

10/18/2019 4:21 pm

MELISSA C. STICE
CITY CLERK

NOTICE AND AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

5:00 PM, Wednesday, October 23, 2019

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

INTRODUCTION

Persons who require a special accommodation to participate in this meeting should contact Tulsa City Council Secretary Lori Doring, 175 East Second Street, Fourth Floor, Tulsa, Oklahoma, 918-596-1990 or via Email: loridoring@tulsacouncil.org, as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

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. Joshua Starks - Appointment to the Human Rights Commission filling the Veterans' Advocate seat; term expires July 1, 2022. (CD-9) [UED 10/16/19; CC 10/23/19] 19-1030-1
- b. Belkis Lane - Reappointment to the Tulsa Economic Development Corporation; term expires December 31, 2021. (Attended 15/23 meetings.) (CD-4) [UED 10/16/19; CC 10/23/19] 19-1031-1
- c. Erica Felix-Warwick - Reappointment to the Municipal Employee Retirement Board; term expires December 31, 2022. (Attended 32/34 meetings.) (CD-8) [UED 10/16/19; CC 10/23/19] 19-1032-1
- d. John Harvey - Reappointment to the Municipal Employee Retirement Board; term expires December 31, 2022. (Attended 31/34 meetings.) (CD-4) [UED 10/16/19; CC 10/23/19] 19-1033-1

3. PUBLIC HEARINGS

- a. Public Hearing to receive written and oral comments from citizens regarding the proposed Ordinance amending Title 43-H, Tulsa Revised Ordinances, Subsection 100.B., “Specific Projects and Purposes,” by amending the name of Project 34 currently titled “Corridor and Small Area Planning,” to read “Corridor and Small Area Planning and Implementation”. (Required Press Conference held 9/18/19) (Public Hearings: 10/23/19; 11/6/19) [UED 10/23/19; CC 10/23/19; CC 11/6/19] 19-1006-2

4. MAYOR’S ITEMS

- a. Mayor’s report on community events, briefing on City activities, City efforts, and new business. 97-631-3
- b. 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 million dollars (\$20,000,000.00) 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 10/23/19; CC 10/23/19] 19-1106-1
- c. Resolution authorizing the update of the City of Tulsa Multi-Hazard Mitigation Plan for 2019. **(Emergency Clause)** [PW 10/16/19; CC 10/23/19] 19-1086-1
- d. Resolution declaring City property in the vicinity of S. Rockford and S. Quincy Avenues and E. 8th Street, the former Laura Dester Children’s Shelter site, surplus and not necessary for City purpose, declaring the City purpose abandoned and directing that the property be conveyed to Tulsa Development Authority (TDA) for redevelopment, and requesting the Mayor to execute the necessary deed. **(Emergency Clause)** [PW 10/16/19; CC 10/16/19; CC 10/23/19] 19-1095-2
- e. Resolution authorizing payment of twenty-four thousand, one hundred one dollars and twenty-eight cents (\$24,101.28) to Tulsa Firefighters Health and Welfare Trust, from the Sinking Fund, for COBRA Administration Fees, Case No. FMCS 170620-02013. [UED 10/16/19; CC 10/23/19] 19-1065-1
- f. Change Order No. 1 to Contract No. 134931 between City of Tulsa and Becco Contractors, Inc., for Project 2019-2020 Citywide Infrastructure and Rehabilitation, for the addition of a line item to the contract of a 20-inch Trash Containment Boom, adding eighteen thousand dollars (\$18,000.00) to the contract. The original contract amount is four million, one hundred forty-seven thousand dollars (\$4,147,000.00) [PW 10/16/19; CC 10/23/19] 19-1068-1
- g. Denial of License Agreement Application submitted by Rick and Kathleen Oglesby, 1028 E. 35th Pl., Peoria Gardens Addition Amended, referring to a decorative rock wall and a fountain, both of which are encroaching on City of Tulsa property. (CD-9) [PW 10/16/19; CC 10/23/19] 19-1071-1
- h. Donation of Sanitary Sewer Easement located at 5330 E. 31st St. by 31st Street Plaza, LLC, as a requirement for IDP 26893-2019, for the Legacy Plaza Project, City Plaza Addition. (CD-5) [CC 10/23/19] 19-1102-1
- i. Donation of Utility Easement located at 8807 S. Maybelle Ave. by Elwood Property, LLC, as a requirement for IDP 18920-2018, for the Estates at Tulsa Hills Project. (CD-2) [CC 10/23/19] 19-1111-1

