

02/21/2020 3:45 pm

MELISSA C. STICE
CITY CLERK

NOTICE AND AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

5:00 PM, Wednesday, February 26, 2020

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. Minutes of Regular Meeting held at 4:00 PM on February 5, 2020. [CC 2/26/20] 20-160-1
- b. Minutes of Regular Meeting held at 5:00 PM on February 5, 2020. [CC 2/26/20] 20-161-1

2. APPOINTMENTS & REAPPOINTMENTS

- a. No items this week.

3. PUBLIC HEARINGS

- a. No items this week.

4. MAYOR'S ITEMS

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

- b. Resolution adopting an amended Retail Incentive Policy of the City of Tulsa, to align the Retail Incentive Policy with the Commercial Revitalization Strategy and Retail Market Study and Strategy; allow for the reimbursement of costs associated with construction of public infrastructure, the development of new commercial centers, and the redevelopment of existing commercial centers and property for retail use; expand the geographic areas where the policy can be utilized, to include USDA designated food deserts; and remove square footage requirements for eligible retail enterprises. [UED 2/26/20; CC 2/26/20] 20-127-1
- c. Change Order No. 2 to Contract No. 33650 between City of Tulsa and Tri-Star Construction, LLC., for Project No. 104017-J, TMUA-W 13-17 and MS #581, on S. Lewis Ave., 21st St. to 11th St. and 15th St. intersection to add an additional 120 calendar days due to time delays. [PW 2/26/20; CC 2/26/20] 20-144-1
- d. Corrected License Agreement between the City of Tulsa and Kendall Whittier Main Street, Inc., for the use of City right-of-way for a bike rack at 2408 E. Admiral Blvd. The correction is due to a Scrivner's error placing the property in Block One (1), instead of Block Five (5). (CD-4) [CC 2/26/20] 20-145-1
- e. Revisions to the Personnel Policies and Procedures Manual relating to Section 100, Policy 119.25 - Eligibility for Police Promotional Examinations. [PW 2/26/20; CC 2/26/20] 20-135-1
- f. Review, discussion, possible adjustment, and approval of HUD Grant funding recommendations from the HUD Community Development Committee for Program Year 2020-2021. In accordance with Title 12, Chapter 8, Section 804, Paragraph F, the HUD Community Development Committee has made recommendations to amend the 2019 HUD Annual Action Plan. [UED 2/26/20; CC 2/26/20] 20-128-1
- g. Donation from Hach Company to the City of Tulsa Mohawk Water Treatment Plant for lunch at the 2020 WIM's Regional User's Group Event valued at five hundred dollars (\$500.00). [CC 2/26/20] 20-157-1
- h. Travel expense donation of six hundred thirty dollars and eighty-four cents (\$630.84) from the Institute for Intergovernmental Research for Mayor Bynum to travel to New Orleans, LA on March 8-9, 2020, to meet with the New Orleans Police Department to learn about technology in Policing. [CC 2/26/20] 20-132-1
- i. Travel expense donation of six hundred thirty dollars and eighty-four cents (\$630.84) from the Institute for Intergovernmental Research for Amy Brown to travel to New Orleans, LA on March 8-9, 2020, to meet with the New Orleans Police Department to learn about technology in Policing. [CC 2/26/20] 20-133-1
- j. Travel expense donation of one thousand, fifty-seven dollars and fifty cents (\$1,057.50) from the Institute for Intergovernmental Research for Major Ryan Perkins to travel to Chicago, IL on February 25-27, 2020, to observe Chicago Police Department's Real Time Crime Center. [CC 2/26/20] 20-134-1
- k. Travel expense donation of one thousand, fifty-seven dollars and fifty cents (\$1,057.50) from the Institute for Intergovernmental Research for Matthew Kirkland to travel to Chicago, IL on February 25-27, 2020, to observe Chicago Police Department's Real Time Crime Center. [CC 2/26/20] 20-151-1

