

10/22/2021 4:00 pm

Office of the
City Clerk

NOTICE AND AGENDA

TULSA CITY COUNCIL – REGULAR MEETING

5:00 PM, Wednesday, October 27, 2021

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

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.

INTRODUCTION AND NOTICE TO THE PUBLIC

At this Regular Meeting of the City Council, in accordance with and pursuant to applicable Council Rules and Robert's Rules of Order, the Council will consider, discuss, and may take action on, adopt, amend, reject, or defer action on any item listed on this Agenda. In accordance with the City Charter and state law, the Council may approve and adopt a budget and/or amendments to the budget, including adding, deleting, increasing, or decreasing any appropriations, expenditures, and amounts thereof.

1. RECEIPT & FILING OF MINUTES

- a. No items this week.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Josh Chesney – Appointment to the Arts Commission of the City of Tulsa replacing Andrew Kinslow; term expires December 1, 2024. (CD-6) [PW 10/20/21; CC 10/27/21]

3. PUBLIC HEARINGS

- a. Public Hearing to receive written and oral comments from citizens regarding the proposed Ordinance amending Title 43-H of Tulsa Revised Ordinances (TRO), which is the City of Tulsa's Expenditure Policy for the "2014 Extended 1.1% Sales Tax"; amending, under "Park and Recreation Department", Project No. 49, "Pool Renovation", by replacing line-item "A", that is, "Berry-Pool Reconstruction" with "Chamberlain-Pool Reconstruction", ensuring that the total amount of revenue budgeted for Capital Program Projects pursuant to Title 43-H remain unchanged; directing that the procedures for amending this Title 43-H, TRO, as explained in Section 103 of said Title 43-H, be fully complied with. **(Emergency Clause)** (Required Press Conference held 10/4/21) (Public Hearings: 10/20/21; 10/27/21) [PW 10/20/21; CC 10/20/21; CC 10/27/21]
- b. Public Hearing to receive written and oral comments from citizens regarding the proposed Ordinance adopting a New Chapter 4, entitled "Public Service Company Franchise" within Title 15, Tulsa Revised Ordinances (TRO), "Franchises and Grants"; setting forth definitions; granting to Public Service Company of Oklahoma (PSO) a franchise, to use the public ways of the City of Tulsa for the purpose of supplying electricity to the public; setting a term of years for the franchise; providing for the assignment, sale or lease of the rights and obligations herein; establishing conditions of enforceability, standards of service and indemnification; setting forth responsibilities as to location and relocation of lines, plants and systems; stating conditions for the use and repair of public ways; allowing PSO to charge consumers reasonable rates of compensation; obligating PSO to provide electric power to the City of Tulsa for municipal purposes; establishing fees to be paid for the grant of this franchise; requiring PSO to maintain records, and allow City to inspect and audit same; allowing City at its option to purchase PSO's plants and systems after fifteen (15) years, and setting terms and conditions of said purchase; requiring voter approval of this franchise at a special election on February 8, 2022; repealing the previous Franchise Agreement. **(Emergency Clause)** (Public Hearings: 10/27/21; 11/3/21) [PW 10/20/21; UED 10/27/21; CC 10/20/21; CC 11/3/21]

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.
- b. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution finding that a portion of the costs of construction by Costco Wholesale Corporation of a new retail facility is eligible for reimbursement in accordance with the Retail Incentives Policy of the City of Tulsa and pursuant to the proposed Economic Development Agreement between the City of Tulsa and Costco Wholesale Corporation. [PW 10/20/21; CC 10/27/21]
- c. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and The Debra Elaine Jones Revocable Trust for property located at 5426 E. 105th St. S., Wexford Estate Addition, for a wall, landscaping, decorative driveway, and rocks. [PW 10/20/21; CC 10/27/21]

