

File Attachments for Item:

11. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF ORDINANCE O-2122-45 UPON READING BY TITLE:: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDING SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDING SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDING ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDING SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDING SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO BE APPOINTED FROM OTHER COMMUNITIES; AMENDING SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDING SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDING SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX MODIFYING DEADLINES AND PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: May 10, 2022

REQUESTER: Kathryn Walker, City Attorney

PRESENTER: Kathryn Walker, City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF ORDINANCE O-2122-45 UPON READING BY TITLE:: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDING SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDING SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDING ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDING SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDING SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO BE APPOINTED FROM OTHER COMMUNITIES; AMENDING SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO

REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDING SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDING SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX MODIFYING DEADLINES AND PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The Charter Review Commission ("CRC") was appointed in the Summer of 2019 to review specific items as requested by members of the City Council. The CRC met monthly, with the exception of several months missed due to COVID-19. Council held a Special Session on August 3, 2021 to hear the recommendations of the CRC and to decide whether to send each recommendation to the voters for their consideration. Council voted to send five of the recommendations to the voters. Recent discussions have targeted a possible June 28, 2022 election for these ballot measures. Charter amendments are adopted by ordinance. In order to meet the State's deadlines for a June 2022 election, Council will be required to vote on the ordinance on Second Reading no later than April 12, 2022.

At the Special Session on August 3, 2021, Council asked for further discussion on 5 of the recommendations related to term expiration, Council vacancies, utility rates, recall elections, and tax-increment financing. Council discussed these items during its conference on August 24, 2021 and reached consensus on sending the CRC recommendation related to term expiration and filling vacant Council positions forward to the voters and *not* sending any Charter amendments forward related to tax increment financing. Further information and discussion was requested for the CRC recommendations related to utility rates and recall elections. During its meeting of January 4, 2022, Council reached consensus to send forward the CRC recommendations related to recall elections and identified language to send forward related to utility rates as well as changes to the reapportionment process to enable the committee to be responsive to revised precinct boundaries.

DISCUSSION:

Council reviewed the final ballot language during its Study Session on May 3, 2022 and gave additional recommendation to add previously prepared Charter amendments related to the creation of a City Auditor position to the ballot. The ordinance language has been amended to reflect this direction.

Ordinance O-2122-46 calls the Special Election for voter consideration of the Charter amendments and sets forth 9 propositions that will appear on the ballot.

RECOMMENDATION:

If Ordinances O-2122-45 and O-2122-46 are adopted on Second and Final Reading on May 26, 2022, an election will be set on August 22, 2022 for voter consideration of nine propositions.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDING SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDING SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDING ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDING SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDING SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO BE APPOINTED FROM OTHER COMMUNITIES; AMENDING SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDING SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDING SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX MODIFYING DEADLINES AND PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- § 1. WHEREAS, Resolution No. R-1819-66, as amended, was adopted by the Council of the City of Norman on July 23, 2019 and established a Charter Review Commission to conduct a targeted review of the Norman City Charter; and
- § 2. WHEREAS, the Charter Review Commission presented ten (10) recommendations for amendments to the City Charter to the City Council on August 3, 2021; and
- § 3. WHEREAS, on August 3, 2021, the Council voted affirmatively to place five (5) of the recommendations on an election ballot for consideration by the voters, and asked for further discussion on the remaining five (5) recommendations of the Charter Review Commission; and
- § 4. WHEREAS, on August 24, 2021, the Council, after additional discussion, reached consensus to place two (2) additional recommendations of the Charter Review Commission on an election ballot for consideration by the voters; and
- § 5. WHEREAS, on January 4, 2022, the Council had additional discussion on two additional recommendations of the Charter Review Commission, as well as a discussion about the Reapportionment Process, and reached consensus to place one (1) additional recommendation of the Charter Review Commission, modify and place an additional question initially considered by the Charter Review Consideration, and place changes to the Reapportionment Process outlined in the Charter on a ballot for consideration by the voters.
- § 6. WHEREAS, on May 3, 2022, Council had additional discussion on the proposed Charter changes and ballot language and provided direction to include the addition of a City Auditor position to the Charter; and
- § 7. WHEREAS, pursuant to the provisions of Section 12, Article XVII of the Charter of the City of Norman, said amendments must be submitted to the registered voters of the City for their approval before the same become effective.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 8. That, the Mayor is hereby authorized and directed to call a special election to be held in the City on the 23rd day of August, 2022, for the purpose of submitting to the registered voters of the City the various proposed amendments to the Charter of said City, to-wit:
- § 9. That, Section 1 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

Section 1. – Elected Officers: Powers and duties; stipend.

* * * *

The Mayor shall receive an annual stipend of \$8,100 for his or her service per annum, payable monthly beginning with the mayoral term that begins in 2025. Each of the Councilmembers shall receive an annual stipend of \$5,400 per annum, payable monthly, beginning with the terms that begin in 2025. The Mayor, with the consent of Council, shall appoint a five-member Compensation Commission to determine and set the appropriate monthly stipend for the Mayor and each of the Councilmembers ~~shall receive~~ based on the consumer price index, the City's overall budget, and other relevant factors every three years thereafter. Said Compensation Commission shall be appointed every three years and any monthly stipend increases approved by the Commission shall not become effective until the following Council or Mayoral (as applicable) term.

§ 10. That, Section 2, 5, 6 and 14 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

Section 2. - Term of office.

The term of Councilmembers shall be for a period of two years through the 2025 elections. Beginning with the 2026 elections, elections for Councilmembers shall occur every three years, with the even-numbered ward elections occurring in 2026 and every three years thereafter, and the odd-numbered ward elections occurring in 2027 and every three years thereafter, The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6), and eight (8) shall begin on the first Tuesday of July of the next even numbered year after their election through July 2024. Beginning in 2026, the terms of Councilmembers chosen to represent even-numbered wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5), and seven (7) shall begin on the first Tuesday of July of the next odd numbered year after their election through July 2023. Beginning in 2025, the terms of Councilmembers chosen to represent odd-numbered wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

Each elected officer shall continue to hold and to perform the duties of his office until his successor is elected and qualified, unless he is removed or forfeits his office under other provisions of this Charter.

Elections for Mayor shall ~~be~~ occur every three (3) years. The term of the Mayor shall ~~expire~~ begin on the first Tuesday of July and each three (3) years thereafter through July 2025. Beginning with the 2028 election, and every third year thereafter, the term of the Mayor shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

For purposes of filing and election to the positions of City Council, only persons who have been duly registered to vote in accordance with state law within the City of

Norman and reside within the ward for which they seek election for the six months prior to the date of the municipal election shall be eligible to seek election to the City Council. If a candidate's ward designation has changed in the six months prior to the election due to reapportionment, then the requirement of six months durational residency shall be waived, although the candidate is still required to live in the newly established boundaries of the ward for which he or she seeks office.

* * * * *

Section 5. – Municipal Elections.

By resolution duly adopted each year, the City Council shall designate a date in the following year, which is approved under then-current state law, for the holding of Norman's municipal election, at which time there will be election contests conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. Beginning in 2026, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8). Beginning in 2027, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards one (1), three (3), five (5), and seven (7). If allowed by then-current state law, the date for municipal elections shall be in February. In each such municipal election, a person receiving a majority of votes cast shall be deemed to be the winner. If no person receives a majority of votes in the municipal election, the two candidates receiving the most votes shall proceed in the municipal runoff election, described below. If two or more persons tie for second place in the municipal election, and the person receiving the most votes did not receive a majority of votes cast, then the second-place nominee shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board. If three or more persons tie for first place in the municipal election, then the two municipal runoff election nominees shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board.

