



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

CV-2024-1659
Andrews

OKLAHOMA COUNTY BOARD OF
COUNTY COMMISSIONERS,

Petitioner,

v.

THE CITY OF OKLAHOMA CITY,
a municipal corporation,

Defendant

Case No. CV - 2024 - 1 6 5 9

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

JUN 18 2024

PETITION FOR JUDICIAL REVIEW
Basis for Judicial Review

RICK WARREN
COURT CLERK

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The special use permit application ordinance of the City of Oklahoma City (hereafter "City") governing Forced Detention and Correctional Facilities is a shell game devised to exert political control over matters that are beyond the scope of the City's own Charter and Municipal Code. By state statute and constitution, each county is exclusively tasked with the duty to build and provide a county jail for the citizens of the county. Due to Oklahoma County's aging and outdated jail structure, in 2022 the County Commissioners of Oklahoma County (hereafter "BOCC") started taking the steps necessary to provide the citizens of Oklahoma County with an updated and better county jail facility. Throughout Oklahoma County's jail site selection process, the BOCC in good faith has sought the City's input and approval of a new jail site location out of respect for the cooperative relationship and agreement to share jail facilities that has existed for the last three decades. While the BOCC has endeavored to respect the City's legitimate local zoning interests, even when City approval is not clearly required by law, the City instead has chosen to feign its cooperation with the BOCC in all matters relating to the jail.

This litigation is a result of the City's deteriorating respect for the County's governmental authority and the inability of the City to recognize the limitations of its own authority. On at least two occasions, the BOCC has selected a proposed jail site location that the City officials and staff

appeared to support only for the City's voting boards to swoop in at the last minute like the cartoon character Lucy and pull the proverbial football out from under the County. To add insult to injury, the City has, in bad faith, refused to pay for any of the actual costs of municipal inmate housing at the Oklahoma County Detention Center for this entire last fiscal year. The City's non-payment has significantly strained the County's existing jail system because the cost of the City's municipal inmate housing has averaged \$1.1 million dollars per year between fiscal years 2017-2020.

As George Washington once said in an Address to Congress, "arbitrary power is most easily established on the ruins of liberty abused to licentiousness." The City's words and actions throughout the jail site selection process have been licentious. The City has not only broken its long-standing commitment to contract and pay for jail services but has failed to apply its own zoning and special use permit standards correctly and fairly by rejecting the City Planning Commission's own recommendation to approve the special permit for a new jail site location at 1901 E. Grand Boulevard in Oklahoma City. Instead of granting the special use permit that clearly met the City's codified permitted land use criteria, the City Council decided to continue playing its political shell game of feigned cooperation by denying a special use permit based on factors not appropriate for the City's zoning determination.

Like all chartered municipalities, the City has the power to pass and apply ordinances that govern matters of purely municipal concern. But those same municipal ordinances cannot be used to interfere with or exercise control over statutory and constitutional matters that are exclusively within the County's authority. The Petitioner, BOCC, as the real party in interest and current owner of real estate located at 1901 E. Grand Boulevard, Oklahoma City, Oklahoma and pursuant to 11 O.S. §47-124, files this Petition for Judicial Review of the denial of an Application for Special Use Permit by the City of Oklahoma City which occurred on or about March 21, 2024. Petitioner

implores this Court to find the City's zoning ordinances void, inapplicable and/or inappropriately applied to the property at 1901 E. Grand Boulevard for the County's governmental use as stated and supported in the Application for Special Use Permit. In support of this Petition for Judicial Review, the BOCC states and represents as follows:

Parties in Interest and Proper Venue

1. The City of Oklahoma City is a municipal corporation with a population of over 200,000, which is located primarily within Oklahoma County. 11 O.S. §47-101 *et seq.*; Okla. City, Okla., Charter (2024).
2. The City of Oklahoma City is governed by the city's charter, which is analogous to a constitution, which supersedes the laws of the state regarding "merely municipal affairs." *City of Tulsa v. Pub. Emps. Rels. Bd.*, 1990 OK 114, ¶ 10, 845 P.2d 872, 875 citing *Lackey v. State*, 29 Okl. 255, 116 P. 913 (1911)
3. Oklahoma City does not own, maintain, or operate its own municipal jail nor does the City Charter contain any provision that allows for the operation or maintenance of a city jail facility by the City Council, Mayor, Chief of Police or any other city department or official. *See* Okla. City, Okla., Charter (2024).
4. The City's Municipal Code also contains no ordinances authorizing any of its elected officials or employees to maintain or operate a municipal jail facility. Okla. City, Okla. Code (2024).
5. The only municipal ordinance that even remotely addresses jail operations is a provision that allows the City to charge for the collection of incarceration fees from individuals detained in a jail facility "utilized" by the City. 19 O.S. §180.43; Okla. City, Okla. Code, §33-45 (2024).

6. The City of Oklahoma City “utilizes” the current Oklahoma County Detention Center as the City’s jail facility and does not own, operate or maintain its own municipal jail facility.
7. The City Council of Oklahoma City is the governmental entity created by the City’s Charter to legislate municipal zoning and special use permit ordinances that are to be applicable within the corporate limits of Oklahoma City for the protection of the safety, health, and welfare of the citizens of Oklahoma City. 11 O.S. §47-101 *et seq.*; Okla. City, Okla., Charter (2024); Okla. City, Okla. Code §§ 8250 & 9350 (2024).
8. Oklahoma City has created a special use permit to zone for “Forced Detention or Correction Facilities.” See Okla. City, Okla. Code §59-8250.8- Civic Use Unit Classifications.
9. Section 59-8250.8 of Oklahoma City’s Municipal Code states it is intended to be applicable to: “Facilities in which persons accused or convicted of offenses are held in custody and confined, with electronic surveillance or an equivalent thereto. Typical uses include prisons, jails, work release facilities, pre-release centers and halfway houses for the correctional system.”
10. A Forced Detention or Correction Facility, Use as provided in §8250.8, is considered a Civic use, which means the classification is strongly vested with public or social importance, yet the City has divested itself from this important public function by excluding jail operations from its City Charter
11. A “Forced Detention or Correction Facility”, classified by the Oklahoma City Municipal Code as a Unit¹ 8250.8 permit, is not a use permitted by right within any of the City’s designated zoning districts and as such, requires a Special Use Permit for a jail or detention

¹ Unit is terminology that City uses to describe the different kinds of special use permits it offers in its Municipal Code; each category of special permit is referred to in code as a “unit.”

facility to be located anywhere within Oklahoma City limits despite the City's lack of Charter authority to actually operate, build or own its own jail facility.

12. Garrett and Company Resources, L.L.C. is an Oklahoma limited liability company with its principal place of business in Oklahoma City, Oklahoma.
13. Willowbrook Investments, LLC is an Oklahoma limited liability company with its principal place of business in Oklahoma City, Oklahoma.
14. In March of 2024, Garrett & Company Resources, LLC and Willowbrook Investments, LLC, (hereafter "Applicant") were the collectively the owner of the 70-acre tract of land located at 1901 E. Grand Boulevard, Oklahoma City, which is more particularly described in **Exhibit 1** attached hereto and incorporated herein.
15. The BOCC proposed the location 1901 E. Grand Boulevard as a new jail site location only after the Oklahoma City Airport Trust Authority voted to reject the BOCC's offer to buy unused airport trust land that the City officials had initially suggested as the new jail site location.
16. Oklahoma County has a statutory duty to provide a jail facility to serve the citizens of the county that meets or exceeds constitutional standards. 57 O.S. §41.
17. The duty to provide and maintain a county jail as well as the duty to care for county jail inmates is both a statutory and constitutional duty that belongs exclusively to the BOCC of each county. *Smartt v. Bd. of Cnty Com'rs*, 1917 OK 590, ¶ 6, 169 P. 1101, 1102.
18. The BOCC began tentative negotiations with the Applicant to purchase the property for the new jail site location that would require an amicable resolution of any unresolve zoning issues that could complicate future construction at that site.

19. On March 14, 2024, the Applicant and then owner of the 70-acre tract located 1901 E. Grand Boulevard filed an Application for Special Use Permit with the City of Oklahoma City Planning Commission for approval of a Special Use Permit for “Forced Detention and Correctional Facilities” pursuant to Oklahoma City Municipal Ordinance §59.8250.8 and §59-9350. If approved, the special use permit would have quickly resolved any future legal disputes over appropriate land use at that location.
20. On April 11, 2024, the Oklahoma City Planning Commission conducted a hearing where it took into consideration the City Staff Report recommendations to grant the Special Use Permit Application for 1901 E. Grand Boulevard and voted to recommend approval of the Special Use Permit to the City Council. (**Exhibit 2**, Special Use Permit Application; **Exhibit 3**, City Planning Commission Staff Report).
21. On May 21, 2024, the City of Oklahoma City ignored the findings and recommendation of the City’s Planning Commission and voted to deny the Special Use Permit for the property at 1901 E. Grand Boulevard. (**Exhibit 4**, City Council Board Minutes of May 21, 2024, p. 26, Item XI, N.).
22. Oklahoma County is a political subdivision of the State of Oklahoma. 25 O.S. § 1701.
23. The BOCC is the body corporate and politic for Oklahoma County. 19 O.S. § 3.
24. The BOCC is now the current property owner of property located 1901 E. Grand Boulevard, Oklahoma City, Oklahoma as of June 10, 2024. (**Exhibit 5**, Warranty Deed)
25. The BOCC is authorized by law to acquire sites, purchase, and otherwise construct jails or other necessary buildings and detention facilities or jails as a means of providing for the health, safety and welfare of its citizens. 19 O.S. §§ 513, 513.2 & 734; 57 O.S. § 68.

26. The BOCC, as the current property owner of 1901 E. Grand Boulevard, has acquired all property rights by contractual assignment, which includes the right to litigate and/or otherwise challenge and appeal the City of Oklahoma City's denial of the Applicant's special use permit and/or otherwise challenge the validity and enforcement of the City's zoning ordinances upon the County's new Proposed Detention Center project. (**Exhibit 6**, Amended Real Estate Purchase Agreement).
27. The subject property, the Applicant, the City, and the BOCC are all situated within Oklahoma County and all actions giving rise to this litigation occurred within Oklahoma County. Therefore, the District Court of Oklahoma County is the proper jurisdiction and venue for this litigation.
28. The BOCC, having stepped in to the shoes of Applicant as real party in interest by acquisition and assignment of legal and property rights, brings this action to challenge City Council's zoning ordinance and decision to deny special use permit on May 21, 2024.

Relevant Factual Background & Procedural History

29. On or about July 2009, the U.S. Department of Justice ("DOJ") issued a report that described the structure and design of the current Oklahoma County Detention Center as "awkward" and listed the design as a contributing factor to some of the jail operation deficiencies cited in that report.
30. Engineers, mental health experts, and jail experts have all recommended to the BOCC that if Oklahoma County decides to build a new jail facility, it should be a single-story structure located within close proximity of a separately maintained secured mental health facility to remedy and avoid the design, maintenance and space issues experienced at the current high-rise jail facility.

31. The single-story design of the Proposed Detention Center serves to meet various efficiency and safety requirements for the County.
32. The BOCC's widely publicized plan has always been to build a stand-alone mental health facility next to the new jail facility to provide and comply with best practices as recommended by jail experts and mental health experts.
33. To build the structures recommended by experts, Oklahoma County requires a minimum of 45 acres for the new Proposed Detention Center and secured mental health facility.
34. The BOCC appointed a Citizen's Bond Oversight Advisory Board to find, review and consider different potential property sites to serve as the future location of Proposed Detention Center and secured mental health facility and to make jail site recommendations to the BOCC.
35. On September 26, 2023, the Citizen's Bond Oversight Advisory Board of Oklahoma County voted to recommend four tracts of land to the BOCC for potential purchase.
36. The subject property located at 1901 E. Grand Boulevard owned by the Applicant was on this recommended list as well as a 192 acre of land between south Newcastle Road and SW 54th Street, which was airport land owned by the City of Oklahoma City Airport Trust Authority (OCAT).
37. On October 2, 2023, the BOCC authorized staff to negotiate the purchase of the 192 acres owned by the Oklahoma City Airport Authority (OCAT) as the site location for the new Proposed Detention Center and mental health facility because OCAT had offered this site to be considered for the new county jail project.
38. Based on the representations made to BOCC by OCAT staff, on or about October 19, 2023, the BOCC made an offer to purchase the 192-acre tract of land owned by OCAT.

39. On December 21, 2023, after having offered the airport property as an acceptable jail site location, OCAT adopted a resolution rejecting the BOCC's offer to purchase the airport.
40. On February 21, 2024, the BOCC then voted to select the subject property at 1901 E. Grand Boulevard offered for sale by Applicant as the new site location for the Proposed Detention Center and mental health facility.
41. The subject property at 1901 E. Grand Boulevard was selected by the BOCC because the site is considered technically superior to others on the list recommended to the BOCC due to high quality soils for structural support of the facility, mild topography, proximity to utilities, and the distance to downtown being 10 minutes or less.
42. The subject property was also deemed superior to other proposed jail site locations because it can be accessed from multiple directions and the County already had information on the environmental issues associated with the property.
43. The subject property at 1901 E. Grant Boulevard was also considered a superior choice of location because it was already zoned I-3 Heavy Industrial District ("I-3"), which is the City's most intense based zoning district.
44. The subject property, being vacant and for sale, was also desirable because it would not require the County to use its power of eminent domain to condemn the property.
45. The subject property met the County's size criteria because it was of sufficient size to allow for the construction of both a jail and a mental health facility.
46. Plans for the Proposed Detention Center at 1901 E. Grand Boulevard consist of a single-story mezzanine structure with a gross total building of approximately 710,000 square feet and will house 2,460 detention beds.

47. The City's Municipal Code states: "The I-3 District is intended to provide locations for those industrial uses that may generate relatively high levels of noise, vibrations, smoke, dust, odor or light. These industrial uses are incompatible with residential uses. For this reason, it is desirable that they be located downwind, and as far away as possible, from residential and most commercial uses."
48. The subject property is also within the AE-2, Airport Environs Zone 2 overlay district due to its proximity to Tinker Air Force Base and certain land uses, including residential uses, are discouraged within the AE-2 overlay district due to noise and other airport associated disturbances.
49. While the BOCC has always maintained that the City's special use ordinance is inapplicable to the County's jail project under the doctrine of Superior Sovereign, the Application for Special Permit was made to streamline the purchase of the real property, reduce the potential for future litigation over zoning by third parties, and because the property appeared to clearly qualify under the Special Use Permit criteria of the City.
50. The current zoning and land uses of properties adjacent to the subject property are not inconsistent with the proposed use as a Detention Center because they are mainly industrial and are as follows:
- a. North: Zoned I-2, Moderate Industrial District; developed with warehouse and storage uses.
 - b. East: Majority zoned I-2, Moderate Industrial District - developed with warehouse and storage uses.
 - c. South: Zoned by PUD-1721; developed as Trosper Golf Course owned by the City's Parks Department.

- d. West: Zoned I-2, Moderate Industrial District; developed with warehouse and storage uses, as well as an undeveloped area owned by the City's Parks Department.

51. The City's Municipal Code sets out Standards for Special Permit Approval in § 59-4250.2(E), as follows:

Prior to approval of an application for special permit, the Planning Commission and City Council shall decide that the following standards have been met:

- (1) The proposed use shall conform to the policies of the adopted Comprehensive Plan.
- (2) The proposed use shall not adversely affect the use of the neighboring properties.
- (3) Pedestrian and vehicle traffic generated will not be hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
- (4) Adequate utility, drainage, parking, loading, signs, access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the City.
- (5) The site shall front or have direct access to a street having adequate right-of-way and improvements to support the traffic generated by the proposed use.
- (6) The City Council may impose specific conditions regarding location, design, and operation to assure safety, to prevent a nuisance, and to control the noxious effects of excessive sound, light, odor, dust or similar conditions. Such conditions may include:
 - (a) A requirement that all machinery and facilities be located within an enclosed building.
 - (b) A requirement that certain areas be screened from the view of surrounding neighborhoods.
 - (c) A limitation on intensity of lights or hours of operation.
 - (d) Similar measures designed to protect the public interest.

52. The Application for Special Use Permit and the Proposed Detention Facility conforms with the policies of the City's adopted Comprehensive Plan, PlanOKC (the "Comprehensive Plan").
53. The Comprehensive Plan designates the Property and surrounding area with a base Land Use Typology Area ("LUTA") of Urban Low Intensity.
54. The Proposed Detention Center to be located at 1901 E. Grand Boulevard is consistent with the Comprehensive Plan's Urban Low Intensity LUTA designation for the Property and surrounding area.
55. The Comprehensive Plan further designates the Property and surrounding area with a layer LUTA of Heavy Industrial.
56. Heavy Industrial designated areas are intended to accommodate industrial uses that are difficult to integrate with less intense uses due to negative impacts from heavy traffic, noise, or odors.
57. The Proposed Detention Center at 1901 E. Grand Boulevard is also consistent with City's Comprehensive Plan's Heavy Industrial designation for the Property.
58. The Special Use Permit Application demonstrated that the Proposed Detention Facility does not adversely affect the use of the neighboring properties as defined by municipal ordinance.
59. The adjacent properties surrounding the subject property are zoned and used mostly for industrial purposes, which will not be adversely affected by the Proposed Detention Center.
60. The Proposed Detention Center will not generate significant noise, vibrations, smoke, dust, odors or light typically associated with many of the uses already permitted as a matter of right in the existing I-3 zoning district the property is located within.

61. The Proposed Detention Center presents a less intense use than many uses of the property that are permitted by right in I-3 zoning at that location.
62. The Proposed Detention Center will have less of an impact on adjacent properties than many of the land uses permitted by right in the I-3 zoning district that the property is already located within.
63. Pedestrian and vehicle traffic generated by the Proposed Detention Center will not be hazardous or in conflict with the existing and anticipated traffic in the area.
64. Many of the land uses permitted by right within I-3 zoning would generate significantly more pedestrian and/or vehicle traffic when compared to traffic which would be generated by the Proposed Detention Center.
65. The proposed property location offers adequate utility, drainage, parking, loading, signs, access and other necessary public facilities to serve the Proposed Detention Center.
66. The proposed property is also served by all public utilities.
67. The proposed property has ample frontage along SE 22nd Street and E Grand Boulevard which will provide the necessary direct access to public streets having adequate right-of-way and improvements to support the traffic generated by the Proposed Detention Center.
68. The City's Staff issued a Staff Report dated April 11, 2024 ("Staff Report"), attached hereto as **Exhibit 3** and incorporated herein, provides a written recommendation regarding the Application for Special Use Permit.
69. The City's Staff Report, cited no grounds for denial and indicated that if approved, the Special Use Permit Application be subject to the following technical evaluations:
 - a. The operation shall conform to the "Conditions" of the Program Description.

- b. Granting of this Special Permit does not allow a Transitional Living Facility as defined by State Law.

70. The Applicant was able to agree to the two (2) technical evaluations set out in the Staff Report.

71. Most significantly, the City's Staff Report notes that both the Application and the Proposed Detention Facility meet the standards and requirements set forth in § 59-9350.28 of the City's Municipal Code.

72. The City's Staff Report also confirms that the City's Comprehensive Plan does not identify any compatibility issues with the Proposed Detention Center at the selected location and area surrounding the subject property.

73. Most protest letters received by the Oklahoma City Planning Commission and attached to the Staff Report were about the impact of this project on the City of Del City and did not involve issues of Oklahoma City municipal concern or demonstrate how the proposed land use be incompatible with the surrounding existing land uses.

74. On April 11, 2024, the City Planning Commission considered the merits of the Application for Special Use Permit and Staff Report by addressing all the required factors necessary to attain a Special Use Permit for a Forced Detention or Correction facilities contained within the Oklahoma City Municipal Code at §59-8250.28 and §9350.28 (A)-(D).

75. The City's Planning Commission voted to recommend approval of the Special Use Permit Application subject to the two (2) technical evaluations set out in the City's Staff Report and the including three (3) additional technical evaluations:

- a. A minimum 12-foot-tall fence shall be required.

b. The release of inmates shall not be from the Special Permit site but will be at the Oklahoma County Courthouse.

c. No outdoor loudspeakers will be permitted on the site.

76. Applicant agreed to the technical evaluation that would require a minimum of a 12-foot fence with three (3) strand barbed wire installed along the top around the perimeter of the Proposed Detention Center.

77. Applicant could not agree to the technical evaluation requirement made by the Planning Commission that would release inmates from the Oklahoma County courthouse because: (1) a special use permit is not a proper mechanism to govern or restrict County inmate release and (2) inmate release orders are issued by the District Court and an ordinance attempting to impose release conditions upon the courts could not be legally binding.

78. Applicant could also not agree to the technical evaluation prohibiting loudspeakers. Outdoor speakers are a necessity for the safety and functionality of a detention facility because (1) the property was already zoned for noise levels and activities greater than what would be generated by the proposed use (2) outdoor speakers are necessary for proper security and operation of the Proposed Detention Center; and (3) the outdoor speakers necessary for the Proposed Detention Center would not be operated in a manner to disturb adjacent properties.

79. The technical evaluations that were appropriate and agreed to by Applicant serve to establish specific conditions regarding the location, design, and operation to assure safety, to prevent nuisance, and to control any noxious effects of any sound, light, odor, dust or similar conditions, if any, that could result from the Proposed Detention Center.

80. The Special Use Permit Application met all the standards for approval of a special permit as outlined in the City's Municipal Code.
81. As a result, on April 11, 2024, the Oklahoma City Planning Commission voted to recommend approval of the special use permit to the City Council in accordance with Oklahoma City Municipal Code §59-3150(B)(2).
82. The Oklahoma City Planning Commission's recommendation for approval of special permit application was then placed on the City Council's May 21, 2024, agenda for hearing and consideration as required by Okla. City, Okla., Code § 59-2100.2(B).
83. At the May 21, 2024, hearing, City Council meeting, Applicant's representatives gave a presentation, again demonstrating how the Application met the City's own standards for approval of the requested special use permit.
84. Although not required for special permit zoning approval, the Applicant also presented evidence to the City Council showing why and how the site of the existing Oklahoma County Detention Center, located at 201 N. Shartel Avenue, is not a feasible location for the new Proposed Detention Center and secured mental health facility.
85. The Applicant demonstrated that the Proposed Detention Center at the 1901 E. Grand Boulevard site would be located further from schools and residential uses than the existing Oklahoma County Detention Center and that the land use proposed was less impactful than land uses already allowed as a matter of right for the property since it was already zoned I-3.
86. At the May 21, 2024, City Council hearing, dozens of people and/or their representative(s) were allowed to speak in protest of the Special Use Permit Application.

87. Most of the public comment was directed at criticizing the BOCC's jail site selection process and the impact the jail would have on the City of Del City, which are not matters within the City's power to remedy or consider when approving a land use permit within Oklahoma City limits.
88. Despite the large presence of protestors, there were no formal legal protests to the Special Use Permit Application heard or presented because none of those who spoke in protest owned property within 300 feet of the Property.
89. Before the City Council's vote, there was no discussion or comments made by any City Council member to suggest or demonstrate that proposed land use did not meet the criteria set forth in the City's zoning ordinances or any other zoning reason that would justify denying the special use permit.
90. Instead, the City Council members who made and supported the motion to deny the special use permit focused on the BOCC's political and policy decision-making process rather than whether the land itself met the criteria for special permit under the City's Municipal Code.
91. The City Council on May 21, 2024, voted to reject the City Planning Commissioner's recommendation to approve the Special Use Permit by a vote of seven (7) to one (1) with one (1) councilman abstaining.² **Exhibit 4**, City Council Minutes Documenting Denial of Special Use Permit, XI, Item N, p. 26.
92. Mayor David Holt, the sole City Council member to vote against the denial of the Special Use Permit Application, has been quoted in the Journal Record as stating: "I was compelled to vote the way I did by the oath I swore to uphold our city's ordinances. The only question the council was legally empowered to consider was the question of whether the application

² One councilman was required to abstain because his law firm has agreed to represent the City of Del City and pursue litigation against the County over the jail site selection of the 1901 E. Grand Boulevard property.

met the standards for a special permit in a parcel zoned for heavy industrial use. The legal merits of the application were clearly met and not a single person even attempted an argument to the contrary.”

93. On June 10, 2024, BOCC completed the purchase of the 70-acre tract located at 1901 E. Grand Boulevard, making the BOCC the real party in interest for this litigation.

Standard for Review & Grounds for Reversing Decision

94. By state statute, a judicial review in the district court of the county” in which the situs of the municipality is located may be had of any ruling, regulation, interpretation, order requirement, refusal, permit approval or decision made under the terms of this article when such action is alleged to be arbitrary, unreasonable or capricious and that by reason thereof, such action has, or if enforced will work an unnecessary hardship or create substantial harm or loss to the complaining party.” 11 O.S. §47-124.
95. When deciding on an application, like an application for a special use permit, there must be an examination of the “basic physical facts” of the property in question and the surrounding area. *Fletcher v. Bd. Of Cty. Comm’rs of Oklahoma Cty.*, 1955 OK 70, 285 P.2d 183, 185. Review and consideration of the basic physical facts in a zoning decision includes “the nature of the surrounding territory, the use to which each has been put, [and] recent trends of development.” *Id.* at ¶ 12.
96. The May 21, 2024, decision made by the City Council did not base its decision upon its adopted Planning Policies, the basic physical facts of the Property, and use of surrounding area, nor any other legitimate land use consideration required to be considered by City ordinance and existing case law.