- j. Donation of Utility Easement located at 110 S. Denver Ave. by Emergency Infant Services, Inc., as a requirement for IDP 9092-2018, for the Emergency Infant Services Project, George Perryman Addition. (CD-4) [CC 10/23/19] 19-1112-1
- k. Travel expense donation of one thousand dollars (\$1,000.00) from Cities for Financial Empowerment for Christina da Silva to travel to New York, NY on October 14-17, 2019, to attend the Financial Empowerment Training. [CC 10/23/19] 19-1113-1
- l. Travel expense donation of one thousand dollars (\$1,000.00) from Cities for Financial Empowerment for Krystal Reyes to travel to New York, NY on October 14-17, 2019, to attend the Financial Empowerment Training. [CC 10/23/19] 19-1114-1
- m. Travel expense donation of one thousand three hundred dollars (\$1,300.00) from Community Leaders of America for Jed Cochran to travel to Frisco, TX on October 16-17, 2019, to attend the Community Leaders of America Fall National Conference. [CC 10/23/19] 19-1116-1
- n. Travel expense donation of eight hundred two dollars (\$802.00) from Growing Together for Nick Doctor to travel to Atlanta, GA on October 14-16, 2019, to attend the Purpose Built Conference. [CC 10/23/19] 19-1119-1
- o. Travel expense donation of eight hundred two dollars (\$802.00) from Growing Together for Becky Gligo to travel to Atlanta, GA on October 13-16, 2019, to attend the Purpose Built Conference. [CC 10/23/19] 19-1121-1
- p. Special Event Application: Fall Free For All scheduled for October 27, 2019, at The Church at Downtown, 1915 E. 3rd St. (CD-4) [CC 10/23/19] 19-1117-1
- q. Special Event Application: Marquette School Trunk or Treat scheduled for October 27, 2019, on S. Quincy Ave. between E. 15th St. and E. 16th St. (CD-4) [CC 10/23/19] 19-1118-1
- r. Special Event Application: Highland Park Fall Fun Fest scheduled for October 31, 2019, at 5708 E. 31st St. (CD-5) [CC 10/23/19] 19-1120-1
- s. Special Event Application: Tulsa Walk to Defeat ALS scheduled for October 26, 2019, starting at 111 E. Reconciliation Way. (CD-4) [CC 10/23/19] 19-1124-1
- t. Special Event Application: Tulsa Federal Credit Union Tulsa Run scheduled for October 26, 2019, starting at 320 S. Boston Ave. (CD-4,9) [CC 10/23/19] 19-1115-1

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Rezoning Application PUD-230-A from OL, PUD-230 to OL, PUD-230-A, for property located northwest of the NW/c of E. 41st St. and Highway 169 requested by Nathan Cross. (Property owner: TR Office, LLC) (CD-7) (TMAPC voted 9-0-0 to recommend **APPROVAL** of PUD-230-A.) [UED 10/16/19; CC 10/23/19; CC 10/30/19] 19-1052-1

