



MEMORANDUM

Council Agenda
Item No. IX.P.
6/20/2017

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: James D. Couch, City Manager

Resolution No. II relating to the Special Election called by the Mayor and Council of The City of Oklahoma City for September 12, 2017, for the purpose of submitting Ordinance No. 25,751, levying a 3/4% limited-purpose, limited-term excise tax for the purpose of providing City capital improvements, 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 June 28, 2017; 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

The City Council met in a workshop on April 18, 2017 to discuss the 2017 General Obligation Bond program and a potential sales tax initiative. A proposal to use a portion of the sales tax initiative for certain capital improvements was discussed at the workshop and was generally supported by the Council.

The recommendation is to set a special election for Tuesday, September 12, 2017 for Ordinance No. 25,751, which establishes a 3/4% limited purpose sales tax for 27 months with an effective date for the tax levy of January 1, 2018. A separate resolution will declare the Council's intent for use of the revenue generated by the sales tax levy.

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. § 13-101, 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. Tuesday, September 12, 2017 is such a date: a State election will be held on that date. Accordingly, the Oklahoma County Election Board has notified the City Clerk that the deadline for notice to it for the proposed September 12, 2017, City special election is Wednesday, June 28, 2017. 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 Number II, as attached, will provide notice to the Oklahoma County Election Board that the City Council and Mayor have called a special election for purpose of approval of Ordinance No. 25,571 by City voters for Tuesday, September 12, 2017. Resolution Number II will also direct the City Clerk to deliver such Resolution to the Oklahoma Election Board Secretary by no later than June 28, 2017; such Resolution Number II also directs certain further actions by the Clerk. The proposed Ballot for the election is attached to Resolution Number II as Exhibit "A."

Review

Finance Department

Recommendation: Resolution be adopted

Attachment