

(Published in the Tulsa World
_____, 2022.)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF TULSA, REQUESTING THE TULSA COUNTY ELECTION BOARD TO CONDUCT NON-PARTISAN ELECTIONS ON AUGUST 23, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF TULSA PROPOSED AMENDMENTS TO THE CITY CHARTER, PURSUANT TO ARTICLE XVIII, SECTION 3(a) OF THE OKLAHOMA CONSTITUTION AND TITLE 11 OKLAHOMA STATUTES §§ 13-106, 13-107, AND 13-111, AND ANY AND ALL AMENDMENTS THERETO; PUTTING TO A VOTE OF THE PEOPLE THE QUESTION OF WHETHER THE CHARTER OF THE CITY OF TULSA SHOULD BE AMENDED TO DELETE THE OBSOLETE SALARY AMOUNT FOR THE MAYOR AND ALLOWING THE CITY COUNCIL TO SET THE MAYOR'S SALARY BY ORDINANCE; ESTABLISHING A RESIDENCY REQUIREMENT FOR CANDIDATES FOR PUBLIC OFFICE, THAT IS, MAYOR, CITY COUNCIL, AND CITY COUNCILOR; EXTENDING THE CITY AUDITOR'S TERM OF OFFICE FROM TWO (2) YEARS TO (4) YEARS, TO COMMENCE IN 2026, SO TO BE STAGGERED WITH THE MAYOR'S TERM OF OFFICE; GIVING NOTICE TO THE TULSA, CREEK, OSAGE, ROGERS, AND WAGONER COUNTY ELECTION BOARDS OF SAID ELECTION, PURSUANT TO TITLE 26 OKLAHOMA STATUTES §13-102, AND AMENDMENTS THERETO; AUTHORIZING AND REQUESTING THE MAYOR OF THE CITY OF TULSA TO CALL AND PROCLAIM THE HOLDING OF ELECTIONS IN THE CITY OF TULSA IN ACCORDANCE WITH ARTICLE VI OF THE CITY CHARTER, SECTION 4 "CALLING ELECTIONS"; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, it is deemed advisable by a majority of the legislative body of the City of Tulsa, Oklahoma, and power is granted to the legislative body of the City by Article XVIII, Section 3(a), of the Oklahoma Constitution, and Title 11 Oklahoma Statutes §§ 13-106, 13-107, and 13-111, and any and all amendments thereto, to submit to the qualified voters of the City the question of whether the City Charter should be amended, to delete the specific, obsolete salary amount for the Mayor, and allow the City Council to set the Mayor's salary by ordinance, provided that no new salary set by the City Council shall become effective during the current term of the Mayor, as approved by a majority of the City Council on _____; the proposed Charter Amendment is attached hereto and labeled Exhibit "A"; and

WHEREAS, it is deemed advisable by a majority of the legislative body of the City of Tulsa, Oklahoma, and power is granted to the legislative body of the City by Article XVIII, Section 3(a), of the Oklahoma Constitution, and Title 11 Oklahoma Statutes §§ 13-106, 13-107, and 13-111, and any and all amendments thereto, to submit to the qualified voters of the City the question of whether the City Charter should be amended, to require any candidate for the office of Mayor or City Auditor to have been a qualified elector and resident of the City of Tulsa for a period of three hundred sixty-five (365) days at the time of filing for that office, and to require any candidate for the office of City Councilor for a City Council District to have been a qualified elector and resident of that Council District for a period of three hundred sixty-five (365) days at the time of filing for that office, as approved by a majority of the City Council on _____; the proposed Charter Amendment is attached hereto and labeled Exhibit “B”; and

WHEREAS, it is deemed advisable by a majority of the legislative body of the City of Tulsa, Oklahoma, and power is granted to the legislative body of the City by Article XVIII, Section 3(a), of the Oklahoma Constitution, and Title 11 Oklahoma Statutes §§ 13-106, 13-107, and 13-111, and any and all amendments thereto, to submit to the qualified voters of the City the question of whether the City Charter should be amended, to set the term of office for the City Auditor at four (4) years, beginning in the election year 2026, so that the City Auditor’s term of office will be staggered with the Mayor’s four-year term of office, as approved by a majority of the City Council on _____; the proposed Charter Amendment is attached hereto and labeled Exhibit “C”; and

