

24179

Ordinance

Version 2.7 released on 10/8/18

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



Ordinance No. 24179

CITY COUNCIL USE ONLY		CITY CLERK USE ONLY	
Date Received: _____	Tracking #: _____	Date: <u>07-29-2019</u>	
Committee Date: _____	Committee: _____	Item #: <u>1.15.4</u>	
1 st Agenda Date: _____	Hearing Date: _____		
	2 nd Agenda Date: _____		

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	Contact Name Mark Swiney / ss	Email mswiney@cityoftulsa.org	Phone 918-596-7717
Subject (Description) Title 43, to add New Section 100.5 - 2021 Miscellaneous Capital Improvement	Ordinance Type Amending Tulsa Revised Ordinances		
Section _____	Township _____	Range _____	Lot _____
Block _____	Address _____		BA / CT Number _____
Amending Ord. No. _____	TRO Title No. 43 e.g. 43	TRO Subtitle e.g. G	Property/Non-Property Non-Property
Council District _____	Zoning No. _____	PUD No. _____	Planning District _____

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Muni's funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project Sting-Amount (144104.Abst>Title5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department: _____
 Legal: _____
 Board: _____
 Mayor: [Signature]
 Other: _____

Date: 7-26-19
 Date: 7-26-2019
 Date: JUL 29 2019
 Date: _____

Policy Statement

Background Information

Provide background information on the requested action.

Summation of the Requested Action

Ordinance to Amend Title 43, "City of Tulsa Sales Tax Code", the Sales Tax Ordinance of the City of Tulsa; Enacting a New Section, Section 100.5., "2021 Miscellaneous Capital Improvements Temporary Sales Tax Levied", setting a temporary sales tax levy of Forty-Five One-Hundredths of One percent (.45%), beginning at the expiration of the 2014 extended 1.1% sales tax.

Summarize the pertinent details of the requested action.

Emergency Clause?

- Yes
- No

Reason for Emergency Clause

This Ordinance amendment affects public peace, health and safety, therefore, it is proposed as an emergency measure.

Explain why you are requesting that the City Council approve this action with an emergency clause.

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

(Published in the Tulsa World,
_____, 2019.)

ORDINANCE NO. 24179

AN ORDINANCE AMENDING TULSA REVISED ORDINANCES TITLE 43, "CITY OF TULSA SALES TAX CODE", THE SALES TAX ORDINANCES OF THE CITY OF TULSA, OKLAHOMA; ENACTING A NEW SECTION, SECTION 100.5, "2021 MISCELLANEOUS CAPITAL IMPROVEMENTS TEMPORARY SALES TAX LEVIED", SETTING A TEMPORARY SALES TAX LEVY OF FORTY-FIVE ONE-HUNDREDTHS OF ONE PERCENT (.45%) BEGINNING AT THE EXPIRATION OF THE 2014 EXTENDED 1.1% SALES TAX; PROVIDING THAT THIS TAX SHALL BE IN ADDITION TO ANY SALES TAX THEN EXISTING; SETTING THE DATE, JULY 1, 2025, ON WHICH THE .45% TAX SHALL BECOME A .95% TAX; ESTABLISHING AN EXPIRATION DATE OF SAID TAX OF DECEMBER 31, 2025 OR UPON COLLECTION OF ONE HUNDRED NINETY-THREE MILLION DOLLARS AND NO CENTS (\$193,000,00.00), WHICHEVER OCCURS FIRST; DECLARING THAT THE LIMITED PURPOSE OF THIS SALES TAX IS TO PROVIDE REVENUE FOR THE SUPPORT OF CERTAIN CAPITAL IMPROVEMENTS OF THE CITY OF TULSA, AS FURTHER DESCRIBED IN TITLE 43-L TULSA REVISED ORDINANCES; PROVIDING FOR A LIMITED-PURPOSE FUND FOR THE DEPOSIT OF ANY REVENUE GENERATED HEREBY; PROVIDING THAT IF ON NOVEMBER 12, 2019 THE VOTERS OF THE CITY OF TULSA DO NOT PASS AND APPROVE SAID SALES TAX, THE AMENDMENTS STATED HEREIN SHALL BE NULL AND VOID AND OF NO FURTHER EFFECT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS, on November 12, 2013 the voters of the City of Tulsa enacted the "2014 Extended 1.1% Sales Tax"; and

WHEREAS, said tax was a temporary sales tax, and was set to continue until either the total amount of Five Hundred Sixty-Three Million, Seven Hundred Thousand Dollars and No Cents (\$563,700,000.00) was collected, or until June 30, 2021, whichever occurred earlier;

BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA

Section 1. That a new section, Section 100.5 of Title 43 Tulsa Revised Ordinances is hereby enacted to read as follows:

“Section 100.5 –2021 Miscellaneous Capital Improvements Temporary Sales Tax Levied.”

Text operative on and after July 1, 2021, or upon collection of \$563,700,000.00 pursuant to the 2014 Extended 1.1% Sales Tax, whichever occurs first.

“There is hereby levied, pursuant to Title 68 Oklahoma Statutes, Section 2701, a temporary excise tax, also known as a sales tax, of forty-five one-hundredths of one percent (.45%) for the limited purpose of supporting certain capital improvements of the City of Tulsa, as listed in the City of Tulsa Ordinance No. 24180. The said sales tax shall be in addition to any currently existing City of Tulsa sales tax. The said forty-five one-hundredths of one percent (.45%) temporary sales tax shall commence on either July 1, 2021 or upon collection of \$563,700,000.00 pursuant to the 2014 Extended 1.1% Sales Tax, whichever occurs first. This forty-five one-hundredths of one percent (.45%) temporary sales tax shall continue until June 30, 2025, when it shall become ninety-five one-hundredths of one percent (.95%), and shall continue at ninety-five one-hundredths of one percent (.95%) from July 1, 2025 until either December 31, 2025 or until One Hundred Ninety-Three Million Dollars and No Cents (\$193,000,000.00) is collected, at which point it shall expire. The said tax shall be a limited-purpose tax; any and all revenue derived from it shall be deposited into a limited-purpose fund created by the City of Tulsa. All revenue derived from the said tax shall be expended by the governing body of the City of Tulsa for the purpose of maintaining, repairing and enhancing certain capital improvements, as listed in Ordinance No. 24180, Title 43-L Tulsa Revised Ordinances (the ‘Brown Ordinance’).

Section 2. That if on November 12, 2019 the voters of the City of Tulsa do not pass and approve said sales tax, the amendments stated herein shall be null and void and of no further effect.

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. *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.

ADOPTED by the Council: _____
Date

Chairman of the Council