- b. Rezoning Application Z-7491 from RS-3 and OM to MX1-U-45 for property located at the NW/c of E. 12th Pl. S. and S. Lewis Ave. requested by Michael Carr. (Property owner: Michael Carr) (CD-4) (TMAPC voted 10-0-0 to recommend **APPROVAL** of MX1-U-45 zoning.) [UED 10/16/19; CC 10/23/19; CC 10/30/19] 19-1053-1
- c. Rezoning Application Z-7492 from CH to IL with Optional Development Plan for property located north of the NE/c of S. Hudson Ave. and E. 11th St. S. requested by Mohamad Soukieh. (Property owner: Mohamad K. and Daad Soukieh) (CD-5) (TMAPC voted 9-0-0 to recommend **APPROVAL** of IL zoning with Optional Development Plan.) [UED 10/16/19; CC 10/23/19; CC 10/30/19] 19-1054-1
- d. Rezoning Application Z-7493 from OL to CS for property located south of the SW/c of E. 4th Pl. S. and S. Memorial Dr. requested by Richard Barnard. (Property owner: JJG Properties, LLC) (CD-3) (TMAPC voted 6-0-0 to recommend **APPROVAL** of CS zoning.) [UED 9/11/19; CC 10/23/19; CC 10/30/19] 19-973-2
- e. Rezoning Application Z-7495 from OL to CS for property located east of the NE/c of E. Skelly Dr. and S. Utica Ave. requested by Will Keith. (Property owner: Keith Construction Company) (CD-9) (TMAPC voted 5-5-0 to recommend **APPROVAL** of CS zoning.) [UED 10/16/19; CC 10/23/19; CC 10/30/19] 19-1055-1
- f. Rezoning Application Z-7496 from OM to CS for property located at the SE/c of S. 33rd West Ave. and W. 48th St. requested by John Ngo. (Property owner: John Ngo) (CD-2) (TMAPC voted 10-0-0 to recommend **APPROVAL** of CS zoning.) [UED 10/16/19; CC 10/23/19; CC 10/30/19] 19-1056-1
- g. Rezoning Application Z-7497 from RM-2 to CH for property located west of the NW/c of E. 5th St. and S. Peoria Ave. requested by Lou Reynolds. (Property owner: Indian Health Care Resource Center of Tulsa, Inc.) (CD-4) (TMAPC voted 10-0-0 to recommend **APPROVAL** of CH zoning.) [UED 10/16/19; CC 10/23/19; CC 10/30/19] 19-1057-1

6. ORDINANCES - FIRST READING

- a. Ordinance amending Title 43-H, Tulsa Revised Ordinances, Subsection 100.B., “Specific Projects and Purposes,” by amending the name of Project 34 currently titled “Corridor and Small Area Planning,” to read “Corridor and Small Area Planning and Implementation”. (Required Press Conference held 9/18/19) (Public Hearings: 10/23/19; 11/6/19) [UED 10/23/19; CC 10/23/19; CC 11/6/19] 19-1006-1
- b. Ordinance ZCA-15 amending the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, reflecting implementation of recommendations in the West Highlands/Tulsa Hills Small Area Plan, regarding the addition of an Agricultural-Residential (AG-R) zoning designation and regulations for Accessory Dwelling Units (ADUs). (TMAPC voted 9-0-0 to recommend **APPROVAL** of proposed amendment.) [UED 10/16/19; CC 10/23/19; CC 10/30/19] 19-1051-1

- c. Ordinance amending Title 11-C, Tulsa Revised Ordinances, “Waterworks and Sewerage”; amending Chapter 4, "Spavinaw Water District"; amending the calculation of "High Water Line"; substituting the term "Mayor" for the now-obsolete term "Water Commissioner"; vesting the Utility Board, The Mayor and His/Her duly appointed subordinates with the duty to operate, manage, supervise and control the Spavinaw Reservoir Area; regulating use of off-road vehicles in the Spavinaw Reservoir area; adjusting fishing permit fees and setting rules for fishing; adjusting boating fees; allowing waiver of fees in certain instances; prohibiting jet skis; permitting kayaks under certain circumstances; allowing hunting in accordance with state regulations; permitting self-contained underwater breathing apparatus ("Scuba") diving in certain circumstances; adjusting camping fees and regulations; setting forth regulations for length of stay and the keeping of pets. [PW 10/23/19; CC 10/23/19; CC 10/30/19] 19-1122-1
- d. Ordinance closing certain portions of a right-of-way located at 445 S. 51st W. Ave., situated within Lot Five (5), Block One (1) of the Smith’s Subdivision, requested by Gideon Lapp. (CD-1) [PW 10/23/19; CC 10/23/19; CC 10/30/19] 19-1123-1
- e. Ordinance amending Title 37, Tulsa Revised Ordinances, titled “Tulsa Revised Traffic Code”; removing the definition of “Business District” in Section 100 and adding a definition for “Inner Dispersal Loop”, “IDL” and “I.D.L.”; Amending Section 203, regarding preset fines for violations of Section 1009; Amending Section 1000, to include certain Electric Bicycles, within the definition of “Bicycle”, and “Electric Scooters” within the definition of “Motorized Scooter”; Amending Section 1001, to prohibit the transportation of more than one person on an Electric Scooter; Amending Section 1009, to restrict the use of bicycles and scooters from sidewalks in certain areas of the City; Amending Section 1013, “Penalty” by deleting vehicle impoundment as an optional penalty. **(Emergency Clause)** [UED 9/25/19; CC 9/25/19; UED 10/23/19; CC 10/23/19; CC 10/30/19] 19-1026-2
- f. Ordinance Amending Title 21, Tulsa Revised Ordinances, titled “Licenses”, Chapter 25, “Shared Active Transportation”; Amending Section 2501, “Definitions”, by deleting alphabetical subsections for each definition and correcting a scrivener’s error in the definition of “Dockless Small Vehicle Sharing System”; Amending Section 2502, “Permit Required; Permit Term and Fees”, Subsection E., by stating the educational purpose of the required fees and Subsection F., by exempting free operators, and programs operated by free operators, from the application of certain other provisions of Chapter 25. **(Emergency Clause)** [UED 9/25/19; CC 9/25/19; UED 10/23/19; CC 10/23/19; CC 10/30/19] 19-1027-2