WHEREAS, Article XVIII, Section 3(a), of the Oklahoma Constitution; and Title 11 Oklahoma Statutes §§13-106, 13-107, and 13-111, and any and all amendments thereto, require that a resolution of announcement and notice of the proposed Charter amendments and announcement of the date for such an election on the proposed Charter amendments shall be published in a newspaper of general circulation within the City of Tulsa, Oklahoma, at least twenty-one (21) times; and

WHEREAS, Title 26 Oklahoma Statutes §13-102, and any and all amendments thereto, require the City of Tulsa, Oklahoma to give seventy-five (75) days' notice of an election, by resolution to the Tulsa, Creek, Osage, Rogers, and Wagoner County Election Boards, 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, Article VI, Section 4, of the Charter of the City of Tulsa requires the Mayor to issue proclamations and notices calling all elections in the City; and

WHEREAS, Title 10, Chapter I, Section 100, of the Tulsa Revised Ordinances, provides for use of 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 Oklahoma and Federal election laws;

BE IT RESOLVED BY THE CITY OF TULSA:

Section 1. That notice be and the same is hereby given of an election to be held in the City of Tulsa, Oklahoma, on Tuesday, August 23, 2022, to submit to the qualified voters of the City the question of whether the Charter of the City should be amended to delete the specific, obsolete dollar amount of the Mayors' salary, and allow the City Council to set the Mayor's salary by ordinance, provided that the salary so set shall not be effective during the Mayor's current term of office;

Section 2. That under and by virtue of Article XVIII, Section 3(a), of the Oklahoma Constitution, and Title 11 Oklahoma Statutes §§13-106, 13-107, and 13-111, and any and all amendments thereto, the ballot setting forth the following Proposition shall be submitted to the qualified voters of the City of Tulsa, Oklahoma, at said election, to wit:

"PROPOSED CITY CHARTER AMENDMENT NO. 1

**"MAYOR'S SALARY, TO BE SET BY ORDINANCE,
NOT EFFECTIVE DURING CURRENT TERM OF OFFICE.**

"DO YOU APPROVE AN AMENDMENT TO THE CHARTER OF THE CITY OF TULSA, OKLAHOMA, ARTICLE III, "THE MAYOR", SECTION 1.2, "SALARY", DELETING THE SPECIFIC, OBSOLETE DOLLAR AMOUNT OF THE MAYOR'S SALARY, AND ALLOWING THE CITY COUNCIL TO SET THE MAYOR'S SALARY BY ORDINANCE, PROVIDED THAT THIS CHANGE IN SALARY SHALL NOT BE EFFECTIVE DURING THE MAYOR'S CURRENT TERM? THE PROPOSED AMENDED SECTION 1.2 READS AS FOLLOWS:

"SECTION 1.2. - SALARY.

"THE MAYOR SHALL RECEIVE A SALARY PAYABLE AS EMPLOYEES OF THE CITY ARE PAID. THE ANNUAL SALARY RECEIVED BY THE MAYOR SHALL BE AS PROVIDED BY ORDINANCE ADOPTED BY A MAJORITY VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL; PROVIDED, NO CHANGE IN SALARY SHALL BECOME EFFECTIVE PRIOR TO THE COMMENCEMENT OF THE TERM OF OFFICE NEXT SUCCEEDING THE TERM IN WHICH THE CHANGE IS MADE AND THEN ONLY IN THE EVENT SUCH CHANGE WAS APPROVED PRIOR TO THE GENERAL ELECTION FOR THE NEXT SUCCEEDING TERM."

The ballot setting forth the above propositions shall also contain in connection with each proposition the following words and symbols:

" FOR the Above Proposition -- Yes

"If the voter desires to vote for the above Proposition, the voter shall fill in the box to the left of the word 'FOR.'

