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REPORT OF CHARTER DRAFTING COMMITTEE

C. S. Lewis III
and
Howard G. Barnett, Jr.
Co-Chairmen

August 12, 1988

Honorable Rodger Randle
Honorable J. D. Metcalfe
Honorable Gary Watts
Honorable Robert Dick
Honorable Charles King
c/o Honorable Philip Wood, City Auditor
City Hall
200 Civic Center
Tulsa, OK 74119

Re: Recommendations of the Charter Drafting Committee

Gentlemen:

As co-chairmen of the Charter Drafting Committee sponsored by the Greenwood Chamber of Commerce, the Tulsa Labor Council/AFL-CIO, the Metropolitan Tulsa Chamber of Commerce and the League of Women Voters, we respectfully submit the recommendations of our committee for a change in the form of city government of the City of Tulsa from a commission form to a mayor/council form, in accordance with the resolutions and request for recommendations recently adopted by the City Commission. We note that our Committee has operated independent of the sponsoring organizations and time has not allowed us to submit our report to them for comment.

As you know, our Committee has been working on the charter change effort for six months. Our Committee was formed pursuant to the recommendations of a task force report the deliberations for which began approximately fifteen months ago. We have conducted numerous public hearings and have sought and have received significant public input, as well as input from various experts and government officials, to aid us in our deliberations.

While we are sure you will be receiving a number of additional recommendations, it is our belief that our Committee not only represents a fair cross-section of the community, but the information we have sought and received provided us with a unique and critical base for decision making.

We therefore believe that these recommendations should be viewed by you as having substantial community support. While we recognize that people can differ on many of the issues presented by such a radical change as a completely new

form of government, and even our Committee was not unanimous on all issues presented, we strongly urge you to carefully weigh the recommendations of the Committee. We can assure you that the recommendations have been thoroughly researched and debated and they are made in the utmost good faith by an independent citizens group.

We thank you for this opportunity to be of service to the City of Tulsa and look forward to assisting you in this process in the future.

Thank you for your consideration in this matter.

Yours very truly,

C. S. Lewis, III, Esq.

Howard G. Barnett, Jr.

HGB:lt
Enclosure

MEMORANDUM

To: City Commission, City of Tulsa
c/o The Honorable Phillip Wood, Auditor

From: Charter Drafting Committee, C. S. Lewis III and Howard G. Barnett, Jr., Co-Chairmen

Date: August 12, 1988

Re: Report of Charter Drafting Committee for City Charter embodying mayor/council form of government

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This Memorandum is the report of the Charter Drafting Committee which was formed in February, 1988. Included as Exhibit "A" to this report is a list of the members of the Committee and a map of the City of Tulsa indicating each member's residence. C. S. Lewis III and Howard G. Barnett, Jr., served as Co-Chairmen of the Committee.

I. History of Committee

In May, 1987, the Metropolitan Tulsa Chamber of Commerce formed a Charter Study Task Force which was co-chaired by C. S. Lewis III and Howard G. Barnett, Jr. The report of this task force was accepted by the Board of Directors of the Chamber in October, 1987, and forwarded to the City Commission for action. A copy of the report of this task force is attached to this report as Exhibit "B".

The Charter Study Task Force report contained three broad recommendations:

1. The current form of government of the City of Tulsa was inefficient and inappropriate and a new form of government which embodied the concepts of separation of powers and representation for the various geographic sections of the City was more appropriate. The mayor/council form of government was recommended to meet these needs.

2. The report called for the creation of a broad-based citizen group to begin drafting a new city charter embodying the recommendations contained in the report.

3. The report called for a well financed and well thought-out education campaign to teach the citizens what charter change is about and, hopefully, to overcome some of the problems with prior charter change efforts, many of which can be traced to misinformation and lack of proper education.

After discussion with various city leaders, it became clear that the requested citizens group was not being formed. Thus, in February, 1988, representatives of the Greenwood Chamber of Commerce, the League of Women Voters, the Metropolitan Tulsa Chamber of Commerce and the Tulsa Labor Council/AFL-CIO, determined to form such a group and to begin the task of drafting a new city charter as recommended by the task force report. These sponsoring organizations appointed C. S. Lewis III and Howard G. Barnett, Jr., to act as co-chairmen of this new committee and appointed twenty-three (23) additional members, many of whom were not members of any of the sponsoring organizations. There was only one criterion for membership on the Committee - the person must be committed to a change in the form of government to mayor/council. An effort was made to appoint people with a record of citizen involvement and to provide representation on the Committee from the various geographic sections of the City. To this end, several members of the Tulsa Area Planning Council were chosen to be on the Committee.

II. Operating History of the Committee

After several organizational and orientation meetings, the Committee determined to conduct its business and the education process of its members through three subcommittees. The subcommittees were charged with studying a broad area involved in the change of form of government and were asked to make a report to the Committee for discussion and, ultimately, voting on by the full Committee.

The three subcommittees formed were as follows:

Executive Subcommittee, chaired by Mr. Ken Lackey, Vice Chairman, Mrs. Cheryl Smith;

Representation Subcommittee (formed to deal with the problems with districts, how they would be drawn, how many would be drawn, etc.), chaired by Mrs. Noble Manion, Vice Chairman, Mr. Elverez Allen; and

Council Subcommittee, chaired by Mr. Rob Gilbert, Vice Chairman, Mrs. Kathy Hinkle.

The subcommittees held several meetings at which they received input from various experts, including such former office holders as Robert LaFortune and Terry Young, persons involved in prior charter change efforts, such as Doug Fox and Charles Norman, and political science experts, such as Dr. Ed Strong from the University of Tulsa.

At this stage, in early May, 1988, the subcommittees determined that they were in a position to identify the major issues necessary to be resolved in their particular area and that they had received a sufficient amount of education to begin that process. The Committee determined that prior to beginning

deliberation on the specific issues, it was appropriate to receive as much input from the general public as possible so that the views of the community as a whole could be taken into account in the deliberations.

As a result of this decision, five public forums were held in five different sections of the City, as follows:

May 19, 1988 Tulsa Police Department Uniform Division East, 10122 East 11th Street

May 23, 1988 Rudisill North Regional Library 1520 North Hartford

May 24, 1988 Carnegie Elementary School 4309 East 56th Street

May 25, 1988 City Commission Room, City Hall

May 26, 1988 West Regional Library 2224 West 51st Street

Attached as Exhibit "C" is a tally of the people who attended these forums. At the forums, various literature was handed out including a Statement of Position by the Committee, a Definition of Terms and a Questionnaire, copies of each of which are included in Exhibit "C" to this report. In addition, the questionnaires were available at the Information Booth at Mayfest, which was in progress at the time, and notice of their availability was published in both daily newspapers.

Also included as part of Exhibit "C" is a summary of the answers received from the questionnaires which were filled out and returned to the Committee and a copy of several letters received by the Committee. This summary provides a breakdown of the preferences of the people expressing preferences in the questionnaires and provides information on specific proposals made by them.

III. Deliberations; Conclusions

Based on the public input and the information derived from the various experts interviewed, each subcommittee prepared an "issue agenda" and provided the Committee members with information and analysis, both pro and con, regarding each issue. Each subcommittee also made recommendations on the resolution for each of the issues identified by it.

At two open meetings held from 4:00 p.m. to 6:30 p.m. on July 21 and July 26, 1988, at Aaronson Auditorium, members of the Committee met and voted upon the various recommendations which are included with this report.

As would be expected from the diverse nature of the Committee members, the debate on the more important issues was

lively and, on some issues, the votes were close. The accompanying reports on the specific recommendations of the Committee note when the votes were close and, in certain cases, where the Committee was relatively evenly divided, information on both sides of the issue is presented. To add to the debate on the issues, members of the public attending the meetings were allowed to participate, when appropriate.

Accordingly, based on the foregoing, attached hereto as Exhibits "D", "E" and "F" are the recommendations of the Charter Drafting Committee isolated on the basis of the subcommittees' reports, i.e., Exhibit "D" deals with the matters addressed by the Representation Subcommittee, Exhibit "E" represents the matters reviewed by the Council Subcommittee and Exhibit "F" deals with the issues identified by the Executive Subcommittee.

The overall conclusions of the Committee can be summarized as follows:

1. The City Commission would be well advised to utilize the 1973 charter proposal as a basis for the drafting of a charter change proposal. Because our Committee was not charged with drafting, after the recent resolutions passed by the City Commission requesting recommendations only, some of the detail necessary to flesh out certain of the recommendations of the Committee is not included in our report. However, except as specifically noted in the report, the details provided by the 1973 charter proposal are hereby endorsed by the Committee to the extent that they relate to the matters addressed in the recommendations, i.e., proposals in the 1973 charter proposal which are outside the scope of the inquiry of the Committee, meaning, for the most part, matters not related to the change in the form of government, are not included in this recommendation by the Committee.