- d. Consideration and possible approval, adoption, denial, amendment or revision of a Change Order No. 1 to Contract No. 133790 between the City of Tulsa and Becco Contractors, Inc., for Project No. 104107, TMUA-W 13-44, MS#620, TMUA 04-57 C5, 144107, TMUA-W 14-32, 2015-MPO (C1), within an area bound by N. Peoria Ave. on the west, N. Utica Ave. on the east, E. Easton St. on the south and E. Latimer St. on the north, in the amount of forty-seven thousand, one hundred thirty-five dollars and twenty-four cents (\$47,135.24), required to establish a pay item for curb and gutter removal not originally in the plans. (CD-1) [PW 10/20/21; CC 10/27/21]
- e. Consideration and possible approval, adoption, denial, amendment or revision of a Deed of Dedication by Roklahoma Properties, LLC of property located at 1147 S. Lewis Ave., Lot No. Thirteen (13), Block No. Four (4), Parcel No. 286-2020 of the Boswell's Addition, for the issuance of a Sidewalk Café Permit for an existing business. (CD-4) [CC 10/27/21]
- f. Consideration and possible approval, adoption, denial, amendment or revision of a Storm Sewer Easement Donation by Camelot Partners, LLC of property located at 4240 S. Memorial Dr., Industrial Equipment Center Addition, for a commercial building permit, AP 327298. (CD-5) [CC 10/27/21]
- g. Consideration and possible approval, adoption, denial, amendment or revision of an extension of a contract for a loan from the Gilcrease Museum to the Choctaw Cultural Center of a Mississippian effigy pipe bowl. [CC 10/27/21]
- h. Consideration and possible approval, adoption, denial, amendment or revision of a Donation of cash from Jeannie Rogers to the City of Tulsa, for a mishap in 1960 that caused a Police Officer's ticket book to go missing, valued at one hundred dollars (\$100.00). [CC 10/27/21]
- i. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Federal Credit Union Tulsa Run scheduled for October 30, 2021, starting at 61 E. 3rd St. (CD-4,9) [CC 10/27/21]
- j. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: BOK Center Events scheduled for November 4-28, 2021, at 200 S. Denver Ave. (CD-4) [CC 10/27/21]
- k. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Blocktober scheduled for October 31, 2021, at 311 N. Greenwood Ave. (CD-4) [CC 10/27/21]
- l. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Friendship Fest scheduled for October 31, 2021, at 1709 N. Madison Ave. (CD-1) [CC 10/27/21]

5. AUTHORITIES, BOARDS, & COMMISSIONS

- a. No items this week.

6. ORDINANCES – FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2021-2022 budget to make supplemental appropriations of three hundred seventy-five thousand dollars (\$375,000.00) from grant revenues to be received within the Safe OK Grant Program Subfund. [UED 10/27/21; CC 10/27/21; CC 11/3/21]
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2021-2022 budget to transfer unencumbered and unexpended appropriation balances of nine hundred forty-seven thousand, nine hundred ninety-four dollars and ninety-four cents (\$947,994.94) between departments and accounts within the 2014 Sales Tax Fund. [UED 10/27/21; CC 10/27/21; CC 11/3/21]
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 11, Tulsa Revised Ordinances (TRO), “Public Works Department”, Chapter 9, “Street Maintenance”, creating a new section, Section 901, entitled “Special Revenue Fund for Maintenance and Repair of Public Ways”; creating said fund; setting forth the purposes of the fund; including this fund in the annual budget process of the city; estimating the amount of revenue that will be generated hereby; proposing the percentages of said moneys to be expended on the several functions; providing that this ordinance shall be void if the PSO Franchise is disapproved by the voters. [UED 10/27/21; CC 10/27/21; CC 11/3/21]

7. ORDINANCES – SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7613 from RS-4 to RM-2 for property located at the SE/c of E. 8th St. S. and S. Quincy Ave. requested by Jonathan Belzley. (Property owner: New Leaf Development, LLC) (CD-4) (TMAPC voted 7-0-0 to recommend **APPROVAL** of RM-2 zoning) [UED 9/22/21; CC 10/6/21; CC 10/20/21; CC 10/27/21]
- b. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7615 from OL to CS for property located at the SW/c of E. 4th Pl. S. and S. Yale Ave. requested by Timothy Janak. (Property owners: Masood and Sonia Kasim) (CD-4) (TMAPC voted 6-0-0 to recommend **APPROVAL** of CS zoning) [UED 9/22/21; CC 10/6/21; CC 10/20/21; CC 10/27/21]
- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7616 from IL to IM for property located west of the SW/c of S. 49th W. Ave. and W. 21st St. S. requested by Lou Reynolds. (Property owner: Quick Turn Manufacturing, LLC) (CD-2) (TMAPC voted 7-0-0 to recommend **APPROVAL** of IM zoning) [UED 9/22/21; CC 10/6/21; CC 10/20/21; CC 10/27/21]
- d. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7617 from RS-3 to RM-0 for property located east and south of the SE/c of N. Hartford Ave. and E. 49th St. N. requested by Alexis Overstreet. (Property owner: Alexis Overstreet) (CD-1) (TMAPC voted 6-0-0 to recommend **APPROVAL** of RM-0 zoning.) [UED 10/6/21; CC 10/20/21; CC 10/27/21]

