
ORDINANCE NO. 3833

AN ORDINANCE AMENDING THE BROKEN ARROW CODE OF ORDINANCES, CHAPTER 2; ARTICLE XIV; REPEALING ALL ORDINANCES TO THE CONTRARY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. Chapter 2, Article XIV, Sections 2-212 and 2-215 shall be amended as follows:

ARTICLE XIV. VISIT BROKEN ARROW

Sec. 2-211. Created.

- (a) There is hereby created an agency of the city to be known as Visit Broken Arrow, which shall consist of nine members, three members will be from the Broken Arrow lodging/tourism industry, five members from the Broken Arrow community representing non-tourism/hospitality businesses to be appointed by each council member subject to confirmation by a majority vote of the entire membership of the council, and one city councilmember or their appointee.
- (b) Each member of the Visit Broken Arrow board shall live and/or work within the city limits.
- (c) Three members of the Visit Broken Arrow board shall be employed within the Broken Arrow hospitality industry, at a facility in the city. Five members shall be from the Broken Arrow community representing non-tourism/hospitality businesses, and one member shall be a city councilmember or their appointee. In the event a specific appointee, as listed in subsection (c), is unable to attend the Visit Broken Arrow board meeting, said appointee shall be allowed to send an alternate representative, employed by the same corporate entity as the appointee, who shall be entitled to the same voting rights and all privileges to which appointee is entitled.

(Code 1977, § 2-211; Ord. No. 2790, § I, 5-1-2006; Ord. No. 2921, § I, 12-3-2007; Ord. No. 2957, § I, 2-4-2008; Ord. No. 3253, § I, 10-1-2013; Ord. No. 3413, § I, 3-1-2016; Ord. No. 3499, § I, 10-17-2017; Ord. No. 3531, § I, 6-18-2018; Ord. No. 3704, § I, 11-2-2021; Ord. No. 3729, § I, 6-6-2022)

Sec. 2-212. Appointments.

Appointments shall be for staggered two-years terms except for the year of 2016, position 3 shall be for a term of one year. Appointed members of the Visit Broken Arrow board shall serve without compensation and shall not hold or be candidates for an elective public office.

(Code 1977, § 2-212; Ord. No. 2790, § I, 5-1-2006; Ord. No. 2921, § I, 12-3-2007; Ord. No. 3447, § I, 9-20-2016)

Sec. 2-213. Removal from office.

Members of the Visit Broken Arrow board shall be removed only for cause as provided in the Oklahoma Constitution and state laws for the removal of municipal elective officers and any city ordinance governing boards, commissions, trusts, or other agencies whose membership is appointed or confirmed by the city council.

(Code 1977, § 2-213; Ord. No. 2790, § I, 5-1-2006; Ord. No. 2921, § I, 12-3-2007; Ord. No. 3416, § II, 3-1-2016 ; Ord. No. 3729 , § II, 6-6-2022)

Sec. 2-214. Organization.

- (a) Any vacancy in membership shall be filled by appointment by the respective council member as described in section 2-211, subject to confirmation by a majority vote of the entire membership of the council.
- (b) Members of the Visit Broken Arrow board are eligible for reappointment.
- (c) The term of a Visit Broken Arrow board member expires at 5:00 p.m. on the last day in September on the second year following appointment for a full term.
- (d) The city council may provide for a payment of reasonable expenses incurred by Visit Broken Arrow board members in the performance of their official duties and compensation for authorized duties.
- (e) It shall hold at least one regularly scheduled meeting each quarter.
- (f) All meetings shall be open to the public as provided by the laws of Oklahoma.

(Code 1977, § 2-214; Ord. No. 2790, § I, 5-1-2006; Ord. No. 2921, § I, 12-3-2007; Ord. No. 3413, § III, 3-1-2016 ; Ord. No. 3729 , § III, 6-6-2022)

Sec. 2-215. Duties.

The Visit Broken Arrow board shall:

- (a) Develop and recommend to the council a program to attract tourism to the city, including but not limited to sports tournaments and other recreational or entertainment opportunities.
- (b) Advise the council on the creation, establishment, promotion, control, management, operation, improvement, and maintenance of tourist attractions of a permanent or a temporary character so that Broken Arrow will be developed as a tourist destination.
- (c) Recommend to the city manager, on or before a date specified by the city manager, an operating budget, a capital budget, and a capital program for the funds raised through Broken Arrow's Hotel Tax.
- (d) Perform such other duties as may be established by ordinance or assigned by the council.

(Code 1977, § 2-215; Ord. No. 2790, § I, 5-1-2006; Ord. No. 2921, § I, 12-3-2007)

Sec. 2-216. Reserved.

Sec. IV of Ord. No. 3413, adopted Mar. 1, 2016 , repealed § 2-216, which pertained to effective date of article, and derived from the 1977 Code; and Ord. No. 1790, adopted Aug. 2, 1993.

Sec. 2-217. Selection of officers.

- (a) Officers of the Visit Broken Arrow board shall consist of a chairman and vice-chairman. The chairman and vice-chairman shall be elected by the membership.
- (b) Nomination of officers shall be made from the floor at the first regular scheduled meeting each September. Election of officers shall follow immediately. A candidate receiving a majority vote of the entire membership shall be declared elected.

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- (c) The term of office shall be for two years or until a successor takes office.
 - (d) Any vacancies in the office shall be filled for the unexpired portion of the term in the same manner as officers are originally chosen.

(Ord. No. 3413, § V, 3-1-2016 ; Ord. No. 3729 , § V, 6-6-2022)

Sec. 2-218. Codes of ethics.

Any Visit Broken Arrow board member to whom some private benefit, direct or indirect, financial, or otherwise, may come because of some public action should not be a participant in that action. Any Visit Broken Arrow board member experiencing a conflict of interest should declare his/her interest publicly, abstain from voting on the matter, and should refrain from any deliberations on the matter. He or she should not discuss the matter privately with any fellow official for the purpose of influencing a decision thereof.

(Ord. No. 3413, § VI, 3-1-2016 ; Ord. No. 3729 , § VI, 6-6-2022)

Sec. 2-219. Public hearings.

- (a) In addition to those required by law, the Visit Broken Arrow board may hold public hearings on any matter which it deems to be in the best interest of the city for tourism, leisure and culture.
- (b) Notice shall be given in writing by December 15 of each calendar year of the schedule of meetings showing the date, time, and place of regularly scheduled meetings for the following year. Such notice will be given to the municipal clerk. In addition, all meetings will be posted for public notice which will provide an agenda at least 24 hours in advance. Special meetings will be provided at least 48 hours in advance to the public. The Open Meeting Act will be complied with for all meetings of the Visit Broken Arrow board and its committees.
- (c) The chairperson shall summarize each item on the agenda before the Visit Broken Arrow board, allow interested parties to address the Visit Broken Arrow board, and accept written statements and other documentation pertinent to the matter before the Visit Broken Arrow board.
- (d) All exhibits presented to the Visit Broken Arrow board shall be retained by Visit Broken Arrow unless the presenter is able to provide Visit Broken Arrow with copies.
- (e) An accurate, written record shall be made of the proceedings and maintained as a part of the Visit Broken Arrow files.
- (f) All approved meeting minutes will be made available for public inspection as specified by the Open Records Act.

(Ord. No. 3413, § VII, 3-1-2016 ; Ord. No. 3729 , § VII, 6-6-2022)

Sec. 2-220. Reserved.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public health, peace, and safety and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this 15th day of July, 2024.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY