

Ordinance

Version 2.6 released on 7/3/18

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.

Approved By
City Council On
OCT 24 2018

**CITY COUNCIL USE ONLY**

Date Received: _____
 Committee Date: 9-26-18
 1st Agenda Date: 10-3-18

Tracking #: 18-731-1
 Committee: UED
 Hearing Date: _____
 2nd Agenda Date: 10-24-18

CITY CLERK USE ONLY

Date: 10-29-2018
 Item #: 2.16.1

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Dept. Tracking No.	Board Approval	Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Mayors Office of Economic Dev	Contact Name Mike Dickerson	Email mdickerson@cityoftulsa.org	Phone 918-576-5568
Subject (Description) East End TIF "C" - Tax Increment District No. 13	Ordinance Type Adopting Tax Increment District		
Section	Township	Range	Lot
Block	Address	BA / CT Number	
Amending Ord. No.	TRO Title No.	TRO Subtitle	Property/Non-Property
Council District 4	Zoning No.	PUD No.	Planning District

Budget

Funding Source(s)

TOTAL:

Approvals

Department: [Signature]
 Legal: [Signature]
 Board: _____
 Mayor: [Signature] **PRO-TEM**
 Other: _____

Date: 9-19-18
 Date: 9-19-18
 Date: _____
 Date: SEP 24 2018
 Date: _____

Policy Statement**Background Information**

Pursuant to the Local Development Act, 52 O.S. Section 850 et seq., the City approved Ordinance No. 23832, adopting the Downtown Area Economic Development Project Plan to create economic stability and stimulate economic growth. Ordinance No. 23832 established eight new tax increment districts, created Tax Increment District No. 10, and deferred the creation and naming of each of the seven remaining tax increment districts. In March 2018, the City created and named two of the deferred tax increment districts, Tax Increment District No. 11 and Tax Increment District No. 12.

Summation of the Requested Action

The Mayor's Office of Economic Development has determined that it is necessary and appropriate to create and name another of the tax increment districts deferred by Ordinance No. 23832. The Downtown Area Economic Development Project Plan identifies this district as TIF "C", the East End District, generally located from Denver Avenue extending east to the east IDL, and located from E Archer Street extending south to South 8th Street. This ordinance names TIF "C" as Increment District No. 13, City of Tulsa, and sets the date of creation as November 3, 2018.

Emergency Clause?☒ Yes☐ No**Reason for Emergency Clause**

Creating Increment District No. 13 as of November 3, 2018 will facilitate the establishment of the base assessed value by the Tulsa County Assessor.

Processing Information for City Clerk's Office**Post Execution Processing**

- ☐ Mail vendor copy (add'l signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Add'l governmental entity approval(s) required

Additional Routing and Processing Details

Email a copy of the published Ordinance to Mike Dickerson and to Audrey Blank.

For Mayor's agenda 9-24
After it is signed,
Please send the original
to the Council Secretary
It will be on the
9-26 UED committee
Thanks! Audrey Blank

(Published in the
Tulsa World

November 4, 2018)

ORDINANCE NO. 24020

AN ORDINANCE NAMING INCREMENT DISTRICT "C" AS INCREMENT DISTRICT NUMBER THIRTEEN, CITY OF TULSA, AND ESTABLISHING THE DATE FOR THE CREATION THEREOF; RATIFYING AND CONFIRMING THE ACTIONS, RECOMMENDATIONS AND FINDINGS OF THE REVIEW COMMITTEE AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION WITH REGARD TO INCREMENT DISTRICT "C"; RATIFYING AND CONFIRMING THE ACTION OF THE CITY OF TULSA IN ENACTING ORDINANCE NO. 23832 THAT APPROVED AND ADOPTED THE DOWNTOWN AREA ECONOMIC DEVELOPMENT PROJECT PLAN, ESTABLISHED THE PROJECT AREA, AND ESTABLISHED INCREMENT DISTRICT "C"; RATIFYING AND CONFIRMING THE CITY OF TULSA AND THE TULSA INDUSTRIAL AUTHORITY AS THE ENTITIES AUTHORIZED TO CARRY OUT AND ADMINISTER THE PROJECT PLAN, INCLUDING ADMINISTRATION OF THE TAX APPORTIONMENT FUND AND THE USE OF INCREMENT REVENUES FOR THE PAYMENT OF CERTAIN PROJECT COSTS; DIRECTING CONTINUING APPORTIONMENT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Tulsa, Oklahoma ("City") prepared the Downtown Area Economic Development Project Plan ("Project Plan"), in accordance with the Oklahoma Local Development Act, 62 O.S. § 850, *et seq.* ("Act"); and

WHEREAS, the purpose of the Project Plan is to provide a planning framework and funding mechanism for a substantial portion of the local public investment required to support growth and investment in Downtown Tulsa ("Project"); and

WHEREAS, the Project Plan supports both the City's efforts to achieve its development objectives, improve the quality of life for its citizens, stimulate private investment, and enhance the tax base, thereby making possible investment that would be difficult without the adoption of the Project Plan and the apportionment of incremental tax revenues; and

WHEREAS, the Project Plan identifies eight increment districts located within the Project Area, consisting of three ad valorem districts (temporarily identified as Increment Districts "C," "D," and "H," City of Tulsa) and five ad valorem and sales tax Increment Districts (temporarily identified in the Project Plan as Increment Districts "A," "B," "E," "F," and "G") (collectively, "Increment Districts"); and

WHEREAS, the Downtown Area Economic Development Project Plan Review Committee ("Review Committee"), comprised of a representative of the City, a representative of Tulsa County, a representative of the Tulsa Metropolitan Area Planning Commission ("Planning Commission"), representatives of each of the affected taxing jurisdictions (including Tulsa Public Schools, Tulsa City-County Library, Tulsa Health Department, Tulsa Community College, and Tulsa Technology Center) and three members of the public at large, one of whom represents the business community, reviewed the Project Plan, the Project Area and the Increment Districts in accordance with the criteria specified in the Act and determined that the Increment Districts were eligible for designation as increment districts and for development under the Act and that the financial impacts on the affected taxing jurisdictions and business activities from implementation of the Project Plan are positive; and

WHEREAS, the Review Committee adopted its findings and recommended to the City Council the approval of the Project Plan, including the Increment Districts; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission determined that the Project Plan conformed to the Tulsa Comprehensive Plan and is desirable; and adopted a resolution recommending to the City Council the approval of the Project Plan, including the Increment Districts; and

WHEREAS, all required notices were given and all required hearings were held in connection with the Project Plan, as prescribed by the Act, the Oklahoma Open Meetings Act, 25 O.S. § 301, *et seq.*, and other applicable law; and

WHEREAS, deeming it appropriate and desirable and in the best interest of the City and its citizens, the City adopted and approved the Project Plan, including the establishment of the Increment Districts, by enacting Ordinance No. 23832 on December 13, 2017.

WHEREAS, the Act authorizes the City to defer determination of the designation and date of creation of an increment district under Section 856 and the commencement of its period of apportionment under Section 861, provided that the determination is not more than 10 years after the date of approval of the project plan; and

WHEREAS, the City found that it was in the best interest of the overall success of the Project to defer the date of creation, designation and official naming of seven of the eight proposed Increment Districts, including Increment District "C", until later dates, which dates must be determined within ten years of the date of the approval of the Project Plan; and

WHEREAS, scrivener's errors in the legal description of Increment District "C" were corrected by Ordinance No. 23961, which was adopted by Tulsa City Council on July 18, 2018 and approved by the Mayor on July 23, 2018, which ordinance amended Ordinance No. 23832; and

WHEREAS, the legal description of Increment District "C", as amended by Ordinance No. 23961, was further amended to add an omitted parcel by Ordinance No. 23966 which was adopted by the Tulsa City Council on August 1, 2018 and approved by the Mayor on August 6, 2018, which ordinance amended Ordinance No. 23961; and

WHEREAS, the City finds that it is now necessary and appropriate to name Increment District "C" as Increment District Number Thirteen, City Of Tulsa, and establish the date for the creation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA:

SECTION 1. In order to develop the eligible Project Area, the City elects to utilize Article 10, Section 6C of the Constitution of the State of Oklahoma and the Act, which authorize the use of local taxes for specific public investments, assistance in development financing, and as a revenue source for other public entities in the area, and which provide for the direction of apportionment of local taxes to plan, finance, and carry out development of unproductive, undeveloped, underdeveloped, or blighted areas as determined by the governing body of a city, town or county.

SECTION 2. As used herein "Project Plan" shall mean the document dated November 21, 2017, and comprised of one cover sheet, thirteen pages of text, five exhibits labeled Exhibits A, B, C, D, and E, and titled "Downtown Area Economic Development Project Plan."

SECTION 3. The membership of the Review Committee and all actions taken and all recommendations and findings made in connection with the Project Plan and with regard to Increment District "C" by the Review Committee and the Planning Commission are hereby ratified and confirmed.

SECTION 4. The action of the City Of Tulsa in enacting Ordinance No. 23832 that approved and adopted the Project Plan, established the Project Area, and established Increment District "C" is hereby ratified and confirmed.

SECTION 5. For identification purposes, Increment District "C" is shown on Exhibit A and described on Exhibit C of the Project Plan, as amended by Ordinance No. 23961 and Ordinance No. 23966.

SECTION 6. For identification purposes, the name of Increment District "C", an ad valorem increment district as set forth in the Project Plan, shall be Increment District Number Thirteen, City of Tulsa ("Increment District No. 13").

SECTION 7. Increment District No. 13 is hereby created as of November 3, 2018.

SECTION 8. The date of creation, official designation, and naming of the Increment District temporarily identified as Increment District "C", and, accordingly, the commencement of the respective period of apportionment, is within 10 years of the effective date of Ordinance No. 23832.

SECTION 9. The boundaries of the Project Area of the Project Plan are shown on Exhibit A of the Project Plan, and described on Exhibit B of the Project Plan as follows:

Project Area Legal Description

Point of Beginning is the NE corner of Lot 26, Block 4, Mann's Addition, thence continuing southerly to the NW corner of Lot 8, Block 7, Mann's Addition, thence easterly to the NE corner of Lot 5, Block 7, Mann's Addition, thence southerly to the SE corner of Lot 5, Block 7, Mann's Addition, thence easterly to the NE corner of Bullette Park, thence southerly to the SE corner of Bullette Park, thence westerly along the southern boundary of Bullette Park for approximately 74.09 feet, thence southerly to the NE corner of Lot 36, Block 3, Bullett Addition, thence southerly to the SE corner of Lot 19, Block 3 of Bullett Addition, thence westerly to the SW corner of Lot 19, Block 3, Bullett Addition, thence southerly to the NE corner of Lot 13, Block 2, Frisco Addition, thence southerly to the SE corner of Lot 32, Block 2, Frisco Addition, thence westerly to the SW corner of Lot 23, Block 2, Frisco Addition, thence southerly along the easterly right-of-way of N Madison Avenue to the intersection of the easterly right-of-way of N Madison Avenue and the northerly right-of-way of the Burlington Northern Railroad, thence southerly to the intersection of the southerly right-of-way of the Burlington Northern Railroad and the easterly right-of-way of N Madison Avenue, thence southerly along the easterly right-of-way of N Madison Avenue to the intersection with the northerly right-of-way of the Martin Luther King Expressway, thence southerly to the NW corner of the W50 of Lot 4, Block 7, Hodge Addition, thence westerly to intersection of the southerly right-of-way of the M K and T railroad and the westerly right-of-way of the Cherokee Expressway, thence southerly along the westerly right-of-way of the Cherokee Expressway to the southerly right-of-way of E 6th Street, thence southerly to the northernmost point of the easternmost boundary of the Home Depot North Tulsa Addition, thence westerly along the northern boundary of the Home Depot North Addition to the southerly right-of-way of E 8th Street, thence westerly along the northerly boundary of the Home Depot North Tulsa Addition to the easterly right-of-way of S Elgin Avenue, thence southerly along the western boundary of the Home Depot North Tulsa Addition and continuing easterly along the southern boundary of the Home Depot North Tulsa Addition to the westerly right-of-way of the Cherokee Expressway, thence southerly along the westerly right-of-way of the Cherokee Expressway and continuing westerly along the northerly right-of-way of US 75 to westerly right-of-way of W Denver Avenue, thence northerly along the westerly right-of-way of W Denver Avenue to the southerly right-of-way of I-244, thence easterly along the southern boundary of the I-244 expressway to the NE corner of John Hope Franklin Reconciliation Park, thence northerly along the westerly right-of-way of N Elgin Avenue to the SE corner of LT 1LESS BEG NWLY THEREOF TH CRV RT59.62 E272.70 CRV RT18.24 W289.93 SW46.19 POB BLK 1, thence southerly along the easterly right-of-way of N Elgin Avenue to the SW corner of Lot 1, Block 2, University Center at Tulsa Addition, thence southerly along the easterly right-of-way of N Elgin Avenue to the northerly right-of-way of I-244, thence easterly along northerly right-of-way of I-244 to the westerly right-of-way of the Southeast Kansas Railway, thence northerly along the westerly right-of-way of the Southeast Kansas Railway to the NE corner of LT 1LESS BEG NWLY THEREOF TH CRV RT59.62 E272.70

CRV RT18.24 W289.93 SW46.19 POB BLK 1, thence southeasterly to the southernmost point of Lot 4, Block 1, LANSING INDUSTRIAL PARK I RESUB B5-6-7-13&14 FAIRVIEW Addition, thence northeasterly along the northerly right-of-way of the Southeast Kansas Railway to the northerly right-of-way of the South Kansas and Oklahoma Railway, thence northeasterly along the northerly right-of-way of the South Kansas and Oklahoma Railway to the SE corner of Lot 9, Block 1, LANSING INDUSTRIAL PARK I RESUB B5-6-7-13&14 FAIRVIEW Addition, thence easterly to the SW corner of PRT SE NE BEG 339N & 145E SWC SE NE TH E307 N277 W29.5 N42.5 TO SL ATSF RY SWLY TO PT S190 POB SEC 36 20 12 1.61AC, thence easterly along the northerly right-of-way of E Latimer Place for approximately 144.25 feet; thence southerly to the Point of Beginning.

SECTION 10. The boundaries of Increment District No. 13 are shown on Exhibit A and described on Exhibit C of the Project Plan under the heading "TIF 'C'", as amended by Ordinance No. 23961 and Ordinance No.23966 and are hereby designated and adopted as follows:

Increment District No. 13 Legal Description

TIF "C"

Increment District "C"

[East End TIF District]

Starting at the SE corner of Lot 3, Block 55, Tulsa-Original Town, thence continuing north easterly along the northern boundary of the railroad Right-of-Way for approximately 1,135.57 feet to the southern edge of EB E NIDL EXPY. Thence following the southern edge of EB E NIDL EXPY in a south easterly direction for approximately 767.39 feet. Thence S 1°12'42" E for 168.75 feet to the Right-of-Way of S Lansing Avenue. Thence along the eastern boundary of S Lansing Avenue Right-of-Way for approximately 537.72 feet to the intersection of the southerly right-of-way of the M K and T railroad and the westerly right-of-way of the Cherokee Expressway. Thence southerly along the westerly right-of-way of the Cherokee Expressway to the southerly right-of-way of E 6th Street. Thence southerly to the NW corner of Lot 10, Block 12, Burnett Addition. Thence S 88°57'4"W for 61.09 feet to the NE corner of Lot 1, Block 11, Burnett Addition. Thence westerly along the northern boundary of Lots 1 through 12, Block 11, Burnett Addition to the NW corner of Lot 12, Block 11, Burnett Addition. Thence N 2°58'59" W for 57.89 feet. Thence N 63°14'35" W 63.08 feet to the SE corner of Lot 1, Block 169, Tulsa-Original Town. Thence south westerly along the northern Right-of-Way of E 8th St S for approximately 2,733.89 feet to the SW corner of Lot 4, Block 175, Tulsa-Original Town. Thence S 65°32'45" W for 34.74 feet. Thence S 88°48'15" W for 21.21 feet. Thence S 88°48'17" W for 29.39 feet to the SE corner of Lot 3, Block 176, Tulsa-Original Town. Thence westerly along the north Right-of-Way boundary of W 8th St S for approximately 407.13 feet to

the SE corner of Lot 1, Block 177, Tulsa-Original Town. Thence north westerly following the west Right-of-Way of S Denver Ave for approximately 2,899.25 feet to the SE corner of Lot 3, Block 63, Tulsa-Original Town. Thence north-easterly along the northern boundary of the railroad Right-of-Way for approximately 3,034.17 feet to the SE corner of Lot 3, Block 55, Tulsa-Original Town and the point of beginning.

Less and Except

Beginning at the NE corner of Lot 1, Block 107, Tulsa-Original Town and continuing in a S 23°51'45" E direction for 98 feet, thence S 23°51'48" E for 35 feet, thence S 23°51'53" E for 66 feet, thence S 23°51'58" E for 100 feet to the SE corner of Lot 3, Block 107, Tulsa-Original Town. Thence S 65°43'27" W for 137 feet to the SW corner of Lot 3, Block 107, Tulsa-Original Town. Thence S 64°25'5" W for 20 feet to the SE corner of Lot 4, Block 107, Tulsa-Original Town. Thence S 64°54'48" W for 80 feet, thence S 64°54'54" W for 58 feet to the SW corner of Lot 4, Block 107, Tulsa-Original Town. Thence S 65°38'15" W for 80 feet to the SE corner of Lot 4, Block 106, Tulsa-Original Town. Thence S 65°14'3" W for 139 feet, thence S 65°14'4" W for 20 feet, thence S 65°14'7" W for 6 feet. Thence N 24-10-23 W for 300 feet, to a point on the northern boundary of Block 106, Tulsa-Original Town. Thence along the northern boundary of Block 106 in a N 65°14'35" E direction for 6 feet, thence N 65°14'32" E for 161 feet to the NE corner of Lot 1, Block 106, Tulsa-Original Town. Thence N 66°7'9" E for 80 feet to the NW corner of Lot 6, Block 107, Tulsa-Original Town. Thence N 65°39'2" E for 137 feet to the NE corner of Lot 6, Block 107. Thence N 64°25'5" E for 22 feet. Thence N 64°53'10" E for 137 feet to the NE Corner of Lot 1, Block 107, Tulsa-Original Town and the point of beginning.

And Less and Except

A tract of land being a part of the Northwest Quarter (NW/4), Northeast Quarter (NE/4), Southeast Quarter (SE/4) and Southwest Quarter (SW/4) of Section One (1), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, Oklahoma, being more particularly described as follows:

Beginning at a POINT OF BEGINNING (P.O.B.) at the intersection of the western Elgin Avenue Right-of-Way line with the northern First Street Right-of-Way line;

THENCE eastward along the northern First Street Right-of-Way line a distance of 840 feet +/- to the point of intersection of the northern First Street Right-of-Way line with the eastern Greenwood Avenue Right-of-Way line;

THENCE southward along the eastern Greenwood Avenue Right-of-Way line a distance of 460 feet +/- to the point of intersection of the eastern Greenwood Avenue Right-of-Way line with the southern Second Street Right-of-Way line;

THENCE westward along the southern Second Street Right-of-Way line a distance

of 840 feet +/- to the point of intersection of the Second Street Right-of-Way with the western Elgin Avenue Right-of-Way line;

THENCE northward along the western Elgin Avenue Right-of-Way line a distance of 460 feet to the POINT OF BEGINNING.

The legal description recognizes that the Original Townsite, City of Tulsa, Tulsa County Oklahoma is a grid system that is not on the true north, and therefore eastward, southward, westward and northward is used to indicate the general direction of the designated streets right- of-way lines. Said described boundary includes the area of Increment District No. 8 and includes all street right-of-way, vacated right-of-way, and lots and blocks contained therein including Blocks 84 and 85, Original Townsite, City of Tulsa, Tulsa County, Oklahoma.