- e. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7618 from IL and RM-2 to CH for property located east of the SE/c of E. 2nd St. S. and S. Quincy Ave. requested by RC Parker, LLC. (Property owner: RC Parker, LLC) (CD-4) (TMAPC voted 6-0-0 to recommend **APPROVAL** of CH zoning.) [UED 10/6/21; CC 10/20/21; CC 10/27/21]
- f. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance SA-5 to adopt supplemental zoning of Neighborhood Infill Overlay (NIO) for multiple properties located within certain neighborhoods near downtown Tulsa requested by Tulsa City Council (no change to base zoning districts). (CD-1,4) (TMAPC voted 6-0-0 to recommend **APPROVAL** of SA-5 (adoption of Neighborhood Infill Overlay-NIO), for properties in the proposed neighborhoods, excluding Owen Park, Tracy Park and Buena Vista neighborhoods.) [UED 10/6/21; CC 10/20/21; CC 10/27/21]
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2021-2022 budget to make supplemental appropriations of three hundred twenty thousand, one hundred sixty-four dollars and eighty-two cents (\$320,164.82) of estimated program income revenue, and reducing appropriations of five hundred thirty-nine dollars (\$539.00) within the Community Development Block Grant Fund, and reducing appropriations of three hundred sixty-two dollars (\$362.00) within the Home Investment Partnership Grant Fund. [PW 10/20/21; CC 10/20/21; CC 10/27/21]
- h. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2021-2022 budget to make supplemental appropriations of seven hundred twenty-seven thousand, four hundred dollars (\$727,400.00) from unappropriated fund balance within the General Fund, Short Term Capital Fund, Equipment Management Services Fund, One Technology Center Fund, TARE Operating Fund, and TMUA-Water Operating Fund. [PW 10/20/21; CC 10/20/21; CC 10/27/21]
- i. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 43-H of Tulsa Revised Ordinances (TRO), which is the City of Tulsa's Expenditure Policy for the "2014 Extended 1.1% Sales Tax"; amending, under "Park and Recreation Department", Project No. 49, "Pool Renovation", by replacing line-item "A", that is, "Berry-Pool Reconstruction" with "Chamberlain-Pool Reconstruction", ensuring that the total amount of revenue budgeted for Capital Program Projects pursuant to Title 43-H remain unchanged; directing that the procedures for amending this Title 43-H, TRO, as explained in Section 103 of said Title 43-H, be fully complied with. (**Emergency Clause**) (Required Press Conference held on 10/4/21) (PublicHearings: 10/20/21; 10/27/21) [PW 10/20/21; CC 10/20/21; CC 10/27/21]
- j. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Sanitary Sewer Easement, located at 2738-2740 E. Archer St., on Lot Four (4), of Deshon Subdivision, required to clear the title due to the dwelling encroaching into the easement, requested by Ken Brooking. (CD-3) [PW 10/20/21; CC 10/20/21; CC 10/27/21]
- k. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Utility Easement, located at E. 82nd Pl. and S. Mingo Rd., on Lot Four (4), Block One (1), South Mingo Plaza, requested to improve the ability for development, requested by Mark Capron – Wallace Engineering. (CD-7) [PW 10/20/21; CC 10/20/21; CC 10/27/21]

- i. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2021-2022 budget to transfer unencumbered and unexpended appropriation balances of twelve million, three hundred twenty-six thousand dollars (\$12,326,000.00) between Projects within the TMUA Sewer Capital Projects Fund. [UED 9/22/21; PW 10/27/21; CC 9/22/21; CC 10/6/21; 10/20/21; CC 10/27/21]

8. COUNCIL ITEMS

- a. Councilors' announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.
- b. Consideration and possible approval, adoption, denial, amendment or revision of a schedule for City Charter amendments to be submitted to voters at the general election on August 23, 2022, as required by Title 4, Tulsa Revised Ordinances (TRO), Section 308, "Charter Review". [CC 10/27/21]

9. NEW BUSINESS

- a. New Business.

10. HEARING OF APPEALS

- a. No Items this week.

11. HEARING OF PUBLIC COMMENTS

- a. No items this week.

12. ADJOURNMENT

- a. Adjournment.