



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: R-1819-66 Amd #2**

**File ID:** R-1819-66 Amd #2      **Type:** Resolution      **Status:** Consent Item

**Version:** 1      **Reference:** Item 28      **In Control:** City Council

**Department:** Legal Department      **Cost:**      **File Created:** 11/05/2020

**File Name:** CRC Resolution, Amd 2      **Final Action:**

**Title:** AMENDMENT NO. TWO TO RESOLUTION R-1819-66: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING A CHARTER REVIEW COMMISSION FOR THE PURPOSE OF CONDUCTING A TARGETED REVIEW OF THE NORMAN CITY CHARTER AND TO REPORT ITS FINDINGS TO THE CITY COUNCIL.

**Notes:** ACTION NEEDED: Motion to adopt or reject Amendment No. Two to Resolution R-1819-66.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 11/10/2020

**Agenda Number:** 28

**Attachments:** R-1819-66 Am 2 - Clean, Annotated Amendment to resolution

**Project Manager:** Kathryn Walker, City Attorney

**Entered by:** kathryn.walker@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File R-1819-66 Amd #2

Body

**BACKGROUND:** During its October 30, 2018 Study Session, City Council discussed possible amendments to the Charter to have the City Attorney and the Internal Auditor positions report directly to City Council. During the discussion, a majority of Councilmembers expressed support for reconstituting the Charter Review Commission (“CRC”) to look at the proposal related to the City Attorney and City Auditor positions as well as other items. Council was asked to provide any additional items they would like the CRC to review to Staff for inclusion in a resolution providing for a targeted charter review by the CRC. Staff was asked to contact the members of the previous CRC and determine whether they would still be willing to serve.

During the months that followed, Staff received a number of requests from Councilmembers to include in the resolution appointing the CRC. In addition, Staff received a request from Norman Regional Hospital for changes to the Norman Regional Hospital Authority trust indenture which also implicates a change in the Charter language. The items that were identified in Resolution R-1819-66 for CRC review are:

- Consider adding language to the Charter related to the appointment and removal of a City Auditor that would be a full time employee of the City of Norman and appointed and subject to removal by the City Council.
- Review of Article VII, Section 2 to consider whether the City Attorney should be appointed and subject to removal by the City Council.
- Consider adding language to the Charter that would establish consequences should the provisions of Section 2-103 of the City's Code be violated.
- Review of Article II, Section 1 to consider increasing the monthly stipend provided for the Mayor and Councilmembers.
- Consider adding language to Article II, Section 1 of the Charter adding reimbursement for cell phone expenses as additional compensation received by City Councilmembers.
- Review of Article II, Sections 2, 5, 6 and 14 to consider whether the term of office for Councilmembers should be changed from two to three years, and whether the term of office for Mayor be changed from three to four years.
- Review of Article II, Section 2 to consider whether the term of office for Councilmembers and Mayor should expire on the last Tuesday of the month in which a runoff election is held or scheduled to be held.
- Consider adding language to Article II, Section 10 of the Charter that would require a sitting Councilmember to resign their position at the time he or she files for another City, State or Federal elected office.
- Consider adding language to Article II, Section 10 of the Charter that would require a candidate for City Council to reside in the Ward in which he or she seeks election for a minimum of six months prior to filing for said office.
- Consider adding language to Article XVI, Section 2 of the Charter requiring the City Council to consider a resolution calling for a vote of the electorate to increase City utility rates under certain conditions, i.e. upon a finding of financial need after a review of the utility funds and their monetary sources by the Finance Director or upon the recommendation of an independent elected utilities board.
- Consider adding language to the Charter to establish a Resident or Community Bill of Rights.
- Consider amending Article VI, Section 1 of the Charter to increase the number of members of the Board of Norman Regional Hospital Authority from nine to eleven members.
- Consider adding language to the Charter related to requiring a vote of the electorate for approval of a Tax Increment Finance District over \$5,000,000.
- Review of Article II, Section 22 to consider allowing the outgoing Councilmember creating the vacancy to appoint his or her successor, unless the vacancy is created due to removal from office.
- Review Article II, Section 11 to consider whether to allow partisan elections for municipal

office.

Resolution R-1819-66 also appointed 17 members to the Charter Review Commission. The Commission began meeting and Staff learned that two of the appointed members were no longer able to serve. Additionally, Councilmember Petrone has requested that the Committee look at five additional issues:

- Review potential loopholes used to skirt the Open Meetings Act and provide recommendation.
- Review the process for replacing Councilmembers when seats are vacated and provide a recommendation for whether Council should appoint the replacement or call an election.
- Review executive session restrictions and provide recommendation on appropriate limits of use versus overly expansive such that it provides cover to skirt Open Meetings Act.
- Revisit the relationship between Norman Regional Hospital and the City of Norman for equitability of benefit versus burden to the respective parties and make a recommendation.
- Examine the ward boundary creation process.

Amendment 1 was adopted on July 23, 2019 and added the additional items requested by Councilmember Petrone to Section 5 of the Resolution. Additionally, it struck the names of those Commission members no longer able to serve in Section 6, and added Aisha Ali to the Commission.

The Commission has almost completed its review of the items set forth in R-1819-66. During the recent City Council Oversight Committee Meeting and the City Council Retreat in October 2020, several Council members indicated interest in having the Commission look again at the item related to requiring a vote of the electorate for certain tax increment finance districts as the Commission's previous discussion resulted in a tie vote, with several members absent. Additionally, it was requested that the Commission look at whether to require a biennial review of the Charter and whether any changes needed to be made to the provisions of the Charter setting forth the process for recall of elected officials.

**DISCUSSION:** Amendment 2 to Resolution R-1819-66 adds two tasks to the Commission's charge set forth in Section 5 - a review and recommendation related to Article XIII, Recall of Elective Officers, and a review of Article XVII, Section 9 to consider whether to require biennial review of the Charter. The remainder of the Resolution remains unchanged. Council's desire for the Commission to discuss the task related to tax increment finance districts again has been communicated to the Chair of the Charter Review Commission and discussion is planned for its next meeting.

**RECOMMENDATION:** Amendment No. 2 to Resolution R-1819-66 is being forwarded to Council for consideration.