2. Once the decision has been made to change to a mayor/council form of government, you, in effect, have created a "clean slate" on which to write our new constitution. The choices are many and the issues relating to the choices do not have clear cut resolutions. Many of the choices must be made based on a resolution of political, rather than Utopian reality. As in all political choices, the building of a consensus in the electorate is the key to achieving success. The Committee is unanimous in recommending that the City Commission involve the public to the greatest extent possible in framing these political choices. In addition, a well organized education program must be implemented as soon as possible. We reiterate that these issues are complex. Many members of this Committee also served on the Chamber Charter Study Task Force that studied forms of government and, thus, have been looking at this issue almost continuously for fifteen months. Even some of these members find new and challenging ideas being presented each time new voices are listened to.

3. All members of the Committee are committed to charter change. Members of our Committee will be attending the various public hearings that the City Commission intends to hold and will be speaking out on issues important to each of them. As noted, there was not necessary unanimity among Committee members on specific recommendations. However, there was unanimity regarding the need for change. The members of the Committee offer themselves to the City Commission to assist it in any way appropriate to continue this process and to bring it to a successful conclusion.

4. The recommendations included herein are those of the members of our Committee. They have not necessarily been endorsed by the sponsoring organizations. However, discussions with various of the sponsoring organizations indicate that they are as committed to charter change as the members of the Committee, though the Committee has not sought specific endorsement of these recommendations from them.

Respectfully submitted,

C. S. Lewis III

Howard G. Barnett, Jr.
Co-Chairmen

EXHIBIT "A"

2/5/88

CHARTER DRAFTING STEERING COMMITTEE

1. Howard G. Barnett, Jr.
   6742 S. Evanston
   Tulsa, OK 74136
   492-6317

2. C. S. Lewis, III
   2932 Woodward Blvd.
   Tulsa, OK 74114
   743-8645

3. Noble Manion
   835 S. Knoxville
   Tulsa, OK 74112
   834-7139

4. Elverez G. Allen
   2408 S. 137th E. Ave.
   Tulsa, OK 74134
   438-0840

5. Shirley Rape
   4620 E. 11th, Ste. 202
   Tulsa, OK 74112
   585-7825

6. Ken Lackey
   1219 E. 21st Pl.
   Tulsa, OK 74114
   743-3815

7. Robert R. Gilbert, III
   7435 S. Florence
   Tulsa, OK 74136

CHARTER DRAFTING COMMITTEE

8. Rodney Mitchell
2992 W. 65th St.
Tulsa, OK 74132
446-1974

9. Gerry Newton
2230 S. 84th E. Ave.
Tulsa, OK 74129
627-3384

10. Larry Uhl, Jr.
11933 E. 16th Pl.
Tulsa, OK 74128
437-7452

11. Sheryl Smith
3934 S. Florence Pl.
Tulsa, OK 74105
747-5391

12. Teb Blackwell
2528 E. 69th St.
Tulsa, OK 74136
492-8768

13. Dorothy DeWitty
2415 N. Wheeling Ave.
Tulsa, OK 74110
425-8549

14. Fran Pace
1326 S. Florence Ave.
Tulsa, OK 74104
743-7215

15. Samuel W. Sampson
2915 W. 61st Pl.
Tulsa, OK 74132
445-2107

16. Kathy Hinkle
1730 W. Virgin St.
Tulsa, OK 74127
583-3047

17. Mary Underwood
1110 S. 138th E. Ave.
Tulsa, OK 74108
437-2142

18. Frank Lindner
10602 S. Quebec Pl.
Tulsa, OK 74137
299-1332

19. Sandra J. Alexander
3624 N. Harvard
Tulsa, OK 74115
425-2908

20. Arthur J. Walsh
6213 E. 98th St.
Tulsa, OK 74137

21. Mike Noble
205 W. 17th, Apt. E
Tulsa, OK 74119
599-9084

22. Jerry Parker
7840 E. 79th St.
Tulsa, OK 74133
252-9234

23. David Momper
4774 S. Harvard
Tulsa, OK 74135
492-2879

24. George Curl
645 E. 26th Pl. N.
Tulsa, OK 74106

25. Amadeo Richardson
620 N. Country Club Dr.
Tulsa, OK 74127

Charter Drafting Committee 2/5/88

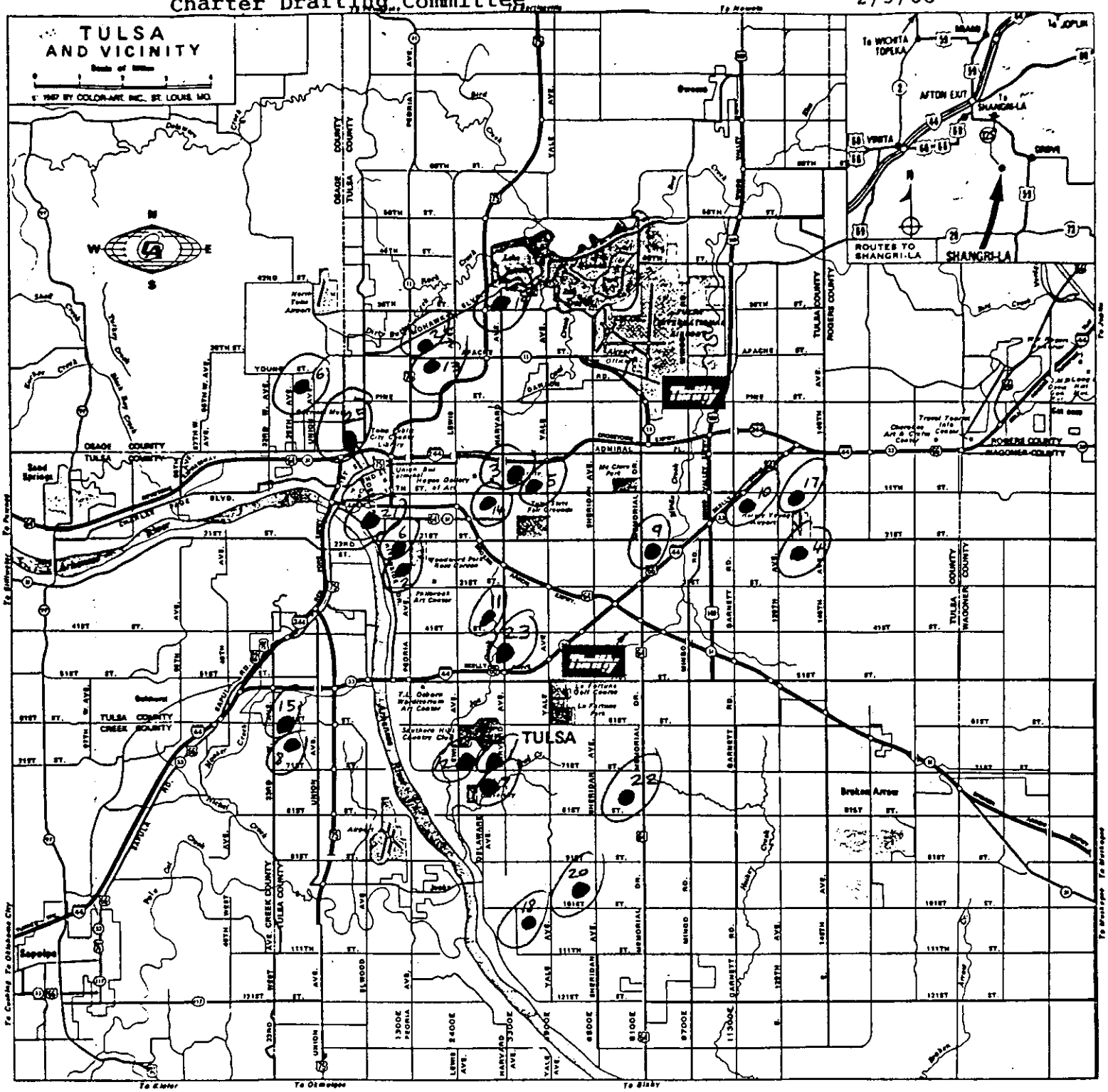


EXHIBIT "B"

REPORT OF CHARTER STUDY TASK FORCE

I. Introduction and Background

Twice in the last twenty years - once in 1969 and again in 1973 - major proposed revisions of the City Charter for Tulsa have been voted down by the people. Both of these efforts, though substantively different, proposed a mayor/council form of government in substitution for Tulsa's current commission form.

These earlier efforts were proposed by city leaders such as then Mayor Robert LaFortune based on their perception that the commission form of government was inefficient and inappropriate for a city the size of Tulsa. The main thrust of the Task Force's efforts has been to review the various available forms of city government and to assess their good and bad qualities against the needs of the City of Tulsa, to arrive at a recommendation of the preferred form of government.

Based on this effort, and as more fully described below, the Task Force strongly recommends that a "strong" mayor/council form of government be adopted by the City of Tulsa.

This recommendation is based on the Task Force's conclusion that the mayor/council form of government is the best form of government and provides the most efficient operating framework. In addition, there has been filed against the City of Tulsa a lawsuit by the NAACP and individual citizens alleging that, because the commission form of government requires at-large election of all commissioners, it is violative of the Voting Rights Act. This results from certain racially and geographically definable segments of the City's population not being adequately represented.

