

(Published in the *Tulsa World*

April 21, 2024.)

RESOLUTION NUMBER 20315

A RESOLUTION CALLING FOR, AND REQUESTING THE TULSA COUNTY ELECTION BOARD TO CONDUCT, NON-PARTISAN GENERAL ELECTIONS ON AUGUST 27, 2024, AS NECESSARY, TO ELECT THE MAYOR OF THE CITY OF TULSA, THE CITY COUNCILORS FOR ALL NINE (9) CITY OF TULSA ELECTION DISTRICTS, AND THE CITY AUDITOR OF THE CITY OF TULSA, AS PROVIDED BY THE CITY OF TULSA'S AMENDED CITY CHARTER, ARTICLE VI; CALLING FOR, AND REQUESTING THE ELECTION BOARD TO CONDUCT, NON-PARTISAN RUN-OFF ELECTIONS, IF REQUIRED, ON NOVEMBER 5, 2024 FOR SAID MAYOR, CITY COUNCILORS AND CITY AUDITOR; REQUIRING THAT EACH SAID CITY COUNCILOR BE ELECTED FROM HIS OR HER RESPECTIVE ELECTION DISTRICT AND THAT THE MAYOR AND CITY AUDITOR BE ELECTED FROM THE CITY AT LARGE; PROVIDING THAT THE MAYOR, THE CITY COUNCILORS AND THE CITY AUDITOR SO ELECTED SHALL TAKE OFFICE ON THE FIRST MONDAY IN DECEMBER, 2024, THAT IS: DECEMBER 2, 2024, AND THE CITY COUNCILORS AND CITY AUDITOR SHALL SERVE A TERM OF TWO (2) YEARS, UNTIL THE FIRST MONDAY IN DECEMBER, 2026, THAT IS: DECEMBER 7, 2026, AND THE MAYOR SHALL SERVE A TERM OF FOUR (4) YEARS, UNTIL THE FIRST MONDAY IN DECEMBER, 2028, THAT IS: DECEMBER 4, 2028; SETTING FORTH THE QUALIFICATIONS FOR CANDIDATES FOR SAID OFFICES; SETTING FORTH THE PROCEDURE FOR FILING ONE'S CANDIDACY; ESTABLISHING THE DATES ON WHICH TO FILE ONE'S CANDIDACY; REQUIRING A FILING FEE AND PROVIDING PROCEDURES THEREFOR; ASSURING THAT THE SAID ELECTIONS SHALL BE NON-PARTISAN ELECTIONS; SETTING OUT THE PROCEDURES TO BE FOLLOWED IN CONDUCTING THE SAID ELECTIONS; ALLOWING FOR ABSENTEE BALLOTING AS

REQUIRED BY LAW; PROVIDING THAT THE ELECTIONS BE CONDUCTED ACCORDING TO STATE LAW; REQUESTING THE TULSA COUNTY ELECTION BOARD TO COORDINATE WITH THE ELECTION BOARDS OF OTHER COUNTIES IN WHICH THE CITY OF TULSA IS LOCATED; REQUESTING THAT THOSE VOTING PRECINCTS PARTIALLY INSIDE AND PARTIALLY OUTSIDE THE CITY LIMITS OF THE CITY OF TULSA REMAIN OPEN FOR ALL ELECTIONS; REQUESTING THE MAYOR TO ISSUE A PROCLAMATION CALLING THE SAID ELECTIONS AS REQUIRED BY LAW; PROVIDING FOR THE PROPER PUBLICATION OF THIS RESOLUTION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, Title 26 Oklahoma Statutes, "Elections", Section 13-101 and the City of Tulsa's Amended City Charter, Article VI, Section 5 provide that all municipal elections shall be conducted by the county election board; and

WHEREAS, Title 26 Oklahoma Statutes, Section 13-102 requires that the governing body of a municipality deliver to the County Election Board a resolution calling for an election and containing certain information regarding the election; said Section requires that the resolution be delivered no fewer than fifteen (15) days before the candidate filing period; additionally, Title 26 Oklahoma Statutes, Section 3-101.E. requires that this resolution be delivered no later than seventy-five (75) days prior to the actual election;

