

TITLE 4

MAYOR, AUDITOR AND COUNCIL

- CHAPTER 1. MAYOR**
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- CHAPTER 3. COUNCIL**
- CHAPTER 4. CAPITAL IMPROVEMENT PLAN AND CAPITAL BUDGET**

CHAPTER 1

MAYOR

- Section 100. Salary of Mayor.
- Section 101. Absence, Temporary Disability or Vacancy.
- Section 102. Appointment of Officers

SECTION 100. SALARY OF MAYOR

The Mayor of the City of Tulsa, Oklahoma, shall receive as full compensation for his or her services as Mayor, effective with the term of office commencing April 1, 2002, at 2:00 p.m., an annual salary of One Hundred Five Thousand Dollars (\$105,000.00), payable as employees of the City are paid.

Ord. No. 20190

SECTION 101. ABSENCE, TEMPORARY DISABILITY OR VACANCY

The Mayor shall file with the City Clerk, from time to time, a designation of one or more officers or employees of the City, other than members of the Council, who shall in the order specified act as Temporary Mayor and perform the duties and exercise the powers of the Mayor during the absence or temporary disability of the Mayor or in the event of a vacancy in the office of the Mayor. The designation by the Mayor shall be subject to confirmation by a majority vote of the entire membership of the Council. Should the Mayor fail to file such designation, the Council shall designate one or more officers or employees of the City, other than members of the Council, who shall in the order specified act as Temporary Mayor. (Amended Charter, Article III, Section 1.3)

SECTION 102. APPOINTMENT OF OFFICERS

A. The Mayor shall appoint, as required under Article III, Section 1.4(G), of the Tulsa City Charter, an individual to a position where the existing officer's term has expired or a vacant position of a board, commission, authority, or agency created by the

Tulsa City Charter, ordinance, agreement, or pursuant to law, within sixty (60) days from the creation of the vacancy or expiration of the existing officer's term.

B. The Mayor shall appoint, as required under Article III, Section 1.4(G), of the Tulsa City Charter, an individual to a position where the existing officer's term has expired or a vacant position of a board, commission, authority, or agency created by the Tulsa City Charter, ordinance, agreement, or pursuant to law, within sixty (60) days from the failure of a Council motion to confirm the Mayor's previous appointment or the passage of a Council motion to deny confirmation to the Mayor's previous appointment.

C. Prior to the expiration of the time period for appointment, and for good cause shown, the Mayor may request the Council for an extension of the time period within which to make an appointment.

Ord. No. 20964

CHAPTER 2

AUDITOR

- Section 200. Salary of Auditor.
- Section 201. Auditing Department.
- Section 202. Duties of the Auditor.

SECTION 200. SALARY OF AUDITOR

The Auditor of the City of Tulsa shall receive as full compensation for his services as City Auditor an annual salary of seventy percent (70%) of the salary of the Mayor, payable as employees of the City are paid.

SECTION 201. AUDITING DEPARTMENT

The Auditing Department shall consist of the City Auditor, Deputy City Auditor and such assistants as the Council may provide.

SECTION 202. DUTIES OF THE AUDITOR

The City Auditor shall perform the duties as set forth in Article IV, Section 3, of the Charter of the City of Tulsa.

CHAPTER 3**COUNCIL**

- Section 300. Council Meetings.
- Section 301. Presiding Officer.
- Section 302. Rules for the Transaction of Business.
- Section 303. Ordinances--Subject.
- Section 304. Ordinances--On Agenda for Two Meetings.
- Section 305. Effective Date of Ordinances; Resolutions.
- Section 306. Journal of Proceedings.
- Section 307. Certification of Minutes.
- Section 308. Charter Review.
- Section 309. Salary of Councilors.
- Section 310. Disorderly Conduct in Council or Committee, or Violation of Council Rules
- Section 311. Contempt of Council
- Section 312. Ordinance and Resolution Delivery by City Clerk

SECTION 300. COUNCIL MEETINGS

A. **Regularly Scheduled Meetings.** The Council of the City of Tulsa shall have no less than two (2) regularly scheduled meetings each month at City Hall and such other regularly scheduled meetings as the Council shall deem necessary.

B. **Special Meetings.** The Council, the Mayor or one-third (1/3) of the members of the Council may call special meetings of the Council according to the provisions of the Amended Charter of the City of Tulsa.

C. **Open Meeting Act.** All meetings of the Council, both regularly scheduled and special, shall be in conformance with the Oklahoma Open Meeting Act.

Ord. No. 17581

SECTION 301. PRESIDING OFFICER

The Chairman shall preside over the sessions of the Council, preserve order and decorum and officially proclaim the will of the Council in all matters in which any action has been taken.

