

11/02/2018 4:32 pm

MICHAEL P. KIER
CITY CLERK

NOTICE AND AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

5:00 PM, Wednesday, November 7, 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 October 24, 2018. [CC 11/7/18] 18-862-1
- b. Minutes of Regular Meeting held at 5:00 PM on October 24, 2018. [CC 11/7/18] 18-863-1

2. APPOINTMENTS & REAPPOINTMENTS

- a. Dana Day - Appointment to the Board of Appeals; term expires December 9, 2020. (CD-9) [UED 10/3/18; CC 11/7/18] 18-753-1
- b. Lauren Brookey - Appointment to the Regional Metropolitan Utility Authority. (CD-4) [UED 10/24/18; CC 11/7/18] 18-793-1
- c. Rhonda Dudeck - Appointment to the Infrastructure Development Advisory Board replacing Stacey White; term expires September 30, 2021. (CD-8) [PW 10/24/18; CC 11/7/18] 18-826-1

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

- b. Resolution 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 an Assessment Roll; and declaring an Emergency. **(Emergency Clause)** (Public Hearing 11/7/18) [UED 10/24/18; CC 11/7/18] 18-854-2
- c. Public Hearing and presentation regarding the proposed 11th & Lewis Corridor Project Plan and supporting increment districts, City of Tulsa, for the purpose of providing information, including an analysis of potential positive or negative impacts, and answering questions regarding the proposed Project Plan and increment districts. A second Public Hearing will be held at the 5 p.m. meeting of City Council on November 28, 2018, for the purpose of giving the public an opportunity to be heard prior to any vote on the proposed Project Plan. [Public Hearings: CC 11/7/18; CC 11/28/18] 18-864-2

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business. 97-631-3
- b. Change Order No. 1 to Contract No. 134186 between the City of Tulsa and Lowry Construction Services, Inc., for Project No. 144104, Riverside Drive from 24th St. to 35th St. Landscape Improvements, adding twenty-two thousand, nine hundred one dollars and ninety cents (\$22,901.90) and a fourteen (14) calendar day extension to the contract. [PW 10/24/18; CC 11/7/18] 18-785-1
- c. Change Order No. 1 to Contract No. 33682 between City of Tulsa and Becco Contractors, Inc., for Project No. 104017-I & TMUA-W 12-55, Harvard Ave. Roadway Improvements from Admiral Pl. to Pine St., adding seventeen thousand, one hundred sixty dollars (\$17,160.00) to the contract. [PW 10/24/18; CC 11/7/18] 18-786-1
- d. Change Order No. 1 to Contract No. 33358 between City of Tulsa and Becco Contractors, Inc., for Project No. 144430, TMUA-W 14-26, adding ninety-six thousand, three hundred ninety dollars and forty-one cents (\$96,390.41) and a sixty (60) calendar day extension to the contract. [PW 10/24/18; CC 11/7/18] 18-787-1
- e. Change Order No. 1 to Contract No. 32008 between City of Tulsa and Ellsworth Construction, LLC, for Project No. 104807 & MS 612 adding a twenty-four (24) calendar day extension to the contract. [PW 10/24/18; CC 11/7/18] 18-797-1
- f. Change Order No. 1 to Contract No. 93445 between City of Tulsa and Tri-Star Construction, LLC, for Project No. 104017-T, TMUA-W 12-24, MS 590, adding twenty-four thousand, three hundred dollars (\$24,300.00) and a five (5) calendar day extension to the contract. [PW 10/24/18; CC 11/7/18] 18-818-1
- g. First Amendment to Master Tax Incentive Agreement between 400 S. Boston LLC and the City of Tulsa dated January 11, 2016, to extend the completion date to September 30, 2019. [UED 10/24/18; CC 11/7/18] 18-844-1