Section 6. – Municipal Runoff Elections.

By resolution duly adopted each year, the City Council shall designate a date in the following year that is subsequent to the date chosen for Norman's municipal election described in Section 5 herein, which is approved under then-current state law, for the holding of Norman's municipal runoff election, at which time there will be runoff election contests, if necessary, conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years through 2024; wards one (1), three (3), five (5), and seven (7) in odd-numbered years through 2025; and Mayor in 2007 and each third year thereafter. Beginning in 2026, and

every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8). Beginning in 2027, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards one (1), three (3), five (5), and seven (7). If allowed by then-current state law, the date for municipal runoff elections shall be in April.

Section 14. – Form of ballot.

In years in which the terms of the odd numbered wards expire, the names of the candidates for City Council for each Council ward numbered one (1), three (3), five (5) and seven (7) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

In years in which the terms of the even numbered wards expire, the names of the candidates for City Council for each Council ward numbered two (2), four (4), six (6) and eight (8) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

In the years in which the Mayor's term expires, the names of candidates for Mayor shall be placed upon the ballot under the words: "For Mayor", followed by the instruction: "Vote for One".

- § 11. That, Section 22 of Article II of the Charter of Norman, Oklahoma, shall be amended to read as follows:

Section 22. – Vacancies in office.

* * * * *

Any vacancy occurring on the City Council shall be filled by a majority vote of the remaining members of the City Council for the balance of the unexpired term; provided, however, if the City Council does not fill the vacancy by appointment within sixty (60) days after the same occurs, it shall be mandatory on the part of the City Council to call and schedule a special election to fill the vacancy for the unexpired term, which election shall be held for the election of a City Councilmember, only, and said election shall be conducted in the same manner as a regular municipal election.

- § 12. That, a new Article V shall be added to the Charter of Norman, Oklahoma and that existing Articles V-XX be renumbered accordingly to read as follows:

Section 1. – Office created.

The office of City Auditor is hereby created.

Section 2. – Appointment and Removal of City Auditor.

Council shall by an affirmative vote of five (5) members appoint a City Auditor, who shall serve at the pleasure of the City Council as a full-time at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications, including graduation from an accredited college or university with a bachelor’s degree in accounting, finance or a related field, Certified Public Accountant (CPA) and with a minimum of five (5) years of professional level experience in auditing, and without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Auditor, nor for two years after he or she ceases to be a member. In case of absence or disability of the City Auditor, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Auditor may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Auditor, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Auditor following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Auditor. If the Council suspends or removes the City Auditor from office, the Council may provide for the temporary performance of the City Auditor’s duties. The action of the Council in suspending or removing the City Auditor shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

Section 3. – Duties of the City Auditor.

It shall be the City Auditor’s duty to advise the Council and each member thereof, and the City Manager, of operational and financial audits relating to the efficient and economical operation of Norman City government, and other related matters as may be required by the Council or the City Manager. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private auditors as it is deemed necessary.

ARTICLE VI. – CITY CLERK

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ARTICLE VII. – MUNICIPAL COURT

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ARTICLE VIII. – CITY ATTORNEY

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ARTICLE IX. – CITY PARKS

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ARTICLE X. – HOSPITAL

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ARTICLE XI. – REMOVAL

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ARTICLE XII. – LEGISLATIVE DEPARTMENT

* * *

ARTICLE XIII. – ORDINANCES

* * *

ARTICLE XIV. – RECALL OF ELECTIVE OFFICERS

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ARTICLE XV. – REVENUE

* * *

ARTICLE XVI. – PUBLIC SERVICE CORPORATIONS

* * *

ARTICLE XVII. – MUNICIPALLY OWNED UTILITIES

* * *

ARTICLE XVIII. – MISCELLANEOUS PROVISIONS.

* * *

ARTICLE XIX. – LABOR RELATIONS

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ARTICLE XX. – PLANNING; ZONING AND SUBDIVISION REGULATIONS

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ARTICLE XXI. – REAPPORTIONMENT

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§ 13. That, Section 2 of Article VII of the Charter of the City of Norman, Oklahoma, shall be amended to read as follows:

Section 2. – Appointment and removal of City Attorney.

Council shall by an affirmative vote of five (5) members appoint a City Attorney, who shall serve at the pleasure of the City Council as an at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Attorney, nor for two years after he ceases to be a member. In case of absence or disability of the City Attorney, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Attorney may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Attorney, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Attorney following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Attorney. If the Council suspends or removes the City Attorney from office, the Council may provide for the temporary performance of the City Attorney’s duties. The action of the Council in suspending or removing the City Attorney shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

§ 14. That, Section 1 of Article IX of the Charter of Norman, Oklahoma, shall be amended to read as follows:

Section 1. – Appointment of Board.

The Mayor, with the approval of the City Councilmembers, shall appoint a Board of Norman Regional Hospital Authority consisting of eleven registered voters who shall serve for a term of three years. At least nine of the board members shall be Norman residents. A maximum of two members may be appointed from other communities in which the Norman Regional Hospital Authority operates at least one facility. In case of

a vacancy in the Board, an appointment to fill the unexpired term shall be made in the same manner as the original appointments. The City Manager shall be an ex-officio member of the Board of Norman Regional Hospital Authority but he shall have no vote. His advice and services shall be given to the Board in the planning and execution of its work.

- § 15. That, Sections 1, 2, 3, 4 and 5 of Article XIII of the Charter of the City of Norman shall be amended as follows:

Section 1. - Time of commencing proceedings.

The holder of any elective office, either by election or appointment to fill a vacancy, may be removed at any time during the time period beginning six months from the date of his accession to said office and ending six months prior to the expiration of the current term of the elected official so subject to recall, by the registered voters qualified to vote for a successor to such incumbent, in the following manner:

Section 2. - Filing of petition; validation of signatures.

A petition bearing the signatures, names and addresses of twenty-five per cent (25%) of the registered voters qualified to vote for the officer whose recall is sought, shall be necessary to initiate recall proceedings. The City Clerk shall maintain on file and for public use proper petition forms that are in substantial conformance with the form provided in State law for referendum petitions to initiate such proceedings.

At the top of each page of said petition(s) there shall be a simple statement of the gist of the recall proposition: "If successful, this petition will allow the voters to decide whether to recall [insert elected officer] prior to the expiration of his/her term, or allow him/her to continue to serve in office."

The petition must be returned to the City Clerk within thirty (30) days of its initiation in order to be valid. Failure to return the petition(s) within the proper time limits shall render them null and void.

Upon receipt of the petition(s), the City Clerk shall inspect said petition(s) to see that all the signatures are valid and that they are those of registered voters eligible to vote for the office from which the officer's removal is sought. Such inspection by the City Clerk shall be completed in a reasonable amount of time, not to exceed thirty (30) days for one petition to recall a ward representative, sixty (60) days for a petition to recall the Mayor, and ninety (90) days if multiple petitions are undergoing inspection concurrently.

Section 3. - Notice and publication.

