

Possible Charter Amendments

Additional Discussion


Council Study Session

January 4, 2022





Background

- Council voted whether to send each recommendation of the CRC to a vote of the people on August 3, 2021
 - Additional discussion was had on 4 topics on August 24, 2021
 - Term Expiration – consensus reached to send forward
 - Appointment Process – consensus reached to send forward clarifying language and look at an adopted policy or ordinance for appointment selection process
 - Recall of Elective Officers - more discussion needed
 - Utility Rates – more discussion needed
 - Since August, the City has tested out the 2014 Reapportionment Charter provisions
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Article XIII, Recall of Elective Officials


Section 2, Current Charter Language:

- Sufficient petition is one that contains signatures, names, addresses of 25% of the registered voters eligible to vote for the official

Section 2, **Revised** Recommendation:

- 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.


During the August 24, 2021 meeting, Council asked Staff to look at comparable cities to compare signature count requirements.



City/State	Number of Signatures	72,618 registered voters in Norman (city-wide) 13,068 votes cast in last Mayoral election
Norman, OK (current)	At least 25% of the registered voters for office for which recall is sought	18,154 signatures
Kansas (State law)	At least 40% of votes cast in the last general election for office for which recall is sought	5,227 signatures
Austin, TX	At least 10% of qualified voters for office for which recall is sought	7,261 signatures
College Station, TX	At least 40% of total number of votes cast at last general election for office for which recall is sought	5,227 signatures
Waco, TX	At least 30% of qualified voters for office for which recall is sought	21,785 signatures
Columbia, MO	At least 30% of votes cast at the last regular election for office for which recall is sought; provided, there must be at least 200 signatures for each ward and 500 for Mayor	3,920 signatures
Knoxville, TN	At least 30% of votes cast at the last regular election for office for which recall is sought.	3,920 signatures
Stillwater, OK	At least 25% of votes cast in last general City election (Note: Councilmembers are all elected at-large)	3,267 signatures
Edmond, OK	At least 35% of registered voters at the time of the last election for the office being sought for recall; at least 10% must sign the affidavit submitted with the petition initially.	25,416 signatures, 7,261 signatures on the affidavit
Lawton, OK	At least 20% of total number of votes for Governor in the last gubernatorial election in the City or Ward for which recall is sought. A written statement must be provided with the petition before circulation that is signed by at least 100 registered voters of the City or Ward for which recall is sought.	Estimated # of votes in Norman in 2018 Governor's election – 45,975 9,195 signatures required, 100 signatures prior to circulation
Oklahoma City	At least 35% of the qualified electors of the area for which the incumbent was elected as shown by County registration records at the time the petitions are filed with the Clerk	25,416 signatures
Moore, OK	At least 35% of the registered qualified electors who voted in the last general municipal election.	4,573 signatures
Enid, OK	At least 30% of the votes cast at the last preceding election for the office for which recall is sought.	3,920 signatures



Article XVI, Section 2 – Municipally Owned Utilities


- Current Charter Language
 - Any increase in utility rates within the City's control must be submitted to the voters for approval or rejection
 - CRC Recommendation
 - Staff to provide rate study of each utility annually
 - Council shall submit rate increase for one or more utilities (based on rate study) at next Council election
 - Special elections allowed for unexpected needs
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Article XVI, Section 2 – Municipally Owned Utilities


- CRC Recommendation

~~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. On an annual basis, Staff shall prepare and submit to the City Council a rate study for each of its utilities. Upon receipt of such rate studies, Council shall submit a rate increase for one or more of the utilities to the voters at the next election at which ward representatives or the Mayor will appear on the ballot. Should an unexpected need for an additional rate increase for any utility arise prior to the regular election on which such an increase would normally be scheduled as provided herein, then a special election may be called for such purpose. This section is self-executing and shall supersede all provisions in conflict therewith; legislation may be enacted to facilitate its operations but no ordinance shall limit or restrict the provisions thereof.~~






Article XVI, Section 2 – Municipally Owned Utilities

- Council expressed interest in exploring possibility of submitting a question to the voters that would allow Council to adopt modest increases, while preserving the right of the voters to vote for larger increases
 - 2013 CRC recommended language allowing Council to adopt annual rate increases up to 3% without a vote of the residents of Norman.
 - Some utilities use CPI
 - CPI represents changes in prices purchased by urban households, including user fees
 - Not necessarily representative of increases in operational costs
 - CPI for Water, Sewer and Trash Collection Services (Nov. 2020 – Nov. 2021) – 3.5%
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Article XX – Reapportionment

- Prior to 2014, there was a standing Reapportionment Commission that reviewed population data annually to determine whether wards should be adjusted.
 - After concerns were expressed about changing ward boundaries too often, the 2013 CRC recommended, and the voters approved in 2014, Charter amendments that created a Reapportionment Ad Hoc Committee that would be appointed in anticipation of the census.
 - The 2019 CRC did not recommend any changes to Article XX of the Charter because the new language had not been tested yet.
 - In practice, the language sets up timelines that may put the City's process of reapportionment ahead of the County's implementation of new precinct boundaries.
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Article XX – Reapportionment

State Law

- Municipalities must review wards and ward boundaries following the Census and change the boundaries or number of wards if necessary. (11 O.S. 20-101)
 - When establishing ward boundaries, municipalities should try to avoid subdividing precincts established by the County election board. (11 O.S. 20-101)
 - State Timelines :
 1. The Legislature must accomplish apportionment within 90 legislative days after the start of the first regular session of the Legislature following the Census.
 2. Then, the County Commissioners must review their district boundaries and adjust if needed to equalize the population.
 3. Then, the County Election Board revises the precinct boundaries and makes the GIS data available. (Some lead time to build the GIS data and implement new boundaries)
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Article XX – Reapportionment Charter Provisions

- Reappointment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries during the last quarter of the year prior to the release of the Census and continuing through the release of the final Census (Committee appointed 6 months prior to the year of the issuance of the Census)
 - 2020 – Census data is collected
 - April 2021 – Federal deadline for data to be disseminated (2020 Census data wasn't actually disseminated until August 2021)
 - County Election Board would typically be done by end of 2021, but due to the delays in the data, the new precincts will be officially released and implemented after the April 2022 elections.
 - Primary issues:
 - There is nothing for the Committee to review until the data is disseminated; Committee must complete its work no later than 180 days after release of the Census.
 - This potentially puts the City's process ahead of the State's – how can we try to avoid splitting precincts if the Committee does its work prior to the Election Board?
 - Suggestion:
 - Appoint the Committee within 60 days of release of Census data
 - Tie Committee deadline to Election Board precincts
 - Path to ensure the new precincts can be considered before we adopt new boundaries based on 2020 data
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