

FILED 3/9/06

Tulsa County Election Board

MAR - 9 2006

AM 3:00 PM

BY *S. Bagg*

(Published in the Tulsa Daily Commerce
and Legal News,
April 24, 2006,
Retherford Publications, Inc.)

RESOLUTION 7352

A RESOLUTION OF NOTICE OF SPECIAL ELECTION PURSUANT TO 26 O.S.SUPP.2005, § 13-102, NOTIFYING THE TULSA COUNTY ELECTION BOARD OF A SPECIAL ELECTION TO BE HELD IN THE CITY OF TULSA, OKLAHOMA, ON THE 9TH DAY OF MAY, 2006, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER ORDINANCE NO. 21220 OF SAID CITY, EXTENDING THE TEMPORARY SALES TAX LEVY OF ONE PERCENT (1%) (3rd Penny) BEGINNING AUGUST 1, 2006 AND ENDING AFTER \$459,161,000.00 IS COLLECTED FROM THE FUNDS RAISED FROM THE INCREMENTAL INCREASE OF THE TAX LEVY FROM 2% TO 3%, NOTICE IS GIVEN TO THE OKLAHOMA TAX COMMISSION TO REDUCE THE SALES TAX LEVIED PURSUANT TO THIS CHAPTER FROM 3% TO 2%, AND SAID TAX LEVY REDUCTION HAS BECOME EFFECTIVE AS PROVIDED BY LAW, SHALL BE APPROVED; FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER ORDINANCE NO. 21220 OF SAID CITY, EXTENDING THE TEMPORARY SALES TAX LEVY OF ONE PERCENT (1%) ("3rd Penny) SHALL BE AMENDED TO INCREASE THE SUM OF \$459,161,000.00 BY \$4,300,000.00 TO \$463,461,000.00; AND DECLARING AN EMERGENCY.

WHEREAS, the Council and Mayor of the City of Tulsa, Oklahoma, have determined that City government at present is severely underfinanced, resulting in an inability to maintain the required level of services to its citizens, and to proceed with the orderly, efficient, and economical prosecution of its public works; and

WHEREAS, the Council and Mayor of the City of Tulsa, Oklahoma, have reviewed and analyzed the issues, have held public hearings for the citizens and taxpayers of said City to express their views, and have determined therefrom that an extension of the temporary sales tax levy of one percent (1%) (3rd Penny) beginning August 1, 2006 and ending after \$459,161,000.00 is collected from the funds raised from the incremental increase of the tax levy from 2% to 3%, notice is given to the Oklahoma Tax Commission to reduce the sales tax levied pursuant to this chapter from 3% to 2%, and said tax levy reduction has become effective as provided by law, is a feasible solution to the present financial crises of the City; and

WHEREAS, the Council and Mayor of the City of Tulsa, Oklahoma, have reviewed and analyzed the issues, have held public hearings for the citizens and taxpayers of said

City to express their views, and have determined therefrom that continuing to collect the temporary one percent (1%) sales tax (3rd Penny) until an additional \$4,300,000.00 has been collected for capital improvements and related debt at the Tulsa International Airport thereby increasing the extension of the temporary sales tax levy of one percent (1%), to beginning August 1, 2006 and ending after \$463,461,000.00 is collected from the funds raised from the incremental increase of the tax levy from 2% to 3% and said tax levy is reduced as provided by law, is an alternative feasible solution to the present financial crises of the City; and

WHEREAS, the earliest possible date for holding a special election in the City of Tulsa, Oklahoma, on the above question is on the 9th day of May, 2006; and

WHEREAS, 26 O.S.Supp.2005, § 13-102, requires the City of Tulsa, Oklahoma, to give sixty (60) days' notice by Resolution of said special election to the Tulsa County Election Board, stating therein the date of said election, the questions to be voted upon at said election, and other information necessary for conducting the said election; and

WHEREAS, Title 10, Chapter 1, Section 100, of the Tulsa Revised Ordinances, provides for absentee ballots in all special elections in the City of Tulsa, Oklahoma, in the manner and in accordance with the provisions now established by the laws of the state of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF TULSA, OKLAHOMA:

Section 1. That the Tulsa County Election Board be and is hereby notified of a special election to be held in the City of Tulsa, Oklahoma, on the 9th day of May, 2006, submitting the question as to whether Ordinance No. 21220 of the City extending the temporary sales tax levy of one percent (1%) beginning August 1, 2006 and ending after \$459,161,000.00 is collected from the funds raised from the incremental increase of the tax levy from 2% to 3%, notice is given to the Oklahoma Tax Commission to reduce the sales tax levied from 3% to 2%, and said tax levy reduction has become effective as provided by law, shall be approved; and submitting the question of whether Ordinance No. 21220 of the City, shall be amended to increase the sum of \$459,161,000.00 by \$4,300,000.00 to \$463,461,000.00.

Section 2. That the ballot setting forth the following propositions on said Ordinance No. 21220 shall be submitted to the registered, qualified voters of the City of Tulsa, Oklahoma, at said election, to wit:

"PROPOSITION NO. 1

"Do you approve continuing to collect the City of Tulsa temporary one percent (1%) sales tax (3rd Penny) from August 1, 2006 until \$459,161,000.00 has been collected, for capital improvements and related debt in accordance with Ordinance No. 21220?"

"PROPOSITION NO. 2

"Do you approve continuing to collect the City of Tulsa temporary one percent (1%) sales tax (3rd Penny) until an additional \$4,300,000.00 has been collected for capital improvements and related debt at the Tulsa International Airport by amending Ordinance No. 21220?" [Note: If Proposition 1 above is not approved, this provision cannot go into effect.]

The ballot setting forth the above Propositions shall also contain in connection with the said Propositions the following words:

	"FOR	←	—
	"The Above Proposition		
	"AGAINST	←	—
	"The Above Proposition		

"If the voter desires to vote for the above Proposition, the voter shall complete the arrow to the right of the word 'FOR'.

"If the voter desires to vote against the above Proposition, the voter shall complete the arrow to the right of the word 'AGAINST'."

Section 3. That the Tulsa County Election Board be and is hereby notified that absentee ballots shall be provided for in all special elections in the City of Tulsa, Oklahoma, in the manner and in accordance with the provisions now established by the laws of the state of Oklahoma.

Section 4. That only the registered, qualified voters of the City of Tulsa, Oklahoma, may vote upon the Propositions as above set forth; that the said Propositions, as set forth above, must be approved by a majority of the voters voting on the Propositions at the said election.

Section 5. That the Mayor of the City of Tulsa, Oklahoma, be and is hereby authorized and directed to call the said election by proclamation, signed by the Mayor and attested by the City Clerk, setting forth the propositions to be voted upon, the date of the election, the hours of opening and closings of the polls, providing that the number and location of the polling places for such election shall be the number and location of the polling places described by the Tulsa County Election Board, and providing that said election shall be conducted by those precinct officials designated by the said County Election Board, which officers shall also act as counters and certify the results to said County Election Board, which shall canvass the returns as in the case of regular elections and certify the results thereof as required by law.

Section 6. That the Tulsa County Election Board be and is hereby notified that, except as provided in the Amended Charter and Ordinances of the City of Tulsa, Oklahoma, all City elections and recounts of votes shall be conducted in accordance with the laws of Oklahoma.

Section 7. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Resolution shall take effect immediately upon its adoption and approval.

ADOPTED by the Council: March 9, 2006
Date

Susan B Deal
Chairman of the Council

ADOPTED as an emergency measure: March 9, 2006
Date

Susan B Deal
Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

Bill LaFortune, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: March 9, 2006
Date

at 2:45 p.m.
Time

Bill LaFortune
Mayor

(Seal)
ATTEST

Richard P. Howard
City Clerk

APPROVED:
Alan Sadere
City Attorney