97. Instead, it is evident that the City Council considered political factors beyond the scope of their zoning power and denied the Special Use Permit Application merely because many protesters opposed the Application and the site selection process employed by Oklahoma County.
98. Many of the comments by the public and the City Counsel raised issues and concerns that are not within the City's power to review or remedy because the County's site selection process is not a matter of municipal concern.
99. The City Council should not confuse the right to be heard with the idea that the party who is the loudest deserves to prevail. *See Pate v. City of Bethany*, 1983 OK CIV App 44, ¶ 10, 672 P.2d 677 ("Zoning fights particularly lend themselves to becoming gang fights where often the one who procures the most signatures prevails. Given the fact that a city council is a legislative body and should be responsive to the will of the people, when it comes to such matters as zoning, the councilmen have a duty to legislate for a purpose that transcends the interests of individuals or groups and aims at promoting the general welfare of the public at large. *To refuse to rezone merely because a large number of people are against it is as condemnable as granting rezoning merely because no one appears to be protesting it.* In other words, the law is meant to protect the protestant's right to be heard, not pit the political might of the many against a politically weak landowner [. . .]") (*emphasis added*).
100. City Council's denial of the Special Use Permit Application was not based on the standards set out in § 59-4250.2(E) of the City's Municipal Code and because of this, it is unreasonable, arbitrary and capricious.

101. The City's authority to create standards and regulations in relation special permits is derived from 11 O.S. §§ 43-113 and 43-114 and further governed and controlled by the authority granted by City Charter.
102. The City's Charter does not authorize any elected official or department of the City to operate a municipal jail facility. Because the City does not operate a jail facility of its own, any Detention facility located within the City would be owned, leased, operated or controlled by governmental bodies like the State or the County. This means the City has designed a zoning ordinance that when applied, operates to exert control over jail operations by superior sovereigns like the County and State.
103. Municipal regulations addressing the topic of Forced Detention and Correctional Facilities Detention that house pre-trial detainees held on State criminal charges represent matters that are not of purely municipal concern. The City has no statutory right to create or apply a zoning ordinance that imposes the city's police power in a way that will impede or impair governmental decision making and functions of higher sovereigns.
104. Pursuant to 11 O.S. § 43-113, each special permit application shall be viewed as to its probable effect on the adjacent properties and community welfare and may be approved or denied as the findings indicate appropriate as it relates to the municipal concerns.
105. "The general rule is that a municipal ordinance or portion thereof which is in conflict with state statutes is void." *Constant v. Brown*, 1941 OK 205, ¶ 8, 189 Okla. 147, 114 P.2d 477, 478.; *Magnum Energy, Inc. v. Bd. of Adjustment for City of Norman*, 2022 OK 26, ¶ 6, 510 P.3d 818, 820.

106. City ordinances that conflict or interfere with the County's statutory authority to acquire land and provide a jail exceed the municipalities statutory and/or Charter authority are void and unenforceable as a matter of law.
107. The use of the subject property for the new Proposed Detention Center does not demonstrate a probable negative effect on any properties statutorily defined as adjacent to the subject property.
108. The Proposed Detention Center is a land use that does not demonstrate a probable negative effect on the community welfare of City of Oklahoma City citizens and no evidence was presented or considered at the hearing to demonstrate that operation of a jail, which is a statutorily necessary government function for all of Oklahoma City, will have a negative impact community welfare.
109. The Proposed Detention Center fulfills a vital need for all of Oklahoma County and its community, which includes Oklahoma City.
110. The City Council on May 21, 2024, failed to make appropriate findings as required by 11 O.S. § 43-113 and failed to recognize it was making decisions based on factors and considerations outside of its zoning power and authority.
111. The basic physical facts of the subject property do not support the City's denial of the Special Use Permit Application.
112. The City Council's denial of the Special Use Permit Application was not appropriately based on findings of fact as required by State Statute and the City's Municipal Code.
113. The City Council's denial of the Special Use Permit Application is contrary to adopted municipal ordinances.

114. The City Council's denial of the Special Use Permit Application was arbitrary, capricious, and unreasonable because it was not supported by any admissible or reliable evidence.
115. The City Council's denial of the Special Use Permit Application bears no reasonable relation to the public health, safety, morals, or general welfare of the citizens of the City.
116. The City Council's denial of the Special Use Permit inappropriately impacts matters of public health, safety, morals and the general welfare of citizens of the County.
117. The City Council's denial of the Special Use Permit is an unlawful attempt by the City to control the location of County and State detention facilities by municipal ordinance.
118. The County is entitled to superior sovereign immunity from the application of the City's zoning regulation of Forced Detention Facilities when the City and County's interests are weighed and balanced.

Relief Requested

119. Petitioner BOCC requests the District Court to enter an order to prohibit Defendant, City of Oklahoma City, from enforcing any zoning ordinance or special permit denial that would delay, block, or prevent the BOCC from fulfilling its constitutional duty to provide the citizens of Oklahoma County with a county jail facility and secured mental health facility at the land located 1901 E. Grand Boulevard because the City's ordinance is void, invalid, and clearly transcends the police powers given to the City by its Charter and/or state statute.
120. Petitioner requests the District Court to enter an order to prohibit Defendant, City of Oklahoma City, from enforcing any zoning ordinance or special permit denial that would

delay, block or prevent the BOCC from fulfilling its constitutional duty to provide the citizens of Oklahoma County with a county jail facility and secured mental health facility at the at the land located at 1901 E. Grand Boulevard because the City Council's decision to deny the special permit at this property location was arbitrary, unreasonable, capricious, resulted in the denial of adequate due process, was based on facts and considerations outside the scope of the City's power to regulate and if enforced, will cause unnecessary hardship upon the BOCC and citizens of all of Oklahoma County,

121. The Petitioner BOCC additionally requests the District Court to determine that the special use permit ordinance is void and enforcement invalid because the application of the City's zoning ordinance to the subject property constitutes an unequal and discriminatory exercise of police power that bears no reasonable relation to the public health, safety, morals or general welfare of the municipality or its citizens.

122. Petitioner requests the District Court to enter an order to prohibit Defendant, City of Oklahoma City, from enforcing any zoning ordinance or special permit denial that would delay, block or prevent the BOCC from fulfilling its constitutional duty to provide the citizens of Oklahoma County with a county jail facility and secured mental health facility at the at the land located at 1901 E. Grand Boulevard because the facts and circumstances of this case establishes that the special use permit municipal ordinance, is not and should not be made applicable to the BOCC as the Superior Sovereign.

WHEREFORE, Petitioner prays that the District Court enter a briefing schedule and upon hearing and consideration of the parties' briefs, this Court will make and enter an order preventing the City of Oklahoma City from enforcing its City Ordinances or exercising its power over Oklahoma County as the Superior Sovereign in a way that would delay or prohibit the construction

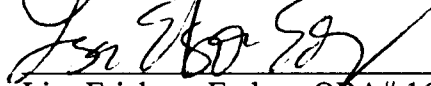
of a new county jail and/or secured mental health facility at the subject property located 1901 E. Grand Boulevard in Oklahoma City, Oklahoma Couty, Oklahoma and for any and all relief as may be just and proper.

DATE:

06/18/2024

Respectfully submitted,

VICKI ZEMP BEHENNA
DISTRICT ATTORNEY



Lisa Erickson Endres, OBA# 16647

Aaron Etherington, OBA# 18259

Rodney J. Heggy, OBA #4049

Carri A. Remillard, OBA# 21539

Assistant District Attorneys- Civil Division

211 N. Robinson, Ste. 700 N

Oklahoma City, OK. 73102

Telephone: (405)713-1600; Fax: (405)713-1749

Lisa.Endres@oklahomacounty.org

aaron.etherington@oklahomacounty.org

rod.heggy@oklahomacounty.org

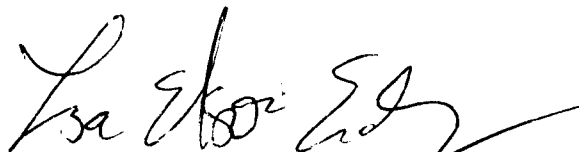
Carri.Remillard@oklahomacounty.org

CERTIFICATE OF MAILING

This is to certify that a true and correct copy of the above and foregoing document was mailed to the following interested parties on the date of filing:

City of Oklahoma City
c/o Amy K. Simpson, City Clerk
200 N. Walker Ave., 2nd Floor
Oklahoma City, OK 73102

City of Oklahoma City
Municipal Counselor's Office
200 N. Walker Ave.
Oklahoma City, OK 73102

A handwritten signature in black ink, appearing to read "Lisa Erickson Endres", written over a horizontal line.

Lisa Erickson Endres, OBA# 16647
Aaron Etherington, OBA# 18259
Rodney J. Heggy, OBA #4049
Carri A. Remillard, OBA# 21539
Assistant District Attorneys- Civil Division

Exhibit A

A tract of land beginning at the center of Section 12, Township 11 North, Range 3 West of the Indian Meridian, in Oklahoma County, Oklahoma, according to the Government Survey thereof;

Thence South 89°56'41" East along the quarter section line a distance of 1944.98 feet to the west right of way line of Grand Blvd.;

Thence North 1°34'02" West along the west right of way line a distance of 1010.70 feet;

Thence along a curve to the left with a radius of 2814.90 feet a distance of 992.04 feet to the intersection of the west right of way line of Grand Blvd. with the north line of the south half of the north half of the northeast quarter of said Section 12;

Thence North 89°59'11" West along said north line of the south half of the north half of the northeast quarter a distance of 1732.48 feet;

Thence South 0°25'31" East along the quarter section line a distance of 1975.49 feet to the point of beginning.

Less and except

A tract of land being a part of the northeast quarter of Section 12, Township 11 North, Range 3 West of the Indian Meridian, Oklahoma County, Oklahoma, and being the south 875 feet of the east 750 feet of that parcel of land described in the Special Warranty Deed recorded in Book 13625, Page 1909 (hereafter "Parent Deed"), said tract being more particularly described as follows:

Commencing at the southwest corner of said northeast quarter;

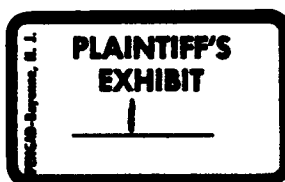
Thence South 89°40'07" East, along and with the south line of said northeast quarter and the south line of said Parent Deed, a distance of 1,194.98 feet to the point of beginning;

Thence North 01°17'23" West, departing said south lines, a distance of 875.00 feet;

Thence South 89°40'07" East a distance of 750.00 feet to a point on the east line of said Parent Deed;

Thence South 01°17'23" East, along and with said east line, a distance of 875.00 feet to a point on the south line of said northeast quarter, said point being the southeast corner of said Parent Deed;

Thence North 89°40'07" West, along and with the south line of said northeast quarter and the south line of said Parent Deed, a distance of 750.00 feet to the point of beginning.





The City of Oklahoma City
Planning Department, Subdivision and Zoning
420 West Main Street, Suite 910, Oklahoma City, Oklahoma, 73102
Phone: (405) 297-2623 – Web: <https://www.okc.gov>

APPLICATION FOR SPECIAL PERMIT

Oklahoma County Detention Center

Project Name

1901 E. Grand Blvd.

Address / Location of Property

See attached Project Description.

Purpose Statement (provide attachment if necessary)

Case No.: SP _____
File Date: _____
Ward No.: _____
Nbhd. Assoc.: _____
School District: _____
Extg Zoning: _____
Overlay: _____

8250.8

Proposed Use

- ☐ 1.) One (1) Typed Legal Description of Proposed Special Permit area in MS Word file (.doc or .docx) format.
- ☐ 2.) One (1) copy of Recorded Deed(s), with Exhibit(s), listing current Property Owner in .pdf format.
- ☐ 3.) One (1) copy of Letter of Authorization from Property Owner listing Designated Representative if Applicant is not the Property Owner of record.
- ☐ 4.) One (1) copy of Property Owners Report listing all property owners who own property within a 300-foot buffer (600-foot for drinking establishments) area of the property to be considered. The list **MUST** include the mailing address and the legal description of their property and **MUST** be current to within 30 days of the date of submittal of the application. A minimum of 10 separate individual property owners is required. If there are less than 10 individual owners within the 300-foot (or 600-foot) buffer, the radius must be extended by increments of 100 feet until the list contains no less than 10 owners. Provide One (1) PDF (.pdf) file version, AND one (1) MS Excel (.xls or .xlsx) file version.
- ☐ 5.) One (1) Signed and Notarized copy of "Affirmation" that the Property Owners Report listings are true and correct unless the list is prepared by a Certified Abstractor or County official.
- ☐ 6.) Maps, Site Plan and, or Survey Exhibits must be Letter size (8.5" x 11"), 600dpi minimum resolution, and in a .pdf file format. Photographic file formats of drawings, maps, or other documents will not be accepted.
- ☐ 7.) Supporting documents as required by Chapter 59, Article IX, Section 9350, Standards for Specific Uses in a .pdf file format.
- ☐ 8.) A filing fee of \$2700.00 must be remitted within One (1) business day of submittal confirmation. (Online payment available / preferred.) (Make checks payable to "City Treasurer")

Property Owner Information (if other than Applicant):

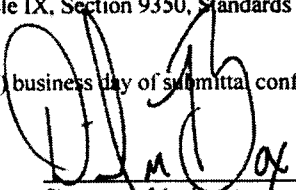
Name

Mailing Address

City, State, Zip Code

Phone

Email


Signature of Applicant

David M. Box

Applicant's Name (please print)

522 Colcord Dr.

Applicant's Mailing Address

Oklahoma City, OK 73102

City, State, Zip Code

405-232-0080

Phone

dmbox@wbfbllaw.com

Email

Submit your Application by Email to Subdivisionandzoning@OKC.gov
Compressed files (.zip, etc.) or etc.) can not be accepted for security purposes.

PLAINTIFF'S
EXHIBIT
2

Oklahoma County Jail Facility

I. PROJECT DESCRIPTION

The facility that is being proposed is a city/county jail facility.

FACILITY SYNOPSIS

The facility will be a one (1) story mezzanine structure that will be located on approximately seventy (70) acres of property. The gross total building area will be approximately 710,000 square feet and will house 2,460 beds. The facility is expected to employ an average of 234 people per shift, and 370 parking spaces will be provided for staff and public use.

DETAILED FACILITY DESCRIPTION

ADULT DETENTION CENTER – Approximate Square Footage Breakdown

• Lobby – Administration	31,447 sq. ft.
• Intake	43,289 sq. ft.
• Medical	15,342 sq. ft.
• Inmate Services	9,113 sq. ft.
• Laundry	8,500 sq. ft.
• Food Service	23,500 sq. ft.
• Housing	336,852 sq. ft.
• Housing Floor Management	41,077 sq. ft.
• Warehouse, Maintenance, Commissary	12,756 sq. ft.
• Tactical	600 sq. ft.
• Officer Training	3,243 sq. ft.
• Central Utility Plant	20,000 sq. ft.

ADULT – NON-INCARCERATED BEHAVIORAL HEALTH CENTER – Square Footage

• Behavioral Health Center Housing	32,000 sq. ft.
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ADULT – INCARCERATED BEHAVIORAL HEALTH CENTER – Square Footage Breakdown

• Behavioral Health Lobby & Administrative Space	1,769 sq. ft.
• Behavioral Health Medical Clinic	5,291 sq. ft.
• Behavioral Health Housing	91,021 sq. ft.
• Behavioral Health Staff Support & Storage	1,404 sq. ft.

NUMBER OF BEDS ACROSS THE FACILITY

DETENTION - SECURITY LEVEL

• Maximum	280 Beds
• Maximum/Medium	1,008 Beds
• Medium/Minimum	448 Beds
• Dormitory	144 Beds

BEHAVIORAL HEALTH

• Behavioral Care Center Housing – Non-Incarcerated	60 Beds
• Intensive Treatment Unit	50 Beds
• Suicide Watch	50 Beds
• Intensive Step-Down Unit	84 Beds
• Short-Term Housing	168 Beds
• Long-Term Housing	168 Beds

STAFF COMPOSITION OF THE FACILITY

DETENTION CENTER

A total of 103 detention officers will be stationed at the detention center, with a dedicated team of 54 detention officers assigned to the Housing unit. Additionally, 93 civilian staff members will be employed, with 39 working in the Intake unit.

INCARCERATED BEHAVIORAL HEALTH CENTER

Thirteen detention officers will be stationed in the Housing unit. Additionally, 25 civilian staff members will be employed, with 15 working in the Medical Clinic unit.

Oklahoma County Jail Site Analysis

The proposed site for the new Oklahoma County Jail Facility is located east of I-35 and south of I-40, more specifically, along East Grand Boulevard, north of SE 22nd St. and south of SE 15th St. The site is adjacent to Trosper golf course to the south and adjacent to Locke Supply warehouse located at 2101 E. Grand Blvd. The property consists of approximately 70 acres.

This site was chosen by the Board of County Commissioners because the site is technically superior, due to high quality soils for structural support of the facility, mild topography, proximity to needed utilities, distance to downtown is 10 minutes or less, property can be accessed from multiple directions and the County has insight into environmental issues associated with the property.

LAND USE, RELATED FACILITIES, ZONING PATTERN

The site is zoned "I-3" Heavy Industrial District, which allows for industrial uses that may generate significant noise, vibrations, smoke, dust, odors, or light. However, this facility will not produce such disturbances.

Neighboring properties to the north, west, and east are also zoned "I-2" for heavy industry. West of the site, "R-1" zoned land is currently vacant and owned by Oklahoma City's Park Department and Crooked Oak Public Schools. To the south, "PUD-1721" zoned land currently serves as Trosper Golf Course, owned by Oklahoma City. A small, "R-4" zoned section to the east is used by Reliant Living Centers of Oklahoma.

Most of the current land uses in the area are industrial in nature, such as, machine shops, manufacturing, oilfield drilling equipment, transportation facilities, towing facilities, sheet metal production, concrete products, moving and storage businesses, lubrication suppliers, forklift dealers, wholesale nurseries, automotive paint and repair shops, animal shelter, and metal recycling. The lone exception within Oklahoma City limits is a golf course, offering a respite from the surrounding intensive land uses.

TRANSPORTATION ACCESS

The site boasts accessible connections from four directions. Grand Boulevard borders the entire eastern property line, offering northbound access to SE 15th Street and southbound access to SE 29th Street. From these points, travel options include:

- Direct north to I-40 and/or I-35
- Westward access to I-35

PARKING

Public parking with 81 spaces is conveniently located on the east side of the facility along Grand Boulevard. Separate from public parking, dedicated staff parking areas with 288 spaces will be located behind secure fencing. All entrances will be illuminated and monitored by detention officers.

UTILITIES

This site is served by all public utilities. Public water, sanitary sewer, gas and electricity are available on site. Utility lines will be relocated to the periphery of the site.

FENCING AND LANDSCAPING

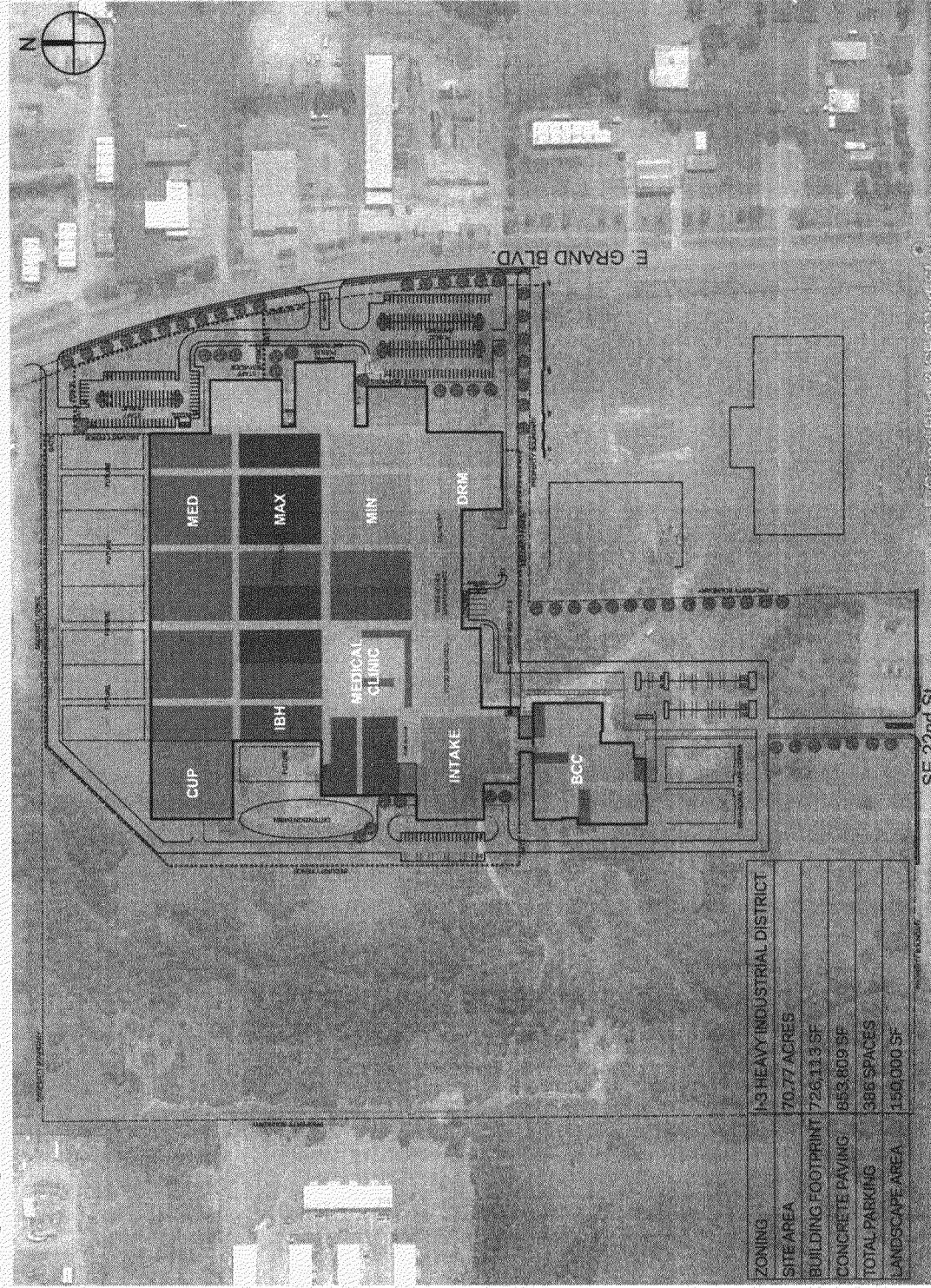
Oklahoma County is proposing fencing on the perimeter of the facility. Persons housed in this facility will remain within its confines at all times, except when necessary to appear in court.

Landscaping proposed for this facility will exceed the landscape requirements of Oklahoma City's ordinance. Trees and shrubs will be planted to soften the parking areas and provide shade and visual breaks. Tree stock will be native to the area with trees placed at the edge of the site in planting areas. All turf areas at the building will have automatic sprinkler system; remote areas will not.

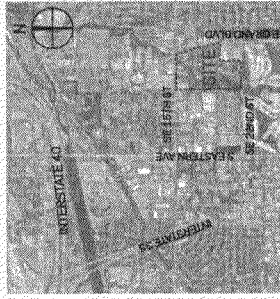
OKLAHOMA COUNTY INMATE RELEASE AND TRANSPORTATION PLAN

Oklahoma County is implementing a new release system with designated morning and evening release times. Inmates who miss these windows will be held overnight, with the new jail being designed to accommodate this policy. Upon release, transportation will be provided to helpful services to aid inmates in reintegrating into society.