The City Clerk shall cause to be published upon the filing of the said petition with the City Clerk's office, in some newspaper of general circulation in the City of Norman a

notice to the voters, stating the name of the officer(s) whose recall is sought and the time limit within which said petition(s) must be signed. Further, the City Clerk shall cause to be mailed to the officer(s) whose recall is sought an official notice that the petition has been commenced and the time limit in which it must be completed. Such notice shall be by certified mail, return receipt requested, and the refusal of the officer(s) to accept delivery shall in no way affect the validity of the notice. Failure of the City Clerk to keep the City Clerk's office open during regular office hours, which failure prevents the proper filing of said petition(s), shall be adjudged a misdemeanor and upon conviction thereof the Clerk shall be punished by a fine of not less than ten dollars and not more than fifty dollars, and each day said City Clerk violates the provisions hereof shall constitute a separate and distinct offense. In the event such a failure on the part of the City Clerk occurs, petitioners may file the petition(s) with the City Manager.

In addition to publishing notice upon receipt of a petition, the City Clerk shall also publish notice in advance of any recall election in accordance with Title 34, Section 17 of the Oklahoma Statutes.

Section 4. – Calling election; votes required for recall.

Upon determination by the City Clerk that the petition(s) bear the signatures of the requisite number of registered voters, said petition(s) shall be presented by the City Clerk to the City Council which body shall, in accordance with state election laws, call a recall election.

The recall shall be adopted when the total number of votes in favor of the recall is a majority of all the votes cast on the issue and that majority equals a majority of all the votes cast in the most recent previous election for the particular office in question. Should more than four Councilmembers be recalled in the same recall election, then an affirmative vote of a majority of the remaining seated Councilmembers shall be sufficient to take any action until the vacancies resulting from the recall are filled as set forth herein.

Section 5. – Election to fill vacancy created by recall.

In the event the recall is adopted, a vacancy shall be declared and an election shall be called for the next available election date in accordance with state election laws. Qualification to be a candidate shall be as for a regular election as set out in Article II. Election shall be by a plurality of the votes cast and shall be certified in the regular manner.

- § 16. That, Section 2 of Article XVI of the Charter of the City of Norman shall be amended as follows:

Section 2. – Utility Rate Increases within the Control of the City of Norman

Prior to any proposed increase in utility rates, Staff shall prepare a rate study for the utility for which a rate increase is proposed. A nine-member Utility Rate Commission shall be appointed by the Mayor, with the consent of Council, with members representing

each ward and one at-large member for the purpose of reviewing proposed utility increases and the corresponding rate study. Upon receipt of the rate study and the recommendation of the Utility Rate Commission, the City Council may adopt an ordinance imposing a rate increase provided it does not exceed three percent. Any proposed rate increase that exceeds a three percent increase over existing rates must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for such purpose.

§ 17. That, Sections 2, 3, 4 and 5 of Article XX of the Charter of the City of Norman shall be amended as follows:

Section 2. Appointment and meetings of the Reapportionment Ad Hoc Committee.

The Reapportionment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries as follows:

- a. When the City proposes to annex or de-annex property; or
- b. After the release of new precinct information by the Election Board pursuant to the release of the final Federal Decennial Census; or
- c. Upon the unanimous recommendation of City Council.

In the case of proposed annexation or de-annexation, members of the Reapportionment Ad Hoc Committee shall be appointed within ninety (90) days of adoption of any such proposal. For purposes of reviewing the Federal Decennial Census, members of the Reapportionment Committee shall be appointed within thirty (30) days of the release of new precinct information for Norman by the Election Board. The Reapportionment Ad Hoc Committee's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward).

Section 3. Criteria for ward boundaries.

No later than one hundred and eighty (180) days after the appointment of the Reapportionment Ad Hoc Committee pursuant to Section 2(a) or 2(c) herein, or after the release by the Election Board of new precinct information for Norman when the Committee is appointed pursuant to Section 2(b) herein, the Committee shall pass and refer to the City Council a resolution to retain or readjust the wards and their boundaries to comply with the standards set out herein. Wards should be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

Section 4. Public hearing on proposed boundaries; votes required for passage.

Prior to voting on the resolution, the Reapportionment Ad Hoc Committee shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the Committee. A map showing the wards and their boundaries shall be appended to the resolution.

Section 5. Council shall have final authority.

The resolution shall then be referred to the City Council which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt the resolution without modification, reject the resolution, or send the resolution back to the Reapportionment Ad Hoc Committee for further consideration. If any changes in ward boundaries are adopted by City Council, such changes shall also be adopted by ordinance and codified in the Code of the City of Norman.

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election set by the City Council, and for all other purposes on the day on which the terms of the Councilmembers elected that year begin.

- § 18. That the remaining portions of the Articles and Sections referred to herein shall remain unchanged.
- § 19. That the amendments of the City Charter proposed herein shall be effective provided by law.
- § 20. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

[The remainder of this page is intentionally left blank.]

ADOPTED this _____ day
of _____, 2022.

NOT ADOPTED this _____ day
of _____, 2022.

Brea D. Clark, Mayor

Brea D. Clark, Mayor

ATTEST:

Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDING SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDING SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDING ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDING SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDING SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO BE APPOINTED FROM OTHER COMMUNITIES; AMENDING SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDING SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDING SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX MODIFYING DEADLINES AND PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- § 1. WHEREAS, Resolution No. R-1819-66, as amended, was adopted by the Council of the City of Norman on July 23, 2019 and established a Charter Review Commission to conduct a targeted review of the Norman City Charter; and
- § 2. WHEREAS, the Charter Review Commission presented ten (10) recommendations for amendments to the City Charter to the City Council on August 3, 2021; and
- § 3. WHEREAS, on August 3, 2021, the Council voted affirmatively to place five (5) of the recommendations on an election ballot for consideration by the voters, and asked for further discussion on the remaining five (5) recommendations of the Charter Review Commission; and
- § 4. WHEREAS, on August 24, 2021, the Council, after additional discussion, reached consensus to place two (2) additional recommendations of the Charter Review Commission on an election ballot for consideration by the voters; and
- § 5. WHEREAS, on January 4, 2022, the Council had additional discussion on two additional recommendations of the Charter Review Commission, as well as a discussion about the Reapportionment Process, and reached consensus to place one (1) additional recommendation of the Charter Review Commission, modify and place an additional question initially considered by the Charter Review Consideration, and place changes to the Reapportionment Process outlined in the Charter on a ballot for consideration by the voters.
- § 6. WHEREAS, on May 3, 2022, Council had additional discussion on the proposed Charter changes and ballot language and provided direction to include the addition of a City Auditor position to the Charter; and
- § 7. WHEREAS, pursuant to the provisions of Section 12, Article XVII of the Charter of the City of Norman, said amendments must be submitted to the registered voters of the City for their approval before the same become effective.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- § 8. That, the Mayor is hereby authorized and directed to call a special election to be held in the City on the 23rd day of August, 2022, for the purpose of submitting to the registered voters of the City the various proposed amendments to the Charter of said City, to-wit:
- § 9. That, Section 1 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

Section 1. – Elected Officers: Powers and duties; stipend.

