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TITLE 43-B - 1985 SALES TAX EXPENDITURE POLICY

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Section 100. Declaration of official policy of City and pledges to the citizens.

A. The City of Tulsa hereby officially and solemnly pledges to the citizens of Tulsa:

1. That ALL funds received by the City from the extension of the temporary sales tax levy of one percent (1%) for the period of time from and including the 31st day of December, 1985, to and including the 30th day of April, 1991, to be voted upon April 9, 1985, will be spent ONLY for those projects and purposes set forth herein;
2. That NONE of such funds shall ever be spent for any other purpose;
3. That every officer and employee of the City is hereby ordered to give HIGH priority to the completion of such projects at the earliest possible date;
4. That any attempt to divert any of such funds to other purposes or projects or any failure to give high priority to the completion of such projects shall constitute a breach of the official City policy herein established, shall be a violation of the terms, spirit and purpose of this chapter, and shall constitute sufficient grounds for the removal of such officer or employee from his office or position;
5. That a Special Five-Year Extended Sales Tax Capital Fund will be created to which all of the money received from such extension of the temporary sales tax will be appropriated and deposited on a monthly basis as soon as received by the City; that all expenditures for the projects and purposes herein enumerated shall be made from such Special Five-Year Extended Sales Tax Capital Fund; that an accurate record of the status of such fund shall be maintained by the Mayor or his designee and shall be available for inspection by any person during office hours.
6. 1985 Sales Tax Economic Development Fund. Notwithstanding the provisions in paragraph 100.A.5 herein, there is hereby created a 1985 Sales Tax Economic Development Fund from which all monies, including interest earnings, may be appropriated by the City Council only for projects meeting all of the following criteria:
 - a. The project must be physical in nature;
 - b. The project must be for a public purpose;
 - c. The project must conform to the City's Comprehensive Plan;
 - d. The project will encourage private investment in areas where existing City service systems are not being used to capacity according to measurable objective service level standards;

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- e. The project must be located, at least in part, in the area defined by those census tracts which lost more than five percent (5%) residential population between the years 1980 and 1990 as reported in the United States Census for those years; and
- f. The project must be located, at least in part, in the area defined by those census tracts which cumulatively:
 - (1) Contain twenty percent (20%) of the City's population, and
 - (2) Have the lowest median family income in the City as reported by the most recent United States Decennial Census, and
 - (3) Shall include Census Tracts 59, 61, 80.02 and 101 as shown in the 1990 United States Decennial Census.

The area which meets all of the required criteria shall be known as the "1985 Sales Tax Special Economic Development Fund Eligibility Area," a map of which shall be filed in the office of the City Clerk and shall be available for public inspection.

- B. Specific projects and purposes. The only projects and purposes for which expenditures of proceeds from the extension of the temporary sales tax may lawfully be made are as follows:

PROJECTS AND PURPOSES
STREETS

PROJECT	ESTIMATED COST
Widen 71st - 93rd East Ave. to Mingo Expressway	\$ 7,019,000.00
Widen 21st - Garnett to 137th East Ave.	5,565,000.00
Widen 129th East Ave. - I-244 to 21st	5,292,000.00
Widen Mingo - Broken Arrow Expressway to 51st	2,083,000.00
Widen Sheridan - 51st to 61st	2,900,000.00
Widen 81st - Riverside to Lewis	1,200,000.00
Widen 61st - Harvard to Sandusky	5,742,000.00
Widen Harvard - Apache to Gilcrease Expressway	1,736,000.00
Widen Yale - Apache to Gilcrease Expressway	2,778,000.00