EAST GRAND SITE



ZONING	I-3 HEAVY INDUSTRIAL DISTRICT
SITE AREA	70.77 ACRES
BUILDING FOOTPRINT	726,113 SF
CONCRETE PAVING	153,809 SF
TOTAL PARKING	386 SPACES
LANDSCAPE AREA	150,000 SF



VICINITY MAP

AREA COLOR LEGEND

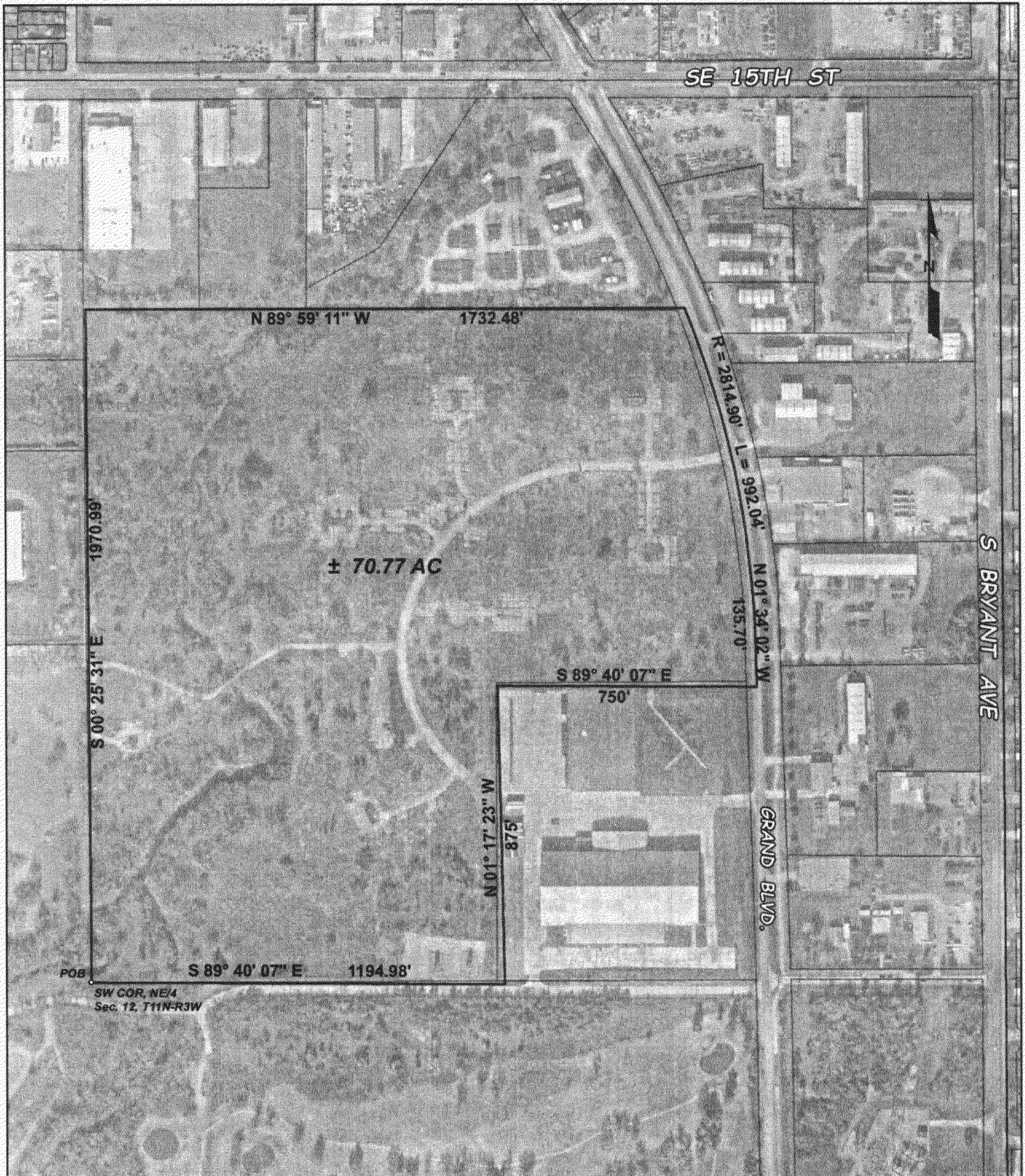
LOBBY & ADMINISTRATIVE	INTAKE	MEDICAL	INMATE SERVICE	STANDARD HOUSING MAX	STANDARD HOUSING MED	STANDARD HOUSING MIN	OFFICER TRAINING	NON-INCARCERATED BEHAVIORAL CARE CENTER (BCC)	INCARCERATED BEHAVIORAL HOUSING	COURTYARD
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OKLAHOMA COUNTY DETENTION CENTER



03/13/2024

Grand Blvd. Site
NE/4, Sec 12, T11N-R3W



LETTER OF AUTHORIZATION

Garrett and Company Resources, LLC and Willowbrook Investments, LLC, the property owner of record, authorizes the firm of Williams, Box, Forshee & Bullard P.C., to make application for municipal approvals and to do all things necessary for the advancement of such application with respect to the property at the following location 1901 E. Grand Blvd, Oklahoma City, Oklahoma

Garrett and Company Resources, LLC

By: 

John W. Garrett

Title: Manager

Willowbrook Investments, LLC

By: _____

Michael Nevard

Title: Managing Member

Date: March 11, 2024

LETTER OF AUTHORIZATION

Garrett and Company Resources, LLC and Willowbrook Investments, LLC, the property owner of record, authorizes the firm of Williams, Box, Forshee & Bullard P.C., to make application for municipal approvals and to do all things necessary for the advancement of such application with respect to the property at the following location 1901 E. Grand Blvd, Oklahoma City, Oklahoma

Garrett and Company Resources, LLC

By: _____

John W. Garrett

Title: Manager

Willowbrook Investments, LLC

By:  _____

Michael Nevard

Title: Managing Member

Date: March 11, 2024

STATE OF OKLAHOMA)
) §:
COUNTY OF OKLAHOMA)

By: Steven Jakowski
Steven Jakowski
Abstractor License No. 4192
OAB Certificate of Authority #
File No. 2860692-OK99

Property: PT NE/4 12-11N-3W, Oklahoma City, OK 73114

A tract of land beginning at the center of Section 12, Township 11 North, Range 3 West of the Indian Meridian, in Oklahoma County, Oklahoma.

Thence South 89°40'07" East, along the South line of said NE/4 a distance of 1,194.98 feet;

THENCE North 01°17'23" West, departing the South line of said NE/4 a distance of 875.00 feet;

Thence South 89°40'07" East, a distance of 750.00 feet to the West right of way line of Grand Blvd.;

Thence North 01°34'02" West along the West right of way line of Grand Blvd.; a distance of 135.70 feet;

Thence along a curve to the left with a radius of 2814.90 feet, a distance of 992.04 feet to the intersection of the West right of way line of Grand Blvd. with the North line of the South Half of the North Half of the NE/4 of said Section 12;

Thence North 89°59'11" West along said North line of the South Half of the North Half of the NE/4 of said Section 12, a distance of 1732.48 feet;

Thence South 00°25'31" East along the Quarter Section line a distance of 1970.99 feet to POINT OF BEGINNING.

Said tract contains 70.77 AC more or less.

Assessor Legal:

UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG SW/C NE4 TH E1944.98FT N1010.70FT
LEFT ON CURVE NW992.04FT W1732.48FT S1975.49FT TO BEG EX BEG 1944.98FT E OF SW/C NE4 TH
N875FT W750FT S875FT E750FT TO BEG

OWNERSHIP REPORT
ORDER 2860692-OK99

DATE PREPARED: MARCH 11, 2024
EFFECTIVE DATE: FEBRUARY 29, 2024 AT 7:30 AM

MAP NO	ACCOUNT NO	NAME 1	NAME 2	MAILING ADDRESS	CITY	STATE	ZIP CODE	SUB NAME	BLOCK	LOT	LEGAL	LOCATION
1645	R140781125	GARRETT AND COMPANY RESOURCES LLC	WILLOWBROOK INVESTMENTS LLC	9701 N BROADWAY EXT	OKLAHOMA CITY	OK	73114	UNPLTD PT SEC 12 11N 3W SEC 12 11N 3W	000	000	UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG SW/C NE4 TH E1944.98FT N1010.70FT LEFT ON CURVE NW992.04FT W1732.48FT S1975.49FT TO BEG EX BEG 1944.98FT E OF SW/C NE4 TH N875FT W750FT S875FT E750FT TO BEG (SUBJECT PROPERTY)	UNKNOWN
1645	R140781130	LOCKE SUPPLY CO		PO BOX 26128	OKLAHOMA CITY	OK	73126	UNPLTD PT SEC 12 11N 3W SEC 12 11N 3W	000	000	UNPLTD PT NE4 SEC 12 11N 3W BEG 1194.98FT E OF SW/C NE4 TH N875FT W750FT S875FT E750FT TO BEG CONT 15.06ACRS MORE OR LESS	
1645	R140781065	FLOW CONTROL EQUIPMENT INC	C/O DUFF AND PHELPS LLC	919 CONGRESS AVE STE 1450	AUSTIN	TX	78701	UNPLTD PT SEC 12 11N 3W SEC 12 11N 3W	000	000	UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG 603FT W & 360.11FT N OF SE/C OF NE4 TH NLY 562.60FT E621.35FT S313.40FT W348.5FT S250FT W261.67FT TO BEG CONT 5.58ACRS MORE OR LESS	2100 E GRAND BLVD OKLAHOMA CITY
1645	R140781060	GRAND PARK JRMD LLC		4727 GAILLARDIA PKWY STE 200	OKLAHOMA CITY	OK	73142	UNPLTD PT SEC 12 11N 3W SEC 12 11N 3W	000	000	UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG 603FT W & 921.78FT N OF SE/C OF NE4 TH NLY 92.08FT TH ON A CURVE TO THE LEFT 268.80FT E640.90FT S360FT W621.35FT TO BEG	2002 E GRAND BLVD OKLAHOMA CITY
1645	R140781027	WILLOWBROOK INVESTMENTS LLC		PO BOX 18612	OKLAHOMA CITY	OK	73154-0612	UNPLTD PT SEC 12 11N 3W SEC 12 11N 3W	000	000	UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W A TR BEG 1105FT S & 330FT W OF NE/C NE4 TH S250FT W310.90FT NWLY 253.33FT E350.16FT TO BEG CONT 1.90ACRS MORE OR LESS	1908 E GRAND BLVD OKLAHOMA CITY
1645	R140781015	J & D GEARING & MACHINING INC		PO BOX 95134	OKLAHOMA CITY	OK	73143-5134	UNPLTD PT SEC 12 11N 3W SEC 12 11N 3W	000	000	UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG AT A POINT 829FT S OF NE/C OF SD NE4 TH W736.65FT SELY 281.85FT E680.16FT N276FT TO BEG CONT 4.47ACRS MORE OR LESS	1900 SE GRAND BLVD OKLAHOMA CITY
1645	R140781070	SASNETT INVESTMENT PROPERTIES LLC		3700 BLACKJACK LN	OKLAHOMA CITY	OK	73150	UNPLTD PT SEC 12 11N 3W SEC 12 11N 3W	000	000	UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG 829FT S & 241.7FT W OF NE/C NE4 THW494.95FT NWLY 90.54FT E524.50FT S85.58FT TO BEG CONT 1ACR MORE OR LESS	1700 SE GRAND BLVD, Unit STE E OKLAHOMA CITY

OWNERSHIP REPORT
ORDER 2860692-OK99

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1645	R140781085	OSBORNE LEO TRS	OSBORNE LEO REV LIV TRUST	PO BOX 193	CROWDER	OK	74430- 0193	UNPLTD PT SEC 12 11N 3W			UNPLTD PT NE4 SEC 12 11N 3W BEG 595FT S & 513.59FT W OF NE/C NE4 TH S148.42FT W251.71FT NWLY162.96FT E319FT TO BEG CONT .972ACRS MORE OR LESS	1700 SE GRAND BLVD, Unit STE C OKLAHOMA CITY
1645	R140781110	OSBORNE LEO TRS	OSBORNE LEO REV LIV TRUST	PO BOX 193	CROWDER	OK	74430- 0193	UNPLTD PT SEC 12 11N 3W			UNPLTD PT NE4 SEC 12 11N 3W BEG 657.93FT W & 252.14FT S OF NE/C NE4 TH S129.86FT E86FT S213FT W260.66FT TO E R/W LINE OF GRANDBLVD TH NWLY ALONG R/W 311.05FT TH NELV296.24FT TO BEG	1700 E GRAND BLVD, Unit A OKLAHOMA CITY
1645	R140781000	L A F LTD PARTNERSHIP		PO BOX 18895	OKLAHOMA CITY	OK	73154	UNPLTD PT SEC 12 11N 3W			UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W NW4 OF NW4 OF NE4 BEG NE/C NE4 TH E352.05FT S658.51FT W348.61FT N658.43FT TO BEG	2524 SE 15TH ST OKLAHOMA CITY
1645	R140781007	BROWN MICHAEL DEAN	DBA BROWN AVIATION TOOL SUPPLY	2536 SE 15TH ST	OKLAHOMA CITY	OK	73129- 8443	UNPLTD PT SEC 12 11N 3W			UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG 552.80FT E OF NW/C NE4 TH E108.93FT S658.60FT W312.70FT N397.57FT E200.75FT N258.94FT TO BEG CONT 3.51ACRS MORE OR LESS	0 UNKNOWN OKLAHOMA CITY
1645	R140781005	STEPHENS GEORGE E & ELAINE		1407 SE 20TH ST	OKLAHOMA CITY	OK	73129- 7501	UNPLTD PT SEC 12 11N 3W			UNPLTD PT SEC 12 11N 3W 000 000 PT NE4 SEC 12 11N 3W BEG 660FT E & 50FT S OF NW/C OF NE4 S550.17FT NELV 238.45FT NELV 522.10FT W502.74FT TO BEG CONT 3.84ACRS MORE OR LESS	2640 SE 15TH ST OKLAHOMA CITY
1645	R140781010	JHCF REAL ESTATE COMPANY LLC		PO BOX 94714	OKLAHOMA CITY	OK	73143- 4714	UNPLTD PT SEC 12 11N 3W			UNPLTD PT SEC 12 11N 3W PT NE4 SEC 12 11N 3W BEG 660FT E & 600.17FT S OF NW/C NE4 TH S58.50FT E1068.88FT TO W LINE OF GRAND BLVD TH NWLY ON W R/W LINE GRAND BLVE ON CURVE 308.45FT NW372.04FT W269.04FT SW522.10FT SW238.45FT TO BEG	1621 SE GRAND BLVD OKLAHOMA CITY
1646	R168611150	OKLA CITY PARK		2301 SE 29TH	OKLAHOMA CITY	OK	73129	GREELEY TOWNSHIP			GREELEY TOWNSHIP PT SEC 12 11N 3W BEING SE4 & SW4 PLUS S APPROX 990FT OF NW4 EX BEG SW/C NW4 TH E1360.92FT N982.81FT W1371.92FT S990FT TO BEG	2301 SE 29TH ST UNINCORPORATED
1648	R100091150	GREAT EAGLE PROPERTIES LLC		1225 E 33RD ST	EDMOND	OK	73013	OKLAHOMA INDUSTRIAL PARK			OKLAHOMA INDUSTRIAL PARK 002 000 LOTS 5	1900 LOWRY AVE OKLAHOMA CITY
1648	R100091155	CHICKASAW HOLDING COMPANY		PO BOX 460	SULPHUR	OK	73086	OKLAHOMA INDUSTRIAL PARK			OKLAHOMA INDUSTRIAL PARK BLK 002 LOT 006 EX N100FT	UNKNOWN OKLAHOMA COUNTY

OWNERSHIP REPORT
ORDER 2860692-OK99

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EFFECTIVE DATE: FEBRUARY 29, 2024 AT 7:30 AM

1648	R100091165	OKLAHOMA ROOFING & SHEET METAL INC		PO BOX 96528	OKLAHOMA CITY	OK	73143- 6528	OKLAHOMA INDUSTRIAL PARK	002	000	OKLAHOMA INDUSTRIAL PARK 002 000 N100FT LOT 6 & S218FT LOT 7	0 UNKNOWN OKLAHOMA CITY
1648	R100091170	AMDG HOLDINGS LLC SERIES 2400 SE 15TH		PO BOX 94250	OKLAHOMA CITY	OK	73143	OKLAHOMA INDUSTRIAL PARK	002	000	OKLAHOMA INDUSTRIAL PARK 002 000 LOT 7 EX S218FT	2400 SE 15TH ST OKLAHOMA CITY

When Recorded Mail to:

Record & Return to:
American Eagle Title Group
421 NW 13th St., Suite 320
Oklahoma City, OK 73103
File # 1709-0020-08 **A**



2017122801180179
12/28/2017 01:35:23 PM
Bk:RE13825 Pg:1905 Pgs:6 DEED
State of Oklahoma
County of Oklahoma
Oklahoma County Clerk
David B. Hooten

SPECIAL WARRANTY DEED

CHESAPEAKE LAND DEVELOPMENT COMPANY, L.L.C., an Oklahoma limited liability company, formerly known as CHESAPEAKE LAND COMPANY, L.L.C. ("**Grantor**"), whose mailing address is P.O. Box 54853, Oklahoma City, Oklahoma 73154-0496, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to it in hand, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL, and CONVEY, that certain real property located in Oklahoma County, OK, and being more particularly described in Exhibit A attached hereto and by this reference made a part hereof for all purposes (the "**Land**"), together with all improvements thereon (the "**Improvements**") and all of the appurtenances belonging thereto (the "**Appurtenances**"), unto the following grantees (each, a "**Grantee**" and collectively, "**Grantees**"), each having a mailing address as set forth adjacent to each Grantee's name, as tenants in common in the undivided interests set forth adjacent to each Grantee's name:

<u>Grantee</u>	<u>Undivided Interest</u>	<u>Mailing Address</u>
GARRETT AND COMPANY RESOURCES, L.L.C., an Oklahoma limited liability company	50%	9701 N. Broadway Ext., Oklahoma City, OK 73114
WILLOWBROOK INVESTMENTS, LLC, an Oklahoma limited liability company	50%	P.O. Box 18612, Oklahoma City, OK 73154

The Land, the Improvements, and the Appurtenances may sometimes hereinafter be referred to collectively as the "**Property**". It is expressly acknowledged by Grantees that the conveyance provided for herein by Grantor shall not include any of Grantor's right, title or interest in and to all oil, gas, sulphur and other minerals located in, on or under the Land and that may be produced therefrom, together with any rights under any leases of such rights, all royalties, rentals, bonuses, and other payments and consideration from any and all such leases now or hereafter existing and any and all other rights, title and interest appurtenant to such rights (such excluded rights hereinafter the "**Mineral Rights**"); provided, however, that as a part of such reservation by Grantor, the use of the surface of the Land in connection with the exercise of the reserved Mineral Rights shall be restricted such that Grantor, on behalf of itself and its successors and assigns, waives all rights to the surface of the Land and to the right to conduct

operations of whatsoever nature with respect to the exploration, mining, production, processing or gathering of oil, gas, sulphur or other minerals from the Land but that nothing shall restrict or prohibit the pooling or unitization of the portion of the Mineral Rights with land other than the Land, or the exploration or production of the oil, gas, sulphur and other minerals by means of wells that are drilled or mines that open on land other than the Land but enter or bottom under the Land, or by any other method that does not require ingress and egress over the surface of the Land (the "**Surface Waiver**").

This Special Warranty Deed is made and accepted expressly subject to those encumbrances and exceptions (hereinafter collectively the "**Permitted Exceptions**") set forth in **Exhibit B** attached hereto and by this reference made a part hereof for all purposes, to the extent and only to the extent valid and enforceable against the Property, and the reservation of the Mineral Rights (as limited by the Surface Waiver).

TO HAVE AND TO HOLD the Property, as aforesaid, unto Grantees, their successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Exceptions and the reservation of Mineral Rights (as limited by the Surface Waiver), unto Grantees, their successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

Grantees hereby expressly acknowledge that Grantees are taking the Property "AS IS, WHERE IS" and with all faults in accordance with the terms and conditions of that certain Purchase and Sale Agreement, among Grantor and Grantees, as successors by assignment, dated September 12, 2017, as amended, the terms and conditions of which are incorporated herein by this reference as if set forth fully herein.

Grantees, by their acceptance hereof, do hereby assume and agree to pay any and all ad valorem taxes and special assessments pertaining to the Property for calendar year 2017 and subsequent years, there having been a proper proration of ad valorem taxes for the current calendar year between Grantor and Grantees.

(Signature Page to Follow)

SIGNATURE PAGE TO SPECIAL WARRANTY DEED

IN WITNESS WHEREOF, this Special Warranty Deed has been executed and delivered to be effective for all purposes as of the 21 day of December, 2017.

GRANTOR:

CHESAPEAKE LAND DEVELOPMENT
COMPANY, L.L.C.,
an Oklahoma limited liability company

By: [Signature]
Name: James R. Webb
Title: Executive Vice President – General Counsel
and Corporate Secretary

ACKNOWLEDGMENT

STATE OF OKLAHOMA)

COUNTY OF OKLAHOMA)

The foregoing instrument was acknowledged before me this 20 day of December, 2017, by James R. Webb, Executive Vice President – General Counsel and Corporate Secretary of Chesapeake Land Development Company, L.L.C., an Oklahoma limited liability company.

Sarah B. May
NOTARY PUBLIC, STATE OF OKLAHOMA
Commission No. 16002603

My Commission Expires:

3/8/20
(SEAL)

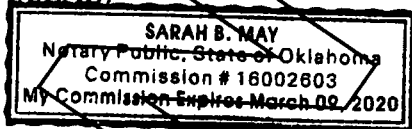


Exhibit "A" to Special Warranty Deed

Legal Description of Property

A tract of land beginning at the center of Section 12, Township 11 North, Range 3 West of the Indian Meridian, in Oklahoma County, Oklahoma, according to the Government Survey thereof;

THENCE South $89^{\circ}56'41''$ East along the Quarter Section line a distance of 1944.98 feet to the west right of way line of Grand Blvd.;

THENCE North $1^{\circ}34'02''$ West along the west right of way line a distance of 1016.70 feet;

THENCE along a curve to the left with a radius of 2814.90 feet a distance of 992.04 feet to the intersection of the west right of way line of Grand Blvd. with the north line of the South Half of the North Half of the Northeast Quarter of said Section 12;

THENCE North $89^{\circ}59'11''$ West along said north line of the South Half of the North Half of the Northeast Quarter a distance of 1732.48 feet;

THENCE South $0^{\circ}25'31''$ East along the Quarter Section line a distance of 1975.49 feet to the point of beginning.

Exhibit "B" to Special Warranty Deed

Permitted Exceptions

1. Fees, taxes, and assessments made by any taxing authority for the year 2018, which are not yet ascertainable, due or payable, and all subsequent years.
2. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, limestone, sand, and gravel located in, on, or under the Property or produced from the Property, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the public records.
3. Water rights, claims or title to water, whether or not shown by the public records.
4. Rights or claims of parties in possession or entitled to possession of the Property, or portions thereof, whose rights are not evidenced by documents recorded in the public records.
5. Telecommunications Service Agreement dated May 24, 2001 in favor of Cox communications Oklahoma City, Inc., a Delaware corporation, as further evidenced by the Affidavit of Contractual Agreements with Cox Communications, Inc. and Property Owners recorded in Book 8792, Page 264.
6. Right of Way Agreement recorded in Book 350, Page 335, as assigned to Oklahoma Natural Gas Company by Assignment recorded in Book 976, Page 145 and modified by Partial Release of Right of Way recorded in Book 3631, Page 414 and Partial Release of Right of Way recorded in Book 4241, Page 872.
7. Easement in favor of the City of Oklahoma City, a municipal corporation, recorded in Book 3283, Page 503.
8. Right of Way Agreement in favor of Cities Service Oil Company recorded in Book 3659, Page 30.
9. Right of Way Agreement in favor of Cities Service Pipe Line Company recorded in Book 3659, Page 164, as assigned to Wesco Pipe Line Company by Assignment recorded in Book 4185, Page 364.
10. Easement in favor of Oklahoma Gas and Electric Company recorded in Book 3663, Page 222.
11. Right of Way Grant in favor of Phillips Petroleum Company recorded in Book 3687, Page 114, as assigned to GPM Gas Company, LP, a Delaware limited partnership, by Special Warranty Assignment of Agreements recorded in Book 7973, Page 913.

12. Right of Way Agreement in favor of Oklahoma Natural Gas Company recorded in Book 3757, Page 462, assigned to ONE Gas, Inc., by Assignment and Assumption of Real Property Interests recorded in Book 12813, Page 1408.
13. Right of Way Agreement in favor of Oklahoma Natural Gas Company recorded in Book 3983, Page 227, assigned to ONE Gas, Inc., by Assignment and Assumption of Real Property Interests recorded in Book 12813, Page 1408.
14. Right of Way Agreement in favor of Oklahoma Natural Gas Company, a division of ONEOK, Inc., a Delaware corporation, recorded in Book 5044, Page 1286, assigned to ONE Gas, Inc., by Assignment and Assumption of Real Property Interests recorded in Book 12813, Page 1408.
15. Quit Claim and Bill of Sale recorded in Book 6340, Page 1321, re-recorded in Book 6360, Page 2050 and License Agreement recorded in Book 6401, Page 405.
16. Easement recorded in Book 12383, Page 497, assigned to ONE Gas, Inc., by Assignment and Assumption of Real Property Interests recorded in Book 12813, Page 1408.
17. Right of Way Contract in favor of Stanolind Pipe Line Company recorded in Book 175, Page 261.
18. All matters shown on the ALTA/NSPS Land Title Survey prepared by Robert R. Hume, P.L.S. No. 1531, on behalf of Johnson & Associates, Inc., dated November 8, 2017, and designated as Project No. 4003.
19. All matter shown on Boundary Survey prepared by Johnson & Associates, Inc., dated July, 11, 2008, and designated as Project No. 1686247.

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Filing Fee: \$23.00
Doc. Stamps: \$2,100.00
12/28/2017 01:38:23 PM
DEED





STAFF REPORT
The City of Oklahoma City
Planning Commission
April 11, 2024

Item No. IV. 13.

