



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 4/14/2026

REQUESTER: Rickey Knighton II, City Attorney

PRESENTER: Rickey Knighton II, City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF AUTHORIZING THE CITY ATTORNEY'S OFFICE TO INITIATE LITIGATION TO OBTAIN A DECLARATORY JUDGMENT REGARDING THE CITY COUNCIL'S AUTHORITY, IF ANY, TO ORDER A LEGISLATIVE REFERENDUM ON AN ORDINANCE ESTABLISHING A TAX INCREMENT FINANCING DISTRICT PURSUANT TO THE LOCAL DEVELOPMENT ACT, 62 O.S. §§ 850–869.

BACKGROUND:

This item concerns authorization for legal staff to pursue litigation to determine whether the Council has authority, if any, to independently order an election on an ordinance enacted under the Local Development Act, 62 O.S. §§ 850–869.

DISCUSSION:

On March 6, 2026, the City and the Norman Tax Increment Finance Authority received a letter from Cheek & Falcone, PLLC, demanding that Council repeal Ordinance No. O-2425-2, which created the Rock Creek Entertainment District tax increment finance districts, and submit the ordinance to a vote of the qualified electorate. The letter further asserts that, if Council does not comply, litigation seeking declaratory and injunctive relief, attorney's fees, costs, and other relief will be pursued.

Legal staff recommends initiating a declaratory judgment action to determine whether Council has authority to independently order such an election before Council considers repeal of Ordinance No. O-2425-2. Obtaining judicial clarification will reduce legal uncertainty, limit potential exposure, and inform Council's decision-making.

Authorization of this item will allow legal staff to seek a timely judicial determination of this issue.

RECOMMENDATION:

It is recommended that Council authorize legal staff to seek a judicial determination of whether Council has authority to independently order an election on an ordinance enacted under the Local Development Act.