

**NOTICE AND AGENDA
TULSA CITY COUNCIL - REGULAR MEETING**

FILED
CITY OF TULSA
STATE OF OKLAHOMA

6:00 PM, Thursday, May 2, 2013

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

2013 APR 30 P 2:54

MICHAEL P. NIER
CITY CLERK

INTRODUCTION

PLEDGE OF ALLEGIANCE AND INVOCATION

PROCLAMATION AND SPECIAL ANNOUNCEMENTS

CALL TO ORDER & ROLL CALL

Unless otherwise noted, the Council may discuss, review, and/or possibly take action on the following:

1. RECEIPT & FILING OF MINUTES

- a. No items this week. 04-387

2. APPOINTMENTS & REAPPOINTMENTS

- a. Susan Scott - Appointment to the Human Rights Commission; term expires 7/1/2015; replacing Ruth Gaines. (CD-8) [PW 4/25/13; CC 5/2/13] 13-251-1
- b. Sara Martinez - Appointment to the Greater Tulsa Area Hispanic Affairs Commission; term expires 12/31/2015, replacing David Lafon. (CD-6) [PW4/25/13; CC 5/2/13] 13-220-1
- c. Father David Medina - Reappointment to the Greater Tulsa Area Hispanic Affairs Commission; term expires 12/31/2014; 10/13 meetings. (CD-4) [PW 4/25/13; CC 5/2/13] 10-405-2

3. 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 a minor amendment to the City of Tulsa's FY 2012 Consolidated Plan Annual Action Plan (Annual Action Plan) to reprogram the projected use of funds to be funded by HOME and authorizing the Mayor to submit a final statement and to sign all assurances, understandings, and written agreements associated with said grants from the United States Department of Housing and Urban Development (HUD). **(Emergency Clause)** [UED 4/25/13] 13-297-1
- c. Change Order No. 1 to Contract No. 30030 with Trigon General Contractors for Project No. 017110-10: Lacy Park Community Center, incorporating work revisions, \$27,329.82. (CD-1) [PW 4/25/13] 13-296-1
- d. Donation of waterline easement located at 1402 S. Peoria Ave. from 1402 Zen Dojo, LLC., as part of the requirements for IDP 6471. (CD-4) [PW 4/25/13] 13-305-1

- e. Donation of waterline easement located at 3338 E. 41st St. from 41st & Harvard, LLC., as part of the requirements for IDP 6495. (CD-9) [PW 4/25/13] 13-306-1
- f. Donation of waterline easement located at 17309 E. Pine St. from Fleet Leasing, LLC., for Project No. TMUA-W-11-35: 12" Waterline Installation Pine Street, N. 170th to N. 177th E. Ave. [PW 4/25/13] 13-307-1
- g. Donation of battering rams for the Police Department from the Oklahoma Technical College. 13-333-1
- h. Special Event Application: Cinco de Mayo to be held at 514 S. Boston Ave. on May 4-5, 2013. (CD-4) 10-230-3
- i. Special Event Application: El Guapo's Cinco de Mayo Celebration to be held on Elgin Ave. between 1st and 2nd Streets on May 4-5, 2013. (CD-4) 08-1457-6
- j. Special Event Application: 5 De Mayo Festival to be held at 14007 East 21 Street (Eastland Plaza) on May 3-5, 2013. (CD-6) 09-272-3
- k. Special Event Application: BOK Center May 2013 Events to be held at the BOK Center, May 1-31, 2013. (CD-4) 13-342-1
- l. Special Event Application: Marquette Spring Carnival to be held at Marquette Catholic School on May 5, 2013. (CD-4) 10-255-4
- m. Special Event Application: 5th Annual Michael J. Garner Renal Run to be held at Blue Rose Cafe- 1900 South Riverside Drive on May 4, 2013. (CD-4) 10-288-4
- n. Special Event Application: Tour de Tulsa to be held at River West Festival Park- 2100 S Jackson Ave on May 4, 2013. (CD-2) 06-629-8
- o. Special Event Application: Special Olympics Law Enforcement Torch Run to be held at 600 S. Main St. on May 8, 2013. (CD-1 & 4) 08-1455-6
- p. Special Event Application: Coaches Caravan to be held at 4502 East 41st Street (OU-Tulsa, SW corner lot) on May 6, 2013. (CD-9) 12-348-2
- q. Special Event Application: Germanfest to be held at 2301 E. 15th St. on May 3-5, 2013. (CD-4) 11-271-3
- r. Special Event Application: Guthrie Green May 2013 Events to be held at Guthrie Green Park- 111 E. Brady St. in May 2013. (CD-4) 12-613-4
- s. Special Event Application: Tulsa Drillers Baseball Games to be held at ONEOK Field 201 N. Elgin Ave. in May 2013. (CD-4) 12-167-7
- t. Special Event Application: Tulsa Drillers Fireworks Shows to be held at ONEOK Field-201 N. Elgin Ave. in May 2013. (CD-4) 12-168-7
- u. Special Event Application: American Vets, Bikes, Beer and Babes to be held at 7007 South Memorial Drive on May 4, 2013. (CD-7) 13-343-1