- l. Travel expense donation of two thousand, one hundred fifty-five dollars (\$2,155.00) from Tulsa Regional Tourism for Nick Doctor to travel to Savannah, GA on February 5-7, 2020, to attend a Tourism InterCity Visit. [CC 2/26/20] 20-149-1
- m. Travel expense donation of two thousand, fifty-one dollars and eight cents (\$2,051.08) from the Indian Nation Council of Governments (INCOG) for Nick Doctor to travel to Houston, TX on April 24-28, 2020, to attend the Annual Planning Association Conference. [CC 2/26/20] 20-148-1
- n. Travel expense donation of five hundred eighty-three dollars and forty-four cents (\$583.44) from the Institute for Intergovernmental Research for Eric Dalglish to travel to New Orleans, LA on March 8-10, 2020, to attend the Public Safety Partnership Peer Exchange. [CC 2/26/20] 20-156-1
- o. Travel expense donation of five hundred eighty-three dollars and forty-four cents (\$583.44) from the Institute for Intergovernmental Research for Chief Franklin to travel to New Orleans, LA on March 8-10, 2020, to attend the Public Safety Partnership Peer Exchange. [CC 2/26/20] 20-155-1
- p. Special Event Application: Oklahoma Aquarium Run scheduled for April 4, 2020, at the Oklahoma Aquarium, 300 S. Aquarium Dr., (includes E. 96th St. S. and S. Riverside Dr.) (CD-2,9) [CC 2/26/20] 20-150-1
- q. Special Event Application: Kibo Group Run to the Well scheduled for April 18, 2020, on streets surrounding R. L. Jones Airport. (CD-2) [CC 2/26/20] 20-152-1
- r. Special Event Application: FC Tulsa Home Matches scheduled for March 14, 17, and 21, 2020, at ONEOK Field, 201 N. Elgin Ave. (CD-4) [CC 2/26/20] 20-153-1
- s. Special Event Application: Guthrie Green Events scheduled for March 2020, at Guthrie Green, 111 E. Reconciliation Way. (CD-4) [CC 2/26/20] 20-154-1
- t. Special Event Application: Kilkenny's Irish Pub St. Patrick's Day Celebration scheduled for March 17, 2020, at 1413 E. 15th St. (CD-4) [CC 2/12/20; 2/26/20] 20-114-3

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Final Plat for Fire Station No. 33 Addition consisting of Two (2) Lots, One (1) Block, on 4.83 acres located east of the SE/c of E. 41st St. S. and S. 129th E. Ave. (TMAPC staff administratively **APPROVED** the final plat on behalf of TMAPC.) (CD-6) [CC 2/26/20] 20-167-1
- b. Final Plat for the Leinbach Apartments Stuart Tract Addition consisting of One (1) Lot, One (1) Block, on 24.5 acres located west of the SW/c of E. 51st St. S. and S. 145th E. Ave. (TMAPC staff administratively **APPROVED** the final plat on behalf of TMAPC.) (CD-6) [CC 2/26/20] 20-169-1
- c. Rezoning Application Z-7524 from MX1-U-45 to RM-2 for property located east of the SE/c of S. Lewis Ave. and E. 6th St. S. requested by Sally Moseby. (Property owner: Charney Properties, Inc.) (CD-4) (TMAPC voted 11-0-0 to recommend **APPROVAL** of RM-2 zoning.) [UED 2/12/20; CC 2/26/20; CC 3/4/20] 20-112-1