The Task Force believes that providing representation and allowing all citizens a voice is a necessary and desirable goal of any form of government. The mayor/council form can be structured in such a way as to meet the requirements of the Voting Rights Act. It is important, however, to distinguish the need for a change in the form of government from the problems presented by the NAACP lawsuit - as in 1969 and 1973, the compelling reasons for the change are the inefficiency and other shortcomings of the current system, only one of which is a lack of representation. Thus, the NAACP lawsuit should be viewed as a catalyst and an opportunity for change, but not as the driving force behind that change.

The message that must be understood is that the community must now address its form of government. The lawsuit demands it and the problems in our current form of government require it. The community must come together and examine the issues and achieve a consensus for a change to a better and more

appropriate form of government, i.e. one that is more efficient, as well as more representative.

II. Summary of Recommendations

It is recommended that the Chamber adopt the following positions:

1. The current commission form of government is inefficient and inappropriate for the City of Tulsa.

2. A "strong" mayor/council form of government is the best alternative to the current system.

3. The mayor and city commission should immediately appoint a broad-based citizen task force to begin creating a new charter to be submitted to a vote of the people as soon as possible.

4. A substantial education program should immediately be undertaken by the City and the Chamber with the goal to acquaint the people with the reasons behind the proposed change and the need for it at this time. The goal of this effort should be to create a community backed, political solution to the problems of our form of government with the view to achieving a better form and avoiding a potentially judicially mandated change as a result of the NAACP lawsuit.

III. Basis for Recommendations

1. A commission form of government as practiced in the City of Tulsa today has many shortcomings.

A. Numerous inefficiencies exist. The combining of the legislative and executive functions puts an unmanageable burden upon each of the commissioners. As importantly, because of the conflict that is implied in these two functions, the system does not provide for the checks and balances that would exist in a mayor/council form of government. It is asking too much of a single person that he or she be an excellent legislator and, in addition, a highly skilled and experienced department manager. Also, a body that passes laws that directly affect the day-to-day responsibilities of the members of that body cannot be expected to bring to those decisions the objectivity necessary for the efficient creation of legislation. The system encourages a commissioner to look only at his or her own department and to not question other commissioners on the activities of their departments.

B. The current form of government allows for the election of nonprofessionals to top executive posts, thus

creating a system where the least experience is in the leadership of the department. This problem is exacerbated by the short terms of office provided in the current charter.

C. While some recent efforts have improved the situation, with each city department being autonomous in most areas unless agreed otherwise, the current system results in duplications of efforts. This is particularly acute in service areas such as maintenance, communications and data dissemination. In addition, there is some duplication in engineering and other public works areas.

2. Any form of government should be designed to promote citizen participation, provide leadership and direction, and create a mechanism for the efficient exercise of governmental functions and the delivery of necessary services. Our current system fails in many of these areas.

A. With the mayor being merely an equal voting member of the city council, there is no mechanism for establishing a cohesive direction or leadership. Conversely, the system promotes diffusion of responsibility for legislative initiatives, thus preventing focusing of attention on and debate around the initiator. Under the mayor/council form of government, the mayor would become the focal point for debate and initiative, in much the same way the governor is with respect to the state legislature. This would not, of course, preclude legislative initiative, and in such event, the mayor's reaction would again serve to focus debate.

B. Our American political culture requires a government that provides for checks and balances and equal representation of people. The mayor/council form of government, unlike our current system, establishes these checks and balances if correctly applied. In addition, and as importantly, while achieving governmental efficiency and providing for an appropriate form of government for the city the size of Tulsa are the paramount reasons for choosing a mayor/council form of government, this form also allows for better representation of the various parts of our city, consistent both with our political heritage and, presumably, the Voting Rights Act. While, as noted, the reasons for changing the form of government are based on all of the other shortcomings of the current system, one of those shortcoming is clearly the lack of representation afforded many sections of the City of Tulsa. This shortcoming was recognized and addressed in both the 1969 and 1973 charter reform efforts. Having recognized this, while the NAACP lawsuit cannot be ignored and any charter reform effort should take the allegations of the lawsuit into account in structuring a final proposal, <u>a new charter is needed regardless of the lawsuit.</u> This fact cannot be overstated

and it is, in the view of the Task Force, the essential element in the necessary education effort.

C. The City of Tulsa has been well served by the people who have been elected to serve in its commission form of government, if not by the system itself. Good people can make a bad system work well. Having said this, with the duality of burdens placed on city commissioners and the necessity that they be full time members, as well as running on a full, city-wide ballot every two years, the system itself is not designed to assure attracting the most able people. Care must be taken to create a system within the new form of government that makes serving on the council attractive and worthwhile.

IV. Formal Recommendation

1. The Chamber should strongly recommend the following actions:

A. A broad-based citizens group should be appointed by the mayor and the city commission to review the city charter with a view to drafting a new charter along the lines of the recommendations described in this report and using the 1973 proposed charter as a guideline. An effort should be made to include in this group as many past city officials as possible to ensure an adequate knowledge base for the effort.

B. A substantial, well-financed education campaign should be mounted by the city, with the cooperation of the Chamber and the media, to ensure that the reasons for the proposed change in the form of government are clearly understood. The goal of this campaign should be to build a consensus for change.

C. The city should be urged to solve the problem presented by the NAACP lawsuit by encouraging community involvement in seeking a solution and not through a "win or lose" court battle. This does not mean that a reasonable defense to the lawsuit should not be put forth. Not only is defense appropriate, but it is consistent with the view that the change in the form of government is necessary for efficiency and the other reasons described in this report, and not only for the reasons described in the lawsuit. However, the city cannot afford the divisiveness that would result in an all out court fight. Not only would this leave scars, but the appearance of such a political struggle would no doubt significantly harm our economic development efforts in attempting to attract new industries to the city. The community must be made to understand this latter fact as part of the education campaign. While many efforts today are couched in terms of economic development, it is

clear that a city that cannot come together and answer the basic question about how it will govern itself cannot hope to convince industry that it can solve the other problems all cities continually face.

D. The above recommendations should be implemented with all deliberate speed. If nothing else, the NAACP lawsuit is moving and if it progresses too far, it is likely to polarize the community and the basic reasons described in this report in favor of a change in government will no doubt get blurred or buried as a result. The debate cannot be allowed to focus solely on the allegations of the NAACP lawsuit if there is any hope for the adoption of the recommendations.

2. For purposes of focusing the Chamber's position and the ensuing debate around a possible new charter, the following specific recommendations on the proposed form of government are made:

A. A "strong" mayor with a representative council is the recommended form of government.

B. Council representation should be by district with a view to accommodating the needs of federal law, including the Voting Rights Act. Representatives must reside in the district from which they are elected and they should be nominated and elected by district, as opposed to an at-large election. To balance the district orientation of representatives so elected, the Task Force believes that several at-large representatives should be elected, but that such at-large representatives should be nominated and elected by regions. A region would encompass several districts. For example, if there were eight districts, there might be three regions, two composed of three districts and one composed of two districts, or a similar accommodation.

C. The executive and legislative functions would be split. The mayor, as chief executive, would have the sole power to fill appointive offices, with the consent of the council. The mayor should have veto power over actions of the council and a super majority vote of the council would be required to override any mayoral veto. The council would act as the legislative body of government. While arguments will be made against placing this function in the hands of people elected by and reportable to specific sections of the city, as opposed to the city as a whole, the Task Force strongly believes that ordinances and policies developed in an environment where all parts of the city have a voice and compromises must be forged, will best serve the needs of all Tulsans, particularly as our city's growth resumes.

D. The mayor and council members should be elected for four year terms and the terms for council members should be staggered.

E. All executive functions should reside with the mayor's office. There would, of necessity, be professional managers hired for each department established within the executive branch. A consolidation of the current departments into a much smaller, manageable number of departments must occur. With the resulting consolidation and professional management, it would be intended that significant cost savings could be achieved.

F. The offices, terms, time requirements, salaries and other attributes of both the mayor and, in particular, council members, should be structured in a way as to make them as attractive as possible to the ablest candidates. It is probable that the best way to encourage wide participation at the council level is to structure the responsibilities of a council member to allow them to be accomplished on a part time basis.

V. Conclusions

It is time for Tulsa to again face the facts regarding the commission form of government. It is inefficient and inappropriate for a city the size of Tulsa and, in particular, for the management of the future growth of the city. The NAACP lawsuit is a catalyst for change, but is not the driving reason for change.

The effort must be well financed and well coordinated. The education of the populace will be the key to the success or failure of the effort. The effort must be structured to avoid failure because failure at this time could result in a judicially mandated solution. Convincing the city that we must act now because of the NAACP lawsuit, but not allowing the lawsuit to be regarded as the primary reason for change, will be the most difficult part of the task and the success in getting this point across will likely determine the success or failure of the effort.

Past efforts to amend the charter have failed because broad support in the leadership of the city did not exist. From the standpoint of the city commission and the media, there does not yet appear to be a consensus. The Chamber can perform a valuable function by taking the lead in the reform effort and, most importantly, in the effort to build the leadership consensus necessary for success. The Chamber must provide the agenda for the ensuing debate, and it must move quickly to establish its leadership position.