And Less and Except

Lot 4, Block 167, Tulsa-Original Town, North 50 feet of Lot 5, all of Lot 6, Block 140, Tulsa-Original Town, Lots 1 through 3, Block 140, Tulsa-Original Town, North 80 feet of Lot 1, Block 162, Tulsa-Original Town, South 77.5 feet of Lot 4, Block 134, Tulsa-Original Town, Lot 9, Block 1, Third and Greenwood Addition, Lot 11, Block 1, Third and Greenwood Addition. South 50 feet Lot 3 & E10 feet Vacated Alley Adjacent On West And E50 S75 Lot 4 & S50 W10 Vacated Alley Adjacent On East And W90 S75 Lot 4, Block 120, Tulsa-Original Town. Lot 4 & E10 feet Vac Alley Adj On W, Block 102, Tulsa-Original Town. South 50 feet of Lot 3 and All of Lot 4, Block 148, Tulsa-Original Town. N90 E 60 & N5 S10 E60 Lot 1, Block 136, Tulsa-Original Town and S75 feet of Lot 3, Block 137, Tulsa-Original Town.

And Less and Except

Lot Five (5), Block One Hundred Thirty Six (136), ORIGINAL TOWN, NOW CITY OF TULSA, and Lots Two (2), Four (4), and Five (5), Block One (1), First Place Addition Resub, Parts of Lots (1) through Three (3), and Lots Six (6) through Seven (7), Block One Hundred Thirty Six (136) ORIGINAL TOWN, NOW CITY OF TULSA, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

SECTION 11. The City hereby finds, determines and reaffirms:

(a) that the Project Area, including Increment District No. 13, is an enterprise area as defined by the Act;

(b) that the financial impacts of the proposed Project Plan and Project on the affected taxing jurisdictions and business activities within the Increment District No. 13 are positive and that the economic benefits for the community as a whole offset any adverse impacts;

(c) that the improvement of the Project Area is likely to enhance the value of other real property in the area and to promote the general public interest;

(d) that the Project Plan complies with the guidelines of Section 852 of the Act, including specifically paragraphs 1 and 2;

(e) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed 25% of the total net assessed value of the taxable property within the City;

(f) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed 25% of the total net assessed value of any affected school districts located within the City;

(g) that the land within all increment districts within the City does not exceed 25% of the total land area of the City; and

(h) that the Project Plan is feasible and conforms to the Tulsa Comprehensive Plan.

SECTION 12. The following Project and Increment Districts authorizations are hereby ratified:

(a) The City of Tulsa shall be the principal entity responsible for implementation and is authorized to carry out and administer the provisions of the Project Plan and to exercise all powers necessary or appropriate thereto pursuant to Section 854 of the Act, including the power to make minor amendments to the Project Plan in accordance with Section 858(D) of the Act and including the power to authorize Tulsa Industrial Authority to carry out, from time to time, the approval procedure described in Section VII (E) of the Project Plan;

(b) The Tulsa Industrial Authority, a public trust, shall have the authority to carry out certain provisions of the Project Plan, including the authority to: (i) to assist in carrying out the Project Plan and to exercise all powers necessary or appropriate thereto, other than those specifically reserved to the City by the Act; (ii) issue tax apportionment bonds or notes, or both; (iii) pledge revenues from current and future fiscal years to repayment; (iv) incur project costs pursuant to Section IX of the Project Plan; (v) incur the cost of issuance of bonds for payment of such costs and to accumulate appropriate reserves, if any, in connection with them; (vi) receive the recommendation of the Downtown TIF Oversight Committee regarding a development proposal, consider the development proposal and budgetary allocation, and approve, deny or modify such proposal; and (vii) provide assistance in development financing to the extent it considers appropriate and desirable.

(c) The Chief of Economic Development, Kian Kamas, her successor in office, or another designee of the Mayor of Tulsa shall be the person in charge of implementation of the Project Plan in accordance with the provisions, authorizations, and respective delegations of responsibilities contained in the Project Plan.

SECTION 13. The increment of ad valorem taxes from Increment District No. 13 in

excess of ad valorem taxes generated by the base assessed value of that respective Increment District shall be apportioned and paid into an apportionment fund and may be pledged in accordance with Article X, § 6C(B) of the Oklahoma Constitution, for a period not to exceed twenty-five (25) fiscal years from the date of creation of Increment District No. 13, as provided by law, or the period required for payment of the project costs authorized by Section IX of the Project Plan, whichever is less.


SECTION 14. During each respective period of apportionment, the tax apportionment fund (a) shall be available to pay project costs under Section IX of the Project Plan, (b) shall constitute special funds of the Tulsa Industrial Authority, and (c) shall not be subject to annual appropriation as a part of the general fund of the City of Tulsa.

SECTION 15. Pursuant to Section 6C of Article X of the Constitution of the State of Oklahoma and the Act, the direction of apportionment shall continue beyond the current fiscal year for the duration of Increment District No. 13 or the period required for the payment of project costs authorized by the Project Plan, whichever is less.

SECTION 16. SEVERABILITY. *If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall not affect the validity of the remaining portions of this Ordinance.*

SECTION 17. EMERGENCY CLAUSE. *It being immediately necessary for the preservation of the peace, health, safety, and public good of the City of Tulsa, and the citizens thereof, that the provisions of this Ordinance take effect and be put into full force and effect, an emergency is declared to exist by reason whereof this Ordinance shall take effect and be put in full force and effect from and after November 3, 2018.*

ADOPTED by the Council: OCT 24 2018
Date


Vice-Chairman of the Council

ADOPTED as an emergency measure: OCT 24 2018
Date


Vice-Chairman of the Council

FILED
CITY OF TULSA
STATE OF OKLAHOMA

2018 OCT 25 AM 11:46

MICHAEL P. KIER
CITY CLERK

[Handwritten signature]

[Handwritten signature]

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____.
Date Time

Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa Oklahoma: OCT 29 2018,
at _____ Date
Time

(Seal)
ATTEST:



Melissa C. [Signature]
Deputy City Clerk

[Signature]
Mayor

APPROVED:

[Signature]
City Attorney ADB

TULSA WORLD

P.O. Box 1770 Tulsa, Oklahoma 74102-1770 | tulsa-world.com

Account Number

1030936

CITY OF TULSA
Attn: City Clerk's Office
175 E. 2ND ST. SUITE 260
TULSA, OK 74107

Date

November 04, 2018

Date	Category	Description	Ad Size	Total Cost
11/04/2018	Legal Notices	ORD 24020	2 x 533.00 CL	682.24

Affidavit of Publication

I, Melissa Marshall, of lawful age, am a legal representative of the Tulsa World of Tulsa, Oklahoma, a daily newspaper of general circulation in Tulsa County, Oklahoma, a legal newspaper qualified to publish legal notices, as defined in 25 O.S. § 106 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publication. That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the DATE(S) LISTED BELOW

old copy attached

11/04/2018

Newspaper reference: 0000522923

M. Marshall
Legal Representative

Sworn to and subscribed before me this date: 11-5-2018

Nancy Carol Moore
Notary Public

My Commission expires 12-08-2018



THIS IS YOUR RIGHT TO KNOW
The newspaper urges every citizen to read and study these notices. We strongly advise those citizens seeking further information to exercise their right to access public records and attend public meetings. Review current and past issues published in a separate format from to:
www.oklahomafrees.com

DEADLINES FOR LEGAL ADVERTISING
Deadline for submission of a legal ad is 10 a.m. two days prior to publication date.