7. ORDINANCES - SECOND READING

- a. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of two hundred fifty thousand dollars (\$250,000.00) from the Department of Justice to be received within the DNA Backlog Reduction Subfund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1061-1
- b. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of five hundred thousand dollars (\$500,000.00) for revenue received within the Brownfield Grants Subfund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1062-1
- c. Ordinance amending the fiscal year 2019-2020 budget to transfer unencumbered and unexpended appropriation balances of five million dollars (\$5,000,000.00) between projects and accounts within the 2014 Sales Tax Fund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1063-1

- d. Ordinance amending the fiscal year 2019-2020 budget to transfer unencumbered and unexpended appropriation balances of one hundred fifty-eight thousand, four hundred eighteen dollars and seventy-five cents (\$158,418.75) between projects and accounts within the Stormwater Capital Projects Fund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1064-1
- e. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of four hundred seventy-five thousand, two hundred fifty-six dollars and twenty-five cents (\$475,256.25) from Grant revenues to be received from the Department of Homeland Security, Federal Emergency Management Agency, within the FEMA Grant Fund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1072-1
- f. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of two hundred thirty-three thousand, nine hundred seven dollars and thirty-eight cents (\$233,907.38) from Fund Balance within the Police Equitable Sharing Program SubFund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1073-1
- g. Ordinance amending the fiscal year 2019-2020 budget to transfer unencumbered and unexpended appropriation balances of one million, seven hundred eighty-nine thousand, one hundred thirty-eight dollars (\$1,789,138.00) between projects within the Sewer Capital Fund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1074-1
- h. Ordinance amending the fiscal year 2019-2020 budget to transfer unencumbered and unexpended appropriation balances of one million, two hundred fifty-nine thousand, two hundred dollars (\$1,259,200.00) between projects within the Water Capital Fund. [UED 10/16/19; CC 10/16/19; CC 10/23/19] 19-1075-1
- i. Ordinance closing a portion of a public way located between E. 21st St. and E. 21st Pl. on S. 135th E. Ave., in the Smittle Addition, requested by Karl Yang. (CD-6) [PW 10/16/19; CC 10/16/19; CC 10/23/19] 19-1059-1
- j. Ordinance closing a portion of a public way, an unopened portion of E. 14th St., immediately east of S. 135th E. Ave., situated between Block Eight (8) and Block Nine (9) of the Romoland Addition, requested by Kalen Sitler. (CD-6) [PW 10/16/19; CC 10/16/19; CC 10/23/19] 19-1066-1
- k. Ordinance closing a portion of a Utility easement located at 5127 S. Lewis Ave., Lot One (1), Block One (1) of the Brighten Gardens of Tulsa Subdivision, requested by Attorney Stephen Schuller. (CD-9) [PW 10/16/19; CC 10/16/19; CC 10/23/19] 19-1058-1

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. No items this week. 04-680

12. ADJOURNMENT

- a. Adjournment. 97-399-1