(SP-588) Application by Garrett and Company Resources, LLC and Willowbrook Investments, LLC, for a Special Permit to operate Use Unit 8250.8 Forced Detention or Correction Facilities (Oklahoma County Detention Center) in the I-3 Heavy Industrial and AE-2 Airport Environs Zone Two Overlay Districts, at 1901 East Grand Boulevard. Ward 4.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

David M. Box
Williams, Box, Forshee & Bullard, P.C.
(405) 232-0080
dmbox@wbfbllaw.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to permit the operation of a new Oklahoma County Detention Center.

D. Existing Conditions

1. Size of Site (70.77 Acres)

2. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	I-3/AE-2	I-2/AE-2	I-3, I-2 /AE-2	PUD-1721	I-3 / I-2
Land Use	Undeveloped	Office / Warehouse/ Storage	Office/Warehouse	Trosper Park Golf Course	Warehouse / Park Maintenance facility

3. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.



Comprehensive Plan Land Use Typology Layer: Heavy Industrial (HI)

The HI layer is intended to accommodate industrial uses that are difficult to integrate with less intense uses due to negative impacts from heavy traffic, noise, or odors. This designation simultaneously concentrates heavy industrial users away from existing or future neighborhoods while preserving prime land that has attributes crucial to industrial businesses, such as proximity to highway and rail access. Small-scale industrial, office, or commercial development may be appropriate provided that it supports or buffers industrial uses and does not restrict future industrial development by fragmenting parcels.

II. APPLICANT'S PROGRAM DESCRIPTION

See attached Exhibit E

III. GENERAL STANDARDS

- A.** The City of Oklahoma City has previously established the process for granting special permit uses. There are certain uses, which, by their nature, do not fit into the normal pattern of zoning district use regulations. The size, area of land required or the effects of these uses cause them to be potentially incompatible with other uses of land within a given zoning district. Therefore, this regulation allows the City Council to authorize these uses to locate within given designated districts under the controls, limitations and regulations of a special permit.

All Special Permit uses shall satisfy the following general standards:

- 1) The proposed use shall conform to the policies of the adopted Comprehensive Plan.
- 2) The proposed use shall not adversely affect the use of the neighboring properties.
- 3) Pedestrian and vehicle traffic generated will not be hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
- 4) Adequate utility, drainage, parking, loading, signs, access, and other necessary public facilities to serve the proposed use shall meet the adopted codes of the City.
- 5) The site shall front or have direct access to a street having adequate right-of-way and improvements to support the traffic generated by the proposed use.

- 6) The City Council may impose specific conditions regarding location, design, and operation to assure safety, to prevent a nuisance, and to control the noxious effects of excessive sound, light, odor, dust, or similar conditions. Such conditions may include:
- a. A requirement that all machinery and facilities be located within an enclosed building; or
 - b. A requirement that certain areas be screened from view of surrounding neighborhoods; or
 - c. A limitation on intensity of lights or hours of operation; or
 - d. Similar measures designed to protect the public interest.

IV. ADDITIONAL SPECIFIC STANDARDS

The following specific standards apply to the proposed use:

59-9350.28. Forced Detention or Correction Facilities (59-8250.8).

- A. The application shall address: a description of the type of program proposed, the number of participants that would be in the program at one time, the number of staff that would be associated with the program and their general duties, the type of supervision that will be provided for the participants in the program, the means to mitigate any impact upon the surrounding land uses from the operation of the program, and the behavior of the participants in the program.

See Applicant's Program Description and Exhibits, attached.

- B. Staff in its report to the Planning Commission and the City Council shall identify other uses in the following use units within one mile of the proposed facility: Domestic Violence Shelters (59-8250.6), Emergency Shelters and Feeding Sites (59-8250.7), other Forced Detention or Correction Facilities (59-8250.8), Residential Facilities for Dependent and Neglected Children (59-8250.17), Residential Facilities for Drug or Alcohol Treatment Centers (59-8250.18), and Transitional Mental Health Residential Facilities (59-8250.19). Staff shall provide the appropriate data and information to aid in the deliberations of the Planning Commission and City Council.

Staff has not identified any of the above-listed uses within one mile of the proposed location within the City of Oklahoma City. Del-City staff advises none of the above-listed uses were identified within one mile of the proposed location within Del-City limits.

- C. The inordinate concentration of these use units is discouraged and locations dispersed throughout the community are promoted. The City Council shall determine whether an inordinate concentration of these uses would result from establishment of an additional such use in the particular area. In determining whether an inordinate concentration would result in a negative impact to the surrounding community from approval of a particular application, the City Council shall consider all facts and circumstances relating to the application and areas surrounding the proposed site, including, but not limited to, the differences or similarities in existing uses among these use units and the compatibility or incompatibility of such uses in the particular area.
- D. All applications for Special Permit for uses in this category that house sex offenders or persons convicted of a capital offense, shall include written verification of compliance with Section 1, Chapter 136, Oklahoma State Law (57 O.S. Supp. 2008, § 563.4). Such written verification shall include a notarized statement affirming compliance with the statute, a list of individuals notified by certified mail and copies of the return receipts.

Not applicable. The proposed Special Permit is intended for an Oklahoma County facility. The proposed facility is not categorized as a Transitional Living Facility as defined by State Law ("transitional living facility" means those facilities that do not have a contract with the Department of Corrections or another agency of this state, or any political subdivision of this state, to provide living space for persons who are under the custody of the Department of Corrections and whose primary function is to provide housing assistance and related social services for individuals who are transitioning from previous incarceration in a county jail, state, or federal facility to the community or are otherwise in need of temporary housing assistance.")

V. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk * indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

- 1. Oklahoma City-County Health Department (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**

- 5. School District (Crooked Oak)**
- 6. Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 2. Airports**
- 3. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 4. Fire (OCFD) ***
- 5. Information Technology/Geographic Support (IT/GIS)**
- 6. Parks and Recreation**
- 7. Police (OCPD)**
- 8. Public Works**

a. Engineering

Storm Sewer Availability

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.
- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.

- 4) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'. The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.
- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) A Corps of Engineers 404 permit must be submitted with plans for any work contemplated within the floodplain, creek, or channel (waters of the United States) included in the case limits.
- 8) Plans for drainage improvements within the private drainage reserves and/or common areas must be submitted for review, and payment of inspection fees shall be made prior to construction. Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common area along stream shall extend to flow line of stream at a minimum.
- 9) Place the following note on the plat and construction plans: Maintenance of the Common Areas and/or Private Drainage Easements shall be the responsibility of the property owner. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the common areas and/or drainage easements shown.
- 10) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 11) Construction within the limits of this SP will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.
- 12) Sidewalks shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.

13) All private roads /streets will have private storm sewer systems.

14) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

9. Streets, Traffic and Drainage Maintenance

10. Stormwater Quality Management

11. Traffic Management *

12. Utilities

a. Wastewater Comments

Sanitary sewer capacity is currently being studied for this location.

b. Water Comments *

c. Solid Waste Management

The City cannot service. Contact private hauler.

13. Planning

a. Comprehensive Plan Considerations

The subject site is within the Urban - Low Intensity (UL) Area and within an area where the Heavy Industrial (HI) Land Use Typology Layer applies. Policies for both are listed below.

1) LUTA Development Policies:

Site Design:

- Avoid developing within or modification of 100-year floodplains or floodways. (UL & HI)
- Where possible, provide a continuous system of open space along stream corridors or other appropriate areas that link neighborhoods and park lands. (UL)
- Utilize Best Management Practices (BMP) for stormwater whenever possible. (UL & HI)

Floodway and 100-year floodplain are present on the western boundary subject site along Crooked Oak Creek. The conceptual plan for the proposal shows portions of the structure within areas of identified

floodway and floodplain. The development is required to comply with all City, State, and Federal requirements within the floodplain.

Density: The Urban Low Intensity LUTA outlines a floor to area ratio (FAR) of 0.2 to 1.0 for non-residential developments. The Heavy Industrial Layer does not specify a floor to area ratio range. *The subject site is currently undeveloped, aside from some oil and gas equipment. The I-3 District could provide a FAR within the Urban Low LUTA range. The project description for the application proposes a one-story mezzanine structure with an approximate building area of 710,000 square feet, for an estimated FAR of 0.23.*

Automobile Connectivity:

- Limit number of dead-end streets and cul-de-sacs. (UL & HI)
- Primary entrance points should be aligned with access points immediately across the street. (UL & HI)

The subject site currently has one improved access along East Grand Boulevard, via Crooked Oak Drive. The southern portion of Crooked Oak Drive was previously connected to SE 22nd Street, on the south, but construction at the intersection has removed that connection. The conceptual plan for the application shows three drives along East Grand Boulevard and a new connection to SE 22nd Street.

Pedestrian Connectivity:

- Provide sidewalk connections to adjacent development. (UL & HI)
- Within parking lots, provide pedestrian access ways separated from vehicle aisles. (UL)

Sidewalks requirements will be per Code.

- 2) **Compatibility:** The comprehensive plan includes a land use compatibility matrix used to identify potential conflicts between major land use categories. In this case, the proposed jail site is zoned I-3 and within an area designated as "Heavy Industrial" by the comprehensive plan. Across SE 22nd Street to the south is Trosper Park golf course. The adjacent land on the north, west, east/southeast is zoned for industrial uses, and no potential compatibility issues are identified by the comprehensive plan, which does not specifically address jail/detention facilities that may have impacts beyond the immediate area.

The Comprehensive Plan tends to focus on compatibility with adjacent or very near uses. Staff has additional concerns about the jail's impact on the general area. Additionally, staff is concerned that the jail could attract

associated uses that would not contribute to viability of nearby neighborhoods or other land uses. The program description does address concerns in the inmate release plan. However, additional conditions may be needed.

- 3) **Environmentally Sensitive Areas:** The following apply to the proposed development site:
- **Riparian Areas:** Riparian areas are vegetated areas adjacent to streams, lakes, ponds, and wetlands that are composed of a mixture of trees, shrubs, and grasses. These areas may also contain floodplain. The comprehensive plan recommends a 100-foot buffer from stream banks. *Riparian area is present on the western portion of the subject site in the form of floodway and 100-year floodplain along Crooked Oak Creek. The conceptual plan for the proposal shows portions of the structure within areas of identified floodway and floodplain. The development is required to comply with all City, State, and Federal requirements within the floodplain.*
 - **Upland Forests:** N/A
 - **Vulnerable aquifers:** The aquifer in this area is considered highly vulnerable to depletion. The comprehensive plan recommends preserving natural open spaces and utilizing low impact development techniques whenever possible in new developments in order to maintain water quality and allow for the infiltration of stormwater onsite.
- 4) **Transportation System:** This site has frontage along East Grand Boulevard, a Connector Street, and SE 22nd Street, a Neighborhood Street, both in the Urban Low LUTA. The City's trail system runs along the east side of Grand Blvd. Oklahoma City transit (bus) service is not currently available nearby. A Greyhound bus station is located approximately two miles to the northwest at Reno Ave and Martin Luther King Ave.
- 5) **Other Development Related Policies**
- Prioritize and concentrate development where facilities, infrastructure, and services have capacity and in areas where the Police and Fire Departments are best able to respond. Guide the location and timing of development through the proactive and strategic installation of infrastructure. (SU-14)
 - Require sidewalks on both sides of all streets in urban LUTAs. (C-7)
 - Limit driveways on arterials and collectors and increase connections between uses to improve safety and traffic efficiency. (C-30)
 - Avoid undergrounding streams to the greatest extent possible. Where feasible, encourage the re-surfacing of buried streams. Limit the use of

culverts or other structures that alter natural streams, and require designs that minimize impacts to stream health and function. (G-11)

- Preserve mature, healthy trees and incorporate them into the design of new development or redevelopment projects to the greatest extent possible. (G-26)
- Incorporate natural features (such as ponds, lakes, streams, rock outcroppings, stands of mature trees, and/or sizeable individual trees) into the design of all residential, commercial, and industrial projects rather than eliminating, hiding, or limiting access to those features. (E-31)

b. Plan Conformance Considerations

The subject site is located north of SE 22nd Street and west of East Grand Boulevard. The site is zoned I-3 Heavy Industrial District and currently undeveloped aside from oil and gas equipment. Drives and utilities serving the previous housing community will need to be relocated and/or vacated as necessary to develop the site.

The northern 400 feet of the subject site is within the AE-2 Airport Environs Overlay for Tinker Air Force Base. The subject site has frontage along both SE 22nd Street and East Grand Boulevard but does not include the 14.8-acre parcel at the corner, which is also zoned I-3 and recently developed as a warehouse.

Land adjacent on the north is zoned I-2 Moderate Industrial District and developed as office warehouse, with outdoor storage at the southeast intersection of East Grand Boulevard and SE 15th Street. Across East Grand Boulevard to the east are I-2 zoned properties primarily developed with office/warehouse uses. Across SW 22nd Street to the south is PUD-1721 (approved in 2019) and is the site of Trosper Golf Course.

Crooked Oak Creek and associated riparian/floodway/floodplain run from north-to-south along the western portion of the site. The land west of the creek is zoned I-2 and I-3, including the land adjacent along SE 22nd Street which was rezoned from R-1 to I-2 in March 2024. The land is developed with a park maintenance facility along SE Grand Blvd, and storage/warehouse uses fronting Lowry Avenue. Crooked Oak High School and Central Oak Elementary School are located at the northwest corner of SE 15th Street and S Eastern Ave.

The nearest residentially zoned land within Oklahoma City limits is located at and near the northeast and southeast corners of intersection of SE 22nd Street and Grand Blvd. The northeast corner is zoned R-4 Multifamily Residential District and developed with a nursing facility. To its north along S Bryant Ave is a childcare center within the R-1 District. At the southeast corner is Trosper Park land, which is zoned R-1 and developed with oil/gas and an electric substation.

STAFF REPORT

The City of Oklahoma City

Planning Commission

SP-588

April 11, 2024

Item No. IV. 13.

Oklahoma City limits extend approximately 700 feet from the eastern boundary of the subject site (Grand Blvd) to Del City limits (Bryant Ave). This area of Del City is developed almost entirely as single-family residential.

The Special Permit is requested for a new Oklahoma County Detention Center. The proposed use requires a Special Permit in most zoning districts, including the subject site's I-3 District. One requirement of the Special Permit is that the applicant provide a Program Description that addresses the type of program proposed, the number of participants that would be in the program at one time, the number of staff that would be associated with the program and their general duties, the type of supervision that will be provided for the participants in the program, the means to mitigate any impact upon the surrounding land uses from the operation of the program, and the behavior of the participants in the program. The City Council may impose additional specific conditions regarding location, design, and operation to assure safety, to prevent a nuisance, and to control the noxious effects of excessive sound, light, odor, dust, or similar conditions.

If approved, the operation of the facility should be per the Conditions of the Program Description.

Additionally, the proposed Special Permit is requested for an Oklahoma County facility. The Special Permit should specify it would not allow a Transitional Living Facility, as defined by State Law.

IV. STAFF RECOMMENDATION

Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.

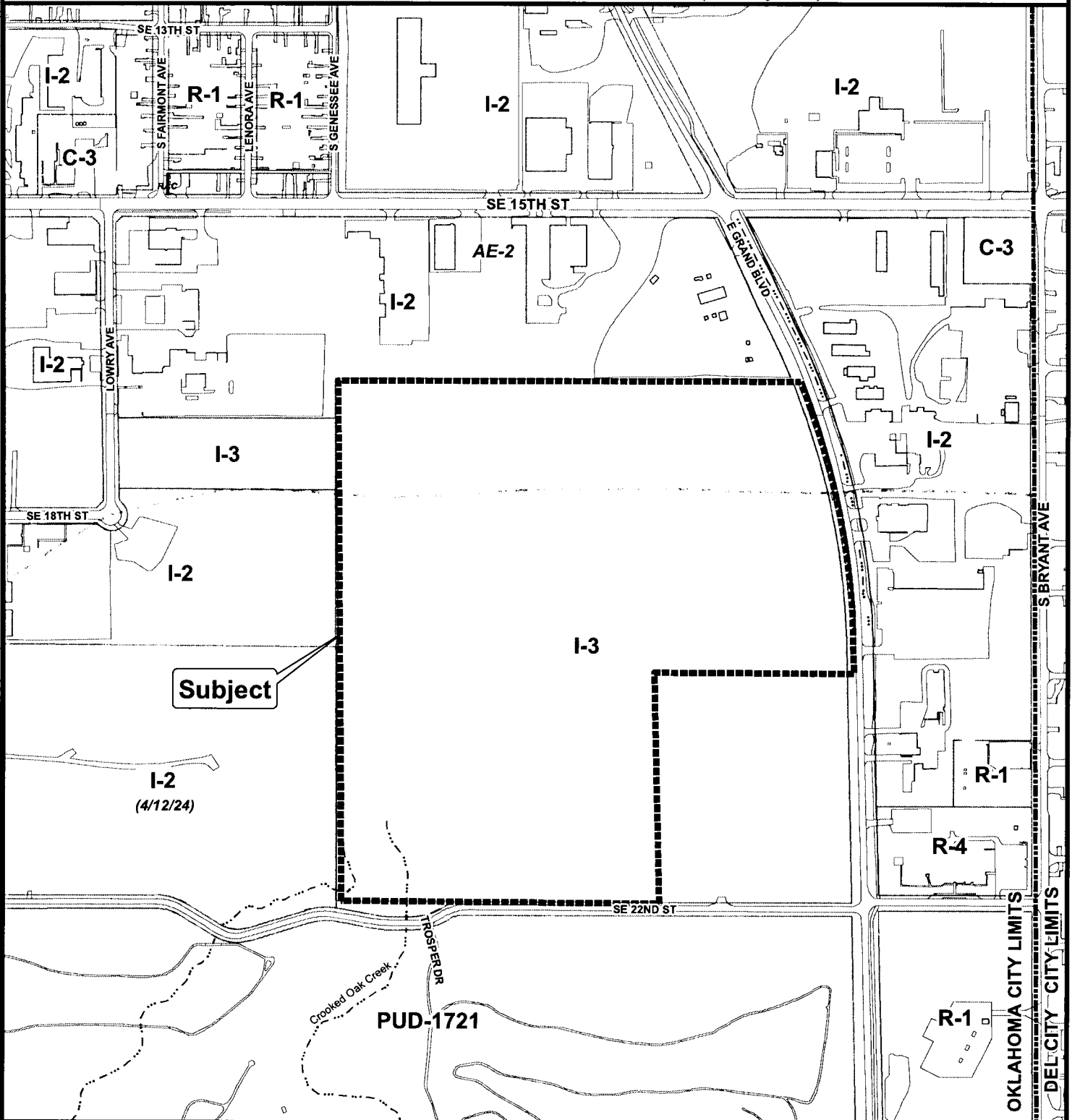
If approved, the following Technical Evaluation shall apply:

- 1) The operation shall conform to the "Conditions" of the Program Description.
- 2) Granting of this Special Permit does not allow a Transitional Living Facility as defined by State Law.

**Case No: SP-588 Applicant: Garrett and Company Resources, LLC
and Willowbrook Investments, LLC**

Address: 1901 E. Grand Blvd. Present Zoning: I-3 / AE-2

Proposed Use: 8250.8 Forced Detention or Correction Facilities (County Jail)



The City of
OKLAHOMA CITY

Special Permit Application



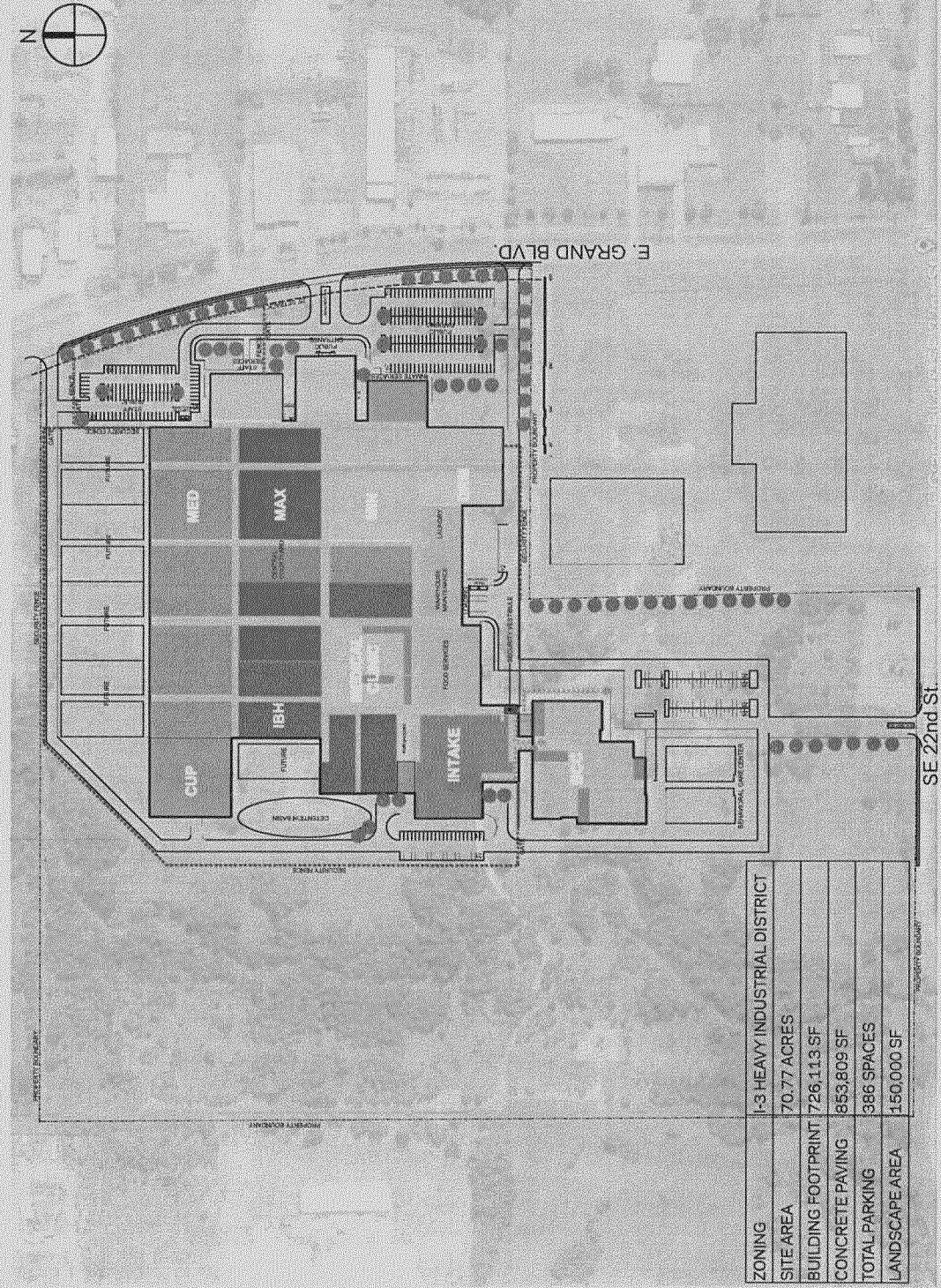
0 250 500
Feet

EXHIBIT B
Grand Blvd. Site
NE/4, Sec 12, T11N-R3W



0 165 330 660 990 1,320 Feet

EAST GRAND SITE



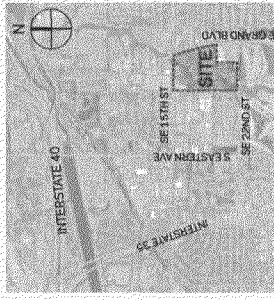
ZONING	I-3 HEAVY INDUSTRIAL DISTRICT
SITE AREA	70.77 ACRES
BUILDING FOOTPRINT	726,113 SF
CONCRETE PAVING	853,809 SF
TOTAL PARKING	386 SPACES
LANDSCAPE AREA	150,000 SF

03/13/2024

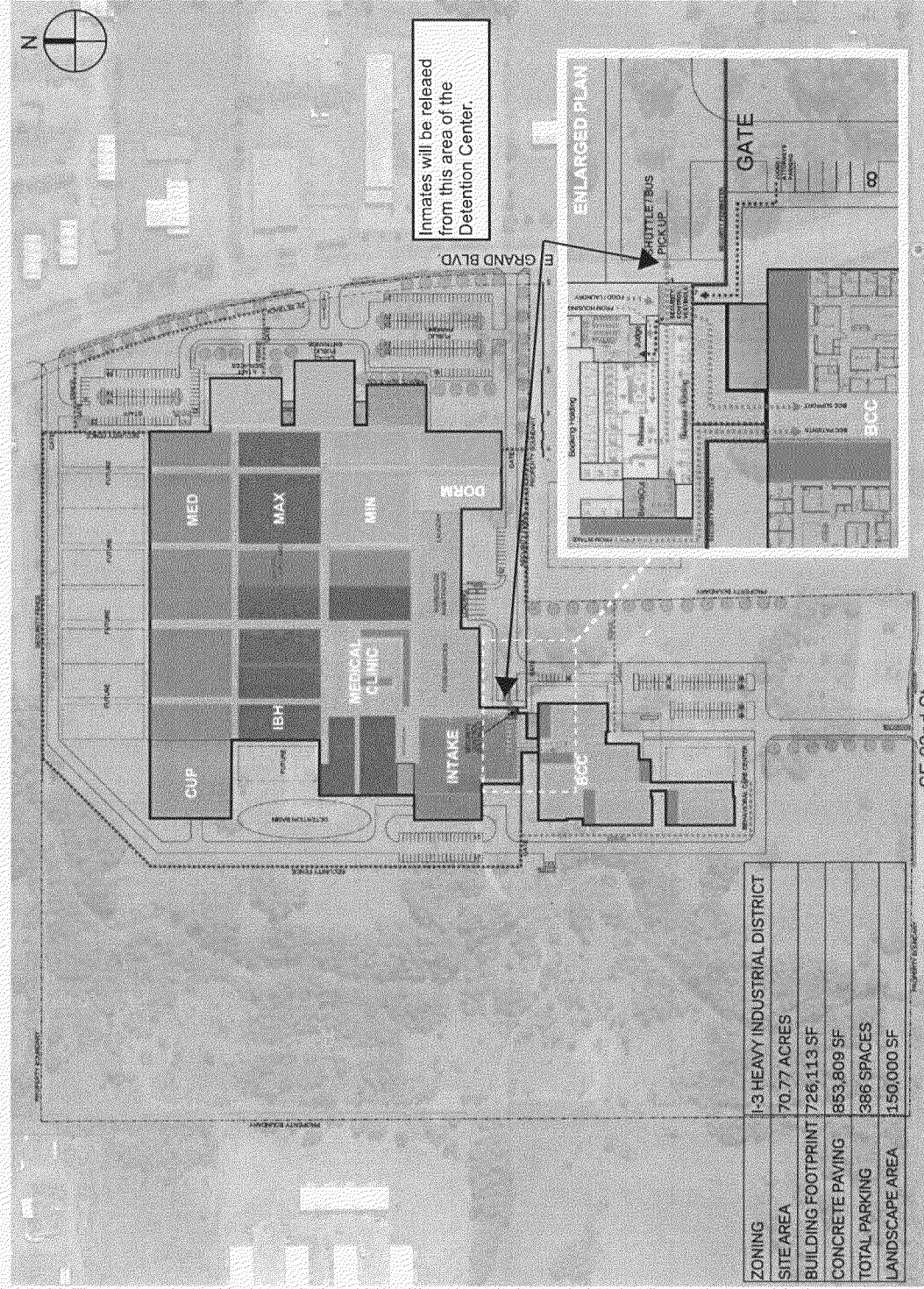
OKLAHOMA COUNTY DETENTION CENTER

EXHIBIT D

EAST GRAND SITE



VICINITY MAP



AREA COLOR LEGEND

- LOBBY & ADMINISTRATIVE
- INTAKE
- MEDICAL
- INMATE SERVICE
- STANDARD HOUSING MAX
- STANDARD HOUSING MED
- STANDARD HOUSING MIN
- OFFICER TRAINING
- NON-INCARCERATED BEHAVIORAL CARE CENTER (IBCC)
- INCARCERATED BEHAVIORAL HOUSING
- COURTYARD

OKLAHOMA COUNTY DETENTION CENTER



03/19/2024

EXHIBIT E

PROGRAM DESCRIPTION **Oklahoma County Jail Facility**

I. PROGRAM DESCRIPTION

The facility that is being proposed is a city/county jail facility.

