

- § 1. WHEREAS, Resolution No. R-1819-66, as amended, was adopted by the Council of the City of Norman on July 23, 2019 and established a Charter Review Commission to conduct a targeted review of the Norman City Charter; and
- § 2. WHEREAS, the Charter Review Commission presented ten (10) recommendations for amendments to the City Charter to the City Council on August 3, 2021; and
- § 3. WHEREAS, on August 3, 2021, the Council voted affirmatively to place five (5) of the recommendations on an election ballot for consideration by the voters, and asked for further discussion on the remaining five (5) recommendations of the Charter Review Commission; and
- § 4. WHEREAS, on August 24, 2021, the Council, after additional discussion, reached consensus to place two (2) additional recommendations of the Charter Review Commission on an election ballot for consideration by the voters; and
- § 5. WHEREAS, on January 4, 2022, the Council had additional discussion on two additional recommendations of the Charter Review Commission, as well as a discussion about the Reapportionment Process, and reached consensus to place one (1) additional recommendation of the Charter Review Commission, modify and place an additional question initially considered by the Charter Review Commission, and place changes to the Reapportionment Process outlined in the Charter on a ballot for consideration by the voters.
- § 6. WHEREAS, \_\_\_\_\_ on \_\_\_\_\_ May \_\_\_\_\_, 2022, \_\_\_\_\_ Council \_\_\_\_\_
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NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 7. That, the Mayor is hereby authorized and directed to call a special election to be held in the City on the 23<sup>rd</sup> day of August, 2022, for the purpose of submitting to the registered voters of the City the various proposed amendments to the Charter of said City, to-wit:
- § 8. That, Section 1 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

**Section 1. – Elected Officers: Powers and duties; stipend.**

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The Mayor shall receive an annual stipend of \$8,100 for his or her service per annum, payable monthly beginning with the mayoral term that begins in 2025. Each of the Councilmembers shall receive an annual stipend of \$5,400 per annum, payable

monthly, beginning with the terms that begin in 2025. The Mayor, with the consent of Council, shall appoint a five-member Compensation Commission to determine and set the appropriate monthly stipend for the Mayor and each of the Councilmembers shall receive based on the consumer price index, the City's overall budget, and other relevant factors every three years thereafter. Said Compensation Commission shall be appointed every three years and any monthly stipend increases approved by the Commission shall not become effective until the following Council or Mayoral (as applicable) term, a stipend for their services, fifty dollars per month, plus ten dollars for each regular or special meeting attended, provided, however, that no Councilmember shall receive more than one hundred dollars total stipend for any given calendar month.

- § 9. That, Section 2, 5, 6 and 14 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

**Section 2. - Term of office.**

The term of Councilmembers shall be for a period of two years. Beginning with the 2025 elections, elections for Councilmembers shall occur every three years, with the odd-numbered ward elections occurring in 2025 and every three years thereafter, the even-numbered ward elections occurring in 2026 and every three years thereafter. The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6), and eight (8) shall ~~expire~~begin on the first Tuesday of July of the next even numbered year after their election through July 2024. Beginning in 2026 and every third year thereafter, the terms of Councilmembers chosen to represent such wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5), and seven (7) shall ~~expire~~begin on the first Tuesday of July of the next odd numbered year after their election through July 2023. Beginning in 2025 and every third year thereafter, the terms of Councilmembers chosen to represent such wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

Each elected officer shall continue to hold and to perform the duties of his office until his successor is elected and qualified, unless he is removed or forfeits his office under other provisions of this Charter.

The term of office of the Mayor elected at regular elections, Elections for Mayor shall be occur every three (3) years. The term of the Mayor shall ~~expire~~begin on the first Tuesday of July and each three (3) years thereafter through July 2025. Beginning with the 2025 election, and every third year thereafter, the term of the Mayor shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

For purposes of filing and election to the positions of City Council, only persons who have been duly registered to vote in accordance with state law within the City of Norman and reside within the ward for which they seek election for the six months prior to the date of the municipal election ~~and reside in the ward from which they seek election, on the date of their filing~~, shall be eligible to seek election to the City Council. If a candidate's ward designation has changed in the six months prior to the election due to reapportionment, then the requirement of six months durational residency shall be waived, although the candidate is still required to live in the newly established boundaries of the ward for which he or she seeks office.

