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September 16, 2013.)

RESOLUTION NO. 19471

A RESOLUTION GIVING NOTICE OF A NON-PARTISAN SPECIAL ELECTION ON NOVEMBER 12, 2013, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF TULSA, IN ACCORDANCE WITH TITLE 68 OKLAHOMA STATUTES §§ 2701 AND 2705, THE QUESTION OF A SALES TAX, NAMELY: AN EXTENSION OF A ONE AND ONE-TENTH PERCENT (1.1%) SALES TAX FROM THE CURRENT ONE AND ONE-SIXTH PERCENT (1.167%) SALES TAX WHICH IS DUE TO EXPIRE ON JUNE 30, 2014; CONTINUING TO COLLECT ONE AND ONE-TENTH PERCENT (1.1%) SALES TAX UNTIL THE FULL AMOUNT OF FIVE HUNDRED SIXTY-THREE MILLION, SEVEN HUNDRED THOUSAND DOLLARS AND NO CENTS (\$563,700,000.00) IS SO COLLECTED OR UNTIL SEVEN (7) YEARS HAVE ELAPSED, THAT IS UNTIL JUNE 30, 2021, WHICHEVER IS EARLIER, AT WHICH TIME THE SAID SALES TAX SHALL EXPIRE, UNLESS RENEWED BY A VOTE OF THE PEOPLE; DEVOTING THE REVENUES OF SAID SALES TAX TO SPECIFIC CAPITAL PROJECTS; GIVING NOTICE TO THE TULSA, OSAGE, ROGERS, AND WAGONER COUNTY ELECTION BOARDS OF SAID ELECTION, PURSUANT TO TITLE 26 OKLAHOMA STATUTES §13-102, §3-101.D., AND AMENDMENTS THERETO; AUTHORIZING AND REQUESTING THE MAYOR OF THE CITY OF TULSA TO CALL AND PROCLAIM THE HOLDING OF THE NON-PARTISAN SPECIAL ELECTION IN THE CITY OF TULSA IN ACCORDANCE WITH ARTICLE VI OF THE CITY CHARTER, SECTION 4 "CALLING ELECTIONS"; SETTING FORTH OTHER INFORMATION NECESSARY FOR CONDUCTING SAID ELECTION; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Tulsa's current temporary one and one-sixth percent (1.167%) sales tax is due to expire on June 30, 2014, and the City has determined by Ordinance No. 22921 that an extension of one and one-tenth percent (1.1%) sales tax, and continued collection of said one and one-tenth percent (1.1%) sales tax until said collection totals five hundred sixty-three million, seven hundred thousand dollars and no cents (\$563,700,000.00), or until seven (7) years have elapsed, that is until June 30, 2021, whichever is earlier, and expenditure of the said sales tax's revenues on specific capital projects, ought to be submitted to the voters of the City for approval or rejection; and

WHEREAS, Title 26 Oklahoma Statutes §13-102, §3-101.D., and any and all amendments thereto, require the City of Tulsa, Oklahoma to give by resolution seventy-five (75) days' notice of a special election to the Tulsa, Osage, Rogers, and Wagoner County Election

Boards, stating therein the date of said election, the question(s) to be voted upon at said election, and other information necessary for conducting the said election; and

WHEREAS, Article VI, Section 4, of the Charter of the City of Tulsa requires the Mayor to issue proclamations and notices calling all elections in the City; and

WHEREAS, Title 10, Chapter 1, Section 100, of the Tulsa Revised Ordinances, provides for use of absentee ballots in all special elections in the City of Tulsa, Oklahoma, in the manner and in accordance with the provisions now established by Oklahoma and Federal laws;

BE IT RESOLVED BY THE CITY OF TULSA:

Section 1. That notice be and the same is hereby given of a non-partisan special election to be held in the City of Tulsa, Oklahoma, on Tuesday, November 12, 2013, to submit to the qualified voters of the City the question of whether to extend a one and one-tenth percent (1.1%) sales tax from the current one and one-sixth percent (1.167%) sales tax which is due to expire on June 30, 2014; and to continue to collect one and one-tenth percent (1.1%) sales tax until the full amount of five hundred sixty-three million, seven hundred thousand dollars and no cents (\$563,700,000.00) has been collected, or until seven (7) years have elapsed, that is until June 30, 2021, whichever occurs earlier, at which time the said sales tax shall expire, unless renewed by a vote of the people; and devoting the revenues from said sales tax to specific capital improvements, as stated in Ordinance No. 22922.

