



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: May 10, 2022

REQUESTER:

PRESENTER: Kathryn Walker, City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF ORDINANCE O-2122-46 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, ON THE 23RD DAY OF AUGUST, 2022, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN THE QUESTION OF APPROVING OR REJECTING ORDINANCE O-2122-45, WHICH ORDINANCE AMENDS ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDS SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDS SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDS ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDS SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDS SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO

BE APPOINTED FROM OTHER COMMUNITIES; AMENDS SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDS SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDS SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX MODIFYING DEADLINES AND PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The Charter Review Commission ("CRC") was appointed in the Summer of 2019 to review specific items as requested by members of the City Council. The CRC met monthly, with the exception of several months missed due to COVID-19. Council held a Special Session on August 3, 2021 to hear the recommendations of the CRC and to decide whether to send each recommendation to the voters for their consideration. Council voted to send five of the recommendations to the voters. Recent discussions have targeted a possible June 28, 2022 election for these ballot measures. Charter amendments are adopted by ordinance. In order to meet the State's deadlines for a June 2022 election, Council will be required to vote on the ordinance on Second Reading no later than April 12, 2022.

At the Special Session on August 3, 2021, Council asked for further discussion on 5 of the recommendations related to term expiration, Council vacancies, utility rates, recall elections, and tax-increment financing. Council discussed these items during its conference on August 24, 2021 and reached consensus on sending the CRC recommendation related to term expiration and filling vacant Council positions forward to the voters and *not* sending any Charter amendments forward related to tax increment financing. Further information and discussion was requested for the CRC recommendations related to utility rates and recall elections. During its meeting of January 4, 2022, Council reached consensus to send forward the CRC recommendations related to recall elections and identified language to send forward related to utility rates as well as changes to the reapportionment process to enable the committee to be responsive to revised precinct boundaries.

DISCUSSION:

Council reviewed the final ballot language during its Study Session on May 3, 2022 and gave additional recommendation to add previously prepared Charter amendments related to the creation of a City Auditor position to the ballot. The ordinance language has been amended to reflect this direction.

Ordinance O-2122-46 calls the Special Election for voter consideration of the Charter amendments and sets forth 9 propositions that will appear on the ballot.

RECOMMENDATION:

If Ordinances O-2122-45 and O-2122-46 are adopted on Second and Final Reading on May 26, 2022, an election will be set on August 22, 2022 for voter consideration of nine propositions.