

10/01/2018 4:16 pm

MICHAEL P. KIER
CITY CLERK

NOTICE AND AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

5:00 PM, Wednesday, October 3, 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. No items this week. 04-680

2. APPOINTMENTS & REAPPOINTMENTS

- a. Katelyn Parker - Appointment to the Preservation Commission replacing David Pounds; term expires October 1, 2021. (CD-1) [UED 9/26/18; CC 10/3/18] 18-658-1
- b. Linda (Renee) Plocek - Appointment to the Sales Tax Overview Committee; term expires December 31, 2022. (CD-3) [UED 9/26/18; CC 10/3/18] 18-739-1
- c. Scott Vaughn - Appointment to the Emergency Medical Services Authority replacing James Rodgers; term expires June 30, 2020. (CD-4) [UED 10/3/18; CC 10/3/18] 18-713-1

3. PUBLIC HEARINGS

- a. Public Hearing to receive written and oral comments from citizens regarding the proposed closing of an open air easement (vertical air space) located at 502 S. Main Mall, within the Tulsa-Original Town Subdivision, Lot 6, Block 149. [CC 10/3/18] 18-725-1

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business. 97-631-3

- b. Resolution adopting the revisions to the February 2017 City of Tulsa Regulatory Flood Plain Maps for the Vensel Creek South Drainage Basin based on a new Master Drainage Plan Study. **(Emergency Clause)** [PW 9/26/18; CC 10/3/18] 18-692-1
- c. Resolution approving the issuance by the Trustees of the Tulsa Airports Improvement Trust of General Airport Revenue Bonds in an aggregate principal amount not to exceed twenty-seven million, five hundred thousand dollars (\$27,500,000.00) in one or more series; approving the waiver of competitive bidding and certain other matters related thereto. **(Emergency Clause) (Note: Emergency Clause requires 2/3 of entire Council for passage; waiver of competitive bidding requires 3/4 of entire Council for passage.)** [UED 10/3/18; CC 10/3/18] 18-754-1
- d. Resolution determining the necessity of creating Tourism Improvement District No. 1 within the geographical limits of the City of Tulsa, consisting of those properties within city limits on which is located a hotel or motel having 110 or more rooms for the sole purpose of providing marketing services set forth in 11 O.S. Section 39-103.1(a); directing the preparation of a plat, plans and cost estimates, estimate of benefit and basis for determining estimate of benefit; directing the giving of notice of a public hearing. **(Emergency Clause)** [UED 10/3/18; CC 10/3/18] 18-758-1
- e. Adoption of Priority Needs Statement for the allocation of HUD Grant Funds in accordance with HUD statutes and regulations for the 2019 Program Year. [UED 10/3/18; CC 10/3/18] 18-755-1
- f. Review, discussion, possible adjustment, and approval of HUD grant funding recommendations from the HUD Community Development Committee for Program Year 2018. In accordance with Title 12, Chapter 8, Section 807, Paragraph D, the HUD Community Development Committee has made recommendations to amend the 2018 HUD Annual Action Plan. [UED 10/3/18; CC 10/3/18] 18-756-1
- g. Travel expense donation of one thousand, two hundred dollars (\$1,200.00) from Special Olympics of Oklahoma for Jack Pike to travel to Las Vegas, NV on November 7-11, 2018, to attend the 2018 Law Enforcement Torch Run International Training Conference. [CC 10/3/18] 18-749-1
- h. Travel expense donation of one thousand, two hundred dollars (\$1,200.00) from Special Olympics of Oklahoma for Josh Metcalf to travel to Las Vegas, NV on November 7-11, 2018, to attend the 2018 Law Enforcement Torch Run International Training Conference. [CC 10/3/18] 18-749-1
- i. Special Event Application: Tulsa Walk to Defeat ALS scheduled for October 13, 2018, on East M.B. Brady St. between N. Boston Ave. and MLK Jr. Blvd. (CD-4) [CC 10/3/18] 18-762-1
- j. Special Event Application: Harvest Beer Festival scheduled for October 13, 2018, on E. 1st St. between S. Elgin Ave. and S. Greenwood Ave. (CD-4) [CC 10/3/18] 18-763-1
- k. Special Event Application: 5K Rosary Run/Walk scheduled for October 13, 2018, on Boulder Ave. between 8th St. and 9th St. (CD-4) [CC 10/3/18] 18-764-1
- l. Special Event Application: BOK Center Events scheduled for October 2018, at the BOK Center, 200 S. Denver Ave. W. (CD-4) [CC 10/3/18] 18-765-1
- m. Special Event Application: Flight of the Phoenix 5K scheduled for October 13, 2018, at 1202 W. Easton St. N. (CD-4) [CC 10/3/18] 18-766-1

