rogers, and Wagoner County Election Boards, stating therein the date of said election, the questions to be voted upon at said election, and other information necessary for conducting the said election; and

WHEREAS, Title 26 Oklahoma Statutes, Section 14-101, Sections 14-136 through 14-155, and Title 10 Tulsa Revised Ordinances, Section 100, provide for absentee ballots in all primary, general, or special elections conducted in the City of Tulsa in the manner and in accordance with the provisions now established by the laws of the State of Oklahoma.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY OF TULSA:

Section 1. That the Tulsa, Osage, Rogers, and Wagoner County Election Boards be and are hereby requested to conduct a non-partisan special election, and the Mayor of the City of Tulsa is hereby requested to issue a proclamation and notice calling a non-partisan special election, to be held in the City of Tulsa, Oklahoma, on the 8th day of August, 2023, for the purpose of submitting to the registered qualified voters thereof the following propositions:

**“BOND PROPOSITION NO. 1
(Streets, Bridges and Transportation Systems Bonds)**

Shall the City of Tulsa, Oklahoma, incur an indebtedness by issuing its bonds in the sum of One Hundred Seventy Million, Fifty Five Thousand and no/100s Dollars (\$170,055,000.00) to be issued in series, to provide funds (either with or without state or federal aid) for the purpose of acquiring, constructing, reconstructing, extending, enlarging, improving, and repairing streets, bridges and transportation systems within said City; and levy and collect an annual tax, in addition to all other taxes, upon all taxable property in said City, sufficient to pay the interest on said bonds as it falls due, and also to constitute a sinking fund for the payment of principal of said bonds when due, said bonds to bear interest at not to exceed the rate of ten percent (10%), per year, payable semiannually and to become due serially within twenty-five (25) years from their date?”

“BOND PROPOSITION NO. 2
(Community Facilities Bonds)

Shall the City of Tulsa, Oklahoma, incur an indebtedness by issuing its bonds in the sum of One Hundred Forty Six Million, Seven Hundred Twenty Five Thousand and no/100s Dollars (\$146,725,000.00) to be issued in series, to provide funds (either with or without state or federal aid) for the purpose of purchasing, constructing, equipping, improving, extending, renovating, and repairing public parks and park lands, cultural and recreational facilities, all to be owned exclusively by said City; and levy and collect an annual tax, in addition to all other taxes, upon all the taxable property in said City sufficient to pay the interest on such bonds as it falls due and also to constitute a sinking fund for the payment of the principal thereof when due, said bonds to bear interest at not to exceed the rate of ten percent (10%), per year, payable semiannually and to become due serially within twenty-five (25) years from their date?”

“BOND PROPOSITION NO. 3
(Public Safety Buildings and Facilities Bonds)

Shall the City of Tulsa, Oklahoma, incur an indebtedness by issuing its bonds in the sum of Sixty Eight Million One Hundred Twenty Thousand and no/100s Dollars (\$68,120,000.00) to be issued in series, to provide funds (either with or without state or federal aid) for the purpose of constructing, reconstructing improving, repairing and/or purchasing public safety buildings and facilities, all to be owned exclusively by said City; and levy and collect an annual tax, in addition to all other taxes, upon all taxable property in said City, sufficient to pay the interest on said bonds as it falls due, and also to constitute a sinking fund for the payment of principal of said bonds when due, said bonds to bear interest at not to exceed the rate of ten percent (10%), per year, payable semiannually and to become due serially within twenty-five (25) years from their date?”

The ballot setting forth the above Propositions shall also contain in connection with each Proposition the following words and symbols:

- ☐ **FOR the Above Proposition**

- ☐ **AGAINST the Above Proposition**

Section 2. That pursuant to Title 62 Oklahoma Statutes, Section 574, a listing of specific projects for which at least seventy percent (70%) of the proceeds of the aforesaid bonds shall be expended and a listing of dollar amounts to be expended on said specific projects under the above Proposition be and the same is as follows:

Bond Proposition No. 1
Streets, Bridges and Transportation Systems Bonds

For the purpose of acquiring, constructing, reconstructing, extending, enlarging, improving, and repairing streets, bridges and transportation systems within said City:

Citywide street rehabilitation, repair and maintenance	\$11,830,000
Additional costs for completion of previously approved street projects listed in Improve Our Tulsa Proposition No 1 approved at an election held on November 12, 2019	52,517,500
Street Widening	
East 41 st Street - South Garnett to S. 129 th E. Ave.	10,500,000
Intersection - E 41 st Street & S. 145 th E. Ave.	700,000
South Sheridan Ave.- E. 81 st Street to E. 91 st Street	19,950,000
South Sheridan Ave.- E. 91 st Street to E 101 st Street	1,050,000
Citywide Bridge Replacement and Rehabilitation	13,440,000
Citywide Traffic Engineering	1,855,000
Citywide American Disabilities Act Transition Plan Implementation	4,375,000
Citywide Sidewalk Projects	2,261,000
Citywide Alley Projects	<u>\$560,000</u>
 70% of \$170,055,000 = \$119,038,500	
Total Listed Projects	\$119,038,500

Bond Proposition No. 2
Community Facilities Bonds

For the purpose of purchasing, constructing, equipping, improving, extending, renovating, and repairing public parks and park lands, cultural and recreational facilities, all to be owned exclusively by said City:

Parks	
Mohawk Golf Course - renovation	\$2,800,000
Chamberlain Park - improvements	3,500,000
Chamberlain Park Pool - improvements	700,000
Johnson Park - improvements	3,500,000
Swan Lake - renovation	350,000
Citywide Parks - parking lot rehabilitation	1,400,000
Citywide Parks - roof repairs	1,137,500
Citywide Parks - mechanical equipment	210,000

Zink Lake - infrastructure	3,500,000
Gilcrease Museum - matching funds for improvements	7,000,000
BOK Center - facility, safety, and security improvements	4,445,000
Tulsa Performing Arts Center - facility renovation, infrastructure, loading dock improvements, safety and ADA improvements	55,790,000
Tulsa Zoo	
Rainforest - rehabilitation	5,985,000
Roof replacements	3,360,000
Security - perimeter improvements	350,000
Children's Zoo - rehabilitation	<u>\$8,680,000</u>
70% of \$146,725,000 = \$102,707,500	
Total Listed Projects	\$102,707,500

Bond Proposition No. 3
Public Safety Buildings and Facilities Bonds

For the purpose of constructing, reconstructing, improving, repairing and/or purchasing public safety buildings and facilities, all to be owned exclusively by said City:

Public Safety Center - acquisition, improvements and relocation	31,500,000
Police and Fire Maintenance Facilities and Body Shop - acquisition improvements, and relocation	11,200,000
Police Courts - demolition	1,750,000
Safety Training Center Driving Track - surface overlay	<u>\$3,234,000</u>
70% of \$68,120,000 = \$47,684,000	
Total Listed Projects	\$47,684,000

Section 3. That only the registered, qualified voters of the City of Tulsa, Oklahoma, may vote upon the Propositions as above set forth; and each Proposition, as above set forth, must be approved by a majority of the voters voting on that Proposition at the said election.

Section 4 That the Tulsa, Osage, Rogers, and Wagoner County Election Boards be and are hereby notified that, except as provided in the amended Charter and ordinances of the City of Tulsa, Oklahoma, all City elections and recounts of votes shall be conducted in accordance with the laws of Oklahoma. The approval of all propositions shall require a vote of 50% plus one vote majority.

Section 5. That the call for said non-partisan special election shall be by proclamation signed by the Mayor, and attested by the City Clerk, setting forth the Propositions to be voted upon; a listing of specific projects, together with dollar amounts for which at least seventy percent (70%) of the proceeds of the bonds shall be expended on the bond proposition, pursuant to Title 62 Oklahoma Statutes, Section 574; the number and location of the polling places; the date of the election; the hours of opening and closing the polls; and the ballots for the registered, qualified voters shall set forth the Propositions above mentioned to be voted upon substantially as set out in Sections 2; and the returns of said election shall be made to and canvassed by the County Election Boards of Tulsa, Osage, Rogers, and Wagoner Counties, Oklahoma, which boards shall canvass the results as in the case of a regular election and certify the results thereof as required by law.

Section 6. That the Tulsa, Osage, Rogers, and Wagoner County Election Boards be and are hereby notified that absentee ballots shall be provided for in this election in the City of Tulsa, Oklahoma, in the manner and in accordance with the provisions now established by the laws of the State of Oklahoma.

Section 7. That all precincts in the City of Tulsa, including those precincts only partially contained therein, shall be open for the said election, as required by Title 26 Oklahoma Statutes, Section 13-103.

Section 8. *Severability Clause.* If any section, sentence, clause or phrase of this Resolution or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Resolution or any part thereof.

Section 9. *Emergency Clause.* That an emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this Resolution shall take effect immediately upon its adoption, approval and publication.

ADOPTED, by the Council on this _____ day of May 2023.

Chairman of the Council

ADOPTED, as an emergency measure, on this _____ day of May
2023.

Chairman of the Council

OFFICE OF THE CITY CLERK

Received by the City Clerk: _____ at _____.
Date Time

OFFICE OF THE MAYOR

Received by the Mayor this _____ day of May, 2023, at ____ o'clock ____m.

G.T. Bynum, Mayor

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma, this _____ day
of May, 2023.

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED:



City Attorney

[illegible]

I, the undersigned, the duly qualified and acting Clerk of the City of Tulsa, Oklahoma, hereby certify that the foregoing is a true and complete copy of an Resolution authorizing the calling and holding of an election for the purpose therein set out adopted by the governing body of said municipality and transcript of proceedings of said governing body had at a regular meeting thereof duly held on the date therein set out insofar as the same relates to the introduction, reading and adoption thereof as the same appears of record in my office.

I further certify that attached hereto as Exhibit "A" is a true and complete copy of the agenda for said meeting which was posted in prominent public view at the street level viewing area, 175 East 2nd Street, One Technology Center, in said municipality at least twenty-four (24) hours prior to the date of the meeting wherein said Resolution was adopted, excluding Saturdays, Sundays and legal holidays. I further certify that attached hereto as Exhibit "B" is a true and complete copy of the regular meeting notice, as amended, for said meeting which was filed with the City Clerk of the City of Tulsa, Oklahoma in accordance with the Oklahoma Open Meeting Act.

WITNESS my hand and seal this _____ day of May, 2023.

City Clerk

(SEAL)