SECTION 302. RULES FOR THE TRANSACTION OF BUSINESS

The Council shall adopt and file with the City Clerk rules for the transaction of its business. In the absence of a rule to the contrary, the Council shall be guided by Robert's Rules of Order.

SECTION 303. ORDINANCES--SUBJECT

Ordinances and resolutions shall be introduced in the Council in written or printed form. All ordinances or resolutions, except those adopting budgets, making appropriations, or adopting a code of ordinances, shall be confined to one subject, which shall be clearly expressed in the title. Ordinances adopting budgets and making appropriations shall be confined to budgets and appropriations.

SECTION 304. ORDINANCES--ON AGENDA FOR TWO MEETINGS

No ordinance shall be adopted until the subject thereof has been on the agenda of the Council for two (2) meetings; provided, this requirement may be waived by a vote of not less than two-thirds (2/3) of the entire membership of the Council.

SECTION 305. EFFECTIVE DATE OF ORDINANCES; RESOLUTIONS

Ordinances adopting budgets, making appropriations, pertaining to local improvements and assessments, or adopted as an emergency measure shall take effect at the time stated therein. All other ordinances and resolutions shall take effect at the time stated therein, but not less than thirty (30) days from the date of first publication. Ordinances adopted by a vote of the electors shall take effect at the time stated therein or, if no time be stated, thirty (30) days after the election. An ordinance or resolution adopted as an emergency measure to provide for the immediate preservation of the public peace, health, welfare or safety shall describe the emergency in a separate section. The vote of at least two-thirds (2/3) of the entire membership of the Council shall be required to adopt any ordinance or resolution as an emergency measure. (Amended Charter, Article III, Section 10)

SECTION 306. JOURNAL OF PROCEEDINGS

The final action of the Council in each and every matter brought to its attention shall appear in a Journal of Proceedings of the Council. All motions together with seconds, postponements, and other action taken which affect the progress, status or the final action taken on any matter presented to the Council for its consideration shall be recorded in the Journal of Proceedings kept by the Secretary of the Council.

SECTION 307. CERTIFICATION OF MINUTES

It shall be the duty of the Secretary of the Council to certify that the minutes of the previous meeting as they thus appear are true and correct entries on any and all acts taken by the Council at its previous meeting.

SECTION 308. CHARTER REVIEW

Pursuant to Article II, Amended Charter, Section 14, the Council shall provide for the periodic review of the amended Charter of the City of Tulsa and for the submission to the qualified electors of the City such amendments as are necessary to provide for representative, efficient, and economical administration of City government as follows:

A. **City Attorney to Provide Schedule.** On or before October 15 of every even-numbered year, the City Attorney shall provide to the Council a schedule for soliciting and considering proposed amendments to the amended Charter of the City of Tulsa. The Council may adopt, amend or reject the schedule. Any schedule adopted by the Council shall be filed in the office of the City Clerk and shall be available for public inspection on or before November 15 of each even-numbered year.

B. **Council to Submit Necessary Amendments to Qualified Electors.** The City Council shall submit to the qualified voters of the City proposed Charter amendments necessary to provide for representative, efficient and economical administration of city government. Proposed Charter amendments shall be submitted for approval or rejection by the qualified voters of the City as provided by the Oklahoma Constitution and laws of Oklahoma.

Ord. Nos. 17476, 18054, 21900

SECTION 309. SALARY OF COUNCILORS

Each of the nine (9) City Councilors of the City of Tulsa, Oklahoma, shall receive as full compensation for his or her services as Councilor, effective with the term of office commencing April 1, 2002, at 2:00 p.m., an annual salary of Eighteen Thousand Dollars (\$18,000.00), payable as employees of the City are paid.

Ord. No. 20191

SECTION 310. DISORDERLY CONDUCT IN COUNCIL OR COMMITTEE, OR VIOLATION OF COUNCIL RULES

A. **Definition.** "Disorderly Conduct in Council or Committee" shall mean and include:

1. Disruptive, obstructive, or insolent behavior that is unruly, tumultuous, insulting, or disrespectful, committed during any meeting of the City Council or any meeting of a duly created committee of the City Council;
2. Any breach of the peace, noise, or disturbance, so near to the Council or committee as to interrupt proceedings;
3. Wilful refusal to be sworn as a witness; or

4. Wilful refusal to answer any legal or proper question after being sworn as a witness.

B. **Finding.** A finding of disorderly conduct in Council or Committee, or of a violation of Council Rules, shall be made upon an affirmative vote of the majority of the quorum of the Council, except that a vote of two-thirds (2/3) of the entire membership of the Council shall be required to impose a fine on a Council member.