- n. Special Event Application: Cherry Street Farmers' Market scheduled for all Saturdays in October 2018, on E. 15th St. between S. Quaker Ave. and S. Rockford Ave. (CD-4) [CC 10/3/18] 18-767-1
- o. Special Event Application: The Crude Roundup scheduled for October 13, 2018, at 318 E. 2nd St. (CD-4) [CC 10/3/18] 18-769-1
- p. Special Event Application: APAC-Central Blasting Operations - regular road closures for area blasting, scheduled for October 2018, at 3605 N. 129th Ave. E., E. 46th St. N. between N. Garnett Rd. and 141st E. Ave. (CD-3) [CC 10/3/18] 18-770-1
- q. Special Event Application: University of Tulsa Home Football games scheduled during October 2018 at University of Tulsa H. A. Chapman Field. (CD-4) [CC 10/3/18] 18-771-1
- r. Special Event Application: Tulsa Federal Credit Union Tulsa Run scheduled for October 26, 2018, on S. Boston Ave. between E. 5th St. and E. 6th St. (Finish Line). (CD-4,9) [CC 10/3/18] 18-772-1
- s. Special Event Application - A21 Walk For Freedom scheduled for October 20, 2018, at 1102 S. Garnett Rd E. between Garnett Rd and S. 101st E. Ave. (CD-5) [CC 10/3/18] 18-773-1
- t. Special Event Application: Linde Oktoberfest scheduled for October 17-21, 2018, at River West Festival Park, 2013 S. Jackson Ave. W. (CD-2) [CC 10/3/18] 18-775-7
- u. Special Event Application: Williams Route 66 Marathon scheduled for November 18, 2018, starting at 111 E. Mathew Brady St. N. (CD-4,9) [CC 10/3/18] 18-776-1
- v. Special Event Application: Guthrie Green Events scheduled for October 2018, at Guthrie Green, 111 East Mathew Brady St. N. (CD-4) [CC 10/3/18] 18-777-1

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Sales Tax Overview Committee monthly Status Report for October, 2018. [CC 10/3/18] 18-7-10
- b. Rezoning Application 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] 18-726-1
- c. Rezoning Application 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] 18-727-1

6. FIRST READING

- a. 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**) (**REQUESTING WAIVER OF CITY CHARTER, WAIVING SECOND READING, AND COUNCIL RULES & ORDER OF BUSINESS AND APPROVAL ON FIRST READING**) (Public Hearing 10/3/18) [PW 10/3/18; CC 10/3/18; CC 10/24/18] 18-717-1

- b. 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
- 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 amending Title 27, entitled "Penal Code," Tulsa Revised Ordinances, by adding thereto Chapter 32, titled "Truancy"; providing purpose and intent; prohibiting certain practices; providing penalties; providing defenses; providing for the admissibility of certain records; providing for the temporary detention of truant children; providing for severability; providing for repeal of conflicting ordinances (Gilbert). [PW 3/14/18; CC 3/14/18; PW 3/28/18; CC 3/28/18; PW 10/3/18; CC 10/3/18; CC 10/24/18] 18-120-4

7. ORDINANCES - SECOND READING

- a. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of two hundred fifty-six thousand, thirty-four dollars (\$256,034.00) from fund balance within the General Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-693-1
- b. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of fifty-seven thousand, seven hundred forty-seven dollars (\$57,747.00) from fund balance within the E911 Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-694-1
- c. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of fifty-six thousand dollars (\$56,000.00) from fund balance within the Convention and Visitors Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-695-1
- d. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of six hundred eighty-three thousand dollars (\$683,000.00) from fund balance within the Convention and Tourism Facility Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-696-1
- e. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of two hundred eighty-one thousand, eight hundred fourteen dollars (\$281,814.00) from fund balance within the Public Safety Sales Tax Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-697-1