EXHIBIT "C"

ATTENDANCE AT PUBLIC MEETINGS

TOTAL	CITIZENS	COMMITTEE	P.R.	& NEWS	COMMISSIONERS
THURSDAY - UNIFORM DIVISION POLICE DEPT.					
45	30	7	2	5	1
MONDAY - RUDISILL LIBRARY					
118	101	12	1	2	2
TUESDAY - CARNEGIE ELEMENTARY SCHOOL					
67	50 6 did not sign	4	2	2	3
WEDNESDAY - CITY COMMISSION ROOM					
56	40	12		2	2
THURSDAY - WEST REGIONAL LIBRARY					
42	32	5		1	2
328	259	40	4	12	10

COMPILED BY: NOBLE MANION

QUESTIONNAIRE

TOTAL RETURNED 59
Letters 46

1. A. Should the council be elected exclusively from districts or should some part of the council be elected from the City at large? Why?

10	Per District and at large
3	None at large (just dilutes the vote)
43	Exclusively Districts (at large perpetuates current iniquities)
2	At Large
1	5 to 7 Districts - if more - Super Districts and at large

COMMENTS:

DISTRICT MEMBERS INSURE ADVOCACY AND representative for Districts and are balance d by a more nonpartisan or unbiased at large Council

--

Districts should be chosen by part at large to be more partisan

--

Need a balance of District/total city interest/concerns

--

Back to be able to see the forest and the trees.

--

I would suggest that 40% of the Council members be electe at large to provide balance and reduce the possibility of special interest and maintain city interest Ward Politics

--

Not necessary to add to the number of those making decisions

--

Districts most fair and answerable to the Voter

--

"AT Large" will presumably think ofthe good of the city as a whole

--

No -- at large -- it would be a costly position to win comparged to the smaller District Council Persons at large -- would not feel responsibilities toward a constituency. They would serve as power brokers and split decisions

--

What does State Statues state -- or in what way is it applicable? (all Diatricts)

--

Just Districts and if any at large or super districts I will fight against it! A North Tulsan has no chance to win an at large seat

--

Just Districts -- at large just dilutes the power of the neighborhoodS

--

If the Mayor is elected at large, and the Council not, there should be no special Councilmen.

--

If purpose of Council is to assure District representation the members should be elected by Districts.

--

At least 1/3 of the Council members from the City at large

--

Comply with Voting Rights Act - Ok. City has nine elected officers and creates tremendous choas.

--

Citizens seem terrified of "AT Large" representation

--

Undecided

--

Have Council in Districts and then have members elected at large from regions of the city to give a balance with Mayor looking at City as a whole

--

1. B If same of the Council is elected large, should they be elected from the entire city or from "Super Districts" that would be comprised of two or more contiguous Eistricts? Why?

19	NO District at Large
7	Districts at Large
8	Super Districts (gives an overall perspective - gives two representatives
10	AT Large - entire City
8	No super Districts
4	no answer

COMMENTS:

Gives super power to those elected at large

--

Question - does not apply

--

Idea of at large is only a devise to kill the C C

--

At large - witness the confusion of School Districts. I worry about super districts. We have one super district now - Utica and Maple Ridge

--

Super Districts do allow for a set constituency that each Council person must be accountable to

--

Sone one needs to concern themselves with a citywide perspective

--

Super districts might be feasible to balance the socio-economic consttuction of a Council -- but may violate Voting Rights Act.

--

Super Districts, if elected, should be made of several districts.

--

What is "Super district" N E S W - would be nice to have. Also, live in district ten years.

--

Only Mayor and Auditor should be elected at large

--

1. C Should the term of the Mayor be two years or four years?

47 four years
11 two years

COMMENT:

Four years gives May a chance to do something beside campaign.

--

Four years -- but no more than two terms in a lifetime.

--

three year terms (staggered) - works beautifully in Stillwater. Mayor one year - two council members each years in the off years from Mayor. Mayor and four Commissioners

--

1. D Should the terms of the Council members be two or four years?

28 four years
30 two years

COMMENTS:

two years depends on how replacements are handled. Don't want District representatives by political appointees

--

Three years is a good compromise

--

two years - people move around so much

--

1. E. Should a position of council representative be full-time or part-time?

18 Full-time
39 Part-time
2 no answer

COMMENTS:

Our Congressmen and state senators seem to do fine with partime jobs.

--

Unsure - What are districts? Time necessary? Salary?

--

Part-time downtown and part-time in the district learning

--

Legislative function only

--

Part-time - thereis not that much to be donw. full-time would cost too much

--

Salaries comparable to local indsustry

--

1. F. Should the mayor and council be nominated and elected on a partisan or nonpartisan basis?

29 Partisan
29 Nonpartisan
3 no answer

COMMENTS:

Partisan - helps a candidate raise money and interest

--

Business issues of city are not partisan issues

Comments for 1 F cont'd.

Don't get hung-up on this issue - advantages either way

--

May or gbe partisan --- Council be partisan - if at large - be nonpartisan

--

The end is the same - partisan

--

Tulsa is too smaàl for party system.

--

Newspapers would still designate the party

2. While the city auditor does not typically have a vote in a council form of government, the auditor is obviously an ~~important~~ important post. Should be be elected or appointed by either the May or the Council?

43 Elected
17 Appointed

COMMENTS

I, personally, feel that the only fair criticism of the present form of government is the citizens view that they are not being represented. These groups of citizens have not made the effort to become involved in the various Boards and Commissions that lead to a leadership position in the form of government. There is also a problem of duplicity of functions when six autonomous heads can create or maintain their departments. Our present form of government is responsible to the citizens need.

--

Appointed by Mayor with Council approval - simple majority

--

Auditor should not be auditing himself - as iw happening now.

--

Should be placed on ballot as other elected officers are

3. ADDITIONAL COMMENTS OR SUGGESTS.

COMMENTS:

Set up a system like Dallas - full-time City Manager with Council oversight.

--

Let professioràl out-of-town Demographers draw boundary lines. I don't want your self-interested committee to draw the lihes.

--

Pay the councilmen amounts to cover expenses - limited pay. Pay the Mayor a professioral salary for the area - Heads of Department be oudlified and experienced.

--

Auditor - Mayor and Auditor elected at large

--

Keep it simple

--

No more than ~~xxxxxx~~ seven districts - no more than seven councilmen

--

Build up citizen interest

--

THE TIME IS NOW LET'S MAKE IT WORK!

3. COMMENTS:

Thank you Committee Members for getting involved and taking your time to work on this effort:

--

Why an elected Auditor? Appointed by Mayor and Council for a number of terms.

--

Would like to see the City Personnel Department and the Civil Service Commission reorganized to represent blacks that are employed by the City. The affirmative action officer should be mandated by charts to answer only to the Civil Service Commission to enforce his/her effectivensss. I also feel this questionnaire should be revised to allow input and not be so suggestive in nature. I get the impression you are just asking approval of decisions that have already been made.

--

Education of the council government - T. V. and District meetings - Newspapers written and voiced so everyone can understand.

--

Charter Boards become Advisary - except Civil Servvice

--

Objectives of new charter should:

1. Increase grass roots government
2. Allow fair representation of the Electorate
3. Reduce cost of elections and government

--

Wait until Spring for Election

--

Multiply the size of your committee ten-fold. You won't lose control.

--

Leave city organization structure out of charter. Leave it up to the executive office.

--

I'm not well informed as to what the pro's and con's are for these two types of city government other than the North side has poor representation and claims poor service -- nor do I know how cities who have changed from commission form evaluate the overall benefits to average citizens regarding services, citizen satisfaction, etc.

--

What assurances are being prepared to assure that minorities are elected in the Mayor/Council form of government?

--

It is essential that a strong civil service system be maintained to protect employees from political patronage. Also, strong hrohibition regarding employee involment in city elections. The fire department should be under the civil service system.

--

I feel we should look closely at a metro policy for Policek Fire and medical servicesystem.

--

Eastside concerned citizens represent many residents from Tulsa's east side and will be happy to help in any way we can. Fhis form was the result of input from our membership and the answers are a combined effort.

--

I really don't know that the Mayor/Council form will be a vast improvement but we can try it and see.

--

I want to thank the Charter Drafting Committee for it's dedication to the public good and for holding this public hearing. I'M glad I attended and I was impressed with the Moderator's professionalism, courtesy and humble acceptance of public comment.

--

What about judiciary? All judges be appointed by the Mayor or elected? If appointed, for how long? Will that provide additional checks and balances? Will Mayor be a part of the Council, or be strictly an executive with veto power? How will be affect transition from commission to Mayor/Council? When?

--

Suggest something be written into the charter that could make districts against gerrymandering?

--

We do not need a new jail. Convert some of these schools as minimum security - the ones closed. Work together to improve education standards from pre-school through higher Ed. Everyone should be able to read and write.