- d. Rezoning Application Z-7525 from CS to IL with an Optional Development Plan for property located south and west of the SW/c of E. Admiral Pl. and S. Garnett Rd. requested by Margaret Rosene Robinson. (Property owner: Wagon Wheel Trade Center, LLC.) (CD-3) (TMAPC voted 7-1-0 to recommend **APPROVAL** of IL zoning with an Optional Development Plan.) [UED 2/12/20; CC 2/26/20; CC 3/4/20] 20-116-1
- e. Rezoning Application Z-7526 from RM-2 and MX2-P-45 to MX2-P-U for property located at the NW/c of E. 11th St. S. and S. Lewis Ave. requested by Mike Thedford. (Property owner: TWS Route 66, LLC.) (CD-4) (TMAPC voted 11-0-0 to recommend **APPROVAL** of MX2-P-U zoning.) [UED 2/12/20; CC 2/26/20; CC 3/4/20] 20-117-1
- f. Rezoning Application Z-7527 from RS-3 and OL to CS for property located east of the NE/c of W. 61st St. S. and S. 33rd W. Ave. requested by Nathan Cross. (Property owner: Rankin Properties.) (CD-2) (TMAPC voted 5-2-0 to recommend **APPROVAL** of CS zoning.) [UED 2/12/20; CC 2/26/20; CC 3/4/20] 20-118-1
- g. Rezoning Application Z-7528 from RS-4 to RS-5 for property located west of the SW/c of E. Latimer Pl. and Martin Luther King, Jr. Blvd. requested by Alberto Perez. (Property owner: Vive Investments, LLC.) (CD-1) (TMAPC voted 7-0-0 to recommend **APPROVAL** of RS-5 zoning.) [UED 2/12/20; CC 2/26/20; CC 3/4/20] 20-119-1
- h. Rezoning Application Z-7529 from IL to IM with an Optional Development Plan for property located south of the SE/c of E. 41st St. S. and S. 87th E. Ave. requested by Lou Reynolds. (Property owner: Bud Brothers, LLC.) (CD-7) (TMAPC voted 5-2-0 to recommend **APPROVAL** of IM zoning with an Optional Development Plan.) [UED 2/12/20; CC 2/26/20; CC 3/4/20] 20-120-1

6. ORDINANCES - FIRST READING

- a. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of two million dollars (\$2,000,000.00) from Revenues to be received from the Tulsa Parking Authority within the Non-Grant Special Revenue Fund. [UED 2/26/20; CC 2/26/20; CC 3/4/20] 20-129-1
- b. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of three million, six hundred eighty-five thousand dollars (\$3,685,000.00) from un-appropriated Fund Balance within the Tulsa Metro Utilities Authority (TMUA) Sewer Operating Fund. [UED 2/26/20; CC 2/26/20; CC 3/4/20] 20-130-1
- c. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of twenty-two thousand, five hundred seventy dollars and seventy-eight cents (\$22,570.78) from Revenues received within the Non-Grant Miscellaneous Special Revenue Fund. [UED 2/26/20; CC 2/26/20; CC 3/4/20] 20-131-1
- d. Ordinance amending the fiscal year 2019-2020 budget to make supplemental appropriations of fifty thousand dollars (\$50,000.00) from un-appropriated Fund Balance within the Economic Development Commission Fund. [UED 2/26/20; CC 2/26/20; CC 3/4/20] 20-146-1

- e. Ordinance ZCA-13 amending the City of Tulsa Zoning Code, Title 42, Tulsa Revised Ordinances, to provide for principal and accessory short-term rental uses, to identify zoning districts in which such uses are permitted, and to establish supplemental use regulations for such uses. (TMAPC voted 6-2-0 to recommend **APPROVAL** of proposed amendment.) [UED 2/26/20; CC 2/26/20; CC 3/11/20] 19-464-3
- f. Ordinance amending Title 21, Tulsa Revised Ordinances, titled "Licenses," by adding a new chapter, Chapter 26, entitled "Short-Term Rental"; providing definitions; setting forth requirements for a license; setting forth requirements for the license application; setting forth the responsibilities of an operator of a Short-Term Rental; setting forth fees; providing for license revocation; setting forth penalties. [UED 2/26/20; CC 2/26/20; CC 3/11/20] 20-147-1