* * * *

The Mayor shall receive an annual stipend of \$8,100 for his or her service per annum, payable monthly beginning with the mayoral term that begins in 2025. Each of the Councilmembers shall receive an annual stipend of \$5,400 per annum, payable monthly, beginning with the terms that begin in 2025. The Mayor, with the consent of Council, shall appoint a five-member Compensation Commission to determine and set the appropriate monthly stipend for the Mayor and each of the Councilmembers shall receive based on the consumer price index, the City's overall budget, and other relevant factors every three years thereafter. Said Compensation Commission shall be appointed every three years and any monthly stipend increases approved by the Commission shall not become effective until the following Council or Mayoral (as applicable) term., a stipend for their services, fifty dollars per month, plus ten dollars for each regular or special meeting attended, provided, however, that no Councilmember shall receive more than one hundred dollars total stipend for any given calendar month.

- § 10. That, Section 2, 5, 6 and 14 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

Section 2. - Term of office.

The term of Councilmembers shall be for a period of two years through the 2025 elections. Beginning with the 2026 elections, elections for Councilmembers shall occur every three years, with the even-numbered ward elections occurring in 2026 and every three years thereafter, and the odd-numbered ward elections occurring in 2027 and every three years thereafter. The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6), and eight (8) shall ~~expire~~begin on the first Tuesday of July of the next even numbered year after their election through July 2024. Beginning in 2026, the terms of Councilmembers chosen to represent even-numbered wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5), and seven (7) shall ~~expire~~begin on the first Tuesday of July of the next odd numbered year after their election through July 2023. Beginning in 2025, the terms of Councilmembers chosen to represent odd-numbered wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

Each elected officer shall continue to hold and to perform the duties of his office until his successor is elected and qualified, unless he is removed or forfeits his office under other provisions of this Charter.

~~The term of office of the Mayor elected at regular elections, Elections for Mayor shall be occur every three (3) years. The term of the Mayor shall expire~~begin on the first Tuesday of July and each three (3) years thereafter through July 2025. Beginning with the 2028 election, and every third year thereafter, the term of the Mayor shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following the date of the scheduled run-off election for such offices.

For purposes of filing and election to the positions of City Council, only persons who have been duly registered to vote in accordance with state law within the City of Norman and reside within the ward for which they seek election for the six months prior to the date of the municipal election and reside in the ward from which they seek election, on the date of their filing, shall be eligible to seek election to the City Council. If a candidate's ward designation has changed in the six months prior to the election due to reapportionment, then the requirement of six months durational residency shall be waived, although the candidate is still required to live in the newly established boundaries of the ward for which he or she seeks office.

* * * *

Section 5. – Municipal Elections.

By resolution duly adopted each year, the City Council shall designate a date in the following year, which is approved under then-current state law, for the holding of Norman's municipal election, at which time there will be election contests conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years; wards one (1), three (3), five (5), and seven (7) in odd-numbered years; and Mayor in 2007 and each third year thereafter. Beginning in 2026, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8). Beginning in 2027, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards one (1), three (3), five (5), and seven (7). If allowed by then-current state law, the date for municipal elections shall be in February. In each such municipal election, a person receiving a majority of votes cast shall be deemed to be the winner. If no person receives a majority of votes in the municipal election, the two candidates receiving the most votes shall proceed in the municipal runoff election, described below. If two or more persons tie for second place in the municipal election, and the person receiving the most votes did not receive a majority of votes cast, then the second-place nominee shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board. If three or more persons tie for first place in the municipal election, then the two municipal runoff election nominees shall be determined from among those tying, fairly by lot, by the Cleveland County Election Board.

Section 6. – Municipal Runoff Elections.

By resolution duly adopted each year, the City Council shall designate a date in the following year that is subsequent to the date chosen for Norman's municipal election described in Section 5 herein, which is approved under then-current state law, for the holding of Norman's municipal runoff election, at which time there will be runoff election

contests, if necessary, conducted by the Cleveland County Election Board for each of the following positions for which two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8) in even-numbered years through 2024; wards one (1), three (3), five (5), and seven (7) in odd-numbered years through 2025; and Mayor in 2007 and each third year thereafter. Beginning in 2026, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards two (2), four (4), six (6), and eight (8). Beginning in 2027, and every third year thereafter, elections for the following wards should be held, provided two (2) or more qualified (as described above) registered voters have filed for office: wards one (1), three (3), five (5), and seven (7). If allowed by then-current state law, the date for municipal runoff elections shall be in April.

Section 14. – Form of ballot.

~~In odd-numbered years~~ in which the terms of the odd numbered wards expire, the names of the candidates for City Council for each Council ward numbered one (1), three (3), five (5) and seven (7) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

~~In even-numbered years~~ in which the terms of the even numbered wards expire, the names of the candidates for City Council for each Council ward numbered two (2), four (4), six (6) and eight (8) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Councilmember in Ward No. _____", followed by the instruction in each case: "Vote for One".

In the years in which the Mayor's term expires, the names of candidates for Mayor shall be placed upon the ballot under the words: "For Mayor", followed by the instruction: "Vote for One".

- § 11. That, Section 22 of Article II of the Charter of Norman, Oklahoma, shall be amended to read as follows:

Section 22. – Vacancies in office.

* * * * *
Any vacancy occurring on the City Council shall be filled by a majority vote of the remaining members of the City Council for ~~a period extending until the next regular municipal election, at which time an election, conducted as provided by this Charter and applicable State law, shall be held to fill any~~ the balance of the unexpired term; provided, however, if the City Council does not fill the vacancy by appointment within sixty (60) days after the same occurs, it shall be mandatory on the part of the City Council to call and schedule a special election to fill the vacancy for the unexpired term, which election shall be held for the election of a City Councilmember, only, and said election shall be conducted in the same manner as a regular municipal election.

- § 12. That, a new Article V shall be added to the Charter of Norman, Oklahoma and that existing Articles V-XX be renumbered accordingly to read as follows:

Section 1. – Office created.

The office of City Auditor is hereby created.

Section 2. – Appointment and Removal of City Auditor.

Council shall by an affirmative vote of five (5) members appoint a City Auditor, who shall serve at the pleasure of the City Council as a full-time at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications, including graduation from an accredited college or university with a bachelor’s degree in accounting, finance or a related field, Certified Public Accountant (CPA) and with a minimum of five (5) years of professional level experience in auditing, and without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Auditor, nor for two years after he or she ceases to be a member. In case of absence or disability of the City Auditor, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Auditor may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Auditor, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Auditor following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Auditor. If the Council suspends or removes the City Auditor from office, the Council may provide for the temporary performance of the City Auditor’s duties. The action of the Council in suspending or removing the City Auditor shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

Section 3. – Duties of the City Auditor.

It shall be the City Auditor’s duty to advise the Council and each member thereof, and the City Manager, of operational and financial audits relating to the efficient and economical operation of Norman City government, and other related matters as may be required by the Council or the City Manager. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private auditors as it is deemed necessary.

ARTICLE VI. – CITY CLERK

* * *

ARTICLE VII. – MUNICIPAL COURT

* * *

ARTICLE VIII. – CITY ATTORNEY

* * *

ARTICLE VIII~~IX~~. – CITY PARKS

* * *

ARTICLE IX. – HOSPITAL

* * *

ARTICLE XI. – REMOVAL

* * *

ARTICLE XII. – LEGISLATIVE DEPARTMENT

* * *

ARTICLE XIII. – ORDINANCES

* * *

ARTICLE XIV. – RECALL OF ELECTIVE OFFICERS

* * *

ARTICLE XV. – REVENUE

* * *

ARTICLE XVI. – PUBLIC SERVICE CORPORATIONS

* * *

ARTICLE XVII. – MUNICIPALLY OWNED UTILITIES

* * *

ARTICLE XVIII. – MISCELLANEOUS PROVISIONS.