BE IT RESOLVED BY THE CITY OF TULSA, THAT:

Section 1. The City of Tulsa hereby calls for, and requests the Tulsa County Election Board to conduct, non-partisan general elections to be held in the City of Tulsa, Oklahoma on Tuesday, August 27, 2024, as necessary, as required by City of Tulsa's Amended City Charter, Article VI, Section 1.1, "Mayor and Councilors—Election", Section 1.2, "Terms", Section 1.3, "General Elections" and Section 2.2, "Election Procedure", for the election of the Mayor, the election of City Councilors for all nine (9) City Council Election Districts, and for the election of the City Auditor for the City of Tulsa.

Section 2. The City of Tulsa hereby calls for, and requests the Tulsa County Election Board to conduct, non-partisan run-off elections to be held on Tuesday, November 5, 2024, as may be necessary, as required by said Section 2.2.

Section 3. Each one of the nine (9) said City Councilors shall be elected from his or her respective City Council Election District, and the Mayor and City Auditor shall be elected from the City at large.

Section 4. The said City Councilors so elected and the City Auditor so elected shall serve for a term of two (2) years, said term commencing on the first Monday in December 2024, namely December 2, 2024, and expiring on the first Monday in December 2026, namely December 7, 2026. The Mayor so elected shall serve for a term of four (4) years, said term commencing on the first Monday in December 2024, namely December 2, 2024, and expiring on the first Monday in December 2028, namely December 4, 2028. See City of Tulsa's Amended City Charter, Article VI, Section 1.2, "Terms".

Section 5. As provided in the City of Tulsa's Amended City Charter, Article VI, Section 7, "Qualification of Officers", no person shall be eligible to hold the office of Mayor or City Auditor unless such person shall have been a qualified elector and resident of the City of Tulsa for at least three hundred sixty-five (365) days at the time of filing for the office. No person shall be eligible to hold the office of Councilor for an election district unless such person shall have been a qualified elector and resident of that election district for at least three hundred sixty-five (365) days at the time of filing for the office of Councilor for that election district. Additionally, no person shall be eligible to hold the office of City Auditor unless such person is a Certified Public Accountant or Certified Internal Auditor and maintains such certification during his or her term of office. See also Title 26 Oklahoma Statutes, Section 5-105a. For definition of "Qualified Elector", see Amended City Charter Article XII, Section 1; see also Title 26 Oklahoma Statutes, Section 4-101.

Section 6. As provided in the City of Tulsa's Amended City Charter, Article VI, Section 3.1, "Filing for Office" and Title 26 Oklahoma Statutes, Sections 5-111 and 5-111.1, any person who desires to be a candidate for a city office shall file with the Tulsa County Election Board a Declaration of Candidacy which shall contain the name and residence street address of such person as it appears on the voter registration records, and the name of the office sought.

Section 7. As provided in the City of Tulsa's Amended City Charter, Article VI, Section 3.4, "Time of Filing", Declarations of Candidacy shall be filed with the Secretary of the Tulsa County Election Board no earlier than 8:00 o'clock a.m. on the second Monday in June, namely June 10, 2024 and no later than 5:00 o'clock p.m. on the next succeeding Wednesday, namely June 12, 2024.

Section 8. Such candidate shall also tender a filing fee in the form of a cashier's check or certified check made payable to the City of Tulsa in the amount of Fifty Dollars and No Cents (\$50.00) or, in lieu of the filing fee, a petition supporting the candidate's filing, signed by at least three hundred (300) qualified electors from that election district if for a City Councilor, or from the city at large if for Mayor or City Auditor. As provided in Section 3.3 of said Article VI, the filing fee shall be refunded to the candidate if said candidate is unopposed for the election or receives more than fifteen percent (15%) of the votes cast for that office at the first election wherein said candidate's name appears on the ballot.