Published in the Tulsa World, Tulsa County, Oklahoma, November 4, 2018

ORDINANCE NO. 24020

AN ORDINANCE NAMING INCREMENT DISTRICT "C" AS INCREMENT DISTRICT NUMBER THIRTEEN, CITY OF TULSA, AND ESTABLISHING THE DATE FOR THE CREATION THEREOF; RATIFYING AND CONFIRMING THE ACTIONS, RECOMMENDATIONS AND FINDINGS OF THE REVIEW COMMITTEE AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION WITH REGARD TO INCREMENT DISTRICT "C"; RATIFYING AND CONFIRMING THE ACTION OF THE CITY OF TULSA IN ENACTING ORDINANCE NO. 23832 THAT APPROVED AND ADOPTED THE DOWNTOWN AREA ECONOMIC DEVELOPMENT PROJECT PLAN, ESTABLISHED THE PROJECT AREA, AND ESTABLISHED INCREMENT DISTRICT "C"; RATIFYING AND CONFIRMING THE CITY OF TULSA AND THE TULSA INDUSTRIAL AUTHORITY AS THE ENTITIES AUTHORIZED TO CARRY OUT AND ADMINISTER THE PROJECT PLAN, INCLUDING ADMINISTRATION OF THE TAX APPORTIONMENT FUND AND THE USE OF INCREMENT REVENUES FOR THE PAYMENT OF CERTAIN PROJECT COSTS; DIRECTING CONTINUING APPORTIONMENT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Tulsa, Oklahoma ("City") prepared the Downtown Area Economic Development Project Plan ("Project Plan"), in accordance with the Oklahoma Local Development Act, 62 O.S. § 850, et seq. ("Act"); and

WHEREAS, the purpose of the Project Plan is to provide a planning framework and funding mechanism for a substantial portion of the local public investment required to support growth and investment in Downtown Tulsa ("Project"); and

WHEREAS, the Project Plan supports both the City's efforts to achieve its development objectives, improve the quality of life for its citizens, stimulate private investment, and enhance the tax base, thereby making possible investment that would be difficult without the adoption of the Project Plan and the apportionment of incremental tax revenues; and

WHEREAS, the Project Plan identifies eight increment districts located within the Project Area, consisting of three ad

valorem districts (temporarily identified as Increment Districts "C," "D," and "H," City of Tulsa) and five ad valorem and sales tax increment districts (temporarily identified in the Project Plan as Increment Districts "A," "B," "E," "F," and "G") (collectively, "Increment Districts"); and

WHEREAS, the Downtown Area Economic Development Project Plan Review Committee ("Review Committee"), comprised of a representative of the City, a representative of Tulsa County, a representative of the Tulsa Metropolitan Area Planning Commission ("Planning Commission"), representatives of each of the affected taxing jurisdictions (including Tulsa Public Schools, Tulsa City-County Library, Tulsa Health Department, Tulsa Community College, and Tulsa Technology Center) and three members of the public at large, one of whom represents the business community, reviewed the Project Plan, the Project Area and the Increment Districts in accordance with the criteria specified in the Act and determined that the Increment Districts were eligible for designation as Increment Districts and for development under the Act and that the financial impacts on the affected taxing jurisdictions and business activities from implementation of the Project Plan are positive; and

WHEREAS, the Review Committee adopted its findings and recommended to the City Council the approval of the Project Plan, including the Increment Districts; and

WHEREAS, the Tulsa Metropolitan Area Planning Commission determined that the Project Plan conformed to the Tulsa Comprehensive Plan and is desirable; and adopted a resolution recommending to the City Council the approval of the Project Plan, including the Increment Districts; and

WHEREAS, all required notices were given and all required hearings were held in connection with the Project Plan, as prescribed by the Act, the Oklahoma Open Meetings Act, 25 O.S. § 301, et seq., and other applicable law; and

WHEREAS, deeming it appropriate and desirable and in the best interest of the City and its citizens, the City adopted and approved the Project Plan, including the establishment of the Increment Districts, by enacting Ordinance No. 23832 on December 13, 2017.

WHEREAS, the Act authorizes the City to defer determination of the designation and date of creation of an increment district under Section 856 and the commencement of its period of apportionment under Section 861, provided that the determination is not more than 10 years after the date of approval of the project plan; and

WHEREAS, the City found that it was in the best interest of the overall success of the Project to defer the date of creation, designation and official naming of seven of the eight proposed Increment Districts, including Increment District "C," until later dates, which dates must be determined within ten years of the date of the approval of the Project Plan; and

WHEREAS, scrivener's errors in the legal description of In-

Legal Notices

crement District "C" were corrected by Ordinance No. 23961, which was adopted by Tulsa City Council on July 18, 2018 and approved by the Mayor on July 23, 2018, which ordinance amended Ordinance No. 23832; and

WHEREAS, the legal description of Increment District "C", as amended by Ordinance No. 23961, was further amended to add an omitted parcel by Ordinance No. 23966 which was adopted by the Tulsa City Council on August 1, 2018 and approved by the Mayor on August 6, 2018, which ordinance amended Ordinance No. 23961; and

WHEREAS, the City finds that it is now necessary and appropriate to name Increment District "C" as Increment District Number Thirteen, City Of Tulsa, and establish the date for the creation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA:

SECTION 1. In order to develop the eligible Project Area, the City elects to utilize Article 10, Section 6C of the Constitution of the State of Oklahoma and the Act, which authorize the use of local taxes for specific public investments, assistance in development financing, and as a revenue source for other public entities in the area, and which provide for the direction of apportionment of local taxes to plan, finance, and carry out development of unproductive, undeveloped, underdeveloped, or blighted areas as determined by the governing body of a city, town or county.

SECTION 2. As used herein "Project Plan" shall mean the document dated November 21, 2017, and comprised of one cover sheet, thirteen pages of text, five exhibits labeled Exhibits A, B, C, D, and E, and titled "Downtown Area Economic Development Project Plan."