7. ORDINANCES - SECOND READING

- a. Ordinance amending the fiscal year 2019-2020 budget to transfer unencumbered and unexpended appropriation balances of one million, eight hundred fifty-nine thousand, two hundred sixty-five dollars and forty-five cents (\$1,859,265.45) between Projects and Accounts within the Sewer Capital Fund. [UED 2/12/20; CC 2/12/20; CC 2/26/20] 20-103-1
- b. Rezoning Ordinance Z-7503 from RS-4 and CH to MX1-U-U and MX1-F-35 for property located north of the NE/c of E. 11th St. S. and S. Peoria Ave. requested by David Henke. (Property owner: Noria Properties, LLC) (CD-4) (TMAPC voted 11-0-0 to recommend **APPROVAL** of MX1-U-U and MX1-F-35 zoning.) [UED 1/15/20; CC 1/29/20; CC 2/12/20; CC 2/26/20] 20-24-2
- c. Rezoning Ordinance Z-7519 from RM-2 to CH for property located north of the NW/c of W. 21st St. S. and S. Boulder Ave. requested by Brian Elliot. (Property owner: Boulder Plaza Lofty Enterprises, LLC.) (CD-4) (TMAPC voted 9-0-0 to recommend **APPROVAL** of CH zoning.) [UED 2/5/20; CC 2/12/20; CC 2/26/20] 20-66-2
- d. Rezoning Ordinance Z-7521 from RS-3 to RM-0 for property located north of the NE/c of E. 41st St. S. and S. 145th E. Ave. requested by KKT Architects, Inc. (Property owner: Glenwood Homes, LP.) (CD-6) (TMAPC voted 9-0-0 to recommend **APPROVAL** of RM-0 zoning.) [UED 2/5/20; CC 2/12/20; CC 2/26/20] 20-65-2
- e. Rezoning Ordinance Z-7523 from CH to IL for property located east of the SE/c of E. 3rd St. S. and S. Quincy Ave. requested by Amanda Lowe. (Property owner: Quincy Square, Inc.) (CD-4) (TMAPC voted 8-0-0 to recommend **APPROVAL** of IL zoning.) [UED 2/5/20; CC 2/12/20; CC 2/26/20] 20-67-2

8. COUNCIL ITEMS

- a. Council Chair's report on community events, briefing on Council activities, Council efforts, and new business.
- b. Adoption of an amended schedule for Council consideration of proposed amendments to the City of Tulsa's 1989 Amended Charter. [CC 2/26/20] 20-168-1
- c. Request by Veterans of Foreign Wars Post for waiver of fees for labor costs of eight thousand, one hundred seventy-five dollars. (\$8,175.00) incurred for the Veteran's Day parade held on November 11, 2019. [PW 2/26/20; CC 2/26/20] 20-140-1

- d. Council initiation of a Voluntary AG-R Zoning Program for the area bounded by S. Union Ave. to the east; S. 33rd West Ave. to the west; W. 76th St. S. to the north; and W. 91st St. S. to the south to be effective immediately, upon Council initiation, through December 31, 2020. The primary goal of the program is to implement the West Highlands/Tulsa Hills Small Area Plan recommendation to retain the rural residential character of this area. [UED 2/26/20; CC 2/26/20] 20-158-2
- e. Consensus of the Tulsa City Council approving solicitation of donations and contributions for City Council and Council District Public Meetings. (McKee) [PW 2/26/20; CC 2/26/20] 20-141-1
- f. Consensus of the Council supporting PatriotFest and Car Show Celebration scheduled for May 23, 2020, 3770 Southwest Blvd. (Cue) [PW 2/26/20; CC 2/26/20] 20-142-1
- g. Travel expense donation of six hundred fifty-one dollars and eighty-four cents (\$651.84) from the Institute for Intergovernmental Research for Councilor Lakin to travel to New Orleans, LA on March 8-9, 2020, to meet with the New Orleans Police Department to learn about technology in Policing. [PW 2/26/20; CC 2/26/20] 20-170-1

9. **NEW BUSINESS**

- a. New Business.

10. **HEARING OF APPEALS**

- a. No items this week.

11. **HEARING OF PUBLIC COMMENTS**

- a. Public Comment: Nancy Moran - Air quality concerns in the River West neighborhood. [CC 2/26/20] 20-159-1
- b. Public Comment: Larry Mitchell - Air quality concerns in the Crosbie Heights neighborhood. [CC 2/26/20] 20-162-1
- c. Public Comment: Emily Vickers - Local Air Quality Survey results and Environmental Health Equity. [CC 2/26/20] 20-163-1
- d. Public Comment: Jesse Kishen - Concerns about harassment at the Tulsa Public Schools Maintenance Facility. [CC 2/26/20] 20-164-1
- e. Public Comment: Tommy Yap - City Council's reliance on the City Attorney to keep order of meetings in regards to Robert's Rules of Order. [CC 2/26/20] 20-166-1
- f. Public Comment: Kathy McDonald - Collection of data in the City of Tulsa and how it relates to travel. [CC 2/26/20] 20-165-1

12. **ADJOURNMENT**

- a. Adjournment.