" AGAINST the Above Proposition -- No

"If the voter desires to vote against the above Proposition, the voter shall fill in the box to the left of the word 'AGAINST'."

Section 3. That notice be and the same is hereby given of the election to be held in the City of Tulsa, Oklahoma, on Tuesday, August 23, 2022, to submit to the qualified voters of the City the question of setting residency requirements of three hundred sixty-five (365) days for candidates for the office of Mayor, City Auditor, and City Councilor.

Section 4. That under and by virtue of Article XVIII, Section 3(a), of the Oklahoma Constitution, and Title 11 Oklahoma Statutes §§13-106, 13-107, and 13-111, and any and all amendments thereto, the ballot setting forth the following Proposition shall be submitted to the qualified voters of the City of Tulsa, Oklahoma, at said election, to wit:

"PROPOSED CITY CHARTER AMENDMENT NO. 2

**"RESIDENCY REQUIREMENT FOR CANDIDATES FOR OFFICE,
THREE HUNDRED SIXTY-FIVE (365) DAYS.**

"DO YOU APPROVE AN AMENDMENT TO THE CHARTER OF THE CITY OF TULSA, OKLAHOMA, ARTICLE VI, "ELECTION AND QUALIFICATION OF OFFICERS", SECTION 7, "QUALIFICATION OF OFFICERS", REQUIRING CANDIDATES FOR THE OFFICE OF MAYOR, CITY AUDITOR AND CITY COUNCILOR TO HAVE BEEN RESIDENTS OF THE CITY OR COUNCIL DISTRICT FOR THREE HUNDRED SIXTY-FIVE (365) DAYS AT THE TIME OF FILING? THE PROPOSED AMENDED SECTION 7 READS IN PART AS FOLLOWS:

"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 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 THE 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..."

The ballot setting forth the above propositions shall also contain in connection with each proposition the following words and symbols:

" FOR the Above Proposition -- Yes

"If the voter desires to vote for the above Proposition, the voter shall fill in the box to the left of the word 'FOR.'

" AGAINST the Above Proposition -- No

"If the voter desires to vote against the above Proposition, the voter shall fill in the box to the left of the word 'AGAINST'."

Section 5. That notice be and the same is hereby given of an election to be held in the City of Tulsa, Oklahoma, on Tuesday, August 23, 2022, to submit to the qualified voters of the City the question of whether the Charter of the City should be amended to change the term of office of the City Auditor from a two (2) year term to a four (4) year term, to begin in 2026, so to be staggered with the Mayor's four (4) year term;

Section 6. That under and by virtue of Article XVIII, Section 3(a), of the Oklahoma Constitution, and Title 11 Oklahoma Statutes §§13-106, 13-107, and 13-111, and any and all amendments thereto, the ballot setting forth the following Proposition shall be submitted to the qualified voters of the City of Tulsa, Oklahoma, at said election, to wit:

"PROPOSED CITY CHARTER AMENDMENT NO. 3

**"CITY AUDITOR FOUR (4) YEAR TERM,
STAGGERED WITH MAYOR'S**

"DO YOU APPROVE AN AMENDMENT TO THE CHARTER OF THE CITY OF TULSA, OKLAHOMA, ARTICLE VI, "ELECTION AND QUALIFICATION OF OFFICERS", SECTION 1.2, "TERMS", SUB-SECTION B, "CITY AUDITOR", CHANGING THE CITY AUDITOR'S TERM OF OFFICE FROM TWO (2) YEARS TO FOUR (4) YEARS, COMMENCING IN 2026, SO TO BE STAGGERED, THAT IS, MID-TERM, WITH THE MAYOR'S TERM OF OFFICE? THE PROPOSED AMENDED SECTION 1.2 SUB-SECTION B READS AS FOLLOWS:

"SECTION 1.2. TERMS.

