

**NOTICE AND AGENDA
SPECIAL MEETING OF THE
BIXBY CITY COUNCIL
Council Chambers**

116 W. Needles, Bixby, Oklahoma 74008
December 7, 2021, 5:30 p.m.

Call to Order

Mayor Guthrie

Roll Call

City Clerk Yvonne Adams

1. Consider, discuss, amend, revise, and adopt a resolution authorizing the calling and holding of an election in the city of Bixby, state of Oklahoma, for the purpose of submitting to the registered, qualified electors of said city the question of the issuance of the general obligation bonds of said city in the sum of forty three million and no/100s dollars (\$43,000,000.00), to be issued in series, to provide funds (either with or without state or federal aid) for the purpose of acquiring, purchasing, constructing, equipping, improving, extending and beautifying public parks and park lands, cultural and recreation facilities, and acquiring necessary lands therefor, all to be owned exclusively by said city, as authorized by section 27, article x of the constitution and statutes of the state of Oklahoma, and acts complementary, supplementary and enacted pursuant thereto; and in connection with said bonds, the question of levying and collecting an annual tax, in addition to all other taxes, upon all the taxable property in said city for the payment of the interest and principal on said bonds.

Jared Cottle

2. Adjournment.

This Notice and Agenda was posted on the bulletin board this 3rd of December 2021, on or before 2:00 p.m., at City Hall, 116 West Needles Bixby, Oklahoma.

Respectfully submitted,

Yvonne Adams, City Clerk

Persons who require a special accommodation to participate in this meeting should contact City Clerk Yvonne Adams, 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: yadams@bixbyok.gov as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

SPECIAL ELECTION PROCLAMATION AND NOTICE

Under and by virtue of Section 27, Article X, of the Oklahoma Constitution and the Statutes of the State of Oklahoma, and Acts complementary, supplementary, and enacted pursuant thereto, and Resolution adopted December 7, 2021, authorizing the calling of an election on the propositions hereinafter set forth, I, the undersigned Mayor of the City of Bixby, Oklahoma, hereby call a special election and give notice thereof to be held in the City of Bixby, Oklahoma, on the 8th day of February, 2022, for the purpose of submitting to the registered, qualified voters in said City the following propositions:

PROPOSITION # 1

“Shall the City of Bixby, Oklahoma, incur an indebtedness by issuing its bonds in the sum of Forty Three Million and no/100s Dollars (\$43,000,000.00), to be issued in series, to provide funds (either with or without state or federal aid) for the purpose of acquiring, purchasing, constructing, equipping, improving, extending, and beautifying public parks and park lands, cultural and recreation facilities and acquire necessary lands therefor, all to be owned exclusively by said City, and levy and collect an annual tax, in addition to all other taxes, upon all the taxable property in said City sufficient to pay the interest on such bonds as it falls due and also to constitute a sinking fund for the payment of the principal thereof when due, said bonds to bear interest at not to exceed the rate of ten percent (10%), per year, payable semi-annually and to become due serially within twenty five (25) years from their date?”

The ballots used at said election shall set out the propositions as above set forth and shall also contain the following words and symbols, with respect to each proposition,

YES - FOR THE ABOVE PROPOSITION

NO - AGAINST THE ABOVE PROPOSITION

If the voter desires to vote for any of the above propositions, the voter shall fill in the box to the left of the word “YES”.

If the voter desires to vote against any of the above propositions, the voter shall fill in the box to the left of the word “NO”.

The specific projects for which at least seventy percent (70%) of the proceeds of the aforesaid bonds shall be expended, and the dollar amounts for each project shall be as follows:

Proposition #1

Purchasing, constructing, equipping, improving, extending and beautifying a Performing Arts Center, including acquiring necessary lands and parking therefor.

\$30,100,000.00

Total	REQUIRED TO LIST <u>\$30,100,000.00</u>	\$30,100,000.00
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That only the registered, qualified voters of the City of Bixby, Oklahoma, may vote upon the proposition as above set forth.