- v. Special Event Application: EMSA/TV Commercial Production to be held at 33rd Street and Peoria Avenue on May 7, 2013. (CD-9) 13-344-1
- w. Special Event Application: Cherry Street Farmers' Market to be held on 15th Street between Quaker and Rockford Aves. on All Saturdays, May 2013. (CD-4) 12-248-8

4. AUTHORITIES, BOARDS & COMMISSIONS

- a. Sales Tax Overview Committee Status Report for March 2013. 13-146-3

5. PUBLIC HEARINGS

- a. Receipt of public comment on proposed Charter Amendment(s). 12-786-2

6. ORDINANCES - FIRST READING

- a. Budget amendment ordinance making supplemental appropriations of \$9,850,000 from a transfer to be received from the TMUA-Sewer Operating Fund, Fund No. 7030, within the TMUA-OWRB 2013A Loan Fund, Fund No. 6036, to provide funding for four projects totaling \$9,850,000. [UED 5/2/13] 13-329-1
- b. Budget amendment ordinance making supplemental appropriations of \$29,416,000 from a transfer to be received from the TMUA-Sewer Operating Fund, Fund No. 7030, within the TMUA-OWRB 2013B Loan Fund, Fund No. 6037, to provide funding for four projects totaling \$29,416,000. [UED 5/2/13] 13-330-1
- c. Budget amendment ordinance making supplemental appropriations of \$39,266,000 from revenue received from the Oklahoma Water Resources Board Loan Proceeds within the TMUA-Sewer Operating Fund, Fund No. 7030, with said appropriations to then be transferred to the TMUA-OWRB 2013A Loan Fund, Fund No. 6036, and to the TMUA-OWRB 2013B Loan Fund, Fund No. 6037, to provide funding for nine projects. [UED 5/2/13] 13-331-1
- d. Budget amendment ordinance transferring unencumbered and unexpended appropriation balances of \$3,000,000 between projects within the Home Investment Partnership Grant Fund, Fund No. 5521, to expand the Mental Health Association project to acquire additional units for low/moderate income individuals. [UED 5/2/13] 13-332-1
- e. Budget amendment ordinance making supplemental appropriations of \$433,607.30 from revolving loan program income within the Revolving Residential Rehab Loan Grant Fund, Fund No. 5598, to appropriate revolving loan program income and to continue the minor repair program. [UED 5/2/13] 13-334-1
- f. Budget amendment ordinance appropriating reimbursement revenues of \$250,000 within the General Fund, Fund No. 1080, for TARE reimbursement to the City for legal services provided for the transition and contracting process for citywide trash and recycling service that expired on June 30, 2012. [UED 5/2/13] 13-335-1
- g. Ordinance closing a sanitary sewer easement, stormwater easements, and an overland drainage easement located at 9999 S. Mingo Rd., requested by Blue Heron Village, LLC. (CD-7) [PW 5/2/13] 13-327-1

- h. Ordinance closing a utility easement located at 5646 S. Columbia Ave., requested by January Wyatt. (CD-9) [PW 5/2/13] 13-328-1

7. ORDINANCES - SECOND READING

- a. Ordinance amending Title 14, Tulsa Revised Ordinances, The Fire Prevention Code of the City of Tulsa, Oklahoma; consolidating the code appeals jurisdiction in the Board of Appeals creating by Title 51, Tulsa Revised Ordinances, Chapter 1. [PW 4/25/13] 13-310-1
- b. Ordinance amending Title 51, Tulsa Revised Ordinances, The Building code of the City of Tulsa, Oklahoma, Chapter 1 creating the Appeal Board. [PW 4/25/13] 13-311-1
- c. Ordinance amending the Building Code of Tulsa, Oklahoma, Title 51, Tulsa Revised Ordinances, Chapter 2, eliminating the Building, Housing and Fire Prevention Board and vests appeal authority in the Board of Appeals created in Title 51, Tulsa Revised Ordinances, Chapter 1. [PW 4/25/13] 13-312-1
- d. Ordinance amending Title 51, Tulsa Revised Ordinances, The Building Code of the City of Tulsa, Oklahoma, Chapter 4, consolidating code appeals jurisdiction in the Board of Appeals created in Title 51, Tulsa Revised Ordinances, Chapter 1. [PW 4/25/13] 13-313-1
- e. Ordinance amending Title 52, Tulsa Revised Ordinances, The Electrical Code of the City of Tulsa, Oklahoma, eliminating the requirement for an electrical sign permit to be issued by the City; amending all reference to a Board of Appeals by replacing the Electrical Examining and Appeals Board and vesting appeal and other authority in the Board of Appeals created in Title 51, Tulsa Revised Ordinances, Chapter 1. [PW 4/25/13] 13-314-1
- f. Ordinance amending the Plumbing Code of the City of Tulsa, Oklahoma, Title 56, Tulsa Revised Ordinances, amending all references to a Board of Appeals by replacing the Plumbing and Appeals Board and vesting appeal and other authority in the Board of Appeals created in Title 51, Tulsa Revised Ordinances, Chapter 1. [PW 4/25/13] 13-315-1
- g. Ordinance amending the Mechanical Code of the City of Tulsa, Oklahoma, Title 59, Tulsa Revised Ordinances, replacing the Mechanical Examiners and Appeals Board and vesting appeal and other authority in the Board of Appeals created in Title 51, Tulsa Revised Ordinances, Chapter 1. [PW 4/25/13] 13-316-1
- h. Budget amendment ordinance transferring unencumbered and unexpended appropriation balances of \$1,214,000 between account groups within the TARE Operating Fund, Fund No. 3623, to cover projected shortfalls in the Other Services accounts; Refuse collection and independent employment services. [UED 4/18/13] 13-284-1
- i. Budget amendment ordinance transferring unencumbered and unexpended appropriation balances of \$3,000,000 between projects within the HOME Investment Partnership Grant Fund, Fund No. 5521, to allow the Mental Health Association project to be expanded to acquire additional units for low/moderate income individuals. [UED 4/25/13] 13-295-1
- j. Ordinance closing an overland drainage easement located at 16136 E. Admiral Pl., requested by Tanner Consulting, LLC. (CD-6) [PW 4/25/13] 13-304-1