"B. CITY AUDITOR. THE CITY AUDITOR SHALL SERVE A TERM OF TWO (2) YEARS UNTIL THE ELECTION YEAR 2026. COMMENCING WITH THE ELECTION YEAR 2026 AND EVER AFTER, THE CITY AUDITOR SHALL SERVE FOR A TERM OF FOUR (4) YEARS, BEGINNING ON THE FIRST MONDAY IN DECEMBER."

Section 7. That the Mayor of the City of Tulsa, Oklahoma, pursuant to Article VI of the City Charter, Section 4, is hereby authorized and requested to call and proclaim the election to be held on Tuesday, August 23, 2022, for the purpose of submitting to the qualified voters of the City of Tulsa the above-stated Propositions for approval or rejection.

Section 8. That the call for the election shall be by proclamation signed by the Mayor of the City of Tulsa, and attested by the City Clerk, setting forth the Propositions to be voted upon, the numbers and locations of the polling places, the date of the election, and the hours of opening and closing the polls, providing that said election shall be conducted by those precinct officials designated by the Tulsa County, Creek County, Osage County, Rogers County and Wagoner County Election Boards, which officials shall also act as counters; that the ballots used at the election shall set forth the Propositions to be voted upon substantially as set out in Sections 2, 4 and 6 above; that the returns of the election shall be made to, and canvassed by, the County Election Board of Tulsa County, in the State of Oklahoma, and be certified to the City Council of the City of Tulsa, which shall canvass the results as required by Article VI of the City Charter, Section 5, and certify the results thereof as required by law, and that the election shall be conducted in all respects as provided by law.

Section 9. That only the qualified electors registered to vote under the laws of Oklahoma, in the City of Tulsa, Oklahoma, may vote upon the Propositions as above set forth; and that each Proposition, as above set forth, must be approved by a majority of the voters voting on that Proposition.

Section 10. Absentee balloting shall be managed by the Election Board in accord with State and Federal law. See City of Tulsa's Amended Charter, Article VI, Section 5; Title 10 Tulsa Revised Ordinances, Section 100; Title 26 Oklahoma Statutes,

Section 14-101; Sections 14-136 through 14-155, Oklahoma's "Uniform Military and Overseas Voters Act"; Title 42 United States Code Annotated Section 20302 et seq. formerly 42 USCA Section 1973ff-1 et seq., the Federal "Military and Overseas Voter Empowerment (MOVE) Act".

Section 11. This election shall be a non-partisan election. See Amended City Charter, Article VI, Section 2.1; Title 26 Oklahoma Statutes Section 13-102.A.5.

Section 12. The City of Tulsa 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 this election, pursuant to Title 26 Oklahoma Statutes, Section 13-110.

Section 13. As stated in Title 26 Oklahoma Statutes, Sections 13-102.A.7 and 13-103.C, the City of Tulsa requests that those election precincts partially contained within the city limits be open for polling on the above election day. Election precincts No. 720174, 720175 and 720176, in which no persons reside, may be closed.

Section 14. That the Tulsa County Election Board be and is hereby notified that all elections in said City shall be held in the manner provided by the general election laws of Oklahoma, as far as the same may be applicable, and in other respects in accordance with the provisions of the Charter of the City of Tulsa and ordinances of the City made by authority thereof.

Section 15. That a true and correct copy of this Resolution be and the same is hereby ordered and directed to be submitted to the Secretary of the Tulsa County Election Board at least seventy-five (75) days prior to the election on the proposed Charter amendments, pursuant to Title 26 Oklahoma Statutes § 13-102, and any and all amendments thereto.

Section 16. *Effective Date.* This Resolution shall become effective on May 15, 2022.

Section 17. *Severability Clause.* If any section, sentence, clause or phrase of this Resolution or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Resolution or any part thereof.

ADOPTED by the City Council and **SIGNED** this

_____ day of _____, 2022.

Lori Decter Wright, Chair of the Council

OFFICE OF THE CITY 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

Seal (Attest):

City Clerk

Approved as to form and legality:

City Attorney