Section 9. As provided in City of Tulsa's Amended City Charter, Article VI, Section 2.1, the elections of said City officers shall be non-partisan elections. See also Title 26 Oklahoma Statutes, Section 13-102.A.5.

Section 10. If a candidate is unopposed for the election, or becomes unopposed by death, disqualification or withdrawal, no election shall be held, and such candidate shall be deemed elected. Amended City Charter, Article VI, Section 2.2.

Section 11. If a candidate receives more than fifty percent (50%) of all votes cast for that office at the general election on August 27, 2024, such candidate shall be deemed elected. *Ibid.*

Section 12. If more than two (2) candidates file for the office, and no one (1) candidate receives more than fifty percent (50%) of all votes cast at the general election, the several candidates receiving the greatest number of votes, which total at least fifty percent (50%) of all the votes cast for that office, shall participate in a run-off election on November 5, 2024, and the candidate receiving the greatest number of votes cast at said run-off election shall be deemed elected. *Ibid.*

Section 13. A tied vote shall be decided by lot. *Ibid.*

Section 14. Absentee balloting shall be provided and managed by the Election Board in accordance with State and Federal law. See Title 10 Tulsa Revised Ordinances, Section 100; Title 26 Oklahoma Statutes, Section 14-101 et seq., Section 14-136 et seq., the Oklahoma "Uniform Military and Overseas Voters Act"; Title 52 United States Code Annotated, Section 20305, formerly Title 42

U.S.C.A. Chapter 20, Section 1973ff-2b et seq., the Federal “Military and Overseas Voter Empowerment” (MOVE) Act.

Section 15. As required by Title 26 Oklahoma Statutes, Section 13-101 and the City of Tulsa’s Amended City Charter, Article VI, Section 5, these elections shall be conducted by the Tulsa County Election Board in accordance with applicable State law, except as otherwise provided.

Section 16. Pursuant to Title 26 Oklahoma Statutes, Section 13-110, the City of Tulsa hereby requests the Tulsa County Election Board to coordinate with the election boards of the other counties in which portions of the City of Tulsa are located, in the conduct of these elections.

Section 17. Pursuant to Title 26 Oklahoma Statutes, Sections 13-102.A.7. and 13-103.C., the City of Tulsa hereby requests that those election precincts partially contained within the city limits be open for polling on the above election days.

Section 18. In accordance with the City of Tulsa’s Amended City Charter, Article VI, Section 4, “Calling Elections”, the Mayor is requested to issue a proclamation and notice calling the above elections, with a list of polling places as may be required, and to publish said proclamation, notice and list in a newspaper of general circulation in the City of Tulsa at least ten (10) days prior to the date of each election.

Section 19. In accordance with the Oklahoma Municipal Code, Title 11 Oklahoma Statutes, Section 16-101, “Notice of Municipal Elections”, this Resolution shall be published in a newspaper of general circulation in the municipality at least ten (10) days before June 10, 2024, which is the beginning of the candidate filing period for the general election. See City of Tulsa’s Amended City Charter, Article VI, Section 3.4, “Time of Filing”.

Section 20. This Resolution shall take effect on May 22, 2024, and the official date of this Resolution shall be May 22, 2024, to comply with Title 26 Oklahoma Statutes, Section 13-102.B and City of Tulsa’s Amended City Charter Article II Section 10, “Effective Date of Ordinances and Resolutions”, which date shall be at least thirty (30) days after its publication.

ADOPTED by the Council this **27th** day of **March, 2024**.

Chair of the Council

OFFICE OF THE CLERK

Received by the City Clerk: _____ at _____.
Date Time

OFFICE OF THE MAYOR

Received by the Mayor: _____ at _____.
Date Time

G. T. Bynum., Mayor

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____,
Date
at _____.
Time

G. T. Bynum, Mayor

ATTEST:

APPROVED:

City Clerk

City Attorney

(Seal)