SECTION 3. The membership of the Review Committee and all actions taken and all recommendations and findings made in connection with the Project Plan and with regard to Increment District "C" by the Review Committee and the Planning Commission are hereby ratified and confirmed.

SECTION 4. The action of the City Of Tulsa in enacting Ordinance No. 23832 that approved and adopted the Project Plan, established the Project Area, and established Increment District "C" is hereby ratified and confirmed.

SECTION 5. For identification purposes, Increment District "C" is shown on Exhibit A and described on Exhibit C of the Project Plan, as amended by Ordinance No. 23961 and Ordinance No. 23966.

SECTION 6. For identification purposes, the name of Increment District "C", an ad valorem increment district as set forth in the Project Plan, shall be Increment District Number Thirteen, City of Tulsa ("Increment District No. 13").

SECTION 7. Increment District No. 13 is hereby created as of November 3, 2018.

SECTION 8. The date of creation, official designation, and naming of the Increment District temporarily identified as Increment District "C", and, accordingly, the commencement of the respective period of apportionment, is within 10 years of the effective date of Ordinance No. 23832.

SECTION 9. The boundaries of the Project Area of the Project Plan are shown on Exhibit A of the Project Plan, and described on Exhibit B of the Project Plan as follows:

Project Area Legal Description

Point of Beginning is the NE corner of Lot 26, Block 4, Mann's Addition, thence continuing southerly to the NW corner of Lot 8, Block 7, Mann's Addition, thence easterly to the NE corner of Lot 5, Block 7, Mann's Addition, thence southerly to the SE corner of Lot 5, Block 7, Mann's Addition, thence easterly to the NE corner of Bullette Park, thence southerly to the SE corner of Bullette Park, thence westerly along the southern boundary of Bullette Park for approximately 74.09 feet, thence southerly to the NE corner of Lot 36, Block 3, Bullett Addition, thence southerly to the SE corner of Lot 19, Block 3, Bullett Addition, thence westerly to the SW corner of Lot 19, Block 3, Bullett Addition, thence southerly to the NE corner of Lot 13, Block 2, Frisco Addition, thence southerly to the SE corner of Lot 32, Block 2, Frisco Addition, thence westerly to the SW corner of Lot 23, Block 2, Frisco Addition, thence southerly along the easterly right-of-way of N Madison Avenue to the intersection of the easterly right-of-way of N Madison Avenue and the northerly right-of-way of the Burlington Northern Railroad, thence southerly to the intersection of the southerly right-of-way of the Burlington Northern Railroad and the easterly right-of-way of N Madison Avenue, thence southerly along the easterly right-of-way of N Madison Avenue to the intersection with the northerly right-of-way of the Martin Luther King Expressway, thence southerly to the NW corner of the W50 of Lot 4, Block 7, Hodge Addition, thence westerly to intersection of the southerly right-of-way of the M K and T railroad and the westerly right-of-way of the Cherokee Expressway, thence southerly along the westerly right-of-way of the Cherokee Expressway to the southerly right-of-way of E 6th Street, thence southerly to the northernmost point of the easternmost boundary of the Home Depot North Tulsa Addition, thence westerly along the northern boundary of the Home Depot North Addition to the southerly right-of-way of E 8th Street, thence westerly along the northerly boundary of the Home Depot North Tulsa Addition to the easterly right-of-way of S Elgin Avenue, thence southerly along the western boundary of the Home Depot North Tulsa Addition and continuing easterly along the southern boundary of the Home Depot North Tulsa Addition to the westerly right-of-way of the Cherokee Expressway, thence southerly along the westerly right-of-way of the Cherokee Expressway and continuing westerly along the northerly right-of-way of US 75 to westerly right-of-way of W Denver Avenue, thence northerly along the westerly

THENCE westward along the southern Second Street Right-of-Way line a distance of 840 feet +/- to the point of intersection of the Second Street Right-of-Way with the western Elgin Avenue Right-of-Way line;

THENCE northward along the western Elgin Avenue Right-of-Way line a distance of 460 feet to the POINT OF BEGINNING.

The legal description recognizes that the Original Townsite, City of Tulsa, Tulsa County Oklahoma is a grid system that is not on the true north, and therefore eastward, southward, westward and northward is used to indicate the general direction of the designated streets right-of-way lines. Said described boundary includes the area of Increment District No. 8 and includes all street right-of-way, vacated right-of-way, and lots and blocks contained therein including Blocks 84 and 85, Original Townsite, City of Tulsa, Tulsa County, Oklahoma.

And Less and Except

Lot 4, Block 167, Tulsa-Original Town, North 50 feet of Lot 5, all of Lot 6, Block 140, Tulsa-Original Town, Lots 1 through 3, Block 140, Tulsa-Original Town, North 80 feet of Lot 1, Block 162, Tulsa-Original Town, South 77.5 feet of Lot 4, Block 134, Tulsa-Original Town, Lot 9, Block 1, Third and Greenwood Addition, Lot 11, Block 1, Third and Greenwood Addition. South 50 feet Lot 3 & E10 feet Vacated Alley Adjacent On West And E50 S75 Lot 4 & S50 W10 Vacated Alley Adjacent On East And W90 S75 Lot 4, Block 120, Tulsa-Original Town. Lot 4 & E10 feet Vac Alley Adj On W, Block 102, Tulsa-Original Town. South 50 feet of Lot 3 and All of Lot 4, Block 148, Tulsa-Original Town. N90 E 60 & N5 S10 E60 Lot 1, Block 136, Tulsa-Original Town and S75 feet of Lot 3, Block 137, Tulsa-Original Town.

And Less and Except

Lot Five (5), Block One Hundred Thirty Six (136), ORIGINAL TOWN, NOW CITY OF TULSA, and Lots Two (2), Four (4), and Five (5), Block One (1), First Place Addition Resub, Parts of Lots (1) through Three (3), and Lots Six (6) through Seven (7), Block One Hundred Thirty Six (136) ORIGINAL TOWN, NOW CITY OF TULSA, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

SECTION 11. The City hereby finds, determines and reaffirms:

(a) that the Project Area, including Increment District No. 13, is an enterprise area as defined by the Act;

(b) that the financial impacts of the proposed Project Plan and Project on the affected taxing jurisdictions and business activities within the Increment District No. 13 are positive and that the economic benefits for the community as a whole offset any adverse impacts;

(c) that the improvement of the Project Area is likely to enhance the value of other real property in the area and to promote the general public interest;

(d) that the Project Plan complies with the guidelines of Section 852 of the Act, including specifically paragraphs 1 and 2;

(e) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed 25% of the total net assessed value of the taxable property within the City;

(f) that the aggregate net assessed value of the taxable property in all increment districts within the City, as determined pursuant to the Act, does not exceed 25% of the total net assessed value of any affected school districts located within the City;

(g) that the land within all increment districts within the City does not exceed 25% of the total land area of the City; and

(h) that the Project Plan is feasible and conforms to the Tulsa Comprehensive Plan.