FACILITY SYNOPSIS

The facility will be a one (1) story mezzanine structure that will be located on approximately seventy (70) acres of property. The gross total building area will be approximately 710,000 square feet and will house 2,460 beds. The facility is expected to employ an average of 234 people per shift, and 370 parking spaces will be provided for staff and public use.

DETAILED FACILITY DESCRIPTION

ADULT DETENTION CENTER – Approximate Square Footage Breakdown

• Lobby – Administration	31,447 sq. ft.
• Intake	43,289 sq. ft.
• Medical	15,342 sq. ft.
• Inmate Services	9,113 sq. ft.
• Laundry	8,500 sq. ft.
• Food Service	23,500 sq. ft.
• Housing	336,852 sq. ft.
• Housing Floor Management	41,077 sq. ft.
• Warehouse, Maintenance, Commissary	12,756 sq. ft.
• Tactical	600 sq. ft.
• Officer Training	3,243 sq. ft.
• Central Utility Plant	20,000 sq. ft.

ADULT – NON-INCARCERATED BEHAVIORAL HEALTH CENTER – Square Footage

• Behavioral Health Center Housing	50,000 sq. ft.
------------------------------------	----------------

ADULT – INCARCERATED BEHAVIORAL HEALTH CENTER – Square Footage Breakdown

• Behavioral Health Lobby & Administrative Space	1,769 sq. ft.
• Behavioral Health Medical Clinic	5,291 sq. ft.

- | | |
|---|----------------|
| • Behavioral Health Housing | 91,021 sq. ft. |
| • Behavioral Health Staff Support & Storage | 1,404 sq. ft. |

NUMBER OF BEDS ACROSS THE FACILITY

DETENTION - SECURITY LEVEL

- | | |
|------------------|------------|
| • Maximum | 280 Beds |
| • Maximum/Medium | 1,008 Beds |
| • Medium/Minimum | 448 Beds |
| • Dormitory | 144 Beds |

BEHAVIORAL HEALTH

- | | |
|---|----------|
| • Behavioral Care Center Housing – Non-Incarcerated | 60 Beds |
| • Intensive Treatment Unit | 50 Beds |
| • Suicide Watch | 50 Beds |
| • Intensive Step-Down Unit | 84 Beds |
| • Short-Term Housing | 168 Beds |
| • Long-Term Housing | 168 Beds |

STAFF COMPOSITION OF THE FACILITY

DETENTION CENTER

A total of 103 detention officers will be stationed at the detention center, with a dedicated team of 54 detention officers assigned to the Housing unit. Additionally, 93 civilian staff members will be employed, with 39 working in the Intake unit.

INCARCERATED BEHAVIORAL HEALTH CENTER

Thirteen detention officers will be stationed in the Housing unit. Additionally, 25 civilian staff members will be employed, with 15 working in the Medical Clinic unit.

Oklahoma County Jail Site Analysis

The proposed site for the new Oklahoma County Jail Facility is located east of I-35 and south of I-40, more specifically, along East Grand Boulevard, north of SE 22nd St. and south of SE 15th St. The site is adjacent to Trosper golf course to the south and adjacent to Locke Supply warehouse located at 2101 E. Grand Blvd. The property consists of approximately 70 acres.

This site was chosen by the Board of County Commissioners because the site is technically superior, due to high quality soils for structural support of the facility, mild topography, proximity to needed utilities, distance to downtown is 10 minutes or less, property can be

accessed from multiple directions and the County has insight into environmental issues associated with the property.

LAND USE, RELATED FACILITES, ZONING PATTERN

The site is zoned "I-3" Heavy Industrial District, which allows for industrial uses that may generate significant noise, vibrations, smoke, dust, odors, or light. However, this facility will not produce such disturbances.

Neighboring properties to the north, west, and east are also zoned "I-2" for heavy industrial. West of the site, "I-2" zoned land is currently vacant and owned by Oklahoma City's Park Department and Crooked Oak Public Schools. To the south, "PUD-1721" zoned land currently serves as Trosper Golf Course, owned by Oklahoma City. A small, "R-4" zoned section to the east is used by Reliant Living Centers of Oklahoma.

Most of the current land uses in the area are industrial in nature, such as, machine shops, manufacturing, oilfield drilling equipment, transportation facilities, towing facilities, sheet metal production, concrete products, moving and storage businesses, lubrication suppliers, forklift dealers, wholesale nurseries, automotive paint and repair shops, animal shelter, and metal recycling. The lone exception within Oklahoma City limits is a golf course, offering a respite from the surrounding intensive land uses.

TRANSPORTATION ACCESS

The site boasts accessible connections from four directions. Grand Boulevard borders the entire eastern property line, offering northbound access to SE 15th Street and southbound access to SE 29th Street. From these points, travel options include:

- Direct north to I-40 and/or I-35
- Westward access to I-35

Conditions of SP-588

PARKING

Public parking with a minimum of 81 spaces is conveniently located on the east side of the facility along Grand Boulevard. Separate from public parking, dedicated staff parking areas with a minimum 288 spaces will be located behind secure fencing. All entrances will be illuminated and monitored by detention officers.

UTILITIES

This site is served by all public utilities. Public water, sanitary sewer, gas and electricity are available on site. Utility lines will be relocated to the periphery of the site.

FENCING AND LANDSCAPING

Oklahoma County will establish fencing on the perimeter of the facility consistent with I-3 zoning. Persons housed in this facility will remain within its confines at all times, except when necessary to appear in court.

Landscaping proposed for this facility will exceed the landscape requirements of Oklahoma City's ordinance. Trees and shrubs will be planted to soften the parking areas and provide shade and visual breaks. Tree stock will be native to the area with trees placed at the edge of the site in planting areas. All turf areas at the building will have automatic sprinkler system; remote areas will not.

OKLAHOMA COUNTY INMATE RELEASE AND TRANSPORTATION PLAN

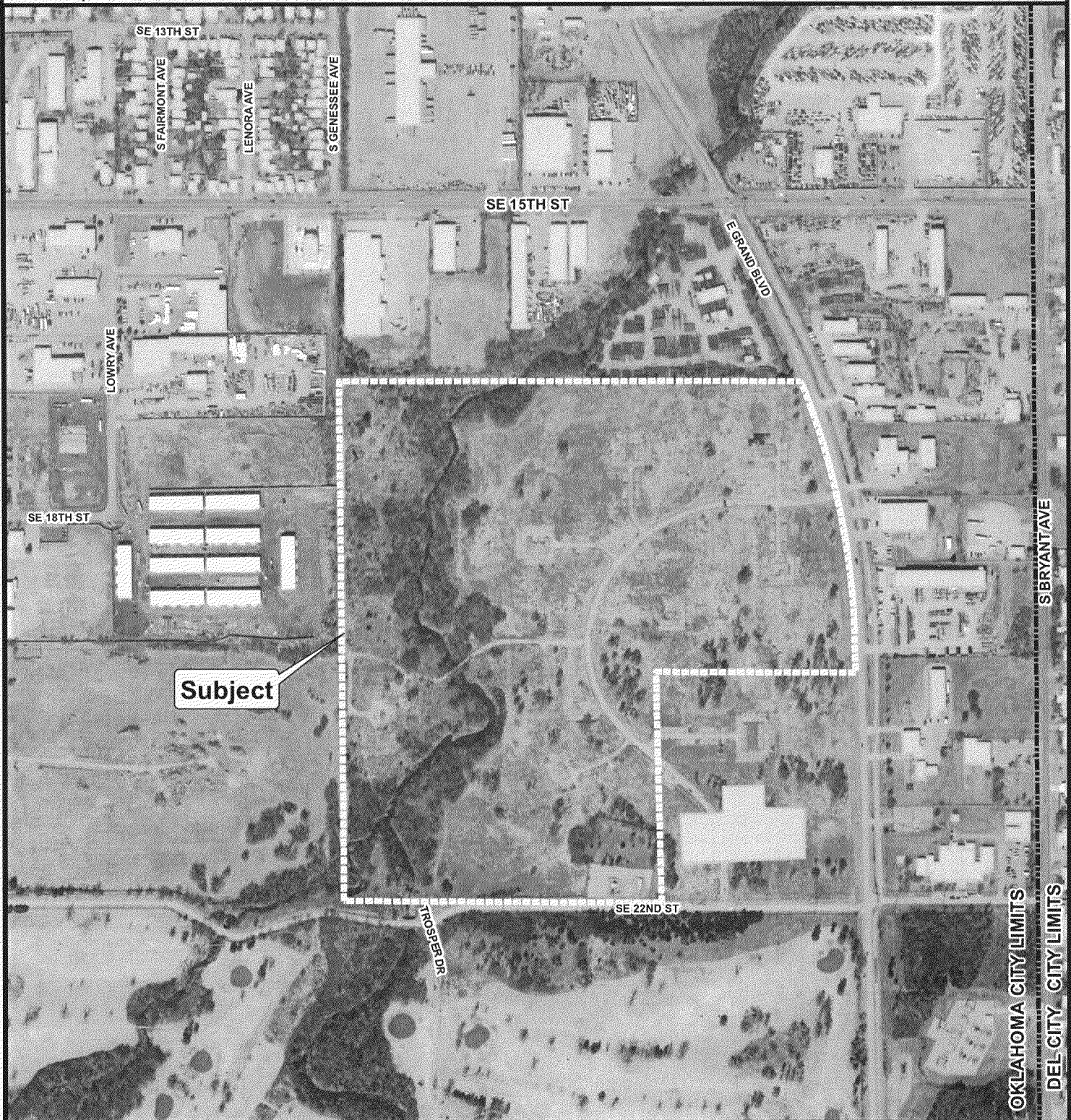
Former inmates will be released between the hours of 7:00 a.m. to 12:00 a.m. Inmates who miss this window will be held overnight in a holding release area until 7:00 a.m. the following day. Upon release, transportation by means of a van or bus will be provided to helpful services to aid former inmates in reintegrating into society. If prior arrangements have been made to be picked up by family or friends, the drivers will be waiting in designated parking areas and the former inmates will have the option to wait inside of the holding release area until their ride is in the designated parking area.

These are all optional choices as the released person is free and no longer an inmate. They have been adjudicated (never guilty) or have paid their debt to society.

**Case No: SP-588 Applicant: Garrett and Company Resources, LLC
and Willowbrook Investments, LLC**

Address: 1901 E. Grand Blvd. Present Zoning: I-3 / AE-2

Proposed Use: 8250.8 Forced Detention or Correction Facilities (County Jail)



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Special Permit Application



0 250 500
Feet

**Case No: SP-588 Applicant: Garrett and Company Resources, LLC
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Address: 1901 E. Grand Blvd. Present Zoning: I-3 / AE-2

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The City of
OKLAHOMA CITY

Special Permit Application



0 500 1,000
Feet

Johnson, Thad A

From: Wendell Kluge <wendellkluge@aol.com>
Sent: Saturday, February 24, 2024 8:25 PM
To: DS, Subdivision and Zoning
Subject: Jail Site 1901 E Grand Blvd

[You don't often get email from wendellkluge@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello Planning Commissioners,

I am very against the proposed site of the new Jail at 1901 E Grand Blvd and would request that you "not" approve a Zoning change that would allow it to be built there. These are my reasons:

1. It is too close to public and private schools.
2. It is too close to established Day Care facilities.
3. It is too close to Church.
4. It is right next door to a very large residential neighborhood with thousands of citizens.
5. There is no support structure for individuals incarcerated and released to gain access to transportation, food, shelter, etc.
6. There has to be a more suitable site without all these concerns.
7. The current Jail site is ideal without all these restrictions and the support structure is established for Bail, Court, transportation, etc.
8. The Del City Community will be very negatively impacted by this action.
9. Del City's Police & Fire Departments will be over extended since there are no close OKC support services near by.
10. I feel this decision is being rushed to obtain the \$50 million committed for the Mental Health Facility.
11. It is a big mistake and will result in a waste of tax payer money just like the current high rise Jail.
12. I seriously doubt it can be built for the mount of money approved in the last bond election. So you will have to come back and ask for more money! What will you do if the voters don't approve it?

I will be watching to see if you will do the right thing and "Not Approve" the rezoning request.

Wendell Kluge

4744 Crest Place
Oklahoma City, OK 73117

Johnson, Thad A

From: Margo Hirschman <mhirschman1956@gmail.com>
Sent: Monday, February 26, 2024 2:22 PM
To: DS, Subdivision and Zoning
Subject: The building of the jail.

You don't often get email from mhirschman1956@gmail.com. [Learn why this is important](#)

I have lived in Del City all my life and I have lived here all my life. We do not want the jail built in Del City, It needs to be built downtown adjacent to the court house. Moving it to Del City and having to transport prisoners back and forth is not a safe way to do business. You are wanting to build it close to homes and daycares. This is not something Del City needs or wants.

Greg and Margo Hirschman
208 Vickie Dr
Del City, OK 73115

Johnson, Thad A

From: S H <stefniehawley@gmail.com>
Sent: Friday, April 5, 2024 8:44 AM
To: PL, Subdivision and Zoning
Subject: Please vote no to rezone 1901 E. Grand Blvd for new county jail

You don't often get email from stefniehawley@gmail.com. [Learn why this is important](#)

The site is across the from intellectually disabled group home, called Reliant, which houses, full-time cerebral palsy, autism, and other people with intellectual disabilities. They are like children.

This site is also across the street from a daycare.

It is 0 feet from Trosper Park, where kids from the area schools practice their golf the Park is the biggest Metropark.

There are playgrounds and a golf course. There is a bike trail that was paid for by Maps money. It will affect Mid-del School schools.

Trosper, Park and the surrounding site, was an oil field , which was cleaned up for its current use in 1957 standards.

The crooked Creek floods into tropser Park, and 1901 there is toxic waste water from the wells soil and contamination to the sites.

You can stand on the playground Epperry Heights, grade school and see the 1901 location from their playground.

Kids in the area are not dropped off at school

they get on the bus or walk. 1901 E agrand Blvd is 300 ft from the bus stop feeding around 9 schools.

If you zoom out one has to wonder how 1901 and Trosper Park could better the community that is growing up around the FaM museum and the river projects instead of hurting the area.

There is no transportation for people coming and going there on grand. They will end up in the Del City neighborhood that is just across the street where kids play, walk, they ride their bikes, people leave their doors unlocked and answer the door to strangers because it has been a very safe community for a very long time.

there is a community garden, neighborhood parks, a grade school, elderly, retired, working teachers and off-base housing.

Del City share services and supports the Tinker Air Force Base.

The Middel schools and Del City along with Midwest City support the Tinker Air Force Base. Anything that could de-stabilize the area could put tinker Air Force base at risk of losing it.

Tinker Air Force Base is a single largest employer in the state and brings in more money than oil and gas combined.

Grand Boulevard is a a snow route.

Grand Boulevard also have the issue that a large population of deer and other animals such as fox raccoon and skunk have followed the creek to find water -

since the Oklahoma river was dammed up and made dry- east of Eastern Avenue. Transporting inmates safely could be a real issue.

29th St. grand Boulevard is very unsafe to drive at night because of the amount of deer that cross the street these deer have followed the only path to water they can find, which is the creek in these areas.

Trosper Park is part of the Grand ring of the Oklahoma county parks, just like will rogers and nichols hills park is.. It is the largest park, and it has been neglected, but over the years many efforts have been made to clean up the area and to keep it safe. Bringing transients and drugs to this area is a terrible idea. Putting the county jail so close to Del City, which is am active workign class and normal stabilized community with schools, Parks, community involvement, sports, music, and the highest density of single-family homes is a terrible idea.

Other sites were took off of this list because of a single school or a single elder care facility. This site has 9 public schools and affect two private schools, many churches and parks. The county commissioners put it on and took it off many times. The county commissioners know this is a bad site.

In regards to the Mental Health funds, that they want to use those funds for jail- are supposed to be used in the community and we kindly ask you to open a mental health facility for the community near other services. Such a St Anthony or ou med area downtown- or by the crisis center out by fairgrounds where they need more help and is more centralized location, outside of a suburban city that supports Tinker Air Force Base, and supporting industries. Such as teaching and families of deployed military families., retired working class people and Veterans in Del city.

It just is not an ideal location space for this.

The transient population is absolutely terrible on the west side of the city. That is where it should be - where they need the services.

We cannot trust the trust to properly handle what is already a mess in the county jail. Please do not destabilize Del City, Midwest City and the emerging economy around the River project and other MAP projects.

Thank you

Johnson, Thad A

From: lonaustin1@aol.com
Sent: Thursday, March 14, 2024 11:44 AM
To: PL, Subdivision and Zoning
Subject: Many Unanswered Questions Regarding 1901 Grand Blvd for Jail

You don't often get email from lonaustin1@aol.com. [Learn why this is important](#)

Point of View: Unanswered concerns about jail location on Del City border.

I live in Del City and have appeared three times before the county commissioners to oppose the 1901 Grand Boulevard location for a new jail.

The commissioners have been made aware by multiple presenters of the reasons why this location is not a good idea. This location is literally "across the street" from the western border of Del City and the proximity to multiple schools, businesses and a residential neighborhood of thousands of homes. Interestingly, the commissioners have repeatedly voted to remove this location from consideration, yet it is once again being considered.

The public is being kept in the dark about why this keeps happening. The commissioners have failed to disclose their discussions in closed executive sessions and have failed to address the questions and concern brought to their attention with real and meaningful solutions. This failure has cast doubt upon the integrity of their "search" for a jail site.

There are unanswered questions about how the coming and goings at a detention center like this would affect the safety of a neighborhood only one block away. This is a neighborhood where children normally walk to school and play outside. Detainees at the present jail are currently released at all hours into the community. Del City would have no control of the new jail. This is not acceptable.

There are unanswered questions about how Oklahoma City will provide increased police presence on their side of this border. No plan, no costs have been projected and Oklahoma City has not committed anything. Del City Police would have to staff up to protect our community, placing a severe financial burden upon our city.

There are unanswered questions about "incarcerating" convicted sex offenders in a facility close to a school or day care center. Both exist within less than half a mile of the proposed site. This issue has never been addressed by the commissioners.

There are unanswered questions about how this location will affect potential economic development in Del City. We just initiated a 20 year plan to grow our city but those plans depend upon providing a safe and secure place for potential new homes and businesses. We are unaware of any studies that address this concern.

There are unanswered questions regarding the effect this facility would have on home values in Del City. The commissioners wouldn't think of considering a location off I235 in Edmond, Why Del City? This would be obviously be detrimental to all 21800 home owners in Del City.

There are unanswered questions concerning the effect upon Del City's sales tax base. This is the main source of revenue for Del City. Our police, fire and city services depend upon this tax base. Again, no explanation to this question. Has it even been considered at all?

There are unanswered questions about why there is even serious consideration given to a location away for the central city location where it will obviously require extensive relocation of county, city and sheriff department facilities and transportation hubs.

And lastly there are unanswered questions about why this location with a roughly \$5 million dollar price tag is being considered above locations less expensive.

It would seem locating the New Jail at a more central Oklahoma City location close to the Oklahoma City Police Station and Oklahoma County Court House which would greatly facilitate transportation of detainees and prisoners to and from those facilities as is required for hearings, trials and settlements. There is land available and buyers willing to cooperate to make that happen....is somebody is in the way?

A. A. Austin

923 Hisel Road

Del City, OK 73115



The City of
OKLAHOMA CITY
Journal of Proceedings

City Council

8:30 AM May 21, 2024

David Holt, Mayor

Council Members:

Bradley Carter.....Ward 1
James Cooper.....Ward 2
Barbara Peck.....Ward 3
Todd Stone.....Ward 4
Matt Hinkle.....Ward 5
JoBeth Hamon.....Ward 6
Nikki Nice.....Ward 7
Mark K. Stonecipher.....Ward 8

Craig Freeman, City Manager

Amy K. Simpson, City Clerk

Kenneth Jordan, Municipal Counselor

200 N. Walker • 3rd Floor • Council Chamber



**THE CITY OF OKLAHOMA CITY
JOURNAL OF COUNCIL PROCEEDINGS
CITY COUNCIL
MAY 21, 2024**

(The agenda was filed with The City Clerk of The City of Oklahoma City at 12:13 p.m. on May 17, 2024.)

I. Invocation and Pledge of Allegiance

INVOCATION BY PASTOR RODNEY FOUTS, NORTH CHURCH

PLEDGE LED BY MELEA FELIX AND DEEYA VOLQUARDSSEN, REPRESENTING GIRL SCOUT TROOP 177

II. Call to Order 8:38 a.m.

MAYOR DAVID HOLT PRESIDING

ALL MEMBERS PRESENT

III. From the Office of the Mayor

PROCLAIMED: May 31 – June 1, 2024, “Charlie Christian International Music Festival Week,” received by Anita Arnold.

PROCLAIMED: May 19-25, 2024, “EMS Week,” received by Adam Paluka, Johna Easley, Michael Parrish, Kimberly Querry-Thompson, Skylar McCoy and Jacob Hall.

- A. Resolution of Commendation for Anita Rudd on her selection as the May 2024 South Oklahoma City Kiwanis Club Employee of the Month.

ADOPTED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- B. Appointment of Pakita "Kitti" Asberry to serve as a member of the Board of Adjustment.

CONFIRMED. MOVED BY HINKLE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, STONECIPHER. ABSENT: NICE.

- C. Appointment of Ryan Cross to serve as a member of the MAPS 4 Citizens Advisory Board.

CONFIRMED. MOVED BY HINKLE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, STONECIPHER. ABSENT: NICE.

- III. D. Appointment of Ryan Cross to serve as a member of the MAPS 4 Innovation District Subcommittee.

CONFIRMED. MOVED BY HINKLE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, STONECIPHER. ABSENT: NICE.

IV. Items from Council

V. City Manager Reports

- A. Claims and Payroll

VI. Journal of Council Proceedings

- A. Receive Journal of Council Proceedings for May 7 and 14, 2024.

RECEIVED. MOVED BY STONECIPHER, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, STONECIPHER. ABSENT: NICE.

- B. Approve Journal of Council Proceedings for April 23 and 30, 2024.

APPROVED. MOVED BY STONECIPHER, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, STONECIPHER. ABSENT: NICE.