- k. Rezoning Ordinance Z-7220, requested by AAB Engineering, LLC. for property located at the NW/c of E. 49th St. and S. Harvard Ave. from RM-1 to CO. (Property Owner: Trade Winds Motor Hotel East, Inc.) (TMAPC voted 9-0-0 to recommend CO zoning) (CD-9) [UED 4/18/13; PH 4/25/13] 13-275-2
- l. Rezoning Ordinance Z-7221, requested by AAB Engineering, LLC) for property located at the NW/c of I-44 HWY and S. Harvard Ave. from RS-2/CS to CO. (Property Owner: Trade Winds Motor Hotel East, Inc.) (TMAPC voted 9-0-0 to recommend CO zoning) [UED 4/18/13; PH 4/25/13] 13-276-2
- m. Rezoning Ordinance PUD 333-B, requested by Lou Reynolds, for property located at the SE/c of S. Lewis Ave. and E. 56th Pl. from RS-2/OL/PUD-333-A to RS-2/OL/PUD-333-B Major Amendment. (Property Owner: Bancfirst) (TMAPC voted 9-0-0 to recommend approval of the major amendment for PUD-333-B) (CD-9) [UED 4/18/13; PH 4/25/13] 13-277-2

8. COUNCIL ITEMS

- a. Resolution renaming the James L. Maxwell Convention Center Building to Cox Business Center and naming the lobby the Maxwell Promenade Gallery. (Ewing) [PW 4/11/13] 13-266-1
- b. Resolution supporting open and accessible data, open standards, and open source software. (Bynum) [PW 9/13/12, 10/4/12, 2/14/13, 2/28/13, 4/18/13 & 4/25/13] 12-652-1
- c. Chairman's report on community events, briefing on Council activities, Council efforts and new business. 98-849-2

9. NEW BUSINESS

- a. New Business. 02-268

10. HEARING OF APPEALS

- a. Appeal of Denial of Nuisance Abatement Payment Plan by House of Prayer for All/Bennie Jackson for property located at 812 S. 64th W. Ave. 13-338-1
- b. Appeal of Denial of Nuisance Abatement Payment Plan by Robert Hamber for property located at 2233 N. Delaware Ave. 13-339-1
- c. Appeal of Denial of Nuisance Abatement Payment Plan by Renee Day for property located at 123 S. 36th W. Pl. 13-340-1
- d. Appeal of Denial of Nuisance Abatement Payment Plan by Marquess Dennis for property located at 2701 W. Brady St. 13-341-1

11. HEARING OF PUBLIC COMMENTS

- a. No items this week. 04-387

12. ADJOURNMENT

- a. Adjournment

ADDENDUM TO AGENDA

TULSA CITY COUNCIL - REGULAR MEETING

6:00 PM, Thursday, May 2, 2013

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

3. MAYOR'S ITEMS

- v. *Pulled by Addendum:* Special Event Application: EMSA/TV Commercial Production to be held at 33rd Street and Peoria Avenue on May 7, 2013. (CD-9) 13-344-1

6. ORDINANCES - FIRST READING

- f. Budget amendment ordinance appropriating reimbursement revenues of \$250,000 within the General Fund, Fund No. 1080, for TARE reimbursement to the City for legal services provided for the transition and contracting process for citywide trash and recycling service that expired on June 30, 2012; and making supplemental appropriations of the Capital Contribution fee of \$1,080,172 within the Long Range Capital Projects Fund, Fund 6001 for digital conversion and upgrades. (Henderson) [UED 5/2/13] 13-335
-2

8. COUNCIL ITEMS

- d. Resolution on moratorium on the use of public funds or resources for the purpose of demolishing or dismantling City park facilities. (Bynum and Henderson) [UED 4/18/13 & 4/25/13] 13-288-1

FILED
 CITY OF TULSA
 STATE OF OKLAHOMA
 2013 MAY - 1 P 4:44
 MICHAEL R. KIER
 CITY CLERK