SECTION 12. The following Project and Increment District authorizations are hereby ratified:

(a) The City of Tulsa shall be the principal entity responsible for implementation and is authorized to carry out and administer the provisions of the Project Plan and to exercise all powers necessary or appropriate thereto pursuant to Section 854 of the Act, including the power to make minor amendments to the Project Plan in accordance with Section 858(D) of the Act and including the power to authorize Tulsa Industrial Authority to carry out, from time to time, the approval procedure described in Section VII (E) of the Project Plan;

(b) The Tulsa Industrial Authority, a public trust, shall have the authority to carry out certain provisions of the Project Plan, including the authority to: (i) to assist in carrying out the Project Plan and to exercise all powers necessary or appropriate thereto, other than those specifically reserved to the City by the Act; (ii) issue tax apportionment bonds or notes, both; (iii) pledge revenues from current and future fiscal year to repayment; (iv) incur project costs pursuant to Section IX of the Project Plan; (v) incur the cost of issuance of bonds for payment of such costs and to accumulate appropriate reserve if any, in connection with them; (vi) receive the recommendation of the Downtown TIF Oversight Committee regarding a development proposal, consider the development proposal, budgetary allocation, and approve, deny or modify such proposal; and (vii) provide assistance in development financing to the extent it considers appropriate and desirable.

(c) The Chief of Economic Development, Kian Kamas, his successor in office, or another designee of the Mayor of Tulsa shall be the person in charge of implementation of the Project Plan in accordance with the provisions, authorizations, and any delegations of responsibilities contained in the Project

for W Denver Avenue, thence northerly along the westerly right-of-way of W Denver Avenue to the southerly right-of-way of I-244, thence easterly along the southern boundary of the I-244 expressway to the NE corner of John Hope Franklin Reconciliation Park, thence northerly along the westerly right-of-way of N Elgin Avenue to the SE corner of LT 1 LESS BEG NWLY THEREOF TH CRV RT59.62 E272.70 CRV RT18.24 W289.93 SW46.19 POB BLK 1, thence southerly along the easterly right-of-way of N Elgin Avenue to the SW corner of Lot 1, Block 2, University Center at Tulsa Addition, thence southerly along the easterly right-of-way of N Elgin Avenue to the northerly right-of-way of I-244, thence easterly along northerly right-of-way of I-244 to the westerly right-of-way of the Southeast Kansas Railway, thence northerly along the westerly right-of-way of the Southeast Kansas Railway to the NE corner of LT 1 LESS BEG NWLY THEREOF TH CRV RT59.62 E272.70 CRV RT18.24 W289.93 SW46.19 POB BLK 1, thence southeasterly to the southernmost point of Lot 4, Block 1, LANSING INDUSTRIAL PARK I RESUB B5-6-7-13&14 FAIRVIEW Addition, thence northeasterly along the northerly right-of-way of the Southeast Kansas Railway to the northerly right-of-way of the South Kansas and Oklahoma Railway, thence northeasterly along the northerly right-of-way of the South Kansas and Oklahoma Railway to the SE corner of Lot 2, Block 1, LANSING INDUSTRIAL PARK I RESUB B5-6-7-13&14 FAIRVIEW Addition, thence easterly to the SW corner of PRT SE NE BEG 339N & 145E SWC SE NE TH E307 N277 W29.5 N42.5 TO SL ATSF RY SWLY TO PT S190 POB SEC 36 20 12 1.61AC, thence easterly along the northerly right-of-way of E Latimer Place for approximately 144.25 feet; thence southerly to the Point of Beginning.

SECTION 10. The boundaries of Increment District No. 13 are shown on Exhibit A and described on Exhibit C of the Project Plan under the heading "TIF 'C'", as amended by Ordinance No. 23961 and Ordinance No. 23966 and are hereby designated and adopted as follows:

Increment District No. 13 Legal Description

TIF "C" Increment District "C" [East End TIF District]

Starting at the SE corner of Lot 3, Block 55, Tulsa-Original Town, thence continuing north easterly along the northern boundary of the railroad Right-of-Way for approximately 1,135.57 feet to the southern edge of EB E NIDL EXPY. Thence following the southern edge of EB E NIDL EXPY in a south easterly direction for approximately 767.39 feet. Thence S 1°12'42" E for 168.75 feet to the Right-of-Way of S Lansing Avenue. Thence along the eastern boundary of S Lansing Avenue Right-of-Way for approximately 537.72 feet to the intersection of the southerly right-of-way of the M K and T railroad and the westerly right-of-way of the Cherokee Expressway. Thence southerly along the westerly right-of-way of the Cherokee Expressway to the southerly right-of-way of E 6th Street. Thence southerly to the NW corner of Lot 10, Block 12, Burnett Addition. Thence S 88°57'4" W for 61.09 feet to the NE corner of Lot 1, Block 11, Burnett Addition. Thence westerly along the northern boundary of Lots 1 through 12, Block 11, Burnett Addition to the NW corner of Lot 12, Block 11, Burnett Addition. Thence N 2°58'59" W for 57.89 feet. Thence N 63°14'35" W 63.08 feet to the SE corner of Lot 1, Block 169, Tulsa-Original Town. Thence south westerly along the northern Right-of-Way of E 8th St S for approximately 2,733.89 feet to the SW corner of Lot 4, Block 175, Tulsa-Original Town. Thence S 65°32'45" W for 34.74 feet. Thence S 88°48'15" W for 21.21 feet. Thence S 88°48'17" W for 29.39 feet to the SE corner of Lot 3, Block 176, Tulsa-Original Town. Thence westerly along the north Right-of-Way boundary of W 8th St S for approximately 407.13 feet to the SE corner of Lot 1, Block 177, Tulsa-Original Town. Thence north westerly following the west Right-of-Way of S Denver Ave for approximately 2,899.25 feet to the SE corner of Lot 3, Block 63, Tulsa-Original Town. Thence north-easterly along the northern boundary of the railroad Right-of-Way for approximately 3,034.17 feet to the SE corner of Lot 3, Block 55, Tulsa-Original Town and the point of beginning.