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Widen Apache from L.L. Tisdale Parkway to Cincinnati Avenue (Added by Ord. No. 19281)	2,100,000.00
Widen 51st - Garnett to Mingo Valley Expressway	4,721,000.00
Widen Yale - I-44 to 61st	9,571,000.00
4 Lane 71st - Lewis to Yale	14,238,000.00
Amended cost estimate (Ord. No. 19857)	(14,238,000.00)
Amended cost estimate (Ord. No. 19857)	13,988,000.00
Widen 51st - Union to 33rd W. Ave. (Deleted by Ord. No. 16802)	3,500,000.00 (3,500,000.00)
Acquire Mingo Expressway ROW - 71st to 91st	3,150,000.00
Acquire Osage Expressway ROW - Apache to 36th North	2,552,000.00
Acquire Osage Expressway ROW - Apache to 36th North, including acquiring ROW, making utility relocations and preparing plans and specifications and construction of the interchange at Apache and Osage Expressway in the City	(2,552,000.00)
(Estimated cost and purpose amended by Ord. No. 17045)	1,913,600.00
Amended cost estimate (Ord. No. 19857)	(1,913,600.00)
Amended cost estimate (Ord. No. 19857)	1,838,600.00
Widen 33rd West Avenue from West 51st through the intersection of South 61st Street and improvement of said intersection, insofar as the same are now or may be hereafter located within the City limits of the City of Tulsa.	3,500,000.00

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(Added by Ord. No. 16802)	
Widen South 33rd West Avenue from West 51st Street South to West 68th Street South and making improvements to the intersection of South 33rd West Ave. and West 61st Street South, insofar as the same are now or may be hereafter located within the City limits of the City of Tulsa. (Ord. No. 17508 amended project description, only)	
Install lighting on the Osage Expressway (Added by Ord. No. 17771)	315,000.00
Two (2) Lane Admiral Blvd. - Harvard to Frisco Tracks (Added by Ord. No. 18310)	40,000.00
Estimated Total for Streets (Ord. Nos. 16292, 16802)	\$ 72,047,000.00
Revised Estimated Total for Streets (Ord. No. 17045)	\$ 71,408,600.00
Revised Estimated Total for Streets (Ord. No. 17771)	\$ 71,723,600.00
Revised Estimated Total for Streets (Ord. No. 18310)	\$ 71,763,600.00
Revised Estimated Total for Streets (Ord. Nos. 19281, 19770)	\$ 73,863,600.00
Revised Estimated Total for Streets (Ord. No. 19857)	\$ 73,538,600.00

FLOOD PREVENTION

PROJECT	ESTIMATED COST
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Crow Master Drainage Plan	\$ 600,000.00
Perryman Master Drainage Plan	85,000.00
Elm Creek Master Drainage Plan	110,000.00
Fred Creek Master Drainage Plan	60,000.00
Southwest Master Drainage Plans	220,000.00
Fry 2 Master Drainage Plan	60,000.00
Haikey Master Drainage Plan	75,000.00
Spunky/Adams Master Drainage Plan	218,000.00
Lower Mingo Master Drainage Plan	218,000.00
Construct Audubon Final Phase	4,911,000.00
Amended cost estimate (Ord. No. 17045)	(4,911,000.00)
Amended cost estimate (Ord. No. 17045)	2,248,279.24
Construct Brookhollow Creek Detention	6,867,000.00
Amended cost estimate (Ord. No. 17045)	(6,867,000.00)
Amended cost estimate (Ord. No. 17045)	408,113.14
Construct Alsuma Detention	4,011,000.00
Amended cost estimate	(4,011,000.00)

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(Ord. No. 17045)	
Amended cost estimate (Ord. No. 17045)	3,051,571.47
Construct Mill Creek - McClure Detention	4,299,000.00
Amended cost estimate (Ord. No. 17045)	(4,299,000.00)
Amended cost estimate (Ord. No. 17045)	526,726.15
Construct Cooley Lake Detention No. 2	3,588,000.00
(Deleted by Ord. No. 17045)	(3,588,000.00)
Construct Greenwood Area Detention	2,373,000.00
Construct Coal Creek N. Joplin Detention	525,000.00
Springdale Detention Phase 1 ROW	1,724,000.00
Construct Turner Park Rogers H.S. Detention	6,077,000.00
Construct Apache Bridge/Crawford Detention	882,000.00
Replace Mohawk Boulevard Bridge/West of Peoria	463,000.00
Replace Peoria Bridge on Dirty Butter	315,000.00
Construct Cherry Creek Channel	1,050,000.00
Construct Parkview Channel Levee Pump	525,000.00
Construct 5th and 33rd West Avenue Drainage	127,000.00