- h. Resolution 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 an Assessment Roll; and declaring an Emergency. (**Emergency Clause**) (Public Hearing 11/7/18) [UED 10/24/18; CC 11/7/18] 18-854-2
- i. Amendment to the Economic Development Fund Policy. The original Policy was approved on August 21, 2013. The change is to allow, at the City's discretion, the developer to construct the Public Improvements through appropriate approval processes through a reimbursement model upon completion. [UED 11/7/18; CC 11/7/18] 18-889-1
- j. Travel expense donation of eight hundred dollars (\$800.00) from Aspen Institute-Rockefeller Foundation for Kian Kamas to travel to New York, NY on October 7-9, 2018, to attend the Aspen Institute's Economic Opportunities Program discussions on Opportunity Zones. [CC 10/24/18] 18-833-1
- k. Special Event Application: Breakout Community Get-Together with Lime Scooters and Topeca Coffee scheduled for November 9, 2018, at 108 E. 8th St. S. (CD-4) [CC 11/7/18] 18-886-1
- l. Special Event Application: Tulsa Veterans Day Parade scheduled for November 12, 2018, starting from 100 E. 3rd St. S. (CD-4) [CC 11/7/18] 18-878-1
- m. Special Event Application: University of Tulsa Home Football games scheduled during November 2018, at University of Tulsa H. A. Chapman Field. (CD-4) [CC 11/7/18] 18-881-1
- n. Special Event Application: Turkey Distribution scheduled for November 19-21, 2018, at John 3:16 Mission, 2027 N. Martin Luther King Blvd. E. (CD-1) [CC 11/7/18] 18-883-1
- o. Special Event Application: Turkey Trot scheduled for November 23, 2018, starting from 200 S. Denver Ave. W. (CD-4) [CC 11/7/18] 18-885-1
- p. Special Event Application: Route 66 Marathon 5K and Fun Run scheduled for November 17, 2018, starting at 111 E. Mathew Brady St. N. (CD-4) [CC 11/7/18] 18-893-1
- q. Special Event Application: 100 Year Anniversary of Veterans Day scheduled for November 11, 2018, at 1109 E. 6th St. S. (CD-4) [CC 11/7/18] 18-894-1
- r. Special Event Application: Cabin Boys Brewery One Year scheduled for November 24, 2018, at 1717 E. 7th St. S. (CD-4) [CC 11/7/18] 18-895-1

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Sales Tax Overview Committee monthly Status Report for November, 2018. [CC 11/7/18] 18-7-12
- b. Resolution No. 2780:986 of the Tulsa Metropolitan Area Planning Commission, pursuant to Title 19 Oklahoma Statutes, Section 863.7; amending the Downtown Area Master Plan, which is an amendment to the Tulsa Comprehensive Plan, by adopting The Downtown Walkability Analysis, May 2018. (CPA-75) (TMAPC voted 9-0-0 to **ADOPT** the Resolution.) [UED 11/7/18; CC 11/7/18] 18-869-1

- c. Final Plat for the Mayra's Addition Subdivision consisting of 1 lot, 1 block, on 1.07 acres located east of the NE/c of E. 21st St. S. and S. Memorial Dr. (TMAPC voted 9-0-0 to recommend **APPROVAL** of the plat.) (CD-5) [CC 11/7/18] 18-855-1
- d. Rezoning Application Z-7455 from IM to MX1-P-U for property located West of the SW/c of S. Peoria Ave. at E. 3rd St. S. requested by Mark Capron. (Property owner: Rust, LLC) (CD-4) (TMAPC voted 9-0-0 to recommend **APPROVAL** of MX1-P-U zoning.) [UED 10/24/18; CC 11/7/18; CC 11/28/18] 18-792-1
- e. Rezoning Application Z-7456 from CS to MX1-U-U for property located at the NW/c of E. 2nd St. S. and S. Lewis Ave. requested by Nicole Watts. (Property owner: MAGJEG GLOVER, LLC) (CD-4) (TMAPC voted 10-0-0 to recommend **APPROVAL** of MX1-U-U zoning.) [UED 10/24/18; CC 11/7/18; CC 11/28/18] 18-814-1
- f. Rezoning Application Z-7454 from OL to CS for property located at the SW/c of E. 17th Pl. S. and S. Garnett Road requested by Robert Wright. (Property owner: Severo Guzman) (CD-6) (TMAPC voted 9-0-0 to recommend **DENIAL** of CS zoning.) [UED 10/24/18; CC 11/7/18; CC 11/28/18] 18-728-4

6. FIRST READING

- a. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of sixty-six thousand, three hundred dollars (\$66,300.00) from Revenues and Donations received within the Non-Grant Miscellaneous Special Revenue Fund. [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-857-1
- b. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of fourteen thousand, six hundred two dollars (\$14,602.00) from Damage Recovery Funds received within the Tulsa Stadium Improvement District Fund. [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-858-1
- c. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of one million, five hundred twenty-three thousand, thirty-seven dollars (\$1,523,037.00) from Department of Justice Grant Revenues to be received within the Sexual Assault Kit Initiative SubFund. [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-859-1
- d. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of two hundred seventy thousand dollars (\$270,000.00) from Grant Revenues to be received from the Department of Homeland Security and a Grant Match to be received from the Short-term Capital Fund within the Fire Prevention and Safety SubFund; to transfer unencumbered and unexpended appropriation balances of twenty-four thousand, five hundred forty-five dollars (\$24,545.00) between Departments and Account Groups within the Short-term Capital Fund [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-860-1
- e. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of eight hundred thousand dollars (\$800,000.00) from The U.S. Department of Justice to be received within the JAG Reimbursement Grants SubFund. [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-884-1
- f. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of three hundred forty-eight thousand, two hundred forty-four dollars (\$348,244.00) from The U.S. Department of Justice to be received within the JAG Reimbursement Grants SubFund. [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-887-1