* * *

ARTICLE XIX. – LABOR RELATIONS

* * *

ARTICLE XX. – PLANNING; ZONING AND SUBDIVISION REGULATIONS

* * *

ARTICLE XXI. – REAPPORTIONMENT

* * *

§ 13. That, Section 2 of Article VII of the Charter of the City of Norman, Oklahoma, shall be amended to read as follows:

Section 2. – Appointment and removal of City Attorney.

The City Attorney shall be appointed by Manager; such appointment shall be subject to the approval of a majority of the City Council. The City Attorney may be removed by the City Manager. Council shall by an affirmative vote of five (5) members appoint a City Attorney, who shall serve at the pleasure of the City Council as an at-will employee. He or she shall be chosen by the Council solely upon the basis of his or her qualifications, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Attorney, nor for two years after he ceases to be a member. In case of absence or disability of the City Attorney, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Attorney may be removed or suspended at any time, upon an affirmative vote of five (5) members of the Council. Should at least four (4) Councilmembers desire that a majority of Council discuss removal or suspension of the City Attorney, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. In the event Council should desire to suspend or remove the City Attorney following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Attorney. If the Council suspends or removes the City Attorney from office, the Council may provide for the temporary performance of the City Attorney's duties. The action of the Council in suspending or removing the City Attorney shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council.

§ 14. That, Section 1 of Article IX of the Charter of Norman, Oklahoma, shall be amended to read as follows:

Section 1. – Appointment of Board.

The Mayor, with the approval of the City Councilmembers, shall appoint a Board of Norman Regional Hospital Authority consisting of ~~nine~~ eleven registered voters who shall serve for a term of three years. At least nine of the board members shall be Norman residents. A maximum of two members may be appointed from other communities in which the Norman Regional Hospital Authority operates at least one facility. In case of a vacancy in the Board, an appointment to fill the unexpired term shall be made in the same manner as the original appointments. The City Manager shall be an ex-officio member of the Board of Norman Regional Hospital Authority but he shall have no vote. His advice and services shall be given to the Board in the planning and execution of its work.

§ 15. That, Sections 1, 2, 3, 4 and 5 of Article XIII of the Charter of the City of Norman shall be amended as follows:

Section 1. - Time of commencing proceedings.

The holder of any elective office, either by election or appointment to fill a vacancy, may be removed at any time during the time period beginning after six months from the date of his accession to said office and ending six months prior to the expiration of the current term of the elected official so subject to recall, by the registered voters qualified to vote for a successor to such incumbent, in the following manner:

Section 2. - Filing of petition; validation of signatures.

A petition bearing the signatures, names and addresses of twenty-five per cent (25%) of the registered voters qualified to vote for the officer whose recall is sought, shall be necessary to initiate recall proceedings. The City Clerk shall maintain on file and for public use proper petition forms that are in substantial conformance with the form provided in State law for referendum petitions to initiate such proceedings.

At the top of each page of said petition(s) there shall be a ~~short~~ simple statement of the ~~reasons for which recall is being sought.~~ gist of the recall proposition: “If successful, this petition will allow the voters to decide whether to recall [insert elected officer] prior to the expiration of his/her term, or allow him/her to continue to serve in office.”

The petition must be returned to the City Clerk within thirty (30) days, ~~Sundays and legal holidays excepted,~~ of its initiation in order to be valid. Failure to return the petition(s) within the proper time limits shall render them null and void.

Upon receipt of the petition(s), the City Clerk shall inspect said petition(s) to see that all the signatures are valid and that they are those of registered voters eligible to vote for the office from which the officer's removal is sought. Such inspection by the City Clerk shall be completed in a reasonable amount of time, not to exceed ~~not more than~~ thirty (30) days for one petition to recall a ward representative, sixty (60) days for a petition to recall the Mayor, and ninety (90) days if multiple petitions are undergoing inspection concurrently.

Section 3. – Notice and publication.

The City Clerk shall cause to be published upon the filing of the said petition with the City Clerk's office, in some newspaper of general circulation in the City of Norman a notice to the voters, stating the name of the officer(s) whose recall is sought and the time limit within which said petition(s) must be signed. Further, the City Clerk shall cause to be mailed to the officer(s) whose recall is sought an official notice that the petition has been commenced and the time limit in which it must be completed. Such notice shall be by certified mail, return receipt requested, and the refusal of the officer(s) to accept delivery shall in no way affect the validity of the notice. Failure of the City Clerk to keep the City Clerk's office open during regular office hours, which failure prevents the proper filing of said petition(s), shall be adjudged a misdemeanor and upon conviction thereof the Clerk shall be punished by a fine of not less than ten dollars and not more than fifty dollars, and each day said City Clerk violates the provisions hereof shall constitute a separate and distinct offense. In the event such a failure on the part of the City Clerk occurs, petitioners may file the petition(s) with the City Manager.

In addition to publishing notice upon receipt of a petition, the City Clerk shall also publish notice in advance of any recall election in accordance with Title 34, Section 17 of the Oklahoma Statutes.

Section 4. – Calling election; votes required for recall.

Upon determination by the City Clerk that the petition(s) bear the signatures of the requisite number of registered voters, said petition(s) shall be presented by the City Clerk to the City Council which body shall, in accordance with state election laws, call a recall election.

~~The sole question in said election shall be the recall of the officer(s) affected.~~ The recall shall be adopted when the total number of votes in favor of the recall is a majority of all the votes cast on the issue and that majority equals a majority of all the votes cast in the most recent previous election for the particular office in question. Should more than four Councilmembers be recalled in the same recall election, then an affirmative vote of a majority of the remaining seated Councilmembers shall be sufficient to take any action until the vacancies resulting from the recall are filled as set forth herein.

Section 5. – Election to fill vacancy created by recall.

In the event the recall is adopted, a vacancy shall be declared and an election shall be called for the next available election date in accordance with state election laws. ~~it shall be filled in the following manner for the unexpired term of the recalled officer(s): the City Council shall set filing for an election to fill the vacancy to commence ten (10) days after the date of the recall vote and last until 5:00 p.m. of the eleventh (11th) day after the recall election.~~ Qualification to be a candidate shall be as for a regular election as set out in Article II. ~~The election to fill the vacancy created by the recall shall be set in accordance with state election laws.~~ Election shall be by a plurality of the votes cast and shall be certified in the regular manner.

- § 16. That, Section 2 of Article XVI of the Charter of the City of Norman shall be amended as follows:

Section 2. – Utility Rate Increases within the Control of the City of Norman

~~Precedent to an increase in utility rates within the control of the City of Norman, such increase proposal must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for said purpose.~~ Prior to any proposed increase in utility rates, Staff shall prepare a rate study for the utility for which a rate increase is proposed. A nine-member Utility Rate Commission shall be appointed by the Mayor, with the consent of Council, with members representing each ward and one at-large member for the purpose of reviewing proposed utility increases and the corresponding rate study. Upon receipt of the rate study and the recommendation of the Utility Rate Commission, the City Council may adopt an ordinance imposing a rate increase provided it does not exceed three percent. Any proposed rate increase that exceeds a three percent increase over existing rates must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for such purpose.