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Construct 4029 East 53rd Drainage	300,000.00
Construct 41st and Utica Drainage	315,000.00
Construct Bridle Trail Detention Phase One	1,337,000.00
Construct 1751 East 63rd Drainage	173,000.00
Construct Crow, Joe Creeks Projects	2,259,000.00
Mingo Creek Local Control (Added by Ord. No. 17045)	15,732,412.35
Amended cost estimate (Ord. No. 19857)	(15,732,412.35)
Amended cost estimate (Ord. No. 19857)	15,577,412.35
Estimated Total for Flood Prevention (Ord. No. 16292)	\$ 43,767,000.00
Revised Estimated Total for Flood Prevention (Ord. No. 17045)	\$42,058,102.35
Revised Estimated Total for Flood Prevention (Ord. No. 19857)	\$ 41,903,102.35

WATER SUPPLY AND DELIVERY

PROJECT	ESTIMATED COST
Construct Phase One Third Flowline	\$ 14,533,000.00
(Deleted by Ord. No. 17456)	(14,533,000.00)

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Expand A. B. Jewell Plant Distribution	8,158,000.00
Amended cost estimate (Ord. No. 17045)	(8,158,000.00)
Amended cost estimate (Ord. No. 17045)	1,747,458.60
Construct 60" Main on 193rd and 41st	4,630,000.00
Purchase Right-of-Way Third Flowline (Added by Ord. No. 17456)	2,036,000.00
Amended cost estimate (Ord. No. 19857)	(2,036,000.00)
Amended cost estimate (Ord. No. 19857)	1,996,000.00
Expand Water Treatment Facilities (Added by Ord. No. 17045)	5,985,541.40
Amended cost estimate (Ord. No. 17456)	(5,985,541.40)
Amended cost estimate (Ord. No. 17456)	11,000,000.00
Estimated Total for Water Supply and Delivery (Ord. No. 16292)	\$ 27,321,000.00
Revised Estimated Total for Water Supply and Delivery (Ord. No. 17045)	\$ 26,896,000.00
Revised Estimated Total for Water Supply and Delivery (Ord. No. 17456)	\$ 19,413,458.60

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Revised Estimated Total for Water Supply and Delivery (Ord. No. 19857)	\$ 19,373,458.60
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SANITARY SEWER PROJECT

PROJECT	ESTIMATED COST
Construct Northside Plant Awt	\$ 4,961,000.00
(Deleted by Ord. No. 17045)	(4,961,000.00)
Southside Flow Equalization (Added by Ord. No. 17045)	4,705,000.00
Estimated Total for Sanitary Sewer Project (Ord. No. 16292)	\$ 4,961,000.00
Revised Estimated Total for Sanitary Sewer Projects (Ord. No. 17045)	\$ 4,705,000.00

PARK FACILITY IMPROVEMENTS

PROJECT	ESTIMATED COST
Construct Bishop Tract Sports Complex	\$ 1,731,000.00
Amended cost estimate (Ord. No. 17045)	(1,731,000.00)
Amended cost estimate (Ord. No. 17045)	109,957.89
Purchase Eastside Area Park	4,862,000.00