The polls shall be opened at 7:00 o'clock a.m. and shall remain open continuously until and be closed at 7:00 o'clock p.m.

The number and location of the polling places for said election shall be the same as the regular precinct polling places as designated for statewide and local elections by the Tulsa County Election Board.

The persons who shall conduct said election shall be those officers designated by the Tulsa County Election Board, which officers shall also act as counters and certify the election results as required by law. The approval of the above propositions shall require a simple 50% plus one vote majority.

WITNESS our hands as Mayor and City Clerk of the City of Bixby, State of Oklahoma and the Seal of the City this 7th day of December, 2021.

Brian Guthrie
Mayor

ATTEST:

Yvonne Adams
City Clerk

THE CITY COUNCIL OF THE CITY OF BIXBY, STATE OF OKLAHOMA, MET IN SPECIAL SESSION IN THE COUNCIL CHAMBERS AT THE CITY HALL, 116 WEST NEEDLES, IN SAID CITY ON THE 7TH DAY OF DECEMBER, 2021, AT 5:30 O'CLOCK P.M.

PRESENT:

ABSENT:

Written notice of this special meetings of the Council of the City having been given in writing to the Clerk of the City at least forty eight (48) hours prior to said meeting and public notice of this meeting having been posted in prominent public view at Bixby Municipal Building, 116 W. Needles Avenue, Bixby, Oklahoma, twenty-four (24) hours prior to this meeting, excluding Saturdays, Sundays and legal holidays, all in compliance with the Oklahoma Open Meeting Act.

(OTHER PROCEEDINGS)

Thereupon, _____ introduced a Resolution which was read in full by the Clerk and considered by sections, and upon motion by _____, seconded by _____, said Resolution was adopted by the following vote:

AYE:

NAY:

Said Resolution was thereupon signed by the Mayor, attested by the Clerk, sealed with the seal of said municipality, and is as follows:

RESOLUTION 2021 -28

A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN THE CITY OF BIXBY, STATE OF OKLAHOMA, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF THE ISSUANCE OF THE GENERAL OBLIGATION BONDS OF SAID CITY IN THE SUM OF FORTY THREE MILLION AND NO/100S DOLLARS (\$43,000,000.00), TO BE ISSUED IN SERIES, TO PROVIDE FUNDS (EITHER WITH OR WITHOUT STATE OR FEDERAL AID) FOR THE PURPOSE OF ACQUIRING, PURCHASING, CONSTRUCTING, EQUIPPING, IMPROVING, EXTENDING AND BEAUTIFYING PUBLIC PARKS AND PARK LANDS, CULTURAL AND RECREATION FACILITIES, AND ACQUIRING NECESSARY LANDS THEREFOR, ALL TO BE OWNED EXCLUSIVELY BY SAID CITY, AS AUTHORIZED BY SECTION 27, ARTICLE X OF THE CONSTITUTION AND STATUTES OF THE STATE OF OKLAHOMA, AND ACTS COMPLEMENTARY, SUPPLEMENTARY AND ENACTED PURSUANT THERETO; AND IN CONNECTION WITH SAID BONDS, THE QUESTION OF LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS.

WHEREAS, it is deemed advisable by the City of Bixby, State of Oklahoma, to acquire, purchase, construct, equip, improve, extend and beautify public parks and park lands, cultural and recreation facilities and acquire necessary lands therefor; and

WHEREAS, the estimated amount necessary for the City to acquire, purchase, construct equip, improve, extend and beautify public parks and park lands, cultural and recreation facilities and acquire necessary lands therefor is the sum of Forty Three Million and no/100s Dollars (\$43,000,000.00); and

WHEREAS, there are no funds in the treasury for such purposes, and power is granted said City by Section 27, Article X, of the Constitution and laws of the State of Oklahoma, to issue bonds to provide funds for such purposes, provided the same be authorized by the registered qualified voters thereof, voting at an election held for such purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, STATE OF OKLAHOMA.

Section 1. That the Mayor of said City be, and he is hereby authorized and directed to call a special election to be held in said City on the 8th day of February, 2022, for the purpose of submitting to the registered qualified voters thereof the following proposition:

PROPOSITION # 1

“Shall the City of Bixby, Oklahoma, incur an indebtedness by issuing its bonds in the sum of Forty Three Million and no/100s Dollars (\$43,000,000.00), to be issued in series, to provide funds (either with or without state or federal aid) for the purpose of acquiring, purchasing, constructing, equipping, improving, extending and beautifying public parks and park lands, cultural and recreation facilities and acquire necessary lands therefor, all to be owned exclusively by said City, and levy and collect an annual tax, in addition to all other taxes, upon all the taxable property in said City sufficient to pay the interest on such bonds as it falls due and also to constitute a sinking fund for the payment of the principal thereof when due, said bonds to bear interest at not to exceed the rate of ten percent (10%), per year, payable semi-annually and to become due serially within twenty five (25) years from their date?”

The ballots used at said election shall set out the propositions as above set forth and shall also contain the following words and symbols, with respect to each proposition,

YES - FOR THE ABOVE PROPOSITION

NO - AGAINST THE ABOVE PROPOSITION

If the voter desires to vote for any of the above propositions, the voter shall fill in the box to the left of the word “YES”.

If the voter desires to vote against any of the above propositions, the voter shall fill in the box to the left of the word “NO”.

Section 2. The specific projects for which at least seventy percent (70%) of the proceeds of the aforesaid bonds shall be expended, and the dollar amounts for each project shall be as follows:

Proposition #1

Purchasing, constructing, equipping, improving, extending and beautifying a Performing Arts Center, including acquiring necessary lands and parking therefor.	\$30,100,000.00
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Total	REQUIRED TO LIST \$30,100,000.00	\$30,100,000.00
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Section 3. That such call for said election shall be by proclamation, signed by the Mayor and attested by the City Clerk, setting forth the propositions to be voted upon, the hours of opening and closing of the polls, and the substance of Section 2 hereof. That the ballots shall set forth the propositions to be voted upon substantially as set out in Section 1 hereof, and that the returns of said election shall be made to and canvassed by the Tulsa County Election Board.

Section 4. That the number and location of the polling places for said election shall be the same as the regular precinct polling places designated for statewide and local elections by the Tulsa County Election Board. The persons who shall conduct the election shall be those precinct officers designated by the Tulsa County Election Board, which officers shall also act as counters and certify the election results as required by law. The approval of the propositions shall require a simple 50% plus one vote majority.

Section 5. That a copy of this Resolution along with a map of the City limits of the City of Bixby shall be personally delivered to the office of the County Election Board of Tulsa County, State of Oklahoma, at least sixty (60) days prior to the date of the election.

Section 6. That the Election Board of Tulsa County be and is now notified that a nonpartisan municipal election will be held in the City of Bixby, Oklahoma located in Tulsa and Wagoner Counties, on February 8, 2022.

ADOPTED AND APPROVED this 7th day of December, 2021.

Brian Guthrie
Mayor

ATTEST:

Yvonne Adams
City Clerk

(SEAL)

APPROVED AS TO FORM.

Phil Frazier
City Attorney

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STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

I, the undersigned, the duly qualified and acting Secretary of the County Election Board of the above County hereby certify that a copy of the above and foregoing Resolution adopted by the governing body of the City of Bixby, Oklahoma, on December 7th, 2021, was personally served upon the office of the County Election Board of said County on the _____ day of December, 2021.

WITNESS my hand and seal of the County Election Board of said County this _____ day of December, 2021.

Secretary, County Election Board of Tulsa
County, Oklahoma on behalf of the Tulsa
County Election Board and the Wagoner
County Election Board

(SEAL)