

Office of the Mayor
City of Tulsa, Oklahoma

EXECUTIVE ORDER NO. 2024-08

AN EXECUTIVE ORDER ESTABLISHING POLICIES AND PROCEDURES GOVERNING THE CITY OF TULSA'S COMPLIANCE WITH THE OKLAHOMA OPEN RECORDS ACT AND REPEALING EXECUTIVE ORDERS 1995-04 AND 2013-01

Section 1. Purpose: The City of Tulsa's Amended Charter, Article XII, Section 16, provides that "[a]ll records of the city and of boards, authorities, and commissions shall be open to inspection by citizens as provided by the laws of Oklahoma." The Oklahoma Open Records Act, Title 51, Oklahoma Statutes §24A.1 *et seq* ("Open Records Act" or "Act") further provides: "The purpose of this act is to ensure and facilitate the public's right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power." (§24A.2.) Accordingly, the purpose of this Executive Order is to adhere to these mandates to provide the public prompt, reasonable access to the City's public records, and to establish reasonable procedures to protect the integrity and organization of the City's records, while preventing excessive disruptions of its essential functions.

Section 2. Statement of Policy: The City of Tulsa; any of its boards, commissions, or authorities created by the City Charter (collectively the "City"); and its officers, officials, and employees (collectively "Public Officials") will comply with the Oklahoma Open Records Act and other related federal and state laws. Subject to the Open Records Act's requirements, limitations, and/or exceptions, and those provided for in federal and other state laws, all records generated by or in the custody, control, or possession of Public Officials in connection with the transaction of public business, the expenditure of public funds, or the administration of public property, will be open for inspection, copying, and/or mechanical reproduction during regular business hours, *provided* that records subject to discretionary exemptions under the Act shall be managed according to the decision framework described in Appendix A.

Section 3. Appointment of Open Record and Record Retention Custodians.

- A. Every department and every board, commission, or authority created by the City Charter ("City Public Body"), shall designate in writing primary and secondary open record custodians, who are authorized to release its public records, and primary and secondary record retention custodians, who are charged with maintaining records according to the City of Tulsa's Records Retention Manual (collectively "Record Custodians"). Record Custodian appointments shall be sufficient in number to ensure that at least one authorized person is always available to release public records during regular business hours. Every City Public Body having parts of its public records at locations remote from its main administrative office shall post at each remote location a public notice identifying the location where its appointed Record Custodians are located for the purpose of releasing public records during regular business hours.

- B. The City Clerk (used throughout herein to mean any designee of the Office of the City Clerk) shall maintain a continually updated list of Record Custodians and shall organize and facilitate a network of all active Record Custodians for the purpose of establishing a forum for instruction and collaboration regarding record retention and open records issues.

Section 4. Open Record Requests.

- A. Intake.** Excluding requests for documents or records specifically prepared for public distribution by any City Public Body, all requests for City public records must be submitted to the appropriate open records portal available for such requests, provided that:

1. News media requests for City public records may be made to the City's designated Public Information Officers (PIOs), who will promptly enter the request into the appropriate open records portal;
2. If a requester does not have access to a computer with an internet connection, a request for City public records may be made in writing on a form provided by the City Clerk, and the City Clerk will promptly enter the request into the appropriate open records portal; and
3. If an open records portal is not available for requested records, a request for City public records may be made in writing on a form provided by the City Clerk.

B. Reasonable specificity.

1. All record requests must describe the records sought with reasonable specificity; that is, to a degree that the Record Custodian can be reasonably certain that the records produced for inspection, copying and/or mechanical reproduction are responsive to the request. Relevant considerations include whether the request:
 - a. Specifies at least a general time frame within which the requested records would have been created or transmitted;
 - b. Seeks identifiable records, rather than general information without any qualifiers or other specification; and/or
 - c. Includes search terms that are sufficiently specific that they do not generate an unreasonably large number of records (e.g. thousands of pages of emails).
2. The City Clerk or a Record Custodian may ask the requestor to clarify a request that is unreasonably vague, open-ended, or otherwise does not describe the requested record with reasonable specificity. If a request is not described with reasonable specificity after the City Clerk or Record Custodian has asked the requester to clarify the request, the request may be denied.