

ORDINANCE NO. _____

ORDINANCE ADOPTING AND SETTING THE ASSESSMENT ROLL, YEAR 2023-2024, FOR THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, CITY OF OKLAHOMA CITY IMPROVEMENT AND SPECIAL SERVICES ASSESSMENT DISTRICT NO. SIX (6), IN THE AREA COMMONLY KNOWN AS DOWNTOWN OKLAHOMA CITY, INCLUDING AUTOMOBILE ALLEY, BRICKTOWN, THE CITY CENTER, DEEP DEUCE, MIDTOWN, AND WEST VILLAGE; ESTABLISHING THE TIME AND TERMS OF PAYMENT OF THE ASSESSMENTS AND OTHER EXPENSES; FIXING PENALTIES TO BE CHARGED FOR DELINQUENT PAYMENT OF THE ASSESSMENT OR FOR AN INSTALLMENT THEREOF; SETTING FORTH THE TRACTS OR PARCELS OF LAND AGAINST WHICH THE ASSESSMENTS ARE BEING ADOPTED, RATIFIED, AND LEVIED; DIRECTING THE CITY CLERK TO PREPARE, SIGN, ATTEST, AND RECORD WITH THE COUNTY CLERK OF OKLAHOMA COUNTY, WITHIN SIXTY (60) DAYS OF THE PUBLICATION OF THIS ORDINANCE, A CLAIM OF LIEN FOR ANY UNPAID AMOUNT DUE AND ASSESSED AGAINST A TRACT OR PARCEL OF LAND; AND PROVIDING FOR AN EFFECTIVE DATE AS OF THE DATE OF ADOPTION AND PASSAGE.

SPECIAL ASSESSMENT ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION 1. Pursuant to 11 Okla. Stat. § 39-111 *et seq.*, the Council of The City of Oklahoma City hereby adopts and sets the Assessment Roll (“Assessment Roll”) attached to this Ordinance as Exhibit “A” and incorporated into this Ordinance by reference as if fully set forth herein. The Council of The City of Oklahoma City hereby further levies the assessments set forth in the aforesaid Assessment Roll against the tracts or parcels as referenced therein.

SECTION 2. Pursuant to 11 Okla. Stat. § 39-112(A)(1), the Council of The City of Oklahoma City hereby further establishes the time and terms of paying the assessment as follows:

1. The total amount of the assessment against any tract or parcel (*see* attached Exhibit “A”) may be paid in full (with zero percent (0%) interest) by cash or check to the City Treasurer of The City of Oklahoma City, 1st Floor, 420 West Main Street, Oklahoma City, Oklahoma (73102) (the “City Treasurer”), within thirty (30) days of the date of publication of this Ordinance; or
2. The total amount of the assessment against any tract or parcel (*see* attached Exhibit “A”) may be paid in ten (10) equal monthly installments (with zero percent (0%)

interest) via Automated Clearing House (“ACH”) draft to the City Treasurer, with the ACH draft account to be set up with the City Treasurer within thirty (30) days of the date of publication of this Ordinance, and with the ten (10) equal monthly installments to be due and payable on the first day of each of the ten (10) months following the month in which the ACH account is set up with the City Treasurer.

SECTION 3. Pursuant to 11 Okla. Stat. § 39-112(A)(4), the Council of The City of Oklahoma City hereby further establishes and fixes the following penalties to be charged:

1. For any assessment for which the total amount of the assessment is not paid in full within sixty (60) days of the date of publication of this Ordinance or, in the alternative, for which an ACH automatic draft account has not been established within thirty (30) days after the publication of this Ordinance, both as provided by Section 2 of this Ordinance, the amount of ten percent (10%) of the total amount of the unpaid assessment due shall be added to the total assessment due as a penalty, which penalty shall continue until fully paid; and
2. For any installment of an assessment being paid by ACH draft that is not paid when due, as provided by Section 2 of this Ordinance, the amount of ten percent (10%) of the total amount of the unpaid installment due shall be added to the unpaid installment as a penalty, which penalty shall continue until fully paid.

SECTION 4. The assessments adopted, set, ratified, and levied, as set forth in Sections 1 and 2 of this Ordinance, are hereby adopted, ratified, and levied against those tracts and parcels of land and properties legally described in Exhibit “A” attached hereto.

SECTION 5. Pursuant to 11 Okla. Stat. § 39-112(C), the City Clerk shall, within sixty (60) days after the publication of this Ordinance, prepare, sign, attest with the Municipal Seal, and record in the office of the County Clerk of Oklahoma County, a claim of lien for any unpaid amount due and assessed against a tract or parcel of land.

SECTION 6. Any assessments received and interest accrued from the Downtown Oklahoma City Business Improvement District Number Two (2) shall be credited to City of Oklahoma City Improvement and Special Services District Number Six (6) upon adoption to reduce the assessments in the year in which they are received. Any assessments received and interest accrued from the second generation Downtown Business Improvement District, City of Oklahoma City Improvement and Special Services Assessment District Number Six (6) shall be credited to the third generation Improvement and Special Services District Number Six (6), City of Oklahoma City, upon adoption to reduce the assessments in the year in which they are received.

SECTION 7. Whereas, an ordinance adopting, setting, and levying the assessment roll for a business improvements district is considered, under the laws of the State of Oklahoma, to be a special assessment ordinance, and whereas, Article II, Section 24, of the Oklahoma City Charter specifically provides that bond issues and special assessment ordinances are not subject to the emergency ordinance provisions of the City Charter, by reason whereof this Ordinance shall take effect and be in full force from adoption and passage.

SECTION 8. To facilitate administration of this Ordinance, the City Treasurer is hereby authorized to make corrections to assessments levied and/or penalties added in the event he/she determines that an error has occurred or when deemed necessary or expedient due to changed circumstances; provided, however, cumulative corrections shall not exceed three percent (3%) of the assessment roll's total value.

INTRODUCED AND READ in open meeting of the Council of The City of Oklahoma City this 29TH day of AUGUST, 2023.

PASSED by the Council of The City of Oklahoma City this ____ day of _____, 2023.

SIGNED by the Mayor of The City of Oklahoma City this ____ day of _____, 2023.

ATTEST: (Seal)

CITY CLERK

MAYOR

REVIEWED for form and legality.



ASSISTANT MUNICIPAL COUNSELOR