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Construct Leake Park Development	572,000.00
Construct Hunter Park Development	572,000.00
Northside Park Restoration	3,398,000.00
Reed Park Renovation	229,000.00
Construct Carl Smith Sports Complex (Added by Ord. No. 17045)	1,454,042.11
Park Land Acquisition - to acquire approximately 72 acres between 71st and 81st Street on Riverside Drive (Added by Ord. No. 17509)	2,250,000.00
Acquire additional park land near the Torcia Oliver tract (Added by Ord. No. 17771)	300,000.00
Air Conditioning at Whiteside Park (Added by Ord. No. 17985)	30,000.00
Sidewalk at Henthorne Park (Added by Ord. No. 17985)	5,000.00
Renovate Dawson Tract to Create Mike Patrick Park (Added by Ord. No. 17985)	44,000.00
Landscaping in River Parks (Added by Ord. No. 18183)	5,000.00
Estimated Total for Park Facility Improvements (Ord. No. 16292)	\$ 11,364,000.00
Revised Estimated Total for Park Facility Improvements (Ord. No. 17045)	\$ 11,197,000.00
Revised Estimated Total for Park Facility Improvements	\$ 13,447,000.00

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(Ord. No. 17509)	
Revised Estimated Total for Park Facility Improvements (Ord. No. 17771)	\$ 13,747,000.00
Revised Estimated Total for Park Facility Improvements (Ord. No. 17985)	\$ 13,826,000.00
Revised Estimated Total for Park Facility Improvements (Ord. No. 18183)	\$ 13,831,000.00

URBAN AND ECONOMIC DEVELOPMENT

PROJECT	ESTIMATED COST
Construct University Center Tulsa Capital Facility	\$ 15,000,000.00
Crosstown Section Railroad Acquisition and Roadway Improvements	3,400,000.00
Projects from the 1985 Sales Tax Economic Development Fund Meeting Criteria Described in Paragraph 100.A.6. herein (Added by Ord. No. 17651)	1,500,000.00
Urban Design Features in the Brookside Area (Added by Ord. No. 18183)	5,000.00
Estimated Total for Urban and Economic Development (Ord. No. 16292)	\$ 18,400,000.00
Revised Estimated Total for Urban and Economic Development (Ord. No. 17651)	\$ 19,900,000.00
Revised Estimated Total for Urban and Economic Development (Ord. No. 18183)	\$ 19,905,000.00

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POLICE FACILITIES

PROJECT	ESTIMATED COST
Rehab UD East Sub-Station	\$ 360,000.00
Provide a Police Training Facility	5,694,000.00
Expand and Rehab UDW Sub-Station	325,000.00
Construct Southside Police Sub-Station	3,385,000.00
Additions to the Police Courts and E911 Building (Added by Ord. No. 18055)	1,300,000.00
Estimated Total for Police Facilities (Ord. No. 16292)	\$ 9,764,000.00
Revised Estimated Total for Police Facilities (Ord. No. 18055)	\$ 11,064,000.00

MISCELLANEOUS PROJECTS

PROJECT	ESTIMATED COST
Maintenance of Capital Improvement and Facilities	\$ 20,000,000.00
Acquire capital equipment, such as rolling stock, computers, radios and other "short-term" capital improvements as provided in the City Sales Tax Ordinance	\$ 23,100,000.00
Acquire facilities for the City's surplus property program and other office and storage needs (Added by Ord. No. 17859)	\$ 200,000.00

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Expenditure Totals for Miscellaneous Projects	\$ 43,300,000.00
Rebate	\$ 15,000,000.00
Expenditure Totals (Ord. No. 16292)	\$245,724,000.00
Revised Estimated Totals (Ord. No. 16802)	\$245,724,000.00
Revised Estimated Totals (Ord. No 17045)	\$242,528,702.35
Revised Estimated Totals (Ord. No. 17456)	\$235,046,160.95
Revised Estimated Totals (Ord. No. 17509)	\$237,296,160.95
Revised Estimated Totals (Ord. No. 17651)	\$238,796,160.95
Revised Estimated Totals (Ord. No. 17771)	\$239,411,160.95
Revised Estimated Totals (Ord. No. 17859)	\$239,611,160.95
Revised Estimated Totals (Ord. No. 17985)	\$239,690,160.95
Revised Estimated Totals (Ord. No. 18055)	\$240,990,160.95
Revised Estimated Totals (Ord. No. 18183)	\$241,000,160.95
Revised Estimated Totals	\$241,040,160.95