--

You have a black on the Charter Committee -- do Northsiders identify with him? Does he live on northside now?

--

Districts should "jump" geographic boundaries -- i.e. the Arkansas River.

--

I seriously doubt the city at large will approve a change in charter until the court leaves it no choice. I base this conviction on past failures of the city to do so. However, I will vote for a change and encourage others to do so.

--

I do commend this group for bringing these hearings to the neighborhood inasmuch as many of them have been sounding boards for the dissenters, but I think that much of the information and suggestions you received will be helpful. I am one northsider who hopes and pray that a proposal can be put in place without a lawsuit. This may not set well with some of my neighbors, but I think the money the city must pay for legal representation could be better used to place in Drug Prevention program. Substance abuse programs are needed in all neighborhoods.

LETTERS FROM: BURT VERNOOY, BRYCE ROBY, RICHARD NICOLS, MR. JACKSON, TERRY SIMSON AND DAVID BREED ARE ON FILE FOR CONSIDERATION AS TO THE ENTIRE CHARTER.

May 9, 1988

League of Women Voters
1109 South Peoria Ave.
Tulsa, OK 74120

Ladies:

Thank you for sending Mrs. Manion to speak to our Engineers' Society. She cited your recommendations for changes in Tulsa's city government to conform to federal guidelines aimed at fair representation. Dividing Tulsa into precincts seems fair, but the audience asked who would set the precinct boundaries.

It doesn't really matter who sets the boundaries, we expect gerrymandering to favor one party or the other. Arbitrary voting boundaries set by politics are usually crooked patterns resembling a jig-saw puzzle more than a useful map. One might believe they were drawn by crooked politicians to puzzle the voters.

Since such convoluted outlines give one man's vote more value than another's, they are obviously dishonest. Can't we set rules before we set boundaries? Rules limiting the shape of a precinct would limit the dishonesty of the precinct shapers.

I propose we rule that every precinct be rectangular, bounded on its sides by two parallel north/south lines and by two parallel east/west lines, the only exception being where said precinct is bordered by existing city limit lines.

If Tulsa requires nine precincts, use two parallel east/west lines to divide the city into three equally populated areas. Then divide each of these thirds, by its own pair of north/south lines, into three tracts of equal population. That gives nine different sized, rectangular precincts of equal voting strength. It avoids purposeful juggling of precinct outlines to include or disinclude, to favor or disfavor, any particular segment of voting population. With computerized information now available, this would be simple and non-discriminatory. At the next census the process could be readily repeated and the lines redrawn.

By blaming the shape on honestly accepted mathematical rules, rather than on politics, we would have made a small step toward a more honestly acceptable government. Any politician opposing it would be admitting intent to use the present system unfairly.

Would the League of Women Voters support this suggestion?

And what can I do to help?

Burt VerNooy
P.O. Box 35491
Tulsa, OK 74153

file: precinct.88

roby·jeremiah·parkey
DESIGN ASSOCIATES

May 27, 1988

Charter Drafting Committee
P.O. Box 1046
Tulsa, Oklahoma 74101

To the Carnegie School Committee:

I wish to thank each of you for a very informative meeting. To the entire committee, I appreciate as many others do the time and effort that has been spent in considering all the factors of charter change for our city.

I am certainly not opposed to change. I am very doubtful as to whether the proposed Council form as presented improves our government.

Following I attempt to answer the questions set forth in your questionnaire:

1. A. I am opposed to a Council of many districts for in the end I believe it will splinter our community. The result of such action will be a government by minority groups (no references to any particular ethnic group).

   B. I would feel more comfortable with all the Commissioners being elected at large.

   C. The Committee should establish through research any tenure of both offices and not necessarily by popular vote.

   D. Same as given by C.

   E. It has been said that if you are offered something for nothing, take as little of it as you possibly can.

   Pay our representatives an adequate salary, competitive and commensurate with their time and duties. One should have little faith in donated concern for one's welfare after a couple of elections.

4444 E. 66TH STREET ● TULSA, OKLAHOMA 74136 ● 918-493-5072

F. Definitely use the party organizations. Non-partisan elections are theoretically considered good but in reality the party is a necessity in seeking and selecting qualified candidates for office. We have all had experience in independent elections, haven't we?

With the current mania by the media for the political blood of our officials, it may become necessary for the party to go hunting for a candidate with a shotgun.

2. An auditor should be elected.

3. Personally, I find the concern of others for a "representative (State and Federal) form of city government very unconvincing. When carried to the extreme, we the people are entitled to representation by the city block.

City Government is a much more personal government. One water system, one sewer system, one street system and one police force. Maybe there should even be other designated services overviewed by a commissioner, councilman, or whatever one might name them. Such officials should be qualified to deal with city service problems professionally - not politically.

What guarantee is one going to offer Mr. Tulsa Resident (not necessarily a taxpayer) under a strong (elected) Mayor/Council form of government, that a qualified professional person will head these same service departments.

When one thinks on this matter, one is reminded of our Postmaster Generals of yore, and even our Attorney General of today.

Lord only knows we have enough splinter groups (wards, etc.). Let us as a City step very cautiously. If the Committee feels a strong city executive is essential to good City government, why should not a modification of our present government be considered. This would permit the Committee to increase the executive power of the Mayor while retaining the professionalism of the administrative heads of several service sections of the Commission form.

Suggested Formation of Council Districts

With Council districts being defined and formed by areas already accepted as Tulsa school districts no appeals for change would be valid.

The U.S. census of 1984 could be used to determine the population of each school district , and in forming the Coumcil districts no school district would be partitioned for any reason though a slight inequality of representation might result, and within the area of the City of Tulsa natural or man-made divisions (streams, highways, etc.) would not be considered in forming the boundaries of areas for the formation.

There would be five school districts that generate the areas for the ten Council districts to be formed. One such school district would be that district that includes the calculated center-of-population for Tulsa. The other four districts would be those school districts that are part of the extreme compass points of the city's boundaries. Once the five areas were determined they would be each divided in half.

With using the census figures the school districts adjacent to an extreme school districe would be annexed in a clockwise manner until five approximately equal districtw were formed. At some point a school district might be considered by two or three areas for annexation. The area with the smallest census count would annex this district. For dividing each of the five areas in half the centermost school district with the center-of-population and the school district directly below or horizontally adjacent would compete with each other to divide the area in a horizontal manner.

With the Council districts made up of school districts and the school districts each intact some historical heritage would remain.

Mr Richard Nicols
2809 W. 39th Street
Tulsa OK 74107

Mr. Jackson

CHARTER CHANGES

The citizens want the charter changes to embrace those fundamental principals of liberity and justice which lie at the base of all our civil and political institutions. Among these are the inherent rights of the citizen to have voice in his governing.

They want those elected officials to embrace and respect the charter that is revised.

They want full time representives elected from equitable area districts who will legislate the city requirements.

They want a strong mayor, elected at large, to be chief exective, with veto over the representives, subject to overide provisions.

Citizens believe by the elimination of at-large or super districts, that would not only dilute the vote but also would put to rest:

1. Any indication of bigotry that any district would elect a representive that was inferior to the standards of the community.
2. That they might electe a representive socially un-acceptable.
3. The possibility of electing a representive that would not satify the economic standard of the community.

Only by bigotry can we not accept that all men are created equal reguardless of where they reside.

The charter should include provisions for a citizen hearing of equity before 3 of the elected representives, that would rotate, holding hearings by-weekly, at which time the citizens complaints could be heard.

We have civil service that establishes a perpetual bureaucracy without sunset. The charter should incorporate certain powers and limitation over the civil service.

The charter should include a provision for arbitration where the citizen could find a just conclusion to a civil grievance with the city.

We have committees that determine internal affairs within the departments, that are to render judgement on employees but they prolong forever a descision. It took a mother`s effort in calling a grandjury to establish a just decision in the crossbow incident. Citizens want their elected representives to have power over all

matters of the internal affairs political structure that allowed this to happen.

Government`s, without controls, based on democracy, fall in ruins because they become too expensive for the governed to sustain, therefore the charter should provide for the representives to have control over all expenditures including salaries of all City employees.

The charter must be flexible at the same time hold fast those principals that all inherent political power is vested in the individual.

We will not always agree what the other person may have to say but never should we forget that the charter must not restrict his right to say it.

The charter must incorporate, not deny, all inherent rights granted to each citizen to have voice in their governing.

The charter must prohibit all abuse of non-authorized power such as this:

The City storm sewer system, owned and paid for by the tax payers of the City of Tulsa, under the commissioner of public streets and property, was transfered into a private entity, established a utility fee which requires those who use the storm sewers the least, pay the most and those who used the utility the most, pay the least without a vote of the taxpayers

The public housing scandal which is just now coming out.

Remember the Garden City buyout?

Mayo Hotel?

The list is long.

The citizens believe instead of spending $600,000.00 dollars to defend the last commission form of government of a city of this size in the nation, we should spend much less and be the first city in this nation with a true democratic form of government of the people, for the people, by the people with out prejudice exceeding all other city governments. Instead of being last let us be No. 1.