- f. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of nine hundred twenty-two thousand, fifty-nine dollars (\$922,059.00) from fund balance within the Transportation Sales Tax Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-698-1
- g. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of eight hundred seventy-five thousand, seventy-one dollars (\$875,071.00) from fund balance within the Short Term Capital Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-699-1
- h. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of two hundred seventy-five thousand dollars (\$275,000.00) from fund balance within the Storm Water Enterprise Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-700-1
- i. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of one hundred eighty-five thousand, two hundred thirty-eight dollars (\$185,238.00) from fund balance within the Tulsa Authority for the Recovery of Energy (TARE) Operating Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-701-1
- j. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of four million, nine hundred seventy-nine thousand, five hundred ninety-five dollars (\$4,979,595.00) from fund balance within the Tulsa Metropolitan Utility Authority (TMUA) Sewer Operating Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-702-1
- k. Ordinance amending the fiscal year 2018-19 budget to transfer unencumbered and unexpended appropriation balances of one hundred five thousand, five hundred forty-one dollars (\$105,541.00) between departments and accounts within the General Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-703-1
- l. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of one hundred eighteen million, one hundred thousand dollars (\$118,100,000.00) from revenue received during the sale of Sales Tax Revenue Bonds within the 2017 Tulsa Economic Vision Advance Fund - Issue 2. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-709-1
- m. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of three million, one hundred seventy-five thousand dollars (\$3,175,000.00) from premium received during the sale of Sales Tax Revenue Bonds within the 2017 Tulsa Economic Vision Advance Fund - Issue 1. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-708-1
- n. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of twenty thousand, ninety-three dollars and seventy-nine cents (\$20,093.79) from Damage Recovery Funds received within the 2016 Economic Development Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-711-1
- o. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of three hundred thousand dollars (\$300,000.00) from revenue received through a grant awarded from the Environmental Protection Agency within the Brownfield Grant Fund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-718-1

- p. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of three hundred ninety-seven thousand, one dollars (\$397,001.00) from grant revenues to be received within the Safe OK Grant Program SubFund. [UED 9/26/18; CC 9/26/18; CC 10/3/18] 18-733-1
- q. Ordinance closing a storm sewer easement located at 10711 E. 71st St., part of the Eastside Market II Subdivision, Lot 1, Block 1, requested by Lauren Nuffer on behalf of the Target Corporation. (CD-7) [PW 9/26/18; CC 9/26/18; CC 10/3/18] 18-705-1
- r. Ordinance closing a storm sewer easement located at 4010 S. Birmingham Ave., within the Broadmoar Subdivision, Lot 9, Block 1, requested by Keith Sprick on behalf of Biltmore Homes. (CD-9) [PW 9/26/18; CC 9/26/18; CC 10/3/18] 18-706-1
- s. Rezoning Ordinance PUD-757-A from PUD-757, RT to PUD-757-A, RT located N. of the NW/c of S. Norfolk Ave. and E. 15th St. S. requested by Stuart Van De Wiele. (Property owner: Landmark Real Estate, Inc) (CD-4) (TMAPC voted 11-0-0 to recommend **APPROVAL** of PUD-757-A.) [UED 8/29/18; CC 9/12/18; CC 10/3/18] 18-640-2
- t. Rezoning Ordinance Z-7443 from RS-3 to MX1-F-35 for property located at the NW/c of E. 15th St. S. and S. 79th E. Ave. requested by Citadel Residential Group, LLC. (Property owner: Memorial Drive United Methodist Church, Inc.) (CD-5) (TMAPC voted 7-1-1 to recommend **APPROVAL** of MX1-F-35 zoning.) [PW 8/8/18; CC 8/22/18; CC 8/29/18; CC 9/26/18; CC 10/3/18] 18-560-2
- u. Ordinance declaring a moratorium on the acceptance or processing of any applications for, and on the issuance of, any permits or other City approvals for a Medical Marijuana Grower Operation or Medical Marijuana Processing Facility and on the initiation of construction, renovation or use of any building or real property for a Medical Marijuana Grower Operation or Medical Marijuana Processing Facility, pending adoption of amendments to the Zoning Code regulating the use and location of such facilities. (**Emergency Clause**) [PW 9/26/18; CC 9/26/18; UED 10/3/18; CC 10/3/18] 18-740-2
- v. Ordinance amending Title 3, “Public Property, Records, Flag, Seal”, Chapter 2, “Corporate Seal, Council Seal, and City Flag”, Section 204 “City Flag” of Tulsa Revised Ordinances, setting forth in detail, the design and appearance of the Official City Flag. (Kimbrow, Ewing) [PW 9/26/18; CC 9/26/18; CC 10/3/18] 18-662-2

8. **COUNCIL ITEMS**

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

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: Use of False Trespass charges to deny service to homeless women. [CC 10/3/18] 18-761-1

12. ADJOURNMENT

- a. Adjournment. 97-399