- § 17. That, Sections 2, 3, 4 and 5 of Article XX of the Charter of the City of Norman shall be amended as follows:

Section 2. Appointment and meetings of the Reapportionment Ad Hoc Committee.

The Reapportionment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries as follows:

- a. When the City proposes to annex or de-annex property; or
- b. After the release of new precinct information by the Election Board pursuant to the release of the final Federal Decennial Census ~~During the last quarter of the calendar year prior to the release of the Federal Decennial Census and continuing through the release of the final Census;~~ or
- c. Upon the unanimous recommendation of City Council.

In the case of proposed annexation or de-annexation, members of the Reapportionment Ad Hoc Committee shall be appointed within ninety (90) days of adoption of any such proposal. For purposes of reviewing the Federal Decennial Census, members of the Reapportionment Committee shall be appointed ~~six (6) months prior to the year of~~ within thirty (30) days of the release of new precinct information for Norman by the Election Board ~~the issuance of such census~~. The Reapportionment Ad Hoc Committee's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward).

Section 3. Criteria for ward boundaries.

No later than one hundred and eighty (180) days after the appointment of the Reapportionment Ad Hoc Committee pursuant to Section 2(a) or 2(c) herein, or after the release by the Election Board of new precinct information for Norman ~~issuance of the Federal Decennial Census~~ when the Committee is appointed pursuant to Section 2(b) herein, the Committee shall pass and refer to the City Council a resolution to retain or readjust the wards and their boundaries to comply with the standards set out herein. Wards should be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

Section 4. Public hearing on proposed boundaries; votes required for passage.

~~At least ten (10) days before~~ Prior to voting on the resolution, the Reapportionment Ad Hoc Committee shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the Committee. A map showing the wards and their boundaries shall be appended to the resolution.

Section 5. Council shall have final authority.

The resolution shall then be referred to the City Council which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt the resolution without modification, reject the resolution, or ~~adopt~~ send the resolution back to the Reapportionment Ad Hoc Committee for further consideration ~~with such modification as the Council deems necessary~~. If any changes in ward boundaries are adopted by City Council, such changes shall also be adopted by ordinance and codified in the Code of the City of Norman. ~~In any alteration or amendment of the resolution as proposed by the Reapportionment Ad Hoc Committee, the City Council shall use the same criteria for ward boundaries as hereinabove adopted for the use of the Reapportionment Ad Hoc Committee.~~

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election set by the City Council,

and for all other purposes on the day on which the terms of the Councilmembers elected that year begin.

- § 18. That the remaining portions of the Articles and Sections referred to herein shall remain unchanged.
- § 19. That the amendments of the City Charter proposed herein shall be effective provided by law.
- § 20. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

[The remainder of this page is intentionally left blank.]

ADOPTED this _____ day
of _____, 2022.

NOT ADOPTED this _____ day
of _____, 2022.

Breea D. Clark, Mayor

Breea D. Clark, Mayor

ATTEST:

Brenda Hall, City Clerk

File Attachments for Item:

12. CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF ORDINANCE O-2122-46 UPON FIRST READING BY TITLE:
AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, ON THE 23RD DAY OF AUGUST, 2022, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN THE QUESTION OF APPROVING OR REJECTING ORDINANCE O-2122-45, WHICH ORDINANCE AMENDS ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDS SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDS SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDS ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDS SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDS SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO BE APPOINTED FROM OTHER COMMUNITIES; AMENDS SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDS SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDS SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX MODIFYING DEADLINES AND

PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN
CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT
BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S
RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: May 10, 2022

REQUESTER:

PRESENTER: Kathryn Walker, City Attorney

ITEM TITLE: CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT OR POSTPONEMENT OF ORDINANCE O-2122-46 UPON FIRST READING
BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, ON THE 23RD DAY OF AUGUST, 2022, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN THE QUESTION OF APPROVING OR REJECTING ORDINANCE O-2122-45, WHICH ORDINANCE AMENDS ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDS SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDS SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDS ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDS SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDS SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO

BE APPOINTED FROM OTHER COMMUNITIES; AMENDS SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDS SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDS SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX MODIFYING DEADLINES AND PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND:

The Charter Review Commission ("CRC") was appointed in the Summer of 2019 to review specific items as requested by members of the City Council. The CRC met monthly, with the exception of several months missed due to COVID-19. Council held a Special Session on August 3, 2021 to hear the recommendations of the CRC and to decide whether to send each recommendation to the voters for their consideration. Council voted to send five of the recommendations to the voters. Recent discussions have targeted a possible June 28, 2022 election for these ballot measures. Charter amendments are adopted by ordinance. In order to meet the State's deadlines for a June 2022 election, Council will be required to vote on the ordinance on Second Reading no later than April 12, 2022.

At the Special Session on August 3, 2021, Council asked for further discussion on 5 of the recommendations related to term expiration, Council vacancies, utility rates, recall elections, and tax-increment financing. Council discussed these items during its conference on August 24, 2021 and reached consensus on sending the CRC recommendation related to term expiration and filling vacant Council positions forward to the voters and *not* sending any Charter amendments forward related to tax increment financing. Further information and discussion was requested for the CRC recommendations related to utility rates and recall elections. During its meeting of January 4, 2022, Council reached consensus to send forward the CRC recommendations related to recall elections and identified language to send forward related to utility rates as well as changes to the reapportionment process to enable the committee to be responsive to revised precinct boundaries.

DISCUSSION:

Council reviewed the final ballot language during its Study Session on May 3, 2022 and gave additional recommendation to add previously prepared Charter amendments related to the creation of a City Auditor position to the ballot. The ordinance language has been amended to reflect this direction.

Ordinance O-2122-46 calls the Special Election for voter consideration of the Charter amendments and sets forth 9 propositions that will appear on the ballot.

RECOMMENDATION:

If Ordinances O-2122-45 and O-2122-46 are adopted on Second and Final Reading on May 26, 2022, an election will be set on August 22, 2022 for voter consideration of nine propositions.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, ON THE 23RD DAY OF AUGUST, 2022, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED VOTERS OF THE CITY OF NORMAN THE QUESTION OF APPROVING OR REJECTING ORDINANCE O-2122-45, WHICH ORDINANCE AMENDS ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN BY INCREASING THE STIPEND RECEIVED BY COUNCILMEMBERS AND THE MAYOR AND CREATING A COMPENSATION COMMISSION; AMENDS SECTIONS 2, 5, 6, AND 14 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO INCREASE COUNCILMEMBER TERMS FROM TWO TO THREE YEARS BEGINNING WITH THE 2026 ELECTIONS, CHANGING THE BEGINNING OF THE COUNCILMEMBER AND MAYORAL TERMS TO FOLLOW THE DESIGNATED RUN-OFF ELECTION DATE BEGINNING WITH THE 2025 WARD ELECTIONS AND THE 2028 MAYORAL ELECTION, AND REQUIRING WARD REPRESENTATIVES TO LIVE IN THE WARD SIX MONTHS PRIOR TO SEEKING ELECTION AND PROVIDING EXCEPTIONS WHEN WARD BOUNDARIES CHANGE; AMENDS SECTION 22 OF ARTICLE II OF THE CHARTER OF THE CITY OF NORMAN TO CLARIFY THAT VACANCIES ON COUNCIL FILLED BY COUNCIL VOTE SHALL BE FILLED FOR THE REMAINDER OF THE TERM IN QUESTION; ADDS ARTICLE V PROVIDING FOR THE CREATION OF THE OFFICE OF THE CITY AUDITOR, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY AUDITOR BY CITY COUNCIL, SETTING FOR THE DUTIES OF THE CITY AUDITOR, AND PROVIDING FOR THE RENUMBERING OF SUBSEQUENT ARTICLES; AMENDS SECTION 2 OF ARTICLE VII PROVIDING FOR THE APPOINTMENT AND REMOVAL OF THE CITY ATTORNEY BY CITY COUNCIL INSTEAD OF THE CITY MANAGER; AMENDS SECTION 1 OF ARTICLE IX TO INCREASE THE NUMBER OF BOARD MEMBERS ON THE NORMAN REGIONAL HOSPITAL AUTHORITY FROM NINE TO ELEVEN AND ALLOWING A MAXIMUM OF TWO BOARD MEMBERS TO BE APPOINTED FROM OTHER COMMUNITIES; AMENDS SECTIONS 1, 2, 3, 4 AND 5 OF ARTICLE XIII OF THE CHARTER OF THE CITY OF NORMAN TO LIMIT THE TIME OF COMMENCING RECALL PROCEEDINGS, TO MODIFY THE PROCESS TO BE CONSISTENT OKLAHOMA STATE LAW, AND TO ALLOW FOR ADDITIONAL TIME TO REVIEW PETITIONS WHEN MULTIPLE PETITIONS ARE RECEIVED; AMENDS SECTION 2 OF ARTICLE XVI TO ALLOW CITY COUNCIL TO IMPOSE A MAXIMUM THREE PERCENT (3%) INCREASE IN UTILITY RATES ONLY AFTER A RATE STUDY AND A RECOMMENDATION FROM A UTILITY RATE COMMISSION; AND AMENDS SECTIONS 2, 3, 4 AND 5 OF ARTICLE XX

MODIFYING DEADLINES AND PROCESS FOR THE REAPPORTIONMENT AD HOC COMMITTEE IN CONSIDERATION OF THE STATE'S TIMELINE FOR MODIFYING PRECINCT BOUNDARIES AND LIMITING COUNCIL'S ACTION ON THE COMMITTEE'S RECOMMENDATION; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- § 1. WHEREAS, Resolution No. R-1819-66, as amended, was adopted by the Council of the City of Norman on July 23, 2019 and established a Charter Review Commission to conduct a targeted review of the Norman City Charter; and
- § 2. WHEREAS, the Charter Review Commission presented ten (10) recommendations for amendments to the City Charter to the City Council on August 3, 2021; and
- § 3. WHEREAS, on August 3, 2021, the Council voted affirmatively to place five (5) of the recommendations on an election ballot for consideration by the voters, and asked for further discussion on the remaining five (5) recommendations of the Charter Review Commission; and
- § 4. WHEREAS, on August 24, 2021, the Council, after additional discussion, reached consensus to place two (2) additional recommendations of the Charter Review Commission on an election ballot for consideration by the voters; and
- § 5. WHEREAS, on January 4, 2022, the Council had additional discussion on two additional recommendations of the Charter Review Commission, as well as a discussion about the Reapportionment Process, and reached consensus to place one (1) additional recommendation of the Charter Review Commission, modify and place an additional question initially considered by the Charter Review Consideration, and place changes to the Reapportionment Process outlined in the Charter on a ballot for consideration by the voters.
- § 6. WHEREAS, on May 3, 2022, Council had additional discussion on the proposed Charter changes and ballot language and provided direction to include the addition of a City Auditor position to the Charter; and
- § 7. WHEREAS, pursuant to the provisions of Section 12, Article XVII of the Charter of the City of Norman, said amendments must be submitted to the registered voters of the City for their approval before the same become effective.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 8. PROPOSITION I

Shall Section 1 of Article II of the Charter of the City of Norman be amended to increase the annual stipend for the Mayor from a maximum of \$1,200 to \$8,100 beginning in 2025 and for Councilmembers from a maximum of \$1,200 to \$5,400 beginning in 2025 and

providing for a Compensation Commission to be appointed to determine any future increases every three years based on the consumer price index, the City's budget, and other relevant factors, as more particularly described in Ordinance O-2122-45?

§ 9. PROPOSITION II

Shall Sections 2, 5, 6, and 14 of Article II of the Charter of the City of Norman be amended to increase Councilmember terms from two to three years beginning with terms in 2026; to change the beginning of Councilmember and Mayoral terms from the first Tuesday of July to the first Tuesday following scheduled run-off elections beginning in 2026 for the Councilmember positions and 2028 for the Mayor position; and to require those seeking election to a Councilmember position be residents of the ward for which they seek office for six months; and providing exceptions when ward boundaries are changed, as more particularly described in Ordinance O-2122-45?

§ 10. PROPOSITION III

Shall Section 22 of Article II of the Charter of the City of Norman be amended to clarify that vacancies on City Council that are filled by majority vote of the City Council are filled for the balance of the unexpired term of the vacant position, as more particularly described in Ordinance O-2122-45?

§ 11. PROPOSITION IV

Shall Article V be added, and subsequent Articles be renumbered accordingly, to the Charter of the City of Norman to create the position of Municipal Auditor to be appointed by the City Council by at least an affirmative vote of five (5) members; to establish the City Auditor's employment status as an at-will employee; to provide a process for an interim City Auditor to be appointed in case of the absence or disability of the City Auditor; to provide a process for Councilmembers to request discussion and/or consideration of the removal or suspension of the City Auditor to be placed on the agenda of a regularly or specially scheduled meeting; and to describe the duties of the City Auditor, as more particularly described in Ordinance No. O-2122-45?

§ 12. PROPOSITION V

Shall Section 2 of Article VII of the Charter of the City of Norman be amended to change the City Attorney to an at-will employee hired by majority vote of the City Council instead of hired by the City Manager and confirmed by City Council; to provide a process for an interim City Attorney to be appointed in case of the absence or disability of the City Attorney; to provide a process for Councilmembers to request discussion and/or consideration of the removal or suspension of the City Attorney to be placed on the agenda of a regularly or specially scheduled meeting, as more particularly described in Ordinance O-2122-45?

§ 12. PROPOSITION VI

Shall Section 1 of Article IX of the Charter of the City of Norman be amended to increase the number of board members for the Norman Regional Hospital Authority Board from nine to eleven and allowing for a maximum of two board members to be appointed from other communities in which Norman Regional Hospital Authority operates at least one facility, as more particularly described in Ordinance O-2122-45?

§ 13. PROPOSITION VII

Shall Sections 1, 2, 3, 4, and 5 of Article XIII of the Charter of the City of Norman be amended to set forth a timeframe in which an elected municipal official can be recalled, amends procedures to be consistent with State law, to provide additional time for review of recall petitions when a recall petition for Mayor or multiple petitions are undergoing inspection concurrently, to provide for a majority vote of remaining Councilmembers to take any action if there are more than four vacancies on Council as a result of a recall election, and to require City Council to call an election to fill any vacancy created by a successful recall for the next available election date, as more particularly described in Ordinance O-2122-45?