TO: CHARTER STUDY COMMITTEE

FROM: TERRY A. SIMONSON

MAY 24, 1988

SUGGESTED CHARTER CHANGES

1. THE CREATION OF FIVE, NOT FOUR, DIVISIONS REPORTABLE TO THE MAYOR. IN THE PAST THE KEY ADMINISTRATIVE FUNCTIONS OF THE LINE STAFF HAVE BEEN LEFT REPORTING TO THE MAYOR. THE MAYOR SHOULD NOT HAVE ANY MORE THAN SIX OR SEVEN PERSONS REPORTING TO HIM DIRECTLY. GREATER COORDINATION OF THESE SERVICES TO THE SERVICE DEPARTMENTS REQUIRE ONGOING OVERVIEW.

2. JOINT VENTURES AND TRUSTS, OF WHICH THERE MAY BE AS MANY AS 21, SHOULD BE UNDER THE FINANCE DIVISION. AT PRESENT, VERY LITTLE ACCOUNTABILITY IS DONE AND THESE VENTURES ARE PRINCIPALLY BASED UPON THE CITYS FINANCIAL PARTNERSHIP WITH OTHER GOVERNMENTAL UNITS OR LEGALLY CREATED ENTITIES WHICH HAVE THE POWER TO ISSUE BONDS, NOTES, OR OTHER METHODS OF INDEBTINESS. THERE SHOULD ALSO BE REQUIRED ANNUAL AUDITS BY THE CITY AUDITOR OF THESE.

3. CREATION OF THE POSITION OF CHIEF ADMINISTRATIVE OFFICER. THE ATTACHED FULLY EXPLAINS THE JUSTIFICATION FOR THIS CRITICALLY IMPORTANT POSITION.

4. THE HUMAN RIGHTS DEPARTMENT SHOULD BE PLACED UNDER THE ELECTED CITY AUDITOR. HUMAN RIGHTS ACTIVITIES AT THE CITY LEVEL IS PRIMARILY A ROLE OF COMPLIANCE, VERIFICATION, AND MONITORING. THESE ARE, OR SHOULD BE, NON-POLITICAL FUNCTIONS AND THE AUDITOR IS THE MOST NEUTRAL POSITION.

5. LIMIT THE TERMS OF MAYOR TO TWO TERMS LIKE THE GOVERNOR AND OTHER HIGH LEVEL ELECTED OFFICALS ARE ACROSS THE COUNTRY.

6. REMOVE THE COURT CLERK FROM THE POLITICAL PATRONAGE POSITION WHICH IT PRESENTLY IS. THE COURT IS THE ONE PLACE WHERE POLITICS SHOULD BE ABSENT AS MUCH AS POSSIBLE.

7. ON THE AIRPORT AUTHORITY, PARK BOARD, AND UTILITY BOARD THE MAYOR AND ONE MEMBER FROM THE COUNCIL SHOULD BE MEMBERS WITH THE BALANCE APPOINTED BY THE MAYOR AND CONFIRMED BY THE COUNCIL.

Chief Administrative Officer

The idea of a chief administrative officer or CAO originated in San Francisco in 1931. The concept resulted from a compromise between those who supported a strong mayor-council form of government and those who supported a council-manager form of goverment. The result of this compromise was the creation of a position that relieves the mayor from many of the administrative duties that distract him from his primary purpose, that of political and community leader. It is extremely difficult, especially in large cities, for a mayor to attend social, economic and political functions, meet with the electorate and still manage a large, complex organization. Since 1931 many other cities including Los Angeles, Newark, Boston, New York, Philidelphia, New Orleans and Louisville have adopted similar plans for a CAO.

The CAO generally is appointed by the mayor. In some cases the appointment must be approved by the council in other cases no council approval is necessary. Unlike a city manager in a council-manager form of government, who answers directly to the Council, the CAO is responsible to the mayor. The delegation of authority can be expressed in the charter or can be assigned by the mayor. Department heads report to the mayor while the CAO merely advises these officials. Only when directed to do so by the mayor will department heads report to the CAO. This prevents confusion and maintains a clear line of authority.

The specified duties of a CAO differ from city to city. Some of the more common duties are: supervising designated activities either routine or non-routine, making suggestions to improve operations within departments, assisting departmental budgeting, supervising designated activities either routine or non-routine, making suggestions to improve operations within departments, assisting departmental budgeting, supervising expenditures, assisting the implementation of public improvement programs, and making personnel suggestions. There are many other administrative functions that the CAO may perform. The key to the duties performed by the CAO is that they directly relieve the mayor from doing the task.

Because the powers of a CAO are limited when compared to a city manager, this officer tends to be spared from the political pressures that a city manager must deal with. The amount of political and bureaucratic intervention associated with this office varies from city to city and from administration to administration. The personalities of the mayor and the CAO play an important part in the amount of political spotlight shed on the office of chief administrator. A mayor who believes in a highly decentralized form of management would have an extemely visible CAO. The opposite would be true if the mayor wants the city operated in a centralized manner. The key to this system is for the mayor and the CAO to establish and to maintain acceptable roles to avoid conflict.

The system of a mayor-council government with the office of chief administrative officer has prospered since 1931. The system is adaptable and can adjust to emerging problems. It is an attractive form of goverment to those cities that find the council-manager form unacceptable. The most positive aspect of this system is twofold: 1) the CAO provides administrative assistance to the mayor; and 2) the CAO in conducting his responsibilities provides the mayor the time to spend on activities that place him in the public eye while attending to political matters.

There are some criticisms regarding the CAO position. Department heads sometimes suffer confusion when deciding whom they should report various problems to. If communication and coordination fails, costly and embarrassing duplication may arise. The greatest criticism is of the potential for a personality clash between an uncooperative mayor or a stubborn CAO. The prominent political scientist Charles R. Adrian points out, "The problem today for large cities is...one of finding a mayor who is willing to delegate responsibility for administrative detail to a CAO and of finding a CAO who can secure the confidence of the mayor."

David M Breed

26 May, 1988

Chairpersons and Members,
Charter Proposal/Drafting Committee

Dear Friends --

For those of you with whom I am not directly acquainted, I am the Executive Director of Western Neighbors Inc., a community-based family assistance and neighborhood organizing project which has been active here in the historic communities of Westside Tulsa for the last seven years. For the past five years, I have served as a governmental appointee (named by INCOG from County Commission District 1) on the Board of Directors of the Tulsa Community Action Agency and have been the president of that organization for the last three years. Additionally, I serve as the liaison person for planning and zoning concerns in INCOG/TMAPC District 9, chair the Westside Coordinating Council and sit on various other committees and boards, including the Executive Committee of the Southwest Center for Human Relations Studies of the University of Oklahoma.

I want to take this opportunity to commend members of this joint panel for your all-too-often thankless efforts and for your publicly-stated commitment to the nuts and bolts "stuff" of democracy, helping to forge those prospective mechanisms by which we can best govern ourselves and our communities. Times and the preponderance of history make it difficult to weave among the snares of "special" and "vested" interests in constructing new systems which preserve and promote real equity in providing for the political and economic well-being of the various constituencies which are all part of the fabric of this city.

I applaud your tentative endorsement for a "strong mayor" form of local government. The consolidation of what have too often been warring "fiefdoms" under the administration of a single elected official can not only reduce duplication, costs and frictions in the delivery of public services but also establish the separation between an "executive" and a "legislative" branch in oversight of local affairs.

Likewise, your tentative support for a representative council of local legislators is both timely and legally responsible. I believe that, in these forums, you are hearing strong sentiments against any "watering down" of direct representation by adding "super-districts" or any at-large portion within the ranks of local policy-makers.

2232 North Denver Blvd. / Tulsa, OK 74106 / (918) 583-1557

Those sentiments are strong ones and you must hear them loudly and clearly.

It is, however, in the matter of representation -- of whom and how it occurs -- that I wish to comment and make some observations.

It strikes me that what has been discussed and offered so far in your deliberations on the question of representation has been too limited and bound by the institutions of the past. Limiting discussions on representation to EITHER at-large OR ward or district representation only perpetuates the stereotype of the city as a geographical entity; that is, of a "place" which is tied together by streets and sewer lines and bus routes and police "watches" but which is composed of "segregated" enclaves of persons of particular racial/ethnic or socio-economic classifications.

This stereotype conception of the city as a geographical unit is built upon the image of the city as composed of individual pieces of real estate, the ownership and value of which constitute citizenship or participation in the city's life and benefits. The goal of the city, thereby, becomes the maximizing of the enhancement and value of as many of its component "real estate" pieces as its political structure will allow. Actually, this stereotype view of the city would only make any real sense if it was the taxes on individual pieces of property which were the building blocks of the city's capital structure, which they are not.

Actually, I believe, the city is far less a geographical entity than a financial entity. It is an economic mechanism by which we develop and generate resources through various forms of fees and taxes in order to provide the publicly-accountable services and benefits which are needed to preserve the health, safety and welfare of all of the city's residents. Rather than understanding the city as an aggregate of individual pieces of real estate and their owners, we must see the city as a voluntary association of individuals and families who share in the life and economic well-being of the city, contribute to it, and who are thereby entitled to a one-person-one-vote representation in the allocation of its resources.