Section 2. That under and by virtue of Title 68 Oklahoma Statutes §§ 2701 and 2705, the ballot setting forth the following Proposition shall be submitted to the qualified voters of the City of Tulsa, Oklahoma, at said election, to wit:

**“PROPOSITION NO. 2\***

**“IMPROVE OUR TULSA—SALES TAX--1.1% UNTIL \$563,700,000.00 COLLECTED (7 YEARS MAX)**

**“Do you approve ordinances extending a one and one-tenth percent (1.1%) sales tax levy from the current City of Tulsa one and one-sixth percent (1.167%) sales tax which is due to expire on June 30, 2014, and continuing to collect one and one-tenth percent (1.1%) sales tax until the full amount of five hundred sixty-three million, seven hundred thousand dollars and no cents (\$563,700,000.00) is so collected, but in no event longer than seven (7) years, that is June 30, 2021, as provided in Ordinance No. 22921, at which time the said sales tax shall expire, unless renewed by a vote of the people; and devoting the revenues from said sales tax to capital improvement projects, as provided in Ordinance No. 22922 ?”**

The ballot setting forth the above Proposition shall also contain the following words and symbols:

**"□ FOR the Above Proposition**

***"If the voter desires to vote for the above Proposition, the voter shall fill in the box to the left of the word 'FOR. '***

**"□ AGAINST the Above Proposition**

***"If the voter desires to vote against the above Proposition, the voter shall fill in the box to the left of the word 'AGAINST'."***

\*Proposition No. 1 (to be shown on the ballot) is set forth in Resolution No. 19458 and pertains to the salary of the members of the City Council.

Section 3. That the Mayor of the City of Tulsa, Oklahoma, pursuant to Article VI of the City Charter, Section 4, is hereby authorized and requested to call and proclaim a non-partisan special election to be held on Tuesday, November 12, 2013, for the purpose of submitting to the qualified voters of the City of Tulsa the above-stated Proposition for approval or rejection.

Section 4. That the call for the non-partisan special election shall be by proclamation signed by the Mayor of the City of Tulsa, and attested by the City Clerk, setting forth the Proposition to be voted upon, the numbers and locations of the polling places, the date of the election, and the hours of opening and closing the polls, providing that said election shall be conducted by those precinct officials designated by the Tulsa County, Osage County, Rogers County and Wagoner County Election Boards, which officials shall also act as counters; that the ballots used at the election shall set forth the Proposition to be voted upon substantially as set out in Section 2, above; that the returns of the election shall be made to, and canvassed by, the County Election Board of Tulsa County, in the State of Oklahoma, and be certified to the Council of the City of Tulsa, which shall canvass the results as in the case of a regular election and certify the results thereof as required by law, and that the election shall be conducted in all respects as provided by law.

Section 5. That all precincts in the City of Tulsa, including those precincts only partially contained therein, shall be open for the said election, as required by Title 26 Oklahoma Statutes § 13-103.

Section 6. That Title 10, Chapter 1, Section 100, of the Tulsa Revised Ordinances, provides for the use of absentee ballots in all special elections in the City of Tulsa, in the manner and in accordance with the provisions now established by the laws of Oklahoma.

Section 7. That only the qualified electors registered to vote under the laws of Oklahoma, in the City of Tulsa, Oklahoma, may vote upon the Proposition as above set forth; and that the Proposition, as above set forth, must be approved by a majority of the voters voting on that Proposition.

Section 8. That the Tulsa County Election Board be and is hereby notified that all elections in said City shall be held in the manner provided by the general election laws of Oklahoma, as far as the same may be applicable, and in other respects in accordance with the provisions of the Charter of the City of Tulsa and ordinances of the City made by authority thereof.

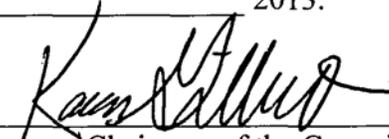
Section 9. That a true and correct copy of this resolution be and the same is hereby ordered and directed to be submitted to the Secretary of the Tulsa County Election Board at least seventy-five (75) days prior to the election on the proposed Charter amendments, pursuant to Title 26 Oklahoma Statutes § 3-101.D, and other applicable law.

Section 10. That Resolution No. 19471 adopted by the Council on September 3, 2013, is hereby amended to substitute the language of the Proposition set forth in Section 2 hereof for the language of the Proposition set forth in Section 2 of Resolution No. 19471 in order to add clarity and to better inform the voters as to the approval being sought.

Section 11. *Severability Clause.* If any section, sentence, clause or phrase of this Resolution or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Resolution or any part thereof.

Section 12. *Emergency Clause.* That an emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this resolution shall take effect immediately upon its publication.

ADOPTED, by the Council on this 10<sup>th</sup> day of SEPTEMBER 2013.

  
\_\_\_\_\_  
Chairman of the Council

ADOPTED, as an emergency measure, on this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Chairman of the Council

OFFICE OF THE CITY CLERK

Received by the City Clerk: \_\_\_\_\_ at \_\_\_\_\_.  
Date Time

OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_.  
Date Time

Dewey F. Bartlett, Jr., Mayor

By: \_\_\_\_\_  
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: **SEP 10 2013**,  
Date

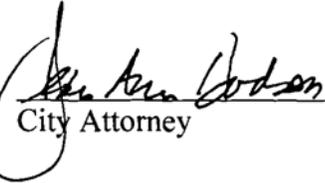
at \_\_\_\_\_  
Time

  
\_\_\_\_\_  
Mayor

ATTEST:

*Deputy*   
\_\_\_\_\_  
City Clerk

APPROVED:

*Deputy*  9/11/13 OK MDS  
\_\_\_\_\_  
City Attorney