§ 14. PROPOSITION VIII

Shall Section 2 of Article XVI of the Charter of the City of Norman be amended to allow utility rate increases of no more than three percent to be adopted by City Council rather than by submittal to the registered voters of Norman, but only after a rate study and review by an appointed Utility Rate Commission having a representative appointed from each ward and one at-large, as more particularly described in Ordinance O-2122-45?

§ 15. PROPOSITION IX

Shall Sections 2, 3, 4, and 5 of Article XX of the Charter of the City of Norman be amended to modify the deadlines and process for the Reapportionment Ad Hoc Committee to review census data and reapportion wards to be more similar to the State's timeline for modifying precinct boundaries, and to limit Council action on the recommendations of the Reapportionment Ad Hoc Committee to either 1) adopt proposed ward boundaries without modification, 2) reject proposed boundaries, or 3) refer the proposed boundaries back to the Committee for further consideration, as more particularly described in Ordinance O-2122-45?

§ 16. That the remaining portions of the Articles and Sections referred to herein shall remain unchanged.

§ 17. That the amendments of the City Charter proposed herein shall be effective provided by law.

§ 18. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this resolution is, for any reason, held invalid or unconstitutional by any court of competent

jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____ day
of _____, 2022.

NOT ADOPTED this _____ day
of _____, 2022.

Breea D. Clark, Mayor

Breea D. Clark, Mayor

ATTEST:

Brenda Hall, City Clerk

**SPECIAL ELECTION
PROCLAMATION AND NOTICE OF ELECTION**

Under and by virtue of the Statutes of the State of Oklahoma and acts complimentary, supplementary and enacted pursuant thereto, and Ordinance No. O-2122-46 dated May 26, 2022, authorizing the calling of an election on the Propositions hereinafter set forth, I, the undersigned Mayor of the City of Norman, Oklahoma, hereby call a special election and give notice thereof to be held in the City of Norman, Oklahoma, on the 23rd day of August, 2022, for the purpose of submitting to the registered qualified voters in said City the following Propositions:

PROPOSITION 1

Shall Section 1 of Article II of the Charter of the City of Norman be amended to increase the annual stipend for the Mayor from a maximum of \$1,200 to \$8,100 beginning in 2025 and for Councilmembers from a maximum of \$1,200 to \$5,400 beginning in 2025 and providing for a Compensation Commission to be appointed to determine any future increases every three years based on the consumer price index, the City's budget, and other relevant factors, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
 NO - AGAINST THE PROPOSITION

PROPOSITION 2

Shall Sections 2, 5, 6, and 14 of Article II of the Charter of the City of Norman be amended to increase Councilmember terms from two to three years beginning with terms in 2026; to change the beginning of Councilmember and Mayoral terms from the first Tuesday of July to the first Tuesday following scheduled run-off elections beginning in 2026 for the Councilmember positions and 2028 for the Mayor position; and to require those seeking election to a Councilmember position be residents of the ward for which they seek office for six months; and providing exceptions when ward boundaries are changed, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
 NO - AGAINST THE PROPOSITION

PROPOSITION 3

Shall Section 22 of Article II of the Charter of the City of Norman be amended to clarify that vacancies on City Council that are filled by majority vote of the City Council are filled for the balance of the unexpired term of the vacant position, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
- NO - AGAINST THE PROPOSITION

PROPOSITION 4

Shall Article V be added, and subsequent Articles be renumbered accordingly, to the Charter of the City of Norman to create the position of Municipal Auditor to be appointed by the City Council by at least an affirmative vote of five (5) members; to establish the City Auditor's employment status as an at-will employee; to provide a process for an interim City Auditor to be appointed in case of the absence or disability of the City Auditor; to provide a process for Councilmembers to request discussion and/or consideration of the removal or suspension of the City Auditor to be placed on the agenda of a regularly or specially scheduled meeting; and to describe the duties of the City Auditor, as more particularly described in Ordinance No. O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
- NO - AGAINST THE PROPOSITION

PROPOSITION 5

Shall Section 2 of Article VII of the Charter of the City of Norman be amended to change the City Attorney to an at-will employee hired by majority vote of the City Council instead of hired by the City Manager and confirmed by City Council; to provide a process for an interim City Attorney to be appointed in case of the absence or disability of the City Attorney; to provide a process for Councilmembers to request discussion and/or consideration of the removal or suspension of the City Attorney to be placed on the agenda of a regularly or specially scheduled meeting, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
- NO - AGAINST THE PROPOSITION

PROPOSITION 6

Shall Section 1 of Article IX of the Charter of the City of Norman be amended to increase the number of board members for the Norman Regional Hospital Authority Board from nine to eleven and allowing for a maximum of two board members to be appointed from other communities in which Norman Regional Hospital Authority operates at least one facility, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
- NO - AGAINST THE PROPOSITION

PROPOSITION 7

Shall Sections 1, 2, 3, 4, and 5 of Article XIII of the Charter of the City of Norman be amended to set forth a timeframe in which an elected municipal official can be recalled, amends procedures to be consistent with State law, to provide additional time for review of recall petitions when a recall petition for Mayor or multiple petitions are undergoing inspection concurrently, to provide for a majority vote of remaining Councilmembers to take any action if there are more than four vacancies on Council as a result of a recall election, and to require City Council to call an election to fill any vacancy created by a successful recall for the next available election date, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
- NO - AGAINST THE PROPOSITION

PROPOSITION 8

Shall Section 2 of Article XVI of the Charter of the City of Norman be amended to allow utility rate increases of no more than three percent to be adopted by City Council rather than by submittal to the registered voters of Norman, but only after a rate study and review by an appointed Utility Rate Commission having a representative appointed from each ward and one at-large, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
- NO - AGAINST THE PROPOSITION

PROPOSITION 9

Shall Sections 2, 3, 4, and 5 of Article XX of the Charter of the City of Norman be amended to modify the deadlines and process for the Reapportionment Ad Hoc Committee to review census data and reapportion wards to be more similar to the State’s timeline for modifying precinct boundaries, and to limit Council action on the recommendations of the Reapportionment Ad Hoc Committee to either 1) adopt proposed ward boundaries without modification, 2) reject proposed boundaries, or 3) refer the proposed boundaries back to the Committee for further consideration, as more particularly described in Ordinance O-2122-45?

The ballot used at said election shall set out the Proposition as above set forth and shall also contain the words:

- YES - FOR THE PROPOSITION
- NO - AGAINST THE PROPOSITION

That only the registered qualified voters of the City of Norman, Oklahoma, may vote upon the Propositions as above set forth.

The polls shall be opened at 7:00 o'clock a.m. and shall remain open continuously until and be closed at 7:00 p.m.

The special election shall be held at the same places and in the same manner prescribed by law for conducting county and state elections and the numbers and locations of the polling places and the persons who shall conduct said election shall be the same as for county and state elections, all as respectively designated and prescribed by the County Election Board of Cleveland County, Oklahoma.

WITNESS my hand as Mayor of the City of Norman, Oklahoma, and the Seal of said City affixed hereto on the 24th day of May, 2022.

Mayor

(SEAL)

ATTEST:

City Clerk