There are those who have described government as the mechanism for "distribution (or re-distribution) of wealth." Insofar as that may be at all true (a matter concerning which I have serious personal doubt), governmental structures have acted to re-distribute wealth upwards through the enhancement of private investment far more significantly than they have downward to achieve any appreciable equity for disadvantaged families and neighborhoods. But those who argue government's role in the distribution of wealth make a salient point when it comes to the way in which moneyed interests tend invariably to

outweigh the consideration of services for those at the middle and lower ends of the economic spectrum.

If the city is an economic mechanism for the assembling and apportioning of public resources through its provision of amenities and services, then the fairest means of representation at its policy-making level should provide for equity among the varied economic strata, all of which participate in and contribute to the life of the city as best they are able. (Percentage-wise, our lowest income citizens pay significantly larger portions of their incomes in sales taxes than those of greater affluence.)

What I have heard coming through these forums you have sponsored, have been repeated pleas for adequate representation by persons, families, neighborhoods and constituencies which feel excluded, shut out of the process of making decisions which affect their lives. Their support for "geographical" or "ward" representation only reflects their choice of the better of two alternatives which amount to "very little" and "maybe some" when it comes to including them in the decision-making process.

Simply trying to translate this geographical/"real estate" stereotype of the city's nature into a representation by wards or districts which reflect some direct interests of economic and/or racial constituencies can only result in an even more tortured political geography than what we already have. At these panels, the concerns voiced about planned re-apportionment and the potential "open door" to disenfranchisement through "gerrymandering" are only the tip of a future and recurring iceberg.

What I have heard being expressed in these forums are the voices of many persons involved in racial/ethnic and/or aged and disadvantaged constituencies saying there had been a serious lack of attention to "my part of town." What is really being said, I believe, is that there has been systematic exclusion of these persons in shaping the present and future life of this city, especially in the services and benefits it exists to provide. It would be all too easy to make "geographical representation" the "euphemism of choice" in solving a problem which that construction would only marginally address.

There is at least one alternative to the at-large or geographical/ward choice when it comes to representation. It is one with more than a generation of experiment in certain levels of localized quasi-government. And that option is to configure representation in terms of constituencies defined by income.

Come January, the Community Action Programs across this country will celebrate 25 years of activity and progress in forging public mechanisms to "Break the Cycle of Poverty." They have, from the

outset, been joint ventures between public and private interests, and between affluent and low-income segments of local communities in mutual problem-solving and development. Their policy has always been set by local boards which mandate participation be made equitable in terms of economic status. Our own Tulsa Community Action Agency's Board has 12 members (of a total of 27) who are elected directly from constituencies of low-income families. This (political) policy-making configuration is the key determinant of the effectiveness of a host of CAP-related programs and influence in the broader community.

When it comes to the future "legislature" of the City of Tulsa, such a configuration is possible. Income-based constituencies can be defined, including appropriate neighborhood considerations but not limited to geographical constraints, which could allow real and direct representation of all citizens in a council clearly responsible to its economic components. Such a council would be an economic entity charged with developing the resources and providing the public services on a equitable basis for all of the city's constituents.

Though this all sounds terribly complex, that may only be the case because it involves a model of participatory democracy yet to be applied in the full realm of municipal governance. There is, however, a quarter-century of solid research and demonstrative evidence which can be applied to such a creative endeavor here in Tulsa.

I would welcome the opportunity to meet with members of the committee to further explore such an approach to the matter of representation in the course of your future deliberations.

In the meantime, all good wishes in your demanding work.

Sincerely,

David M Breed

Jackson

Questionnaire

In drafting a proposal for a new charter for the city of Tulsa to provide for a mayor/council form of government, there are several key issues which are of interest to all residents of the city. The charter-drafting committee would appreciate your providing any comments on these questions. Your answers and the public input received at our public hearings will be utilized in making the decisions necessary to draft a new charter proposal.

1. Under Tulsa's commission form of government, all commissioners and the mayor are elected by the whole city. In the mayor/council form of government, the mayor is usually elected from the city at large, with some or all of the council members elected by districts. The exact number and location of council districts is typically drawn to achieve equal population using U.S. census data in compliance with federal law. Please give us your opinion on the following matters relating to the election of the council and mayor:

   A. Should the council be elected exclusively from districts or should some part of the council be elected from the city at large? Why?

   The Strong Mayor elected a large would represent all of the City thus no further representation would be needed.

   B. If some of the council is elected at large, should they be elected from the entire city or from "super districts" that would be comprised of two or more contiguous districts? Why?

   Equal representation needed in the City of Tulsa could not be elected except from districts where they reside. In order to be acessable to the citizens which makes good government.

   C. Should the term of the mayor be two years or four years?

   The term should be two years and if the Mayor preformed for the rights of citizens then he could be elected with little effort.

   D. Should the term of the council members be two or four years?

   The term should be two years and if the Mayor preformed for the rights of citizens then he could be elected with little effort.

   note:(representive should be inserted instead of Mayor).

E. Should a position of council representative be full-time or part-time?

Full time and establish a full time office in his district convenient and accessible to the citizens.

F. Should the mayor and council be nominated and elected on a partisan or nonpartisan basis?

Partisan: Non-partisan leads to a nominating committee, then one name on the ballot with approve: Yes...No...

2. While the city auditor does not typically have a vote in a council form of government, the auditor is obviously an important post. Should the auditor be elected or appointed by either the mayor or the council?

O.S. Supp 1987 11/17/105 (attached copy) requires the employing of a autitor thus making the office of auditor a department of bookeeping. It could be abrogated and replaced by a bookeeping department.

3. Additional charter suggestions:

O.S. Supp 1987 11/17/105 (attached copy) requires the employing of a autitor thus making the office of auditor a department of bookeeping. It could be abrogated and replaced by a bookeeping department.

Please hand in at the end of the meeting or mail to:

Charter Drafting Committee
P.O. Box 1046
Tulsa, OK 74101

JACK JACKSON
1331 N MINGO
TULSA, OK 74118

C. If a majority of governing body offices in a town government become vacant, thereby preventing approval of amounts lawfully owing on invoices and purchase orders, the town clerk and the town treasurer and mayor may authorize emergency payments of amounts owing on invoices or purchase orders for a period not to exceed sixty (60) days after the date that a majority of the offices become vacant. Any such authorization and payment shall not exceed the unencumbered and unexpended balance of the appropriation made for that purpose, nor may the total amount of such emergency authorizations and payments exceed fifteen percent (15%) of the total appropriations approved for the town government for the fiscal year. Any warrant issued pursuant to this section shall state that it is being issued under emergency circumstances and by special authority of this section.

Amended by Laws 1985, c. 82, § 1, eff. Nov. 1, 1985.
Section 6 of Laws 1985, c. 82 provides for an effective date.

§ 17-105. Annual audit of books and accounts

The governing body of each municipality with an income of Twenty-five Thousand Dollars ($25,000.00) or more to its general fund during a fiscal year shall cause to be prepared, by an independent licensed public accountant or a certified public accountant, an annual audit of the funds, assets, books and records of the clerk and treasurer of the municipality. Such audit shall be ordered within thirty (30) days of the close of each fiscal year. Certified copies shall be filed with the county clerk and the State Auditor and Inspector within six (6) months after the close of the fiscal year in accordance with the provisions of Sections 24102 and 24103 of Title 68 of the Oklahoma Statutes. The expense of the audit shall be paid from the general fund of the municipality.

The governing body of each municipality with an income of Twenty-five Thousand Dollars ($25,000.00) or more to its general fund during a fiscal year shall cause to be prepared, by an independent qualified accountant, who does not have to be a certified public accountant, an annual audit of the funds, assets, books and records of the clerk and treasurer of the municipality. The audit shall be completed and filed at the close of each fiscal year. Certified copies shall be filed with the county clerk and the State Auditor and Inspector within nine (9) months after the close of the fiscal year in accordance with the provisions of Sections 24102 and 24103 of Title 68 of the Oklahoma Statutes. The expense of the audit shall be paid from the general fund of the municipality.

Amended by Laws 1984, c. 125, § 1, emerg. eff. April 10, 1984; Laws 1987, c. 110, § 1, eff. Nov. 1, 1987.
Section 3 of Laws 1987, c. 110 provides for an effective date.

§ 17-105.1. Filing of audits and reports—Forms—Public inspection—Compiling and reporting information contained therein

An auditor shall file with the State Auditor and Inspector, at the same time a certified copy of an audit is filed as required in Section 17-105 of Title 11 of the Oklahoma Statutes, two (2) copies of a report setting forth for the fiscal year audited the funds available to the municipality and the use of those funds. The report shall also include information relating to the duly constituted authorities of the municipality and shall be on a form approved by the State Auditor and Inspector. Copies of said audit and the report shall be made available for public inspection by the municipality and the State Auditor and Inspector. The State Auditor and Inspector may contract for the compilation and reporting of the information submitted on the report.