- g. Ordinance amending the fiscal year 2018-19 budget to make supplemental appropriations of forty-one thousand, five hundred dollars (\$41,500.00) from Fund Balance within the Police Equitable Sharing Program SubFund. [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-888-1
- h. Ordinance providing for the creation of the Tulsa Animal Welfare Commission; establishing the powers and duties of the Commission. **(Emergency Clause)** [PW 11/7/18; CC 11/7/18; CC 11/28/18] 18-891-1
- i. Ordinance adopting the eighteenth supplement to the seventh revision of the Tulsa Revised Ordinances, codifying ordinances enacted between October 1, 2017, and March 31, 2018; providing certain exceptions for ordinances excluded; providing for the repeal of certain ordinances; protecting preexisting rights; providing for copies to be deposited with the city clerk; providing for distribution of copies to city departments and others; providing for the sale of copies. **(Emergency Clause)** [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-861-1
- j. Ordinance amending certain sections in Chapter 31 of Title 27, Tulsa Revised Ordinances, Penal Code, of the City of Tulsa, Oklahoma, regulating sales and purchases of scrap metal, to incorporate changes to Oklahoma Statutes made by HB2950; amending section 3103(A)(1) for photo ID; amending section 3103 (E) requiring digital image of items purchased; amending section 3103(G) governing size of copper wire; repealing all ordinances or parts of ordinances in conflict herewith. [PW 11/7/18; CC 11/7/18; CC 11/28/18] 18-867-1
- k. Ordinance adopting the 11th & Lewis Corridor Project Plan; identifying and establishing two new Tax Increment Districts; creating and naming "TIF A" as Tax Increment District No. 14, City of Tulsa; and deferring creation and naming of "TIF B"; authorizing the City of Tulsa and the Tulsa Industrial Authority as the entities to carry out and administer the project plan establishing a Tax Apportionment Fund; declaring apportioned funds to be special funds of the Tulsa Industrial Authority; authorizing the use of increment revenues for the payment of certain project costs; ratifying and confirming the actions, recommendations, and findings of the review committee and the Tulsa Metropolitan Area Planning Commission; directing continuing apportionment. Tax Increment District No. 14 is generally located north of E. 11th Street between S. Lewis Ave. and S. Atlanta Ave., and located south of E. 11th St. between the railroad tracks and S. Lewis Place. "TIF B" is generally bounded on the west by S. Yorktown Ave.; on the north by E. 10th Street; on the east by S. Lewis Ave.; and on the south by E. 11th St. **(Emergency Clause)** (Public Hearings 11/7/18; 11/28/18) [UED 11/7/18; CC 11/7/18; CC 11/28/18] 18-864-1

7. ORDINANCES - SECOND 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 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
- g. 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
- h. 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
- i. 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
- 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”. **(Emergency Clause)** (Ewing) [PW 10/24/18; CC 10/24/18; CC 11/7/18] 18-829-2
- n. 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. **(Emergency Clause)** [UED 10/24/18; CC 10/24/18; CC 11/7/18] 18-843-2
- o. 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; UED 11/7/18; CC 11/7/18] 18-845-1
- p. Ordinance amending Title 27, titled “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 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; PW 10/24/18; CC 11/7/18] 18-120-5

8. COUNCIL ITEMS

- a. Council Chair’s report on community events, briefing on Council activities, Council efforts, and new business. 16-722-1
- b. A Resolution requesting that the State Legislature amend Oklahoma’s Statutes regulating the operation of bicycles on public streets and highways in the State of Oklahoma. (Ewing) [UED 11/7/18; CC 11/7/18] 18-870-1
- c. Initiation of a Council investigation into the conduct of the city government in relation to the methodology and findings of the 2018 Annual Report of Tulsa Equality Indicators, so that the Council may make appraisals, comments, and recommendations to the Mayor on the efficiency, economy, and effectiveness of administrative practices, methods, systems, and controls. Authority: Tulsa 1989 Amended Charter, Article II, Section 17. (Hall-Harper) [PW 11/7/18; CC 11/7/18] 18-871-1
- d. Donation from Tulsa Community Foundation of eight hundred twelve dollars (\$812.00) to the Tulsa City Council for reimbursement for the purchase of new flags, poles and stands. [CC 11/7/18] 18-900-1

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: Issues with Tulsa Animal Welfare and the process of releasing an animal back to the owner. [CC 11/7/18] 18-868-1

- b. Public Comment: Police Reform. [CC 11/7/18] 18-896-1
- c. Public Comment: Police Reform - Crutcher Civil Suit. [CC 11/7/18] 18-897-1
- d. Public Comment: Regarding The City of Tulsa paying Betty Shelby's legal fees. [CC 11/7/18] 18-898-1

12. ADJOURNMENT

- a. Adjournment. 97-399