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(Ord. No. 18310)	
Revised Estimated Totals (Ord. Nos. 17771, 17978, 19281, 19770)	\$243,140,160.95
Revised Estimated Totals (Ord. No. 19857)	\$242,620,160.95

- C. Cost estimates - maintenance expenditures - additional projects. While the cost estimates shown above are believed to be accurate, it must be recognized that the exact cost of each project may vary from the estimate shown.

It is the intention of the City of Tulsa and is the official City policy herein established that all such projects shall be completed as funds are made available. To ensure such result, the Twenty Million Dollar (\$20,000,000.00) fund designated for maintenance of existing capital improvements and facilities shall also be regarded as a reserve for cost overruns and not more than Two Million Dollars (\$2,000,000.00) per year may be expended for such maintenance until it shall become apparent that sufficient funds will be generated to complete all of the above projects.

Excess funds, if any, received over and above the expenditures needed to complete the projects and purposes heretofore mentioned in Subsection B of this section, shall be transferred to a special revenue fund created pursuant to a temporary sales tax increase and monitored by a Sales Tax Overview Committee for projects which have not been completed.

(Ord. Nos. 17651, 17771, 17978, 18943, 19281, 19857)

Section 101. Overview Committee.

Until the sales tax revenues so designated have been fully expended for the projects and purposes set forth in this title, the Sales Tax Overview Committee created in Title 43-C, Section 101, Tulsa Revised Ordinances, shall oversee such sales tax expenditures and shall regularly report to the City Council as fully set out in Title 43-C, Section 101.

- A. Term. The Committee shall exist and the above members shall serve thereon throughout the five (5) year period of the extended sales tax and thereafter until all funds generated by such sales tax extension have been expended. The Committee shall be a citizens' committee whose members are not officers of the City, as terms for officers of the City are limited to one (1) year. They shall continue to serve, except upon death, resignation or vacancy of a member, without regard to changes of City administrations, it being the intent to ensure the continued existence of a well-informed group of citizens to review and report upon the expenditures of the sales tax revenues. They shall serve without compensation. Upon the death, resignation or vacancy of any member of the Committee, the Chairman of the Committee shall appoint a nomination committee of five (5) members from its members to nominate a replacement for the deceased or resigned member. At the next meeting of the Committee, the nomination committee shall report its nomination for the deceased or resigned member. The Committee shall then nominate a replacement at such meeting by a majority vote of its members present and voting thereon. The nomination of such replacement shall be presented to the

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Council at its next available meeting after nomination by the Committee and all nominations shall be subject to confirmation by a majority vote of the Council. In the event any such nomination by the Committee shall fail confirmation by the Council, it shall be the duty of the Committee to submit another nomination to the Council in the same manner as above provided and to continue to so submit other nominations until one shall be ratified and confirmed by the Council.

- B. Elected officials, municipal personnel and agencies to assist. The facilities, personnel, elected officials and agencies of the municipal government are hereby directed to be available and to cooperate with the Committee to accomplish the objectives and purposes herein set forth. Copies of City reports and records pertaining to the receipts and expenditures of the proceeds of the sales tax extension shall be made available to the Committee upon request.
- C. Report of Overview Committee. On the first meeting of the Council of each month, beginning with the month of February, 1986, the Chairman or other member designated by the Committee shall attend the regular meeting of the Council of the City of Tulsa and make any report, comment or recommendation which the Committee deems to be warranted. A time for the presentation of such report shall be reserved on the agenda for the first City Council meeting of every month beginning February, 1986, until the sales tax revenues have been fully expended for the projects and purposes set forth in this chapter.