Less and Except

Beginning at the NE corner of Lot 1, Block 107, Tulsa-Original Town and continuing in a S 23°51'45" E direction for 98 feet, thence S 23°51'48" E for 35 feet, thence S 23°51'53" E for 66 feet, thence S 23°51'58" E for 100 feet to the SE corner of Lot 3, Block 107, Tulsa-Original Town. Thence S 65°43'27" W for 137 feet to the SW corner of Lot 3, Block 107, Tulsa-Original Town. Thence S 64°25'5" W for 20 feet to the SE corner of Lot 4, Block 107, Tulsa-Original Town. Thence S 64°54'48" W for 80 feet, thence S 64°54'54" W for 58 feet to the SW corner of Lot 4, Block 107, Tulsa-Original Town. Thence S 65°38'15" W for 80 feet to the SE corner of Lot 4, Block 106, Tulsa-Original Town. Thence S 65°14'3" W for 139 feet, thence S 65°14'4" W for 20 feet, thence S 65°14'7" W for 6 feet. Thence N 24°10-23 W for 300 feet, to a point on the northern boundary of Block 106, Tulsa-Original Town. Thence along the northern boundary of Block 106 in a N 65°14'35" E direction for 6 feet, thence N 65°14'32" E for 161 feet to the NE corner of Lot 1, Block 106, Tulsa-Original Town. Thence N 66°7'9" E for 80 feet to the NW corner of Lot 6, Block 107, Tulsa-Original Town. Thence N 65°39'2" E for 137 feet to the NE corner of Lot 6, Block 107. Thence N 64°25'5" E for 22 feet. Thence N 64°53'10" E for 137 feet to the NE Corner of Lot 1, Block 107, Tulsa-Original Town and the point of beginning.

And Less and Except

A tract of land being a part of the Northwest Quarter (NW/4), Northeast Quarter (NE/4), Southeast Quarter (SE/4) and Southwest Quarter (SW/4) of Section One (1), Township Nineteen (19) North, Range Twelve (12) East of the Indian Base and Meridian, City of Tulsa, Tulsa County, Oklahoma, being more particularly described as follows:

Beginning at a POINT OF BEGINNING (P.O.B.) at the intersection of the western Elgin Avenue Right-of-Way line with the northern First Street Right-of-Way line;

THENCE eastward along the northern First Street Right-of-Way line a distance of 840 feet +/- to the point of intersection of the northern First Street Right-of-Way line with the eastern Greenwood Avenue Right-of-Way line;

THENCE southward along the eastern Greenwood Avenue Right-of-Way line a distance of 460 feet +/- to the point of intersection of the eastern Greenwood Avenue Right-of-Way line with the southern Second Street Right-of-Way line;

Prior in accordance with the provisions, authorizations, and respective delegations of responsibilities contained in the Project Plan.

SECTION 13. The increment of ad valorem taxes from Increment District No. 13 in excess of ad valorem taxes generated by the base assessed value of that respective Increment District shall be apportioned and paid into an apportionment fund and may be pledged in accordance with Article X, § 4C(B) of the Oklahoma Constitution, for a period not to exceed twenty-five (25) fiscal years from the date of creation of Increment District No. 13, as provided by law, or the period required for payment of the project costs authorized by Section IX of the Project Plan, whichever is less.

SECTION 14. During each respective period of apportionment, the tax apportionment fund (a) shall be available to pay project costs under Section IX of the Project Plan, (b) shall constitute special funds of the Tulsa Industrial Authority, and (c) shall not be subject to annual appropriation as a part of the general fund of the City of Tulsa.

SECTION 15. Pursuant to Section 4C of Article X of the Constitution of the State of Oklahoma and the Act, the direction of apportionment shall continue beyond the current fiscal year for the duration of Increment District No. 13 or the period required for the payment of project costs authorized by the Project Plan, whichever is less.

SECTION 16. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional, such portion shall not affect the validity of the remaining portions of this Ordinance.

SECTION 17. EMERGENCY CLAUSE. It being immediately necessary for the preservation of the peace, health, safety, and public good of the City of Tulsa, and the citizens thereof, that the provisions of this Ordinance take effect and be put into full force and effect, an emergency is declared to exist by reason whereof this Ordinance shall take effect and be put into full force and effect from and after November 3, 2018.

ADOPTED by the Council this 24th Day of October, 2018

ADOPTED as an emergency measure this 24th Day of October, 2018

Phil Lakin, Jr., Vice-Chairman of the Council

APPROVED by the Mayor of the City of Tulsa, Oklahoma, this 29th Day of October, 2018

G.T. Bynum, Mayor

ATTEST: Melissa C. Stice, Deputy City Clerk

APPROVED: David E. O'Mellia, City Attorney



522147

Published in the Tulsa World, Tulsa County, Oklahoma, November 4, 2018

ORDINANCE NO. 24019

AN ORDINANCE OF THE CITY OF TULSA, OKLAHOMA, AMENDING TITLE 21 TULSA REVISED ORDINANCES (TRO), "LICENSES" BY THE ADDITION OF A NEW CHAPTER, CHAPTER 24, ENTITLED "SHARED ACTIVE TRANSPORTATION", STATING ITS PURPOSE AND INTENT; PROVIDING DEFINITIONS; SETTING FORTH PERMITTING AND FEE REQUIREMENTS; ESTABLISHING SHARED ACTIVE TRANSPORTATION PROCEDURES; STATING PARKING, SAFETY, MAINTENANCE AND OPERATION REQUIREMENTS; REQUIRING SERVICE TO UNDERSERVED AREAS OF THE CITY; SETTING FORTH DATA COLLECTION AND REPORTING FUNCTIONS; REQUIRING APPROPRIATE INSURANCE AND OTHER GUARANTEES, AND ALLOWING FOR TERMINATION; REPEALING ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 21, Tulsa Revised Ordinances, be and the same is hereby amended by adding a new Chapter 24, read as follows:

"CHAPTER 24. - SHARED ACTIVE TRANSPORTATION

- Section 2400 - Purpose.
- Section 2401 - Definitions.
- Section 2402 - Permit Required; Permit Term and Fees.
- Section 2403 - Shared Active Transportation Procedure.
- Section 2404 - Operations and Maintenance.
- Section 2405 - Fleet Size Requirements.
- Section 2406 - Small Vehicle Parking.
- Section 2407 - Safety Requirements.
- Section 2408 - Distribution.
- Section 2409 - Data, Statistics, Reporting.
- Section 2410 - Insurance & Indemnification.
- Section 2411 - Termination.
- Section 2412 - Appeal.

Section 2400 - Purpose.

The availability of small vehicles and new funding models have attracted numerous vendors to the Shared Active Transportation business. While there are a number of benefits for communities in attracting small vehicles, some cities have experienced public safety challenges and concerns over clutter in the public right-of-way when small vehicles are placed on streets and sidewalks without the benefit of permits or agreements, or when small vehicles are abandoned outside the service area. To mitigate these challenges, minimize risk and liability, and maximize the public benefits of Shared Active Transportation, this ordinance creates a permit process which provides a clear path for Shared Active Transportation companies and takes advantage of their expertise and motivation to implement this emerging mobility option.

Section 2401 - Definitions.