

REQUEST FOR ACTION: ORDINANCE

7b

Version: 01/27/2014

AGENDA FOR: ☒ MAYOR ☒ COUNCIL AUTHORITY: DATE: December 30, 2016
Tulsa City Clerk's Office: 596-7513 or 596-7514

FOR INFORMATION CONTACT:

DEPARTMENT: MAYORS OFFICE

CONTACT NAME: Gary Hamer

ADDRESS: 175 E. 2nd, OTC 15th Floor

TELEPHONE: 596-7573

ORDINANCE # 23637

SUBJECT: Title 43 K Amendment

ORDINANCE TYPE: AMENDING TULSA REVISED ORDINANCES

BA or CT #:

AMENDMENT OF ORD#:

TRO TITLE: 43

TRO SUBTITLE: K

PLANNING DISTRICT:

ZONING #:

SSID:

PUD #:

PROP/NON-PROP:

COUNCIL DISTRICT:

SUMMARY:

TO AMEND TITLE 43 K SUBSECTION D TO ELIMINATE THE DEADLINE OF DECEMBER 31, 2016 AS IT RELATES TO FUNDING COMMITMENTS FOR THE SOUTH TULSA/JENKS LAKE AND RELATED AMENITIES.

The purpose of this action is to amend Title 43 K subsection D to eliminate the December 31, 2016 deadline for the Muscogee Creek Nation to commit funding toward the construction of the South Tulsa/Jenks Lake and Related Amenities. The language has been modified to allow for the reallocation of the funding for the project to other projects as outlined by existing provisions within 43 K if the necessary funding for the project is not secured.

APPROVED BY MAYOR
CITY OF TULSA

FEB 13 2017

Approved By
City Council On

FEB 08 2017

BUDGET:

FINANCE DIRECTOR APPROVAL:

FUNDING SOURCE: Tulsa Vision Economic Development Project Fund

REQUEST FOR ACTION:

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

Request Mayor and Council approve and sign the attached ordinances.

DEPARTMENT HEAD APPROVAL: Michael P. Kim

DATE: 1-3-2017

CITY ATTORNEY APPROVAL:

BOARD APPROVAL:

MAYORAL APPROVAL: [Signature]

OTHER:

JAN 04 2016

FOR CITY COUNCIL OFFICE USE ONLY:

COMMITTEE: VED

COMMITTEE DATE(S): 1-29-17

DATE RECEIVED: 1-6-16

FIRST AGENDA DATE: 2-1-17

HEARING DATE: 1-15 & 2-1-17

SECOND AGENDA DATE: 2-8-17

APPROVED:

For City Clerk's Office Use Only (Agenda Date: MMDDYYYY; Sec #; Dept ##, Item ##, Sub-Item ##, Status: S=Synopsis):

02-13-2017

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(Published in the Tulsa World,
February 18, 2017)
Ordinance No. 23637

AN ORDINANCE AMENDING TITLE 43-K TULSA REVISED ORDINANCES, REGARDING THE TEMPORARY SALES TAX FOR ECONOMIC DEVELOPMENT; PROVIDING FOR PLEDGES FROM FUNDING PARTNERS BY DECEMBER 31, 2020; ALLOWING FOR REALLOCATION OF FUNDS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES NOT IN COMPLIANCE HERewith; AND DECLARING AN EMERGENCY.

WHEREAS, on April 5, 2016 the voters of the City of Tulsa approved Ordinance No. 23422, which enacted a temporary sales tax commencing January 1, 2017 and expiring December 31, 2031, for economic development projects; and

WHEREAS, Title 43-K of Tulsa Revised Ordinances lists the projects and purposes to be funded by said sales tax, and provides details and conditions for said expenditures; and

WHEREAS, Sub-Section "D" of Section 100 of Title 43-K states that the South Tulsa/Jenks Lake and Related Amenities require additional funding provided by the City of Jenks, the Muscogee (Creek) Nation and/or other funding partners; and

WHEREAS, the second paragraph of Sub-Section "D" sets a deadline of December 31, 2016, by which date the other funding partners must pledge certain monies for the project, or the City of Tulsa shall reallocate its funding; and

WHEREAS, it is in the best interests of the City of Tulsa and the other funding partners to amend said deadline to December 31, 2020;

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

Section 1. That Title 43K Chapter 1 Sub-Section D, Tulsa Revised Ordinances, be and the same is hereby amended to read as follows:

"D. The project entitled 'South Tulsa/Jenks Lake and Related Amenities' is contingent on additional funding to be provided by the City of Jenks, the Muscogee (Creek) Nation, and/or other potential funding partners, for other aspects of the entire project, which includes a long-term operating and maintenance endowment for both dams and related amenities.

The City of Tulsa will contribute no more than \$64,214,000, to the project entitled 'South Tulsa/Jenks Lake and Related Amenities,' as described above. If a Memorandum of Understanding is not executed by December 31, 2020 pledging that the other funding partners will provide a minimum of \$32,862,000, for the project (including design, permits, and construction of the South Tulsa/Jenks dam, access and abutment improvements;

environmental mitigation, bank stabilization, and outfall protection; trails; debt service on bonds issued for these purposes; and the operating and maintenance endowment), funding hereby allocated by the City of Tulsa for this project (\$64,214,000) may be reallocated according to the provisions of this ordinance, provided that Eighteen Million Dollars (\$18,000,000) will first be reallocated to a long-term operating and maintenance endowment for Zink Lake and Related Amenities.

If other projects and purposes described in Section 100(B) above cannot be completed due to circumstances beyond the control of the City of Tulsa, funding allocated for such projects and purposes will be reallocated according to the provisions of this ordinance."

Section 2. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.


Section 3. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 4. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.

ADOPTED by the Council: FEB 08 2017
Date


Chair of the Council

ADOPTED as an emergency measure: FEB 08 2017
Date


Chair of the Council

OFFICE OF THE MAYOR

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

G. T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: FEB 13 2017,
Date

at _____
Time



Michael P. Ford

~~Deputy~~ City Clerk

[Signature]
Mayor

APPROVED:

David E. Merline

City Attorney