(Ord. No. 17455)

Section 102. Establishment of Special Five-Year Extended Sales Tax Capital Fund for revenue from the extended sales tax.

There is hereby established a special revenue fund which shall be known as the Special Five-Year Extended Sales Tax Capital Fund.

All officers and employees of the City of Tulsa are hereby ordered to take all necessary action to cause the funds generated by the special five-year sales tax program, including interest received from the investment thereof, to be deposited in the special revenue fund as soon as received by the City of Tulsa.

None of the monies in the special revenue fund shall ever be encumbered or expended for any purpose other than those purposes set forth in this chapter. Any violation of this provision will subject the persons violating this mandate to removal from their respective offices or positions.

The City Treasurer of the City shall take whatever action is necessary to ensure the timely investment of all monies within the special revenue fund and to ensure that all such funds shall always be readily available for immediate expenditure for the projects and purposes set forth in this chapter.

The Mayor, Council and all officers and employees of the City having budgetary duties and responsibilities shall take all necessary and timely action to cause the necessary appropriation of the extended sales tax monies to the Special Five-Year Extended Sales Tax Capital Fund, to the end that the records and data shall always be readily available, and the funds will be encumbered and expended only for the projects and purposes set forth in this chapter.

Section 103. Procedure to amend or repeal this chapter.

- A. Mandatory duty of Secretary of Council. The City of Tulsa, having made a solemn pledge to the citizens of Tulsa regarding the expenditures of the revenue from the extended sales tax, and having enacted this chapter to establish the official City policy with regard to such revenue, hereby pledges that this chapter shall remain in force during the entire period of collection and expenditure of the

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revenues generated by the five-year period of the extended sales tax for the projects and purposes herein enumerated.

Any attempt to amend or repeal this chapter can lawfully occur only by placing such proposal on the official agenda of the City Council which agenda is prepared by the office of the Secretary of the Council ("Secretary").

In the event a request is ever made by any party to place the issue of the amendment or repeal of this chapter on any agenda of the City Council, the Secretary is hereby specifically prohibited from placing such issue on any such agenda until full compliance with the following requirements have been made.

1. The Secretary shall forthwith (within twenty-four [24] hours) notify all major newspapers, all televisions stations and all radio stations then located within the City of Tulsa of the request for amendment or repeal of this chapter.
 2. The Secretary shall forthwith notify the general public of such request by a press conference officially called by the Secretary and held at the City Hall, to which all of the above-named newspapers, radio and television stations shall be invited.
 3. The Secretary shall forthwith cause a public notice to be given in the Tulsa Daily World, Tulsa Tribune and The Oklahoma Eagle, specifically setting forth fully the nature, purpose and extent of the request and the date the matter will first be placed on the agenda for public hearing before the City Council, which date shall be a date more than fifteen (15) days from the date of first publication of such notice. The notice shall be published once a week for two (2) consecutive weeks.
 4. The Secretary shall, upon performance of all of the above acts, execute and deliver to the Council of the City of Tulsa written certification as to the time and manner of the performance of the foregoing duties herein assigned, which certification shall be filed as a part of the permanent records of the City in the office of the City Clerk, and shall be available for inspection or copying at all reasonable times.
- B. Procedure before Council. No official action shall be taken by the Council of the City of Tulsa upon any request to amend or repeal this chapter until following acts and procedures have been complied with:
1. The Council shall have examined the written certification of the Secretary concerning the acts required to be performed by Subsection 103.A above, and shall have satisfied itself that all such acts have been duly and timely performed.
 2. The Council shall have held at least two (2) public hearings on the proposal (one (1) of which shall be held at night), which hearings shall be at least seven (7) days apart, and the first of which shall have been more than fifteen (15) days from the date of first publication of the notice given by the Secretary setting forth the nature of the request to amend or repeal this chapter as above provided.