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## **Section 5. – Municipal Elections.**

By resolution duly adopted each year, the City Council shall designate a date in the following year, which is approved under then-current state law, for the holding of Norman's municipal election, at which time there will be election contests conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. Beginning in 2025, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards one (1), three (3), five (5), and seven (7). Beginning in 2026, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8). Beginning in 2028, and every third year thereafter, elections for Mayor shall be held, provided two (2) or more qualified (as described above) registered voters have filed for office. If allowed by then-current state law, the date for municipal elections shall be in February. In each such municipal election, a person receiving a majority of votes cast shall be deemed to be the winner. If no person receives a majority of votes in the municipal election, the two candidates receiving the most votes shall proceed in the municipal runoff election, described below. If two or more persons tie for second place in the municipal election, and the person receiving the most votes did not receive a majority of votes cast, then the second-place nominee shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board. If three or more persons tie for first place in the municipal election, then the two municipal runoff election nominees shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board.

## **Section 6. – Municipal Runoff Elections.**

By resolution duly adopted each year, the City Council shall designate a date in the following year that is subsequent to the date chosen for Norman's municipal election described in Section 5 herein, which is approved under then-current state law, for the holding of Norman's municipal runoff election, at which time there will be runoff election

contests, if necessary, conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. Beginning in 2025, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards one (1), three (3), five (5), and seven (7). Beginning in 2026, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8). Beginning in 2028, and every third year thereafter, elections for Mayor shall be held, provided two (2) or more qualified (as described above) registered voters have filed for office. If allowed by then-current state law, the date for municipal runoff elections shall be in April.

#### **Section 14. – Form of ballot.**

~~In odd-numbered years~~ in which the terms of the odd numbered wards expire, the names of the candidates for City Council for each Council ward numbered one (1), three (3), five (5) and seven (7) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. \_\_\_\_\_", followed by the instruction in each case: "Vote for One".

~~In even-numbered years~~ in which the terms of the even numbered wards expire, the names of the candidates for City Council for each Council ward numbered two (2), four (4), six (6) and eight (8) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. \_\_\_\_\_", followed by the instruction in each case: "Vote for One".

In the years in which the Mayor's term expires, the names of candidates for Mayor shall be placed upon the ballot under the words: "For Mayor", followed by the instruction: "Vote for One".

- § 10. That, Section 22 of Article II of the Charter of Norman, Oklahoma, shall be amended to read as follows:

#### **Section 22. – Vacancies in office.**

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Any vacancy occurring on the City Council shall be filled by a majority vote of the remaining members of the City Council for ~~a period extending until the next regular municipal election, at which time an election, conducted as provided by this Charter and applicable State law, shall be held to fill any~~ the balance of the unexpired term; provided, however, if the City Council does not fill the vacancy by appointment within sixty (60) days after the same occurs, it shall be mandatory on the part of the City Council to call and schedule a special election to fill the vacancy for the unexpired term, which election shall

be held for the election of a City Councilmember, only, and said election shall be conducted in the same manner as a regular municipal election.

- § 11. That, Section 1 of Article IX of the Charter of Norman, Oklahoma, shall be amended to read as follows:

**Section 1. – Appointment of Board.**

The Mayor, with the approval of the City Councilmembers, shall appoint a Board of Norman Regional Hospital Authority consisting of ~~nine~~ eleven registered voters who shall serve for a term of three years. At least nine of the board members shall be Norman residents. A maximum of two members may be appointed from other communities in which the Norman Regional Hospital Authority operates at least one facility. In case of a vacancy in the Board, an appointment to fill the unexpired term shall be made in the same manner as the original appointments. The City Manager shall be an ex-officio member of the Board of Norman Regional Hospital Authority but he shall have no vote. His advice and services shall be given to the Board in the planning and execution of its work.