C. **Disorderly Conduct--Observation and Intent.** The Council may impose a sanction for disorderly conduct in Council or Committee only if the conduct at issue occurred in the immediate view and presence of the Council or Committee, or so near to it as to interrupt its proceedings; and

1. It is clear from the identity of the offender and the character of his or her acts that the disorderly conduct is wilfully contemptuous; or

2. The conduct warranting sanction is preceded by a clear warning that the conduct is impermissible and that specified sanctions may be imposed for its repetition.

D. **Notice and Hearing.** Before imposing any punishment for disorderly conduct or violation of Council Rules, the Council shall give the alleged offender notice of the charges and an opportunity to present evidence or argument relevant to guilt or punishment.

E. **Penalties.** Every person found guilty of disorderly conduct in Council or Committee, or of a violation of Council Rules, shall be punished by a fine of not more than ONE HUNDRED DOLLARS (\$100.00) for each offense, which shall be collected in the same manner provided for the collection of other debts owed to the City, and/or removal from the Council or Committee meeting or from the area so near to it as to allow interruption of its proceedings.

Ord. No. 20891

SECTION 311. CONTEMPT OF COUNCIL

A. **Definition.** Contempt of Council shall mean and include:

1. Wilful disobedience of any process or order lawfully issued or made by the City Council, or

2. Wilful resistance to the execution of a lawful process or order of the City Council, in the course or scope of an investigation or hearing conducted under Article II, Section 17 of the Tulsa City Charter.

B. Finding and Referral. Upon an affirmative vote of a majority of the quorum of the Council, allegations of contempt of Council shall be referred to the City Attorney for review and, if appropriate, the filing of a charge of contempt of Council in the Municipal Criminal Court of the City of Tulsa.

C. Penalties. Every person found in contempt of Council is guilty of a misdemeanor offense and shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), excluding costs, fees, and assessments, or by imprisonment in the City Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

Ord. No. 20890

SECTION 312. ORDINANCE AND RESOLUTION DELIVERY BY CITY CLERK

The City Clerk shall, unless otherwise directed by the Council or law, deliver an ordinance or resolution adopted by the Council by 5:00 p.m. of the second full business day after the City Clerk receives the adopted ordinance or resolution to the office of the Mayor in a manner sufficient to begin the time frame for the Mayor to either approve or veto the ordinance or resolution as set forth in the City Charter.

Ord. No. 21540

CHAPTER 4**CAPITAL IMPROVEMENT PLAN AND CAPITAL BUDGET**

Section 400. Definitions.

Section 401. Preparation and Submission of Capital Improvements Plan to Council.

Section 402. Preparation and Submission of Capital Budget to Council.

Section 403. Approval of Capital Improvement Plan and Capital Budget.

SECTION 400. DEFINITIONS

For the purposes of this chapter, each of the following words and phrases shall have the meanings given herein.

A. Capital Improvement shall mean any significant physical acquisition, construction, replacement or improvement to a city service delivery system that has a minimum useful life of five years.

B. Capital Improvements Plan shall mean the adopted five year schedule of specific capital improvement projects and accompanying revenue allocations which shall be updated annually.

C. Capital Budget shall mean the first year of the capital plan, *i.e.*, the budget for capital projects in the upcoming fiscal year.

Ord. No. 18148

SECTION 401. PREPARATION AND SUBMISSION OF CAPITAL IMPROVEMENTS PLAN TO COUNCIL

The Mayor shall prepare and submit to the Council annually, on or before the first day of May, a Capital Improvements Plan ("Plan") for the City of Tulsa. In addition to the form and content requirements imposed by the statutes of the state of Oklahoma, the City Charter and the Revised Ordinances of the City of Tulsa, the Plan shall specifically list each capital improvement project for the next five fiscal years by City department. The Plan shall include specifically: the estimated cost of each capital improvement project in dollars rounded to the nearest thousand, the Council District or Council Districts served by each capital improvement project, the priority of each capital improvement project in relationship to the City's overall Capital Improvements Plan, a statement as to whether there has been a change in priority with respect to the listed project since the adoption of the last Capital Improvements Plan, a brief explanation supporting the priority given to each listed project and a brief explanation supporting any designated change in priority given to a particular listed project.

Ord. No. 18148

SECTION 402. PREPARATION AND SUBMISSION OF CAPITAL BUDGET TO COUNCIL

The Mayor shall prepare and submit to the Council annually, on or before the first day of May, a Capital Budget. The Capital Budget shall be submitted to the Council in the form as required by the statutes of the state of Oklahoma, the City Charter and the Revised Ordinances of the City of Tulsa.

Ord. No. 18148

SECTION 403. APPROVAL OF CAPITAL IMPROVEMENT PLAN AND CAPITAL BUDGET

The Capital Improvement Plan and Capital Budget shall be approved in compliance with the procedure established by the statutes of the state of Oklahoma, the City Charter and the Revised Ordinances of the City of Tulsa.

Ord. No. 18148