Added by Laws 1984, c. 125, § 2, emerg. eff. April 10, 1984.

MUNICIPAL BUDGET ACT

§ 17-207. Monies received and expended must be accounted for by fund or account

Any monies received or expended by a municipality must be accounted for by fund and account. Each municipality shall prepare a budget for the general fund and for other funds as the governing body may require pursuant to the provisions of Section 17-212 of this title. The municipal governing body shall determine the needs of the municipality for sinking fund purposes, pursuant to the provisions of Section 431 of Title 62 of the Oklahoma Statutes, Section 2497 of Title 68 of the Oklahoma Statutes, and Section 28 of Article 10 of the Oklahoma Constitution, and include these requirements in the debt service fund budget for the budget year.

Amended by Laws 1984, c. 146, § 1, operative July 1, 1984.
Approved April 19, 1984. Emergency.
Section 3 of Laws 1984, c. 146 provides for an operative date.

CHANGING STATUS

ARTICLE XVIII. CHANGING STATUTORY FORM OF CITY GOVERNMENT

§ 18-101. Procedure for changing form of government—Petition or governing body resolution

Any city operating pursuant to a statutory form of city government may change to any one of the other statutory forms of city government. The mayor shall issue an order calling for an election on the question of whether or not the city shall change its form of government if:

1. an initiative petition is filed with the governing body of the municipality; or

2. the governing body, by resolution, so directs.

JACK JACKSON
1331 N MINGO
TULSA, OK 74118

OFFICIAL COMMUNICATION

read carefully

In view of the events of our times it becomes more apparent after calculating the cost per vote spent in each election, that we have reached the position in our present society where we must make changes to insure the continuation of our free and unblemished elections.

Now in order to survive in this disturbed economical crisis and in order to bolster our economic standards in the City, we must convert our electorial system to a more modern system with a ballot that will read:

1. Randle pays $3.13
2. Crawford pays.....$2.55
3 Quinn pays.....$0.11

"Please make a check mark at the number of your candidate`s name that you wish to represent you, thus you will cast your vote, insert the ballot in the machine which will dispurse the correct amount you have comming for your vote."

Thus as a voter you are able to take the time to study the best qualified candidate, and render a just and educated decision. By this you are improving the electorial system, whereas as we enter into the 21st century with a new concept of electing uncorruptible public officials.

Also each voter would feel more obligated to vote and help disburse the campaign funds so many of our unselfish citizens wish to contribute to further the goals in this society.

You may use this as a ballot to vote to change our election laws by signing on the line below and deposit the ballot in the box which will disburse $3.00 to you.

.....
voter signature

LEAGUE OF MEN VOTER'S
AND ASSOCIATE'S
9520 E 11 ST. TULSA OKLA.
SURIVAL WITH DIGNITY
TE- 836 4138

The Board of Governors of the Leauge of Men Voter`s and Associate`s, as a alternative for the establishing a more uniform and efficient operational city government, submit the following to be considered in rewriting the Tulsa City Charter.

1. (a) Mayor shall be elected at large.

(b) Shall be Chief executive of the City serving 2 year terms.

(c) Shall not be a member of the board of district representives.

(d) Shall retain veto power over acts of the board of district representives.

(e) Pay will be $60,000.00 yearly, payable monthly

2. (a) The City to be divided into 10 districts as shown.

(b) Each district shall elect 1 representive for a 2 year term. (If proven satifactory they may be re-elected)

(c) Any district showing 160% of the average population of all 10 districts shall elect an additional representive.

(d) Representives shall institute all ordinances.

(e) It will require a 2/3 vote of the representives to override the mayor veto.

(f) Representives shall decide all questions of "Internal Affairs".

(g) Representives shall decide all questions of "Conflict of Interest"

(h) Representives shall oversee all departments of the City of Tulsa, all trust, committies, subcommitties, and all bodies that make public policy for the City of Tulsa.

(i) Representives will receive $40,000.00 each, yearly,

payable monthly.

(j) Each representive shall be a resident of the district for one year before being eligible to represent his district.

(k) Each representive shall maintain an office in his district open daily, excluding holidays, from 8 A.M. to 5 P.M.

(l) The Representives shall meet bi-weekly at a scheduled time in open meetings.

(m) The representives shall retain the power to remove "without cause", any public officer for failure to act within the state statutes.

3. Representives shall require an audit of all departments, combined in a register showing all money received and spent by each department, division, subdivision, trust, enitity, or any other body receiving or disbusing public funds.

4. All questions of Common Law and Moral Law arising between the City and Citizens will first be decided by arbritration as a preliminary hearing before it can be transfered to district court.

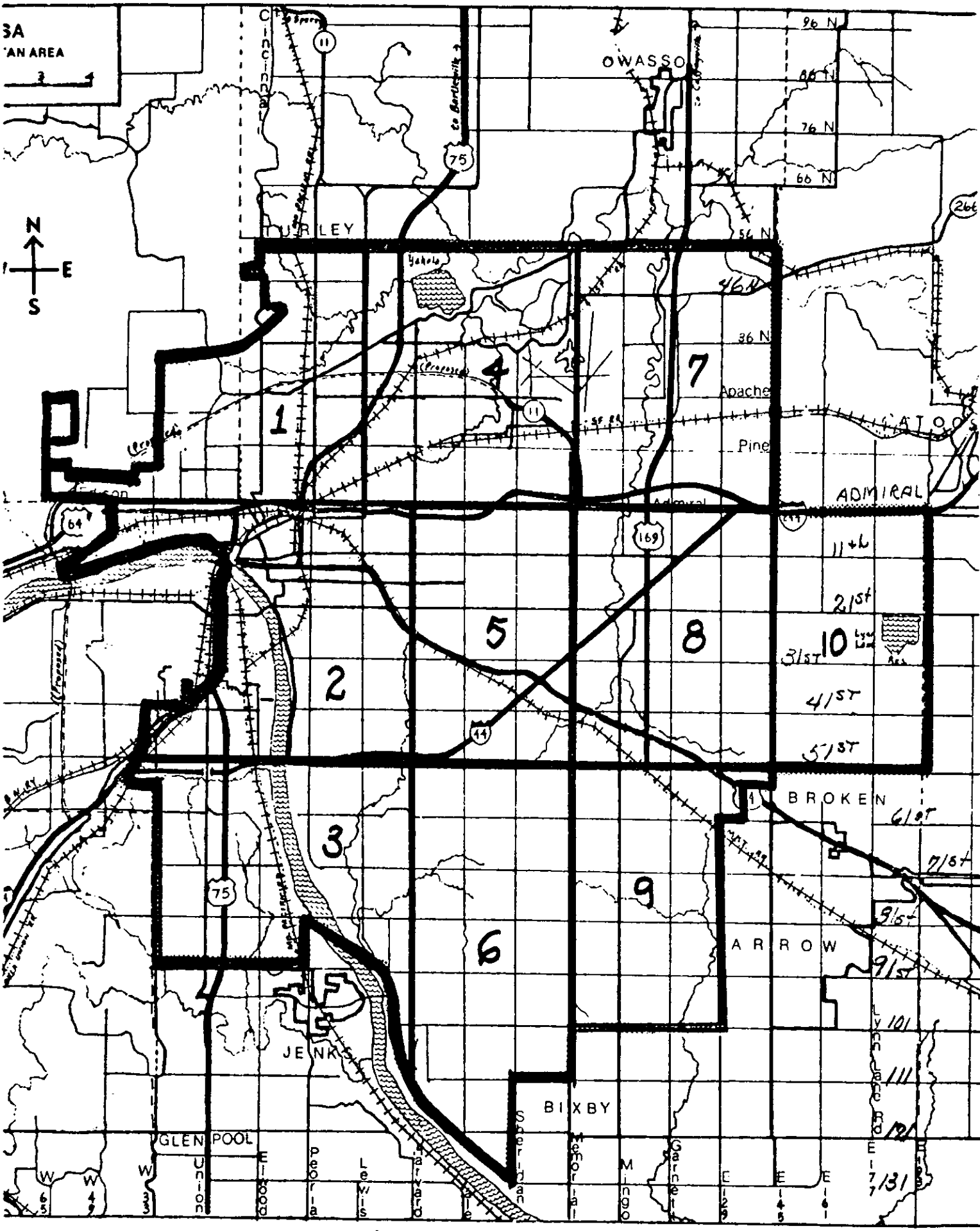
5. All department heads, subject to preform the duties of the office with efficiency being qualified in such fields needed, will be nominated by the Mayor and approved by the representives.

This way of geographically districting allows the expertise of the citizens to be represented according to culture, tradition, income, community service, and beliefs as was the

intent of our forefathers when this system of government was established. It is our belief that because of the segregation boundries estalished in the early days of the City of Tulsa, it becomes essential in logic and fairness we incorporate in any charter, not seek to subrogate the intent of the courts.

This recommendation of guide lines for a revision of the City of Tulsa Charter are respectfully submitted by members of the Board of Governors of The Leauge of Men Voter`s and Associate`s.

31. TULSA



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