- § 12. That, Section 2 of Article VII of the Charter of the City of Norman, Oklahoma, shall be amended to read as follows:

**Section 2. – Appointment and removal of City Attorney.**

~~The City Attorney shall be appointed by Manager; such appointment shall be subject to the approval of a majority of the City Council. The City Attorney may be removed by the City Manager. Council shall by an affirmative vote of five (5) members appoint a City Attorney, who shall serve at the pleasure of the City Council as an at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Attorney, nor for two years after he ceases to be a member. In case of absence or disability of the City Attorney, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Attorney may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Attorney, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Attorney following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Attorney. If the Council suspends or removes the City Attorney from office, the Council may provide for the~~

temporary performance of the City Attorney's duties. The action of the Council in suspending or removing the City Attorney shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

- § 13. That, Sections 1, 2, 3, 4 and 5 of Article XIII of the Charter of the City of Norman shall be amended as follows:

**Section 1. - Time of commencing proceedings.**

The holder of any elective office, either by election or appointment to fill a vacancy, may be removed at any time during the time period beginning after six months from the date of his accession to said office and ending six months prior to the expiration of the current term of the elected official so subject to recall, by the registered voters qualified to vote for a successor to such incumbent, in the following manner:

**Section 2. - Filing of petition; validation of signatures.**

A petition bearing the signatures, names and addresses of twenty-five per cent (25%) of the registered voters qualified to vote for the officer whose recall is sought, shall be necessary to initiate recall proceedings. The City Clerk shall maintain on file and for public use proper petition forms that are in substantial conformance with the form provided in State law for referendum petitions to initiate such proceedings.

At the top of each page of said petition(s) there shall be a ~~short simple~~ statement of the ~~reasons for which recall is being sought~~. gist of the recall proposition: "If successful, this petition will allow the voters to decide whether to recall [insert elected officer] prior to the expiration of his/her term, or allow he/she to continue to serve in office."

The petition must be returned to the City Clerk within thirty (30) days, ~~Sundays and legal holidays excepted~~, of its initiation in order to be valid. Failure to return the petition(s) within the proper time limits shall render them null and void.

Upon receipt of the petition(s), the City Clerk shall inspect said petition(s) to see that all the signatures are valid and that they are those of registered voters eligible to vote for the office from which the officer's removal is sought. Such inspection by the City Clerk shall be completed in a reasonable amount of time, not to exceed ~~not more than~~ thirty (30) days for one petition to recall a ward representative, sixty (60) days for a petition to recall the Mayor, and ninety (90) days if multiple petitions are undergoing inspection concurrently.

**Section 3. – Notice and publication.**

The City Clerk shall cause to be published upon the filing of the said petition with the City Clerk's office, in some newspaper of general circulation in the City of Norman a

notice to the voters, stating the name of the officer(s) whose recall is sought and the time limit within which said petition(s) must be signed. Further, the City Clerk shall cause to be mailed to the officer(s) whose recall is sought an official notice that the petition has been commenced and the time limit in which it must be completed. Such notice shall be by certified mail, return receipt requested, and the refusal of the officer(s) to accept delivery shall in no way affect the validity of the notice. Failure of the City Clerk to keep the City Clerk's office open during regular office hours, which failure prevents the proper filing of said petition(s), shall be adjudged a misdemeanor and upon conviction thereof the Clerk shall be punished by a fine of not less than ten dollars and not more than fifty dollars, and each day said City Clerk violates the provisions hereof shall constitute a separate and distinct offense. In the event such a failure on the part of the City Clerk occurs, petitioners may file the petition(s) with the City Manager.

In addition to publishing notice upon receipt of a petition, the City Clerk shall also publish notice in advance of any recall election in accordance with Title 34, Section 17 of the Oklahoma Statutes.

#### **Section 4. – Calling election; votes required for recall.**

Upon determination by the City Clerk that the petition(s) bear the signatures of the requisite number of registered voters, said petition(s) shall be presented by the City Clerk to the City Council which body shall, in accordance with state election laws, call a recall election.