VII. Request for Uncontested Continuances

XI. AH.
6/4/2024

VIII. Revocable Permits and Events

- A. Revocable Permit with the Downtown Oklahoma City Partnership for "Downtown Employee Appreciation Day," June 12, 2024, Kerr Park, 102 Robert S. Kerr Avenue, revenue of \$150. Ward 6.

APPROVED. MOVED BY HAMON, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- VIII. B. Revocable Permit with the Perry Publishing and Broadcasting Company for the “Juneteenth Art and Music Festival,” June 14-15, 2024, Booker T. Washington Park and Page Stadium, 400 North High Avenue, revenue of \$1,970. Ward 7.

APPROVED. MOVED BY NICE, SECONDED BY HAMON.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- C. Revocable Right-of-Way Use Permit with FMD Association Inc. to hold the “Farmer’s Market District Festival,” June 2, 2024, SW 2nd Street between South Ellison Avenue and South Klein Avenue, revenue of \$400. Ward 6.

APPROVED. MOVED BY HAMON, SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- D. Revocable Right-of-Way Use Permit with Red Coyote Running & Fitness (Road Runners Club of America sanctioned), to hold the “Red Coyote Juneteenth on the East 5K Run,” June 14, 2024, North Rhode Island Avenue between NE 23rd Street and the southern property line of 1726 NE 23, revenue of \$100. Ward 7.

APPROVED. MOVED BY NICE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- E. Revocable Right-of-Way Use Permit with With Love OKC, to hold “Juneteenth on the East,” June 15, 2024, NE 23rd Street between North Kelham Avenue and North Missouri Avenue, revenue of \$400. Ward 7.

APPROVED. MOVED BY NICE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

RECESS COUNCIL MEETING

CONVENE AS OKLAHOMA CITY MUNICIPAL FACILITIES AUTHORITY 9:03 a.m.

- A. Request for Proposals to be advertised, Outdoor Siren Warning System Maintenance and Repair (RFP-OCMFA-036).

APPROVED AND AUTHORIZED. RECEIPT DATE: JUNE 12, 2024. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

OCMFA. B.

Amendment No. 1 to the Comprehensive Retainer Agreement with The City of Oklahoma City and the Collins Zorn Wagner law firm, for legal defense of City employees, increase not to exceed \$200,000, for the period ending June 30, 2024.

APPROVED. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- C. Joint Resolution with The City of Oklahoma City authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM3-2023-05924G styled: *David Brown, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- D. Joint Resolution with the City of Oklahoma City authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM-2020-05015Y styled: *Terrance Byars, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- E. Joint Resolution with The City of Oklahoma City authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM3-2022-04206T styled: *Nickolaus Wooten, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- OCMFA. F. Joint Resolution with The City of Oklahoma City authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM3-2023-01329Q styled: *Nickolaus Wooten, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- G. Claims and Payroll

ADJOURN OCMFA

CONVENE AS OKLAHOMA CITY PUBLIC PROPERTY AUTHORITY 9:03 a.m.

- A. Development Agreement with The City of Oklahoma City and PBC Sports & Entertainment, LLC, for the construction of the New Arena, generally located between Sheridan Avenue and Reno Avenue and between Robinson Avenue and E. K. Gaylord Boulevard. Ward 7.

APPROVED. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, STONECIPHER. NAYS: HAMON, NICE.

- B. Claims and Payroll

ADJOURN OCPPA

RECONVENE COUNCIL MEETING

IX. Consent Docket

- A. Ratifying and approving Addendum No. 1; and approving Professional Services Agreement with Raftelis Financial Consultants, Inc. (C252942), professional consulting services to conduct an analysis of the private development process, \$246,750.

RATIFIED AND APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. B. Renewal of pricing agreements, Southern Tire Mart, LLC (R25-C248010), T&W Tire, LLC (R25-C248011), The Goodyear Tire & Rubber Company (R25-C248012), tires, tubes, tire parts, supplies and services, estimated cost \$250,000, May 27, 2024 through May 26, 2025.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- C. 1. Renewal of pricing agreements, GreenShade Trees, LLC (R25-C237023) and Madison Turf Farms (R25-C237024), grass sod, estimated cost \$100,000, July 1, 2024 through June 30, 2025; and
2. Resolution authorizing the open market purchase of related items not available on a pricing agreement (COKC00188), estimated cost \$50,000, July 1, 2024 through June 30, 2025.

APPROVED: C. 1. ADOPTED: C. 2. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- D. 1. Pricing agreement awards and approvals, ABC Office, LLC (COKC00196), Admiral Express, LLC (COKC00197), Copelin Contract, LLC (COKC00198), Focus Workplace Furniture + Design (COKC00199), Furniture Marketing Group, Inc. (COKC00200), L&M Office Furniture, LLC (COKC00201), Merrifield Office & School Supply (COKC00202), Office Interiors, LLC (COKC00203), Pinnacle Design Group (COKC00204), Southwestern Stationers, Inc. (COKC00205), Spaces, Inc. (COKC00206) and Staples Contract and Commercial, LLC (COKC00207), furniture for City facilities, estimated cost \$1,500,000, May 29, 2024 through May 28, 2025; and
2. Resolution authorizing the open market purchase of no bid items and related items and services not available on a pricing agreement (COKC00208), estimated cost \$50,000, May 29, 2024 through May 28, 2025.

AWARDED AND APPROVED: D. 1. ADOPTED: D. 2. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- E. Resolution authorizing the sole source purchase of hardware, software maintenance, licenses, training, update services, and application support for the Axon Evidence Data Management System, Axon Enterprises, Inc. (COKC00026), estimated cost \$300,000, June 7, 2024 through June 6, 2025.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. F. Resolution authorizing the sole source purchase of two annual licenses for GrayKey units, Magnet Forensics (COKC00027), \$133,085, retroactive to May 1, 2024 through April 30, 2025; and approving End User License Agreement.

ADOPTED. MOVED BY STONE, SECONDED BY STONECIPHER.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, STONECIPHER. NAYS: HAMON, NICE. ABSENT: COOPER.

- G. Resolution waiving formal competitive bidding and authorizing the open market purchase of Jet-A aviation fuel, related jet fuel system repair parts, fuel quality analysis testing supplies and services (COKC00079), estimated cost \$200,000, July 1, 2024 through June 30, 2025.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- H. Resolution waiving formal competitive bidding and authorizing the open market purchase of signs, decals, banners and graphics (COKC00180), estimated cost \$125,000, July 1, 2024 through June 30, 2025.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- I. Resolution waiving formal competitive bidding and authorizing the open market purchase of skilled labor trades (COKC00182), estimated cost \$300,000, July 1, 2024 through June 30, 2025.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- J. Resolution waiving formal competitive bidding and authorizing the open market purchase or rental of storage buildings, containers and services (COKC00183), estimated cost \$60,000, July 1, 2024 through June 30, 2025.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. K. Resolution waiving formal competitive bidding and authorizing the open market purchase of various metal products (COKC00184), estimated cost \$100,000, July 1, 2024 through June 30, 2025.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- L. Resolution authorizing the purchase of office supplies through OMNIA Partners contract (COKC00099), estimated cost \$300,000, June 1, 2024 through May 31, 2025.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- M. Request for Proposals to be advertised, Employee Engagement Survey Consultation Services (RFP-OCITY-166).

APPROVED AND AUTHORIZED. RECEIPT DATE: JUNE 20, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- N. Request for Proposals to be advertised, Bond Election and Education Campaign (RFP25306).

APPROVED AND AUTHORIZED. RECEIPT DATE: JUNE 5, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- O. Agreement for Zoning Inspection Services with the Capitol-Medical Center Improvement and Zoning Commission to enforce zoning regulations, area bounded by NE 8th Street, Lottie Avenue, I-235, and NE 30th Street, revenue of \$12,000, July 1, 2024 through June 30, 2025. Ward 7.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. P. Ordinance to be introduced and set for final hearing June 18, 2024 (PUD-1995) rezoning 19619 Thomas Drive from R-1 Single-Family Residential District to PUD-1995 Planned Unit Development District. Ward 8.

INTRODUCED AND SET FOR FINAL HEARING JUNE 18, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- Q. Ordinance to be introduced and set for final hearing June 18, 2024 (PUD-2002) rezoning 1103 Life Style Drive from PUD-20A Planned Unit Development and PUD-20B Planned Unit Development Districts to PUD-2002 Planned Unit Development District. Ward 1.

INTRODUCED AND SET FOR FINAL HEARING JUNE 18, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- R. Ordinance to be introduced and set for final hearing June 18, 2024 (PUD-2005) rezoning 10627 SW 29th Street from AA Agricultural District to PUD-2005 Planned Unit Development District. Ward 3.

INTRODUCED AND SET FOR FINAL HEARING JUNE 18, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- S. Ordinance to be introduced and set for final hearing June 18, 2024 (PUD-2007) rezoning 340 Eckroat Street from I-1 Light Industrial, I-2 Moderate Industrial, AE-1 Airport Environs Zone One and AE-2 Airport Environs Zone Two Overlay Districts to PUD-2007 Planned Unit Development, AE-1 Airport Environs Zone One and AE-2 Airport Environs Zone Two Overlay Districts. Ward 7.

INTRODUCED AND SET FOR FINAL HEARING JUNE 18, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. T. Ordinance to be introduced and set for final hearing June 18, 2024 (SPUD-1614) rezoning 15901 North Rockwell Avenue from AA Agricultural District to SPUD-1614 Simplified Planned Unit Development District. Ward 8.

INTRODUCED AND SET FOR FINAL HEARING JUNE 18, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- U. Ordinance to be introduced and set for final hearing June 18, 2024 (SPUD-1618) rezoning 13100 NW 10th Street from AA Agricultural District to SPUD-1618 Simplified Planned Unit Development District. Ward 3.

INTRODUCED AND SET FOR FINAL HEARING JUNE 18, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- V. 1. Ordinance to be introduced and set for final hearing July 2, 2024 (CE-1120) closing a portion of the east-west alley within Block 5 of the Iowa Addition, east of South High Avenue and north of SE 15th Street. Ward 7.
2. Resolution establishing a date for enactment of said Ordinance and determining those entitled to notice.

INTRODUCED AND SET FOR FINAL HEARING JULY 2, 2024: V. 1. ADOPTED: V. 2. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- W. Resolution accepting the dedications contained in the final plat of Nichols Creek Phase 4, west of North County Line Road and south of NW 122nd Street. Ward 1.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- X. Resolution accepting the dedications contained in the final plat of The Enclave at Hefner Crossing Phase 1, south of East Hefner Road and west of North Kelley Avenue. Ward 7.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. Y. Public Art Commission Agreement with artist Scott Henderson, for a site-specific work of art for Will Rogers Trail, 3540 NW 56th Street, \$50,750. Ward 2.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- Z. First Amendment to the Emergency Solutions Grant Program Agreement with Homeless Alliance, Inc., Coordinated Case Management Project, extending the term through June 30, 2025.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AA. First Amendment to the Emergency Solutions Grant Program Agreement with Homeless Alliance, Inc., Re-Entry Project, extending the term through June 30, 2025.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AB. Release of Mortgage, Community Development Block Grant Funds with Metropolitan Better Living Center, Inc., 1407 NE 10th Street. Ward 7.

RELEASED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AC. Resolution ratifying and approving execution of the 2022 Continuum of Care Program Grant Agreements with the United States Department of Housing and Urban Development.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. AD. Resolution authorizing submission of an application to the Oklahoma Department of Transportation for use of Transportation Alternatives Program Funds set forth by Infrastructure Investment and Jobs Act for the South Oklahoma City Safe Routes to School Project; and authorizing the Planning Director to sign the application. Wards 4 and 6.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AE. Resolution authorizing submission of an application to the Oklahoma Department of Transportation for use of Transportation Alternatives Program funds set forth by Infrastructure and Investment Jobs Act for the West Oklahoma City Safe Routes to School Project; and authorizing the Planning Director to sign the application. Wards 2, 5 and 8.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AF. Resolution in support of a request by the Oklahoma City Housing Authority to sell 23 single-family public housing properties; and authorizing the Mayor to sign letters provided by the Housing Authority acknowledging support of the property transfers. Wards 2, 3, 6 and 7.

ADOPTED. MOVED BY STONECIPHER, SECONDED BY STONE.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, STONECIPHER. NAYS: COOPER, HAMON, NICE.

- AG. Plans and Specifications to be advertised for bids, Project MB-1686, Renovations to Field Services Building No. 2 at the Central Maintenance Facility, 3738 SW 15th Street. Ward 3.

APPROVED AND AUTHORIZED. BID RECEIPT DATE: JUNE 12, 2024. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AH. Change Order No. 5 with WL McNatt and Company, Project MB-1517, Almonte Library, 2727 SW 59th Street, increase of \$65,914. Ward 6.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. AI. Amendment No. 3 and Change Order No. 3 with Wynn Construction Co., Deep Fork Greenway Trail, Project MP-0477 Phases I, III Trailhead, IV, and IIIB, Katy Trail North to the North Grand Boulevard Trail, increase of \$471,076.89. Wards 1 and 2.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AJ. Final Acceptance, Project PC-0868, Arterial Street Resurfacing, North Western Avenue from NW 50th Street to NW 63rd Street; and placing maintenance bond into effect. Ward 2.

ACCEPTED AND PLACED INTO EFFECT. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AK. Final Acceptance with Central Oklahoma Transportation and Parking Authority and Oklahoma City Water Utilities Trust, Projects MC-0619, MS-0123, and WC-1029, Northwest Bus Rapid Transit, Transit Center Downtown at North Broadway Avenue and West Main Street, providing service north on North Classen Boulevard to North Meridian Avenue and NW Expressway; and placing maintenance bond into effect. Wards 1, 2 and 6.

ACCEPTED AND PLACED INTO EFFECT. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AL. Preliminary Report, Project MB-1649, Driving Facility at the Public Safety Training Facility, between I-240 and SE 104th Street, South Air Depot Boulevard and South Midwest Boulevard; and authorizing preparation of final plans and specifications. Ward 4.

APPROVED AND AUTHORIZED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AM. Preliminary Report, Project MP-0624, Will Rogers Garden Pavilions Improvements, 3400 NW 36th Street; and authorizing preparation of final plans and specifications. Ward 6.

APPROVED AND AUTHORIZED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. AN. Preliminary Report, Project MP-0629, Bricktown Canal Lighting Improvements, Lower Bricktown Canal; and authorizing preparation of final plans and specifications. Ward 7.

APPROVED AND AUTHORIZED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AO. Preliminary Engineering Report, Project TC-0631, Intersection Improvements, NW 150th Street and Lone Oak Drive; and authorizing preparation of final plans and specifications. Ward 8.

APPROVED AND AUTHORIZED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AP. Preliminary Engineering Report, Project TC-0633, Intersection Improvements, North May Avenue and NW 192nd Street; and authorizing preparation of final plans and specifications. Ward 8.

APPROVED AND AUTHORIZED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AQ. Amendment No. 5 and Assignment of Contract for Architectural Services with Kirkpatrick Architecture Studio to Brandsetter Carroll, Inc., Projects MB-0866, New Fire Station No. 29, MB-1140, Fire Station No. 23 Replacement, MB-1218, Fire Station No. 21 Replacement, and MB-0865, Fire Station No. 38 (four locations). Wards 3, 4 and 7.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AR. Amendment No. 3 to Contract for Engineering and Testing Services with Terracon Consultants, Inc., Project MC-0675-H, Engineering and Testing Services, extending the term from July 1, 2024 through June 30, 2026 or upon completion of the last Project listed, whichever occurs first. Wards 1, 2, 3, 4, 5, 6, 7 and 8.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. AS. Amendment No. 4 to Contract for Engineering Services with CEC Corporation, Projects PC-0926, Widening of Post Road from SE 44th Street to SE 74th Street and WC-1023, 60-inch Water Transmission Main Replacement along SE 74th Street from Douglas Boulevard to Post Road; along Post Road from SE 74th Street to SE 44th Street; and along SE 44th Street from Post Road to Douglas Boulevard, fee increase of \$87,017. Ward 4.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AT. Acceptance of permanent easements, Project PC-0648, Street Enhancements/Arterial Resurfacing, NW 23rd Street from North Western Avenue to North Broadway Avenue; and approving payment of claims, \$547. Wards 2 and 6.

ACCEPTED AND APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AU. Approve unlisted Project TC-0629, Traffic Striping; and a total allocation of Unlisted, Interest and Surplus General Obligation Bond Funds from Proposition 3 of the 2007 and 2017 General Obligation Bond Authorizations in the amount of \$232,400. Wards 1, 2, 3, 4, 5, 6, 7 and 8.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AV. Acceptance of 15 privately constructed water and wastewater main projects and placing the maintenance bonds into effect as of the final completion dates. Wards 1, 2, 3, 6, 7 and 8.

ACCEPTED AND PLACED INTO EFFECT. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. AW. Right of Entry License (AC-26-0026-DR USAF-AFMC-WWYK-23-1-0009) with the Oklahoma City Water Utilities Trust and the United States of America for access to Oklahoma City Water Utilities Trust property for the maintenance and periodic sampling of groundwater monitoring wells, Lake Stanley Draper Reservation, south of SE 59th Street and east of Douglas Boulevard, retroactive to April 15, 2023 through April 14, 2028.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AX. Grant of a permanent easement to the Oklahoma City Water Utilities Trust, Projects SD-2021-00115 and WF-2021-00098, Woodson Park, south of SW 29th Street and west of South May Avenue. Ward 6.

GRANTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AY. Acceptance of a Special Warranty Deed from The Greenbrier, LLC, Project SB-2021-00001, Oversized Sanitary Sewer Main Extension under Policy B-1 procedures to serve Redstone Ranch offsite, south of Hefner Road and east of Piedmont Road. Ward 1.

ACCEPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AZ. Release of a permanent easement and acceptance of a permanent easement, Project SD-2024-00019, Wastewater Improvements, NW 10th Street and Western Avenue. Ward 6.

RELEASED AND ACCEPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BA. Partial release of an easement, Project WA-2024-00005, Water Main, SE 44th Street and Eastern Avenue. Ward 4.

RELEASED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. BB. Acceptance of seven permanent easements for water and wastewater mains. Wards 2, 4, 7 and 8.

ACCEPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BC. Easement Crossing Conditions from the Bureau of Reclamation, Projects PC-0926, Street Widening Improvements, Post Road from SE 44th Street to SE 74th Street, and WC-1023, 60-inch Water Transmission Main Replacement, along SE 74th Street from Douglas Boulevard to Post Road; along Post Road from SE 74th Street to SE 44th Street; and along SE 44th Street from Post Road to Douglas Boulevard. Ward 4.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BD. Development Agreement with the Oklahoma City Public Property Authority and PBC Sports & Entertainment, LLC, for the construction of the New Arena, generally located between Sheridan Avenue and Reno Avenue and between Robinson Avenue and E. K. Gaylord Boulevard. Ward 7.

APPROVED. MOVED BY HINKLE, SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, STONECIPHER. NAYS: HAMON, NICE.

- BE. Receive the Fiscal Year 2024-2025 Marketing Plan and Budget Request from the Oklahoma City Convention & Visitor's Bureau, a division of the Greater Oklahoma City Chamber of Commerce, for services in the promotion of conventions, tourism and visitation in Oklahoma City.

RECEIVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. BF. Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM3-2023-05924G styled: *David Brown, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BG. Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM-2020-05015Y styled: *Terrance Byars, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BH. Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM3-2022-04206T styled: *Nickolaus Wooten, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 *et seq.* and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. BI. Joint Resolution with the Oklahoma City Municipal Facilities Authority authorizing the Director of Risk Management and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. CM3-2023-01329Q styled: Nickolaus Wooten, Claimant vs. The City of Oklahoma City, Respondent, an Own Risk Carrier, and further authorizing the Municipal Counselor to assist said counsel in the rendition of said Joint Petition Settlement to Judgment as authorized by 85 O.S. §346, 62 O.S. §§365.1 et seq. and Article 10, Section 28 of the Oklahoma Constitution.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BJ. Membership Agreement with Move United for resources and services related to adaptive athletic programming, \$350, July 1, 2024 through June 30, 2025.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BK. Amendment No. 1 to the Comprehensive Retainer Agreement with Oklahoma City Municipal Facilities Authority and the Collins Zorn Wagner law firm, for legal defense of City employees, increase not to exceed \$200,000, for the period ending June 30, 2024.

APPROVED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BL. Intergovernmental Agreement with the United States Attorney's Office for the Western District of Oklahoma regarding the appointment of an Assistant Municipal Counselor as a Special Assistant United States Attorney, commencing July 1, 2024 through June 30, 2026, in accordance with the 2023 Department of Justice/Bureau of Justice Assistance Project Safe Neighborhoods Formula grant.

APPROVED. MOVED BY CARTER, SECONDED BY PECK.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, STONECIPHER. NAYS: COOPER, HAMON, NICE.

- BM. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$1,100 and all the costs of the action in the Oklahoma County District Court in the claim filed by Cory Brown. Ward 6.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- IX. BN. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$8,000 and all the costs of the action in the Oklahoma County District Court in the claim filed by Jacob Foote. Ward 7.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BO. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$2,340 and all the costs of the action in the Oklahoma County District Court in the claim filed by Anthony Hadradt. Ward 5.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- BP. Resolution authorizing the Municipal Counselor to waive service of process and to confess judgment without admission of liability in the amount of \$964.35 and all the costs of the action in the Oklahoma County District Court in the claim filed by Dmitri Sobol. Ward 8.

ADOPTED. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

X. Concurrence Docket

- A. Concurrence with the Oklahoma City Water Utilities Trust in approving the Plans and Specifications to be advertised for bids, Project WM-0426, Hefner Dam Wall Repair, Lake Hefner Parkway and East Wharf Drive, West Lake Hefner Drive and Britton Road. Wards 1 and 8.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- B. Concurrence with the Oklahoma City Water Utilities Trust in approving Request for Proposals to be advertised (RFP OCWUT 32-24), Fall Protection Systems inspections, repair, and services.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- X. C. 1. Concurrence with the Oklahoma City Water Utilities Trust in rejecting the proposals, (RFP OCWUT 13-24), Telemetry, SCADA Equipment and Support Services; and
2. Concurrence with the Oklahoma City Water Utilities Trust in approving Request for Proposals to be advertised (RFP OCWUT 38-24), Telemetry, SCADA Equipment and Support Services.

CONCURRED: C. 1-2. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- D. Concurrence with the Oklahoma City Water Utilities Trust in renewing pricing agreements with Global Energy Solutions, LLC (C219035) and Evans Enterprises, Inc. (C219036), rewinding, repair, and replacement of electric motors and pumps, estimated annual cost of \$1,200,000, June 8, 2024 through June 7, 2027.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- E. Concurrence with the Oklahoma City Water Utilities Trust in approving Amendment No. 4 to the Contract for Engineering Services with Freese and Nichols, Inc., Project ST-0149, North Canadian Wastewater Treatment Plant Master Plan and Upgrades, fee increase of \$44,000. Ward 7.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- F. Concurrence with the Oklahoma City Water Utilities Trust in approving Amendment No. 1 and Change Order No. 1 with Downey Contracting, LLC, Project WE-0103, Emergency Waterline Replacement, SE 89th Street and I-35 Service Road, increase of \$17,239.09; accepting the project and placing the maintenance bond into effect. Ward 4.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- X. G. Concurrence with the Oklahoma City Water Utilities Trust in approving Amendment No. 1 and Change Order No. 1 with Wynn Construction Company, Inc., Project WM-0389-1, Lake Hefner Ranger Station Site Improvements, 4407 South Lake Hefner Drive, increase of \$44,411.59; accepting the project and placing the maintenance bond into effect. Ward 2.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- H. Concurrence with the Oklahoma City Water Utilities Trust in granting a permanent easement to Oklahoma Gas and Electric Company, The City of Oklahoma City's Police Firing Range and Bomb Disposal Site. Ward 4.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- I. Concurrence with the Oklahoma City Water Utilities Trust in receiving Oklahoma Department of Environmental Quality Permit to Construct, Project WL000009230988, Water Main Extension, north of Britton Road and west of Piedmont Road. Ward 1.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- J. 1. Concurrence with the Oklahoma City Water Utilities Trust in receiving Plans, Oklahoma Gas and Electric Company, Utility Relocation GM-TAC Substation 8686-D, Tinker Air Force Base; and
2. Concurrence with the Oklahoma City Water Utilities Trust in receiving Oklahoma Department of Environmental Quality Permit to Construct, Utility Relocation GM-TAC Substation 8686-D, Tinker Air Force Base.

CONCURRED: J. 1-2. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- K. Concurrence with the Oklahoma City Water Utilities Trust in approving Specifications to be advertised for bids, Project TW-0009-R, Well 27 Rehabilitation-Test Hole, Tinker Air Force Base. Ward 4.

CONCURRED. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

XI. Items Requiring Separate Votes

- A. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (PC-10923) rezoning 1401 NE 44th Street from R-1 Single-Family Residential and HNO Healthy Neighborhood Overlay Districts to R-2 Medium-Low Density Residential and HNO Healthy Neighborhood Overlay Districts. Ward 7.
Deferred from May 7, 2024.

ADOPTED WITHOUT EMERGENCY. ORD. #27,584. MOVED BY NICE,
SECONDED BY HAMON.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER.

- B. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (PC-10925) rezoning 9500 West Memorial Road from AA Agricultural District to R-2 Medium-Low Density Residential District. Ward 1.
Deferred from May 7, 2024.

ADOPTED WITHOUT EMERGENCY. ORD. #27,585. MOVED BY CARTER,
SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, NICE,
STONECIPHER. ABSENT: HAMON.

- C. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (PC-10926) rezoning 4112 North Lindsay Avenue from R-1 Single-Family Residential District to O-2 General Office District. Ward 7.

ADOPTED WITHOUT EMERGENCY. ORD. #27,586. MOVED BY NICE,
SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, NICE,
STONECIPHER. ABSENT: HAMON.

- D. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (PC-10927) rezoning 1301 NE 30th Street from R-1 Single-Family Residential and HNO Healthy Neighborhood Overlay Districts to R-4 General Residential and HNO Healthy Neighborhood Overlay Districts. Ward 7.

DEFERRED TO JUNE 4, 2024. MOVED BY NICE, SECONDED
BY STONECIPHER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER.

- XI. E. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (PUD-1998) rezoning 8321 West Britton Road from C-3 Community Commercial District to PUD-1998 Planned Unit Development District. Ward 1.

ADOPTED WITHOUT EMERGENCY. ORD. #27,588. MOVED BY CARTER, SECONDED BY STONECIPHER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- F. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (PUD-1999) rezoning 3700 North Walker Avenue from R-1 Single-family Residential, C-3 Community Commercial and CUP-26 Community Unit Plan Overlay Districts to PUD-1999 Planned Unit Development District. Ward 2.
Planning Commission recommended approval subject to the Summary of Technical Evaluation.

ADOPTED WITHOUT EMERGENCY. ORD. #27,589. APPROVED SUBJECT TO THE SUMMARY OF TECHNICAL EVALUATION. MOVED BY COOPER, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, STONECIPHER. ABSENT: NICE.

- G. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SPUD-1588) rezoning 3208 North Indiana Avenue from SPUD-1462 Simplified Planned Unit Development District to SPUD-1588 Simplified Planned Unit Development District. Ward 2.
Planning Commission recommended approval subject to the Summary of Technical Evaluation.
Deferred from May 7, 2024.

ADOPTED WITHOUT EMERGENCY. ORD. #27,590. APPROVED SUBJECT TO THE SUMMARY OF TECHNICAL EVALUATION. MOVED BY COOPER, SECONDED BY STONECIPHER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- XI. H. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SPUD-1590) rezoning 1144 NW 41st Street from R-1 Single-Family Residential District to SPUD-1590 Simplified Planned Unit Development District. Ward 2.

Planning Commission recommended approval subject to the Summary of Technical Evaluation.

Deferred from May 7, 2024.

AMENDED: (AMENDMENT TO THE MASTER DESIGN STATEMENT). MOVED BY COOPER, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

ADOPTED WITHOUT EMERGENCY. ORD. #27,591. APPROVED SUBJECT TO THE SUMMARY OF TECHNICAL EVALUATION, AS AMENDED. MOVED BY COOPER, SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- I. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SPUD-1598) rezoning 929 SW 88th Street from SPUD-1441 Simplified Planned Unit Development District to SPUD-1598 Simplified Planned Unit Development District. Ward 5.

Planning Commission recommended approval subject to the Summary of Technical Evaluation.

ADOPTED WITHOUT EMERGENCY. ORD. #27,592. APPROVED SUBJECT TO THE SUMMARY OF TECHNICAL EVALUATION. MOVED BY COOPER, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- J. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SPUD-1609) rezoning 1709 NW 14th Street from R-2 Medium-Low Density Residential District to SPUD-1609 Simplified Planned Unit Development District. Ward 6.

Planning Commission recommended approval subject to the Summary of Technical Evaluation.

ADOPTED WITHOUT EMERGENCY. ORD. #27,593. APPROVED SUBJECT TO THE SUMMARY OF TECHNICAL EVALUATION. MOVED BY HAMON, SECONDED BY STONECIPHER.

AYES: HOLT, CARTER, COOPER, STONE, HINKLE, HAMON, NICE, STONECIPHER. ABSENT: PECK.

- XI. K. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SPUD-1610) rezoning 1140 SW 104th Street from SPUD-298 Simplified Planned Unit Development District to SPUD-1610 Simplified Planned Unit Development District. Ward 5.

ADOPTED WITHOUT EMERGENCY. ORD. #27,594. MOVED BY HINKLE, SECONDED BY STONE.

AYES: HOLT, CARTER, COOPER, STONE, HINKLE, HAMON, NICE, STONECIPHER. ABSENT: PECK.

- L. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SPUD-1611) rezoning 8000 South Shields Boulevard from I-1 Light Industrial District to SPUD-1611 Simplified Planned Unit Development District. Ward 4.

ADOPTED WITHOUT EMERGENCY. ORD. #27,595. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, STONE, HINKLE, HAMON, NICE, STONECIPHER. ABSENT: PECK.

- M. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SPUD-1612) rezoning 3121 NW 20th Street from R-1 Single-Family Residential and Urban Conservation Overlay Districts to SPUD-1612 Simplified Planned Unit Development and Urban Conservation Overlay Districts. Ward 6.

ADOPTED WITHOUT EMERGENCY. ORD. #27,596. MOVED BY HAMON, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, STONE, HINKLE, HAMON, NICE, STONECIPHER. ABSENT: PECK.

- N. Ordinance on final hearing (emergency) recommended for approval (five affirmative votes required for approval) (SP-588) establishing a Special Permit to operate Use Unit 8250.8 Forced Detention or Correction Facilities in the I-3 Heavy Industrial and AE-2 Airport Environs Zone Two Overlay Districts, 1901 East Grand Boulevard. Ward 4.

Planning Commission recommended approval subject to the Summary of Technical Evaluation.

DENIED. MOVED BY STONE, SECONDED BY HAMON.

AYES: CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE. NAY: HOLT. ABSENT: STONECIPHER.

- XI. O. Ordinance on final hearing, relating to Parks, Recreation, Cultural Affairs, etc., amending Chapter 38 of the Oklahoma City Municipal Code, 2020, amending Article II – Park Commission, by amending Section 38-50 - Functions; amending Article IV - General Park Regulations, Division 1 - Generally, by amending Sections 38-88 - Changing hours of operation, Section 38-94 - Restrictions on selling and advertising, Section 38-103 - Permits and Section 38-104 - Fees.

ADOPTED. ORD. #27,598. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE. NAY: HAMON, NICE. ABSENT: STONE, STONECIPHER.

- P. Resolution approving the Rules, Regulations, and Policies of the Oklahoma City Park Commission.

ADOPTED. MOVED BY PECK, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, STONECIPHER. NAY: NICE. ABSENT: STONE.

- Q. Ordinance on final hearing, relating to Parks, Recreation, Cultural Affairs, Etc., amending Chapter 38 of the Oklahoma City Municipal Code, 2020, by amending the title of Division 10 - Model Aircraft - Lake Stanley Draper Reservation, Section 38-309 - Restricted areas, Section 38-309.1 - Permits, Section 38-309.2 – Regulations; restrictions, and Section 38-309.3 - Authority of the Utilities Director, Director and Police Chief; and by amending Chapter 60 - General Schedule of Fees, Title 38 – Parks, Recreation, Cultural Affairs, Etc., by amending Section 60-38-45 - Model aircraft permits.

ADOPTED. ORD. #27,599. MOVED BY CARTER, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, NICE, STONECIPHER. ABSENT: STONE.

- XI. R. Ordinance on final hearing, relating to Water Resources, amending Chapter 57 of the Oklahoma City Municipal Code, 2020, amending Article VI – Stormwater Management, Division 2 – Application and Permits for Industrial, Commercial, Institutional, and Certain Residential Facilities, by amending Section 57-148 - Permit application fees; and amending Chapter 60 - General Schedule of Fees, amending Title 2 – Administration, Article IV – Officers and Employees, by amending Section 60-2-16 - Permit and inspection fees, Section 60-2-17 - Revocable permit and Section 60-2-23 - Inspection fees for weekends and City holidays; amending Title 13 – Businesses, Article XII – Prequalification and Contractor’s License, by amending Section 60-13-61 - Prequalification fee; enacting a new Section in Title 16 – Drainage and Flood Control, 60-16-3 - Detention pond inspection; amending Title 37 – Oil and Gas, Article VII – Pipelines, by amending Section 60-37-22 - Interchanging of pipelines and Section 60-37-24 - Excavation for laying, removing, installing, or maintaining pipeline; amending Title 50 – Streets and Sidewalks, Article II – Excavations, Curb Cuts, etc., by amending Section 60-50-8 - Paving cut and Section 60-50-9 - Tunneling under street (street bore); amending Article III – Other Provisions Relating to Construction and Repair of Sidewalks, Curbs, and Driveways, by amending Section 60-50-16 - Cut and replace curb, Section 60-50-17 - Curb cut and driveway, Section 60-50-18 - Curb cut for drainage or connection to gutter, Section 60-50-20 - Alley opening/closing and Section 60-50-21 - Sidewalk construction; amending Article X – Bus stop benches and shelters, by amending Section 60-50-66 - Bus stop bench; amending Title 57 – Water Resources, Article V – Stormwater Drainage Program, by reserving Sections 60-57-21 through 60-57-25; enacting a new Article VI - Stormwater Management, enacting Section 60-57-26 - Permit application fees and reserving Sections 60-57-27 through 60-57-30; and providing for an effective date.

ADOPTED. ORD. #27,600. MOVED BY HINKLE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, NICE, STONECIPHER. ABSENT: STONE.

- S. Ordinance on final hearing, relating to General Schedule of Fees, amending Chapter 60 of the Oklahoma City Municipal Code, 2020, amending Title 8 – Animals, Article I – In General, by amending Sections 60-8-1 - Animal registration fee, 60-8-2 – Livestock and fowl – Shelter and field services fees and 60-8-3 – Impoundment fees and deposits; amending Article II – Domestic Animals, by amending Section 60-8-11 – Dog and cat kennel license fee; amending Article III – Rabbits, by amending Section 60-8-16 - Rabbit permits; amending Article VIII – Non-Human Primates, by amending Section 60-8-41, Non-human primates; and providing for an effective date.

ADOPTED. ORD. #27,601. MOVED BY PECK, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, NICE, STONECIPHER. ABSENT: STONE.

- XI. T. Ordinance on final hearing, relating to General Schedule of Fees, amending Chapter 60 of the Oklahoma City Municipal Code, 2020, amending Title 12 - Building and Building Regulations, Article II – Building Code, by amending Sections 60-12-6 - Building plan review, 60-12-7 - Alterations, removal, repair, 60-12-8 – Demolition fee, 60-12-9 - New construction, 60-12-10 - Miscellaneous fees, 60-12-11 - Elevators and 60-12-12 - House Moving; amending Article IV - Fallout or Tornado Shelters, by amending Section 60-12-24 – Fallout or tornado shelters; and amending Article VI – Insulation Contractors, by amending Section 60-12-35 - Insulation contractor; and providing for an effective date.

ADOPTED. ORD. #27,602. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: STONE.

- U. Ordinance on final hearing, relating to the General Schedule of Fees, amending Chapter 60, of the Oklahoma City Municipal Code, 2020, amending Title 18 – Electrical Code, Article II – Licensing, by amending Section 60-18-6 – Examination and certification; amending Article III – Enforcement, by amending Section 60-18-12 – Minor electrical wiring, 60-18-14 – Residential new construction/single-family or multifamily dwelling unit, 60-18-16 – Residential add-on, cutover, 60-18-18 – Mobile home, 60-18-20 – Commercial/new construction, 60-18-24 – Commercial add-on, remodel, service change (cutover), etc., and 60-18-26 – Miscellaneous electrical fees; amending Title 29 – Mechanical Systems, Article IV – Administration and Enforcement, by amending Sections 60-29-16 – Forced air heating and refrigeration systems, permit and inspection fees, 60-29-20 – Gasfitting, replacement of residential appliance or fixture, 60-29-22 – Gasfitting, commercial appliances or fixtures and 60-29-24 – Gasfitting services; amending Article V – Mechanical Contractors, Journeyman and Apprentices, by amending Section 60-29-31 – Certificate of registration; amending Article VI – Boiler Contractors, by amending Section 60-29-35 – Contractors license; amending Title 42 – Plumbing Code, Article II – Administration and Enforcement, by amending Sections 60-42-6 – Residential new construction (one- and two-family dwellings and condominiums), 60-42-7 – Residential, addition or replacement (one- and two-family dwellings and condominiums), 60-42-9 – Commercial new construction, addition, or replacement (all structures except one- and two-family dwellings and condominiums) and 60-42-10 – Special plumbing fees; amending Article III – Apprentices, Journeymen and Contractors, by amending Section 60-42-16 – Plumbers’ registration fees; and providing for an effective date.

ADOPTED. ORD. #27,603. MOVED BY PECK, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: STONE.

- XI. V. Ordinance on final hearing, relating to General Schedule of Fees, amending Chapter 60 of the Oklahoma City Municipal Code, 2020, amending Title 35 – Nuisances, Article III – Weeds and Noxious Plants, by amending Section 60-35-11 – Abatement of weeds and noxious plants by City; amending Article IV - Trash, by amending Section 60-35-16 – Abatement of trash by City; amending Article V – Boarding and Securing of Unsecured Structures, by amending Sections 60-35-17 – Boarding and securing of unsecured structures and 60-35-18 – Demolition of dilapidated structures; amending Article VI – Abandoned Buildings, by enacting Section 60-35-21 – Abandoned building release administrative fee and enacting Section 60-35-22 – Abandoned building monitoring fee; and providing for an effective date.

ADOPTED. ORD. #27,604. MOVED BY HINKLE, SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: STONE.

- W. Ordinance on final hearing, relating to General Schedule of Fees, amending Chapter 60 of the Oklahoma City Municipal Code, 2020, amending Title 3 – Advertising and Signs, Article I – In General, by amending Section 60-3-1 – Advertising licenses; amending Title 7 – Amusements, Article I – In General, by amending Section 60-7-1 – Miscellaneous amusement licenses; amending Article II – Youth Dance Halls, by amending Section 60-7-6 – Youth dance hall license; amending Article III – Pool and Billiard Halls, by amending Section 60-7-11 – Pool and billiard hall licenses; amending Article 5 – Amusement Rides, by amending Section 60-7-21 – Amusement rides; amending Title 9 – Auctions and Auctioneers, by enacting Article II – Auction Sale, by enacting Section 60-9-6 – Daily auction sale license; amending Title 10 – Aviation, Article III – Private Airports, by amending Section 60-10-17 – Airport, heliport, and helistop; amending Title 13 – Businesses, Article II – Charitable Solicitations, by amending Section 60-13-6 – Charitable solicitations; amending Article III – Dry Cleaners, amending Section 60-13-10 – Dry cleaners; amending Article IV – Employment Agencies, by amending Section 60-13-14 – Employment agency; amending Article VI – Motels and Tourist Camps or Courts, by amending Section 60-13-22 – Motel, tourist court/tourist camp; amending Article XI – Coin-Operated Devices, by amending Section 60-13-51 – Coin-operated devices; amending Article XIII – Home Sharing, by amending Section 60-13-73 – Home sharing; amending Title 14 – Child-Care Centers, Nurseries, Etc., Article II – License, by amending Sections 60-14-6 – Nursery license and 60-14-11 – Day camp license; amending Title 19 – Fences, Article II – Permit, by amending Section 60-19-6 – Fence permits; amending Article III – Fence Contractors, by amending Section 60-19-11 – Fence contractor; amending Title 21 – Food and Beverages, Article II – Food Establishment License, by amending Section 60-21-6 – Food establishment license and 60-21-7 – Bottling works, license; amending Article III – Food Handling Establishments Generally, by amending Section 60-21-26 – Special events; amending Article IV – Meat, Poultry, Etc., by amending Sections 60-21-30 – Fish, meat, poultry, rabbits (wild) dealers and 60-21-31 – Slaughterhouse, operation, license; amending Article VI – Frozen Desserts, by amending Section 60-21-47 – Frozen dessert plant license; by amending Article VII – Restaurants, by amending Section 60-21-51 – Restaurant, license; amending Article VIII – Food Sales from Vehicles, by amending Sections 60-21-56 – Food sale, vehicle and 60-21-57 – Vehicle food sales court; amending Title 22 – Garage Sales, Yard Sales, Etc., Article II – Permit, by amending Section 60-22-6 – Residential sales; amending Title 28 – Massage, Article II – Licenses, by amending Section 60-28-6 – Massage establishment; amending

- XI. W. Title 31 – Mobile Homes, Mobile Home Parks, Trailers and Trailer Camps, Article III – Trailer or Mobile Home Parks, by amending Section 60-31-11 – Mobile home or trailer park; amending Title 32 – Motor Vehicles and Traffic, Article XII – Loading Zones, by amending Section 60-32-41 – Parking of passenger vehicle used for commercial purposes in commercial loading zone; amending Title 37 – Oil and Gas, Article II – Administration, Enforcement, and Penalties, by amending Section 60-37-6 – Well permit; amending Title 39 – Peddlers, Outdoor Sellers, Etc., by amending Section 60-39-1 – Peddler’s licenses and permits; amending Title 47 – Sewers and Sewage Disposal, Article XII – Pretreatment Facility Service and Wastewater Transporting and Disposal, by amending Section 60-47-61 – vehicle and equipment inspection and registration fee; amending Title 49 – Solid Wastes, Article IV – Landfills, by amending Section 60-49-17 – Sanitary landfill operation; amending Title 54 – Used or Secondhand Goods Dealers, Junk Dealers, Junkyards, Etc., Article II – Auto Salvage or Used Car or Trailer Dealers, by amending Sections 60-54-6 – Dealers in used trailers and automobiles and 60-54-7 – Dealers in auto salvage; enacting Article IV – Junk Dealers, Recyclers and Secondhand Dealers, by enacting Sections 60-54-16 – Junk dealer’s license and 60-54-17 – Used merchandise dealer; amending Article V – Pawnbrokers, by amending Section 60-54-22 – Pawnbrokers; amending Article VI – Dealers in Used Precious Metals or Gems, by amending Section 60-54-26 – Dealers in used precious metals or gems; amending Title 57 – Water Resources, Article III – Water Well Drilling, by amending Section 60-57-13 – Well driller’s license; and providing for an effective date.

ADOPTED. ORD. #27,605. MOVED BY HINKLE, SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: STONE.

- X. Ordinance on final hearing, relating to the General Schedule of Fees, amending Chapter 60 of the Oklahoma City Municipal Code, 2020, amending Title – 33 – Municipal Court, Article III – Court Procedure, by amending Section 60-33-11 - Court costs; amending Article IV – Court Operations Division, by enacting Section 60-33-16 - Fees for Oklahoma City Municipal Courthouse Attorney proximity card; and amending Article VI – Return of Property Hearings, by repealing Section 60-33-26 - Notice and publication fees; and providing for an effective date.

ADOPTED. ORD. #27,606. MOVED BY PECK, SECONDED BY STONECIPHER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER.

- Y. Ordinance on final hearing, relating to General Schedule of Fees, amending Chapter 60, of the Oklahoma City Municipal Code, 2020, amending Title 59 - Zoning, Article VII - Administration by enacting new Sections, 60-59-16 to add a fee for a Comprehensive Plan Amendment and 60-59-28 to add a fee for Annexation/Deannexation Applications/Petitions; and providing for an effective date.

ADOPTED. ORD. #27,607. MOVED BY HINKLE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER.

- XI. Z. 1. Amendment correcting an error on the fee schedule for cutting and welding in Section 60-20-12 – Operational permit by material/unit and correcting an error on the square feet in Section 60-20-14 – High risk by size – Inspection fees; and
2. Ordinance on final hearing, relating to General Schedule of Fees, repealing Article II – Fire Prevention Code, Title 20 – Fire Prevention and Protection, Sections 60-20-11 through 60-20-44 of Chapter 60, of the Oklahoma City Municipal Code, 2020, in its entirety; enacting a new Article II – Fire Prevention Code, Title 20 – Fire Prevention and Protection, of Chapter 60, Sections 60-20-11 through 60-20-41, establishing certain fees required in the Fire Prevention Code of the General Schedule of Fees; and providing for an effective date.

APPROVED: Z. 1. MOVED BY STONE, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

ADOPTED AS AMENDED: Z. 2. ORD. #27,587. MOVED BY HINKLE, SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AA. Ordinance on final hearing, relating to the General Schedule of Fees, amending Chapter 60, of the Oklahoma City Municipal Code, 2020, amending Title 43 – Police Department, Article III – Security and Fire Alarm Systems, by amending Section 60-43-13, False alarm, administrative fees; and providing for an effective date.

ADOPTED. ORD. #27,597. MOVED BY HINKLE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- XI. AB. Ordinance No. 27,610 on final hearing, amending the Oklahoma City Hotel Tax ordinance, relating to Taxation, codified as Article III – Hotel Tax of Chapter 52 of the Oklahoma City Municipal Code, 2020; enacting new Sections 52-63.2 and 52-81.2 of said Article III, Chapter 52, to levy an additional excise tax of three and three-fourths percent (3.75%) upon the gross proceeds or gross receipts from all rent for every occupancy of a hotel room or rooms in this city (the Hotel Tax) and to specify that said additional hotel tax levied shall be set aside and used exclusively for the purpose of encouraging, promoting and/or fostering the convention and/or tourism (visitor) development of the city, by the following expenditures: 75.0% of the tax revenues shall be expended for any projects, items, costs and/or expenses that encourage, promote and/or foster the convention and/or tourism (visitor) development of the city, and 13.3% of the tax revenues shall be expended for the sponsorship and/or promotion of events recommended by the Oklahoma City Convention and Visitors Commission and anticipated to enhance the local economy through increased convention and/or tourism (visitor) activity in the city, and 6.7% of the tax revenues shall be expended for improvements to the Oklahoma City Fairgrounds, not including operational costs, and 5% of the tax revenues shall be expended for improvements to the Oklahoma City Convention Center, not including operational costs; setting forth a proviso to allow certain expenditures to defray any or all reasonable and necessary expenses and costs of the city or its agent(s) or contractor(s) in collecting, enforcing, and/or administering the additional tax and expenditures; providing for codification; providing an effective date for Sections 1 and 2 of this ordinance which effective date shall be 12:00 a.m. on October 1, 2024; and providing that this ordinance is operative only if approved by city voters prior to said time.

ADOPTED. ORD. #27,610. MOVED BY STONECIPHER, SECONDED BY CARTER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AC. Resolution authorizing the Mayor to issue a Special Election Proclamation calling a special election to be held on August 27, 2024, to submit Ordinance No. 27,610 to the registered voters of The City of Oklahoma City, Oklahoma, for their approval or disapproval; and further providing for certain legally required actions to be taken by the City Clerk and the appropriate county election boards, all as may be required by the election laws of the State of Oklahoma.

ADOPTED. MOVED BY CARTER, SECONDED BY STONECIPHER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- XI. AD. 1. Public hearing regarding dilapidated structures:
a. 4407 Diana Avenue (house) Ward 7
b. 4409 Diana Avenue (house) Ward 7
c. 6600 South Shields Boulevard (north mobile home) Ward 4
d. 415 NW 8th Street (apartment building b) Ward 6
e. 332 SE 17th Street (debris from demolition) Ward 4
f. 217 SE 19th Street (house) Ward 4
g. 3518 SW 40th Street (east shed and north shed and west shed) Ward 6
h. 1512 NE 46th Street (house and shed) Ward 7
2. Resolution declaring structures are dilapidated: directing said structures to be torn down, establishing dates of May 22, 2024 and June 21, 2024 for commencement and completion of removal by owners.

ADOPTED: AD. 1. a-h. MOVED BY HINKLE, SECONDED BY COOPER.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AE. 1. Public hearing regarding dilapidated structure in the Historic Preservation-Landmark District:
a. 2522 North Shartel Avenue aka 2510 North Shartel Avenue (church) Ward 2
2. Resolution declaring structures are dilapidated: directing said structures to be torn down, establishing dates of May 22, 2024 and June 21, 2024 for commencement and completion of removal by owners.

DEFERRED TO JUNE 4, 2024.

- AF. 1. Public hearing regarding unsecured structures:
a. 908 Bradley Avenue aka 908 North Bradley (house) Ward 3
b. 2900 Browne Stone Road (house and pool) Ward 8
c. 2408 Cashion Place (detached garage) Ward 2
d. 740 Manchester Lane (detached garage and house and shed) Ward 3
e. 17901 North Pennsylvania Avenue aka 17905 North Pennsylvania Avenue (commercial building) Ward 8
f. 6017 West Reno Avenue aka 6021 West Reno Avenue (commercial building) Ward 3
g. 19009 Vea Drive (house) Ward 8
h. 4901 South Walker Avenue (house and shed) Ward 4
i. 415 NW 8th Street (apartment building a and apartment building c and apartment building d and utility building) Ward 6
j. 6001 NW 8th Street (house and shed) Ward 3
k. 1316 NW 9th Street aka 1316 1/2 NW 9th Street aka 1316 R NW 9th Street (duplex and garage apartment) Ward 6
l. 332 SE 17th Street (house) Ward 4
m. 4033 SW 27th Street (house and shed) Ward 3
n. 3217 NW 33rd Street (detached garage and house) Ward 2
o. 2500 SW 35th Street (house and shed) Ward 6
p. 12617 NE 36th Street (commercial building) Ward 7

- IX. AF.
- q. 2712 NW 40th Street (detached garage and house) Ward 2
 - r. 2815 NW 41st Street (house and north shed and south shed) Ward 2
 - s. 2640 SW 43rd Street (detached garage and house) Ward 6
 - t. 340 SE 45th Street (house) Ward 4
 - u. 1512 NE 46th Street (house and shed) Ward 7
 - v. 2736 SW 65th Street (house) Ward 5
 - w. 3105 SW 68th Street (house) Ward 5
 - x. 315 NW 89th Street (house) Ward 2
 - y. 1309 NW 104th Street (house) Ward 7
2. Resolution declaring structures are unsecured.

ADOPTED: AF. 1. d-j, m-o, q, s-u, w-y. STRICKEN: AF. 1. a-c, k-l, p, r, v. MOVED BY CARTER, SECONDED BY HINKLE.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- AG.
1. Public hearing regarding abandoned buildings:
- a. 908 North Bradley Avenue aka 908 North Bradley (house) Ward 3
 - b. 2900 Browne Stone Road (house) Ward 8
 - c. 4407 Diana Avenue (house) Ward 7
 - d. 4409 Diana Avenue (house) Ward 7
 - e. 17901 North Pennsylvania Avenue aka 17905 North Pennsylvania Avenue (commercial building) Ward 8
 - f. 6600 South Shields Boulevard (north mobile home) Ward 4
 - g. 19009 Vea Drive (house) Ward 8
 - h. 1316 NW 9th Street aka 1316 1/2 NW 9th Street aka 1316 R NW 9th Street (duplex and garage apartment) Ward 6
 - i. 332 SE 17th Street (house) Ward 4
 - j. 217 SE 19th Street (house) Ward 4
 - k. 4033 SW 27th Street (house) Ward 3
 - l. 3217 NW 33rd Street (detached garage and house) Ward 2
 - m. 2500 SW 35th Street (house) Ward 6
 - n. 12617 NE 36th Street (commercial building) Ward 7
 - o. 2712 NW 40th Street (detached garage and house) Ward 2
 - p. 2815 NW 41st Street (house) Ward 2
 - q. 2640 SW 43rd Street (detached garage and house) Ward 6
 - r. 340 SE 45th Street (house) Ward 4
 - s. 1512 NE 46th Street (house) Ward 7
 - t. 2736 SW 65th Street (house) Ward 5
 - u. 3105 SW 68th Street (house) Ward 5
 - v. 315 NW 89th Street (house) Ward 2
2. Resolution declaring buildings are abandoned.

ADOPTED AS AMENDED: AG. 1. c-g, j-l, m, o, q-s, u-v. STRICKEN: AG. 1. a-b, h-i, n, p, t. MOVED BY COOPER, SECONDED BY PECK.

AYES: HOLT, CARTER, COOPER, PECK, STONE, HINKLE, HAMON, NICE, STONECIPHER.

- XI. AH. Resolution adopting an update to bikewalkokc, comprehensive bicycle and pedestrian master plan.
Deferred from April 23 and May 7, 2024.
Request deferral to June 4, 2024.

DEFERRED TO JUNE 4, 2024.

- AI. Joint Resolution with the Oklahoma City Water Utilities Trust authorizing the Municipal Counselor, or his or her designee, upon determining that it is reasonable and in the best interest of The City of Oklahoma City and/or the Oklahoma City Water Utilities Trust, to have settlement authority on claims of The City of Oklahoma City and/or the Oklahoma City Water Utilities Trust which do not exceed \$40,000 for the collection of claims owed to The City of Oklahoma City and/or the Oklahoma City Water Utilities Trust and the authority to institute legal proceedings on said claims on behalf of The City of Oklahoma City and/or the Oklahoma City Water Utilities Trust; and rescinding the previously delegated authority to settle claims and/or cases brought against The City of Oklahoma City and/or the Oklahoma City Water Utilities Trust that do not exceed \$40,000.

ADOPTED. MOVED BY HINKLE, SECONDED BY CARTER.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: COOPER.

- AJ.1. Resolution authorizing the Municipal Counselor to confess Judgment without admitting liability in the case of *Big Top Entertainment, LLC, d/b/a Dollhouse Lounge, Misty Kokojan, Individually, and as Owner of Big Top Entertainment, LLC d/b/a Dollhouse Lounge, Jerry E. Johnson, Annah Ledesma, Karly Neumann, Margaret Shuart, Abigail Whisman, Lauren Farris, and Luis Vargas v. The City of Oklahoma City*, in the Oklahoma County District Court Case No. CJ-2023-656; AND/OR

ADOPTED. MOVED BY CARTER, SECONDED BY HINKLE.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: COOPER.

2. Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney regarding settlement of this case as authorized by 25 O.S. (2023 Supp.) § 307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the litigation with settlement discussions in the public interest.

NO ACTION TAKEN.

- XI. AK. Enter into executive Session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the case styled *Sherri Adams and Kingsley Barry Adams, Sr., individually, and as husband and wife, v. The City of Oklahoma City, an Oklahoma Municipal Corporation; and the Oklahoma City Water Utilities Trust, in the Oklahoma County District Court Case No. CJ-2021-1139*, as authorized by 25 O.S. §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the litigation with settlement discussions in the public interest.

DEFERRED TO MAY 28, 2024. MOVED BY CARTER, SECONDED BY PECK.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: COOPER.

- AL. Enter into executive session to discuss collective bargaining negotiations for fiscal year 2024-2025 with the International Association of Firefighters, Local 157; and the American Federation of State, County, and Municipal Employees, Local 2406, as authorized by 25 O.S. (2023 Supp.) §307(B)(2).

DEFERRED TO MAY 28, 2024. MOVED BY CARTER, SECONDED BY HINKLE.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: COOPER.

- AM. 1. Claims recommended for denial:
a. Dwight Cornish \$238 (Ward 3)
b. Owen Modeland \$570 (Ward 8)
c. Susan Parker \$1,050 (Ward 2)
d. Joshua Wooten \$4,588.47 (Ward 6)

AND/OR

2. Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the above claims as authorized by 25 O.S. (2023 Supp.) §307 (B)(4), because disclosure would seriously impair the ability of the public body to deal with the pending claims in the public interest.

DENIED AS RECOMMENDED: AM. 1. a-d. MOVED BY CARTER, SECONDED
BY HINKLE.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: COOPER.

NO ACTION TAKEN: AM. 2.

- XI.** **AN.** 1. Claims recommended for approval:
a. Joseph Bartee \$220 (Ward 3)
b. Shane Maldonado \$233.54 (Ward 3)
c. Tyrone Sampson \$255 (Ward 2)
d. Gary Wall \$146.29 (Ward 3)

AND/OR

2. Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the above claims as authorized by 25 O.S. (2023 Supp.) §307 (B)(4), because disclosure would seriously impair the ability of the public body to deal with the pending claims in the public interest.

APPROVED: AN. 1. a-d. MOVED BY HINKLE, SECONDED BY CARTER.

AYES: HOLT, CARTER, PECK, STONE, HINKLE, HAMON, NICE,
STONECIPHER. ABSENT: COOPER.

NO ACTION TAKEN: AN. 2.

XII. **Comments from Council**

Councilperson Peck gave a shout-out and thanked the cadets and street officers who assisted her son after a shoot-out at his apartment complex two weeks ago. She appreciated the safety that it brought to the community during that time of crisis.

Councilperson Hamon thanked The City of Oklahoma City and the Oklahoma City Metropolitan Library staff for the amazing ribbon-cutting ceremony at the new Almonte Library on SW 59th Street and North May Avenue last week. It was a great celebration and neat to see so many folks show up to enjoy the special programs and check out books. She was excited to see how the building was appreciated and the opportunities that the library would bring to the residents in that area.

Councilperson Hamon announced she is hosting a town hall and/or panel discussion, "Rethinking 911: First Response + System of Care," tonight at the Ronald J. Norick Downtown Library, in the Friends Room, 4th floor, from 6:00 p.m. to 7:30 p.m. The panelists include representatives from the Oklahoma City Fire Department, the Oklahoma State Department of Health, a local non-profit organization, the Oklahoma City Public School District, and other city staff members, and they will discuss new initiatives or current programs to address the behavioral health crisis and/or opioid overdoses. There will also be resources and services available for the attendees. She hopes everyone can make it.

Councilperson Nice mentioned the unfortunate decline in diversity, equity, and inclusion programs, or those that are for the advancement of gender or race, at universities and public institutions because of a bill that was signed into law by our governor. She mentioned that the "NEW Leadership" program she worked with, and of which Councilperson Hamon was a faculty resident last year at the University of Oklahoma, is no longer housed there. The program helped women who wanted to become public servants or run for public office. It meant a lot to those young ladies, as well as to current elected officials throughout the state of Oklahoma who have been through the program, and it speaks to the success of having that representation in front of you to understand how far you could go. She said this is a devastating blow to our young women, as well as the other programs that can no longer exist because people have prioritized certain things instead of ensuring that everyone has equity and space to thrive.

Councilperson Nice also condemned the new immigration bill that was signed into law by our governor, which impacts all our communities of color; anyone with melanin within their skin. She noted she is fearful in terms of how the different municipalities, state troopers, and/or county sheriff departments would interpret this bill and thinks that those communities would not be served in the way they should.

Councilperson Nice announced a meeting with the Oklahoma City Parks Department at the Minnis Lakeview Recreation Center tomorrow to discuss their proposal for the upcoming budget. She noted she learned of this meeting from her residents and requested that staff communicate these things to her in the future. She mentioned in light of discussions about a Community Action Agency program being housed in this new proposed facility, she received a call from the pastor of Avery Chapel AME Church informing her they were losing their Head Start program and many others within Oklahoma City were going away, which is very impactful to the communities she serves and those in south Oklahoma City, as they will no longer have a place for their kids to go. She hopes we take into consideration how the things we are proposing or doing could harm other residents within our communities and city.

Councilperson Stonecipher mentioned he learned from Todd Pauley, Director, Government Operations, The Boeing Company, that their employees, through their charitable trust, donated \$100,000 to the American Red Cross for recovery and relief efforts following the recent tornadoes, which included meals, hygiene kits, and other supplies, to impacted neighborhoods. He thanked the Boeing employees for their efforts.

Please visit [cityofokc YouTube](https://cityofokc.com) or okc.primegov.com/public/portal for detailed comments.

XIII. Citizens to be Heard

Jacklyn Shelton, 2617 SW 63rd Place, spoke about the use of Oklahoma tax dollars and a ceasefire in Palestine.

Christopher Johnston, 1714 NE 44th Street, spoke about the Oklahoma County jail proposal.

XIV. Adjournment 2:02 p.m.

David Holt
Mayor

ATTEST:

Amy K. Simpson
City Clerk

Craig Freeman
City Manager

2024061001074988 B: 15777 P: 716
06/10/2024 02:38:04 PM Pgs: 3
Fee: \$22.00
Maressa Treat, County Clerk
Oklahoma County - State of Oklahoma



Record & Return to:
American Eagle Title Group
421 NW 13th St, Suite 320
Oklahoma City, OK 73103
File # 2404-0014-68

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That, Garrett and Company Resources, L.L.C., an Oklahoma limited liability company and Willowbrook Investments, LLC, an Oklahoma limited liability company (herein "Grantors"), in consideration of the sum of Ten and No/100 Dollars and other valuable consideration in hand paid, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto The Board of County Commissioners of Oklahoma County, a political subdivision of the State of Oklahoma (herein "Grantee"), whose mailing address is 4832 Richmond Square, Oklahoma City, OK 73118, the following real property and premises situate in Oklahoma County, State of Oklahoma, described on Exhibit A attached hereto, together with the improvements thereon and the appurtenances thereunto belonging (herein the "Land").

Grantors warrant the title to the Land to be free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages, and other liens and encumbrances of whatsoever nature, SUBJECT TO easements and restrictive covenants of record and any interest in the oil, gas and other minerals within and underlying the Land, previously reserved or conveyed.

To have and hold the Land unto the Grantee and its successors and assigns forever.

Signed and delivered this 10th day of June, 2024.

Exempt Documentary Stamp Tax OS Title 68, Article 32 Section 3202, Paragraph 11.

Presented for Filing By:
American Eagle Title Group, LLC
File No: 2404-0014-68
Proposed Insurer: Old Republic Title

SIGNATURES APPEAR ON THE FOLLOWING PAGE



AMENDED REAL ESTATE PURCHASE AGREEMENT

THIS FIRST AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT (this "First Amendment"), is entered into as June 10, 2024, by and between Oklahoma County (the "Buyer") and Garrett and Company Resources, LLC ("Garrett") and Willowbrook Investments, LLC ("Willowbrook") (Garrett and Willowbrook are collectively referred to as the "Sellers" herein), with respect to the following circumstances:

RECITALS:

WHEREAS, the Buyer and the Sellers entered into that certain Real Estate Purchase Agreement, dated effective as of April 10, 2024 (the "Original Purchase Agreement"), pursuant to which the Sellers agreed to sell and the Buyer agreed to purchase that certain parcel of real estate in Oklahoma County, Oklahoma situated in Oklahoma City, Oklahoma, having a street address of 1901 E. Grand Boulevard, and all improvements located thereon (collectively, the "Property");

WHEREAS, the Buyer hereby acknowledges that the Sellers are, and the Sellers hereby acknowledge that the Buyer is, in full and complete compliance with all terms of the Original Purchase Agreement;

WHEREAS, the Buyer has requested and the Sellers have agreed to amend the Original Purchase Agreement to revise the Closing Date, as defined in Section 8 of the Original Purchase Agreement, and other amendments set forth in this First Amendment.

NOW, THEREFORE, in consideration of the covenants and agreements herein set forth, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Buyer and the Sellers, intending to be legally bound hereby, agree as follows:

1. **Recitals.** The above recitals are incorporated herein by reference and form a part of this First Amendment.

2. **Lease Provisions.** Section 5 of the Original Purchase Agreement amended and restated in its entirety to read as follows:

5. **Contract Assignments & Contingencies**

5.1 **Assignment of Appeal Rights.** Prior to the execution of this First Amendment, the Sellers made application to the City of Oklahoma City for a special permit in an attempt to preemptively resolve possible zoning issues with the Property for its use as a county jail site. The City Council of the City of Oklahoma City denied the special permit on or about May 21, 2024. While neither the Buyer nor the Sellers believe that the special permit ordinances are applicable to the Buyer, the Buyer desires to preserve the right to appeal as the owner of the Property. To accomplish the



preservation of the right to so appeal the denial of the special permit, the Sellers agree to assign, transfer, and otherwise relinquish to the Buyer any and all rights to bring any and all administrative actions or other litigation to appeal the denial of the special permit and interest, including the right to appeal the special permit denial to District Court of Oklahoma County. In consideration for the assignment of these appeal rights, the Buyer agrees to reimburse the Sellers for all their costs associated with the application for and appeal of the special permit.

5.2 Preserving Appeal Contingency. It is the Buyer's and the Sellers' intent for the sales transaction contemplated herein to be completed prior to the expiration for the time to appeal the denial of the special permit. However, should the Closing be extended and not be able to occur prior to the expiration of the time to appeal the denial of the special permit, the Sellers agree to file, at the direction of the Buyer, an appeal, and the Buyer and the Sellers agree that the Buyer will be substituted as the real party in interest in such appeal upon the Closing of the transactions contemplated herein. The completion of the sales contract will be contingent upon preserving the County's right to appeal the City Council decision once it becomes the real property owner and real party in interest to the special permit appeal.

3. **Closing Date.** The Closing Date in Section 8 of the Original Purchase Agreement shall be changed to on or before July 3, 2024.

4. **Default and Remedies.** Section 11 of the Original Purchase Agreement amended and restated in its entirety to read as follows:

11. **Default; Remedy.** In the event that either party fails to perform such party's obligations hereunder (except as excused by the other party's default), the party claiming default will make written demand for performance. If the Sellers fail to comply with such written demand within five (5) days after receipt thereof, the Buyer will have the option to waive such default, to demand Specific Performance, defined herein, to exercise any other remedy available at law or in equity, or to terminate this Agreement and receive a return of the Earnest Money. Specific Performance shall be defined that the Buyer may only require Seller to transfer title and possession of the Property to Buyer upon Payment of the Purchase Price to Seller. If the Buyer fails to comply with such written demand within five (5) days after receipt thereof, the Sellers will have the option to waive such default or to terminate this Agreement. On such termination, the Earnest Money will be forfeited to the Sellers, the Buyer shall reimburse the Sellers for any Appeal costs as a result of the Sellers taking any actions contemplated in Section 5.1 and Section 5.2 above, and the Buyer shall pay Sellers liquidated damages of Twenty Thousand and No/100 Dollars (\$20,000.00) for the other expenses incurred by the Sellers, and the parties hereto will be discharged from any further

obligations and liabilities hereunder. The remedies provided by this Agreement are cumulative and will not exclude any other remedy to which a party might be entitled under this Agreement. In the event that a party elects to selectively and successively enforce such party's rights hereunder, such action will not be deemed a waiver or discharge of any other remedy hereunder.

5. **Lease Provisions.** Section 16 of the Original Purchase Agreement amended and restated in its entirety to read as follows:

16. **Assignment.** The Buyer and the Sellers are permitted to assign any rights that exist and/or created hereunder. More specifically, the Seller does hereby assign, transfer, convey and deliver, irrevocably and unconditionally to the Board of County Commissioners (the "BOCC") as the proxy of the Buyer the appeal rights set forth above in Section 5.1 and Section 5.2 hereof. This assignment and transfer of rights includes, but is not limited to, the assignment and transfer of all contractual rights to apply for, appeal, or otherwise litigate to resolve all zoning and special use permit applications made by the Sellers relating to the Property. The Sellers hereby authorize the Buyer, by and through the BOCC, to step into the name, place, and stead of the Sellers, as the owner of the Property, to take all action necessary or desirable to enforce the rights assigned hereunder in the use, special use permitting, and zoning of the real estate. The Sellers shall give all notices, make all filings and take such other action as the BOCC reasonably requests to perfect and preserve these rights acquired by the assignment described in Section 5.1 and Section 5.2 above.

6. **Lease Provisions.** Section 17 of the Original Purchase Agreement amended and restated in its entirety to read as follows:

17. Consent to Assignment. The Buyer hereby consents to the assignment of Seller's rights and the delegation of the obligations of the Sellers relating to zoning and special permit litigation and/or rights to appeal to the Buyer and the succession to the rights and assumption of the obligations of the Sellers to the Buyer.

7. **Lease Provisions.** Section 18 of the Original Purchase Agreement amended and restated in its entirety to read as follows:

18. Representations and Warranties. Each party represents and warrants with respect to itself that:

(a) This Agreement has been duly authorized, executed and delivered and constitutes its legal, valid and binding obligation, enforceable against it in accordance with the terms and all assignments contained herein;

(b) It is duly incorporated, validly existing and in good standing under the laws of Oklahoma.

(c) All parties have the requisite power and authority to execute and deliver this Agreement, including all contingencies and assignments.

8. **Lease Provisions.** Section 19 of the Original Purchase Agreement amended and restated in its entirety to read as follows:

19. **Further Assurances.** Each party agrees to execute and deliver any and all such other documents and instruments and take or cause to be taken any and all such other actions as any other party may reasonably request (at the cost of the requesting party) or that are reasonably necessary or appropriate in order to give full effect to the terms of this Agreement.

9. **Lease Provisions.** Section 20 is added and shall read as follows:

20. **Electronic Signatures.** Each party agrees that the electronic signatures, whether digital or encrypted, of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Delivery of a copy of this Agreement or any other document contemplated hereby bearing an original or electronic signature by facsimile transmission, by electronic mail in "portable document format" (".pdf") form, or by any other electronic means intended to preserve the original graphic and pictorial appearance of a document, including, but not limited to DocuSign or other electronic signature programs, will have the same effect as physical delivery of the paper document bearing an original or electronic signature.

10. **No Other Amendments.** Except as provided in this First Amendment, all other provisions of the Purchase Agreement shall continue in full force and effect unless and until amended pursuant to the Purchase Agreement and the First Amendment.

11. **PDF or Faxed Counterparts.** This First Amendment may be executed in two or more .pdf or faxed counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same agreement.

SIGNATURE PAGE TO FIRST AMENDMENT

IN WITNESS WHEREOF, this Agreement has been executed by the parties on the dates hereafter indicated to be effective on the date first above written. FOR THE BUYER:

By: Carrie Blumert
District 1, Commissioner Carrie Blumert

By: Brian Maughan
District 2, Commissioner Brian Maughan

Date: June 12, 2024

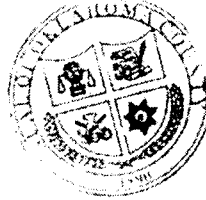
Date: June 10, 2024

By: Myles Davidson
District 3, Commissioner Myles Davidson

Date: June 10, 2024

By: Maressa Treat
County Clerk, Maressa Treat

Date: June 10, 2024



SIGNATURE PAGE TO THE FIRST AMENDMENT

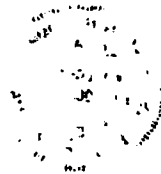
IN WITNESS WHEREOF, this Agreement has been executed by the parties on the dates hereafter indicated to be effective on the date first above written. FOR THE SELLER:

By: 
Garrett and Company Resources, LLC

Date: 6/4/2024

By: 
Willowbrook Investments, LLC

Date: 6/4/2024



ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS:

Before me, the undersigned Notary Public, on this 12th day of 24, 20
24, personally appeared Carrie Blumert, known to me to be the person whose name is
subscribed to the foregoing instrument in his respective capacity as Oil Commissioner of Oklahoma County
Oklahoma County, and acknowledged to me that he executed the same on behalf of the said
partnership for the purposes and consideration therein expressed.

Given under my hand and seal the day and year above set forth.

My Commission Expires:

06/03/2025



Sharon R. Comp
Notary Public

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS:

Before me, the undersigned Notary Public, on this 10th day of June, 20
24, personally appeared Brian Maughan, known to me to be the person whose name is
subscribed to the foregoing instrument in his respective capacity as Commissioner D2 of Oklahoma County
Oklahoma County, and acknowledged to me that he executed the same on behalf of the said
partnership for the purposes and consideration therein expressed.

Given under my hand and seal the day and year above set forth.

My Commission Expires: 6-3-2025

13005165



Sharon R. Comp
Notary Public

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS:

Before me, the undersigned Notary Public, on this 10th day of June, 2024, personally appeared Myles Davidson, known to me to be the person whose name is subscribed to the foregoing instrument in his respective capacity as Commissioner of Oklahoma County, and acknowledged to me that he executed the same on behalf of the said partnership for the purposes and consideration therein expressed.

Given under my hand and seal the day and year above set forth.

My Commission Expires:

6-3-2025
STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS:



Sharon R. Compie
Notary Public

Before me, the undersigned Notary Public, on this 10th day of June, 2024, personally appeared Maressa Treat, known to me to be the person whose name is subscribed to the foregoing instrument in his respective capacity as County Clerk of Oklahoma County, and acknowledged to me that he executed the same on behalf of the said partnership for the purposes and consideration therein expressed.

Given under my hand and seal the day and year above set forth.

My Commission Expires:

6-3-2025



Sharon R. Compie
Notary Public

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS:

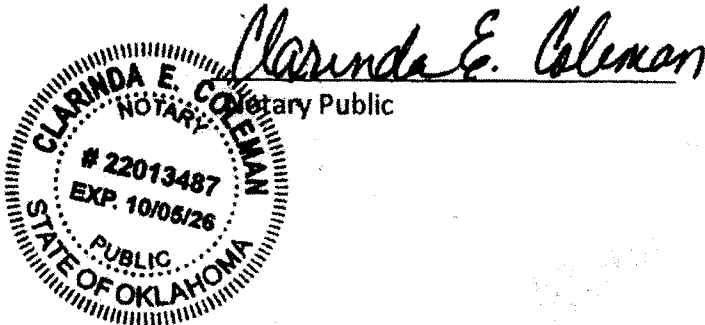
Before me, the undersigned Notary Public, on this 4th day of June, 2024, personally appeared John W. Garrett, known to me to be the person whose name is subscribed to the foregoing instrument in his respective capacity as Manager of Garrett and Company, Inc., and acknowledged to me that he executed the same on behalf of the said partnership for the purposes and consideration therein expressed.

Given under my hand and seal the day and year above set forth.

My Commission Expires:

10-05-2024

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS:



Before me, the undersigned Notary Public, on this 4th day of June, 2024, personally appeared Michael F. Keenan, known to me to be the person whose name is subscribed to the foregoing instrument in his respective capacity as Manager of Willowbrook INV LLC, and acknowledged to me that he executed the same on behalf of the said partnership for the purposes and consideration therein expressed.

Given under my hand and seal the day and year above set forth.

My Commission Expires:

10-05-2026

Clarinda E. Coleman
Notary Public

