



MEMORANDUM

Council Agenda
Item No. IX.W.
8/27/2019

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Resolution No. II relating to the special election called by the Mayor and Council of The City of Oklahoma City for December 10, 2019, for the purpose of submitting Ordinance No. 26,255, levying a 1% excise tax for a limited term of eight years, to City voters; setting forth the facts required by Section 13-102 of Title 26 of the Oklahoma Statutes; directing the City Clerk to submit this Resolution to the Secretary of the Oklahoma County Election Board on or before September 25, 2019; further directing the City Clerk to forthwith submit a current, certified copy of the Oklahoma City Charter to said election board as required by law and directing the City Clerk to forthwith provide the Oklahoma County Election Board with a map designating the municipal limits and ward boundaries of The City of Oklahoma City as required by Section 13-107 of Title 26 of the Oklahoma Statutes.

Background

Title 26 of the Oklahoma Statutes regulates elections conducted by the State and county election boards. Certain requirements are imposed for the holding of municipal special elections.

Under 26 O.S. § 13-102, 60 days' prior notice to the local county election board that will conduct the municipal special election is normally required. However, if a Federal or State election will also be held on the same date as the municipal special election, 75 days' prior notice is required by 11 O.S. §3-101(E). Although no State special election is currently scheduled for December 10, 2019, to be completely safe, 75 days' notice will be given to the Oklahoma County Election Board Secretary by the City Clerk. State law also requires that the municipality submit certain additional information, including the proposed Ballot for the election, when notice of the election is given to the Oklahoma County Election Board.

Resolution No. II, as attached, will provide 75 days' notice to the Oklahoma County Election Board that the City Council and Mayor have called a special election for approval or disapproval of Ordinance No. 26,255 by City voters for Tuesday, December 10, 2019. Resolution No. II will also direct the City Clerk to deliver such Resolution to the Oklahoma Election Board Secretary by no later than September 25, 2019, thus providing 75 days' notice of the City special election. This Resolution also directs certain further actions by the Clerk. The proposed Ballot for the election is attached to Resolution No. II as Exhibit A.

Review

Municipal Counselor's Office

Recommendation: Resolution be adopted.