~~The sole question in said election shall be the recall of the officer(s) affected. The recall shall be adopted when the total number of votes in favor of the recall is a majority of all the votes cast on the issue and that majority equals a majority of all the votes cast in the most recent previous election for the particular office in question. Should more than four Councilmembers be recalled in the same recall election, then an affirmative vote of a majority of the remaining seated Councilmembers shall be sufficient to take any action until the vacancies resulting from the recall are filled as set forth herein.~~

#### **Section 5. – Election to fill vacancy created by recall.**

In the event the recall is adopted, a vacancy shall be declared and an election shall be called for the next available election date in accordance with state election laws. ~~it shall be filled in the following manner for the unexpired term of the recalled officer(s): the City Council shall set filing for an election to fill the vacancy to commence ten (10) days after the date of the recall vote and last until 5:00 p.m. of the eleventh (11th) day after the recall election. Qualification to be a candidate shall be as for a regular election as set out in Article II. The election to fill the vacancy created by the recall shall be set in accordance with state election laws.~~ Election shall be by a plurality of the votes cast and shall be certified in the regular manner.

- § 14. That, Section 2 of Article XVI of the Charter of the City of Norman shall be amended as follows:

**Section 2. – Utility Rate Increases within the Control of the City of Norman**

~~Precedent to an increase in utility rates within the control of the City of Norman, such increase proposal must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for said purpose. Prior to any proposed increase in utility rates, Staff shall prepare a rate study for the utility for which a rate increase is proposed. A nine-member Utility Rate Commission shall be appointed by the Mayor, with the consent of Council, with members representing each ward and one at-large member for the purpose of reviewing proposed utility increases and the corresponding rate study. Upon receipt of the rate study and the recommendation of the Utility Rate Commission, the City Council may adopt an ordinance imposing a rate increase provided it does not exceed three percent. Any proposed rate increase that exceeds a three percent increase over existing rates must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for such purpose.~~

- § 15. That, Sections 2, 3, 4 and 5 of Article XX of the Charter of the City of Norman shall be amended as follows:

**Section 2. – Appointment and meetings of the Reapportionment Ad Hoc Committee.**

The Reapportionment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries as follows:

- a. When the City proposes to annex or de-annex property; or
- b. ~~After the release of new precinct information by the Election Board pursuant to the release of the final Federal Decennial Census During the last quarter of the calendar year prior to the release of the Federal Decennial Census and continuing through the release of the final Census; or~~
- c. Upon the unanimous recommendation of City Council.

In the case of proposed annexation or de-annexation, members of the Reapportionment Ad Hoc Committee shall be appointed within ninety (90) days of adoption of any such proposal. For purposes of reviewing the Federal Decennial Census, members of the Reapportionment Committee shall be appointed ~~six (6) months prior to the year of~~ within thirty (30) days of the release of new precinct information for Norman by the Election Board the issuance of such census. The Reapportionment Ad Hoc Committee's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward).



### **Section 3. Criteria for ward boundaries.**

No later than one hundred and eighty (180) days after the appointment of the Reapportionment Ad Hoc Committee pursuant to Section 2(a) or 2(c) herein, or after the release by the Election Board of new precinct information for Norman ~~issuance of the Federal Decennial Census~~ when the Committee is appointed pursuant to Section 2(b) herein, the Committee shall pass and refer to the City Council a resolution to retain or readjust the wards and their boundaries to comply with the standards set out herein. Wards should be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

### **Section 4. Public hearing on proposed boundaries; votes required for passage.**

~~At least ten (10) days before~~ Prior to voting on the resolution, the Reapportionment Ad Hoc Committee shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the Committee. A map showing the wards and their boundaries shall be appended to the resolution.

### **Section 5. Council shall have final authority.**

The resolution shall then be referred to the City Council which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt the resolution without modification, reject the resolution, or ~~adopt~~ send the resolution back to the Reapportionment Ad Hoc Committee for further consideration. ~~with such modification as the Council deems necessary.~~ If any changes in ward boundaries are adopted by City Council, such changes shall also be adopted by ordinance and codified in the Code of the City of Norman. ~~In any alteration or amendment of the resolution as proposed by the Reapportionment Ad Hoc Committee, the City Council shall use the same criteria for ward boundaries as hereinabove adopted for the use of the Reapportionment Ad Hoc Committee.~~

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election set by the City Council, and for all other purposes on the day on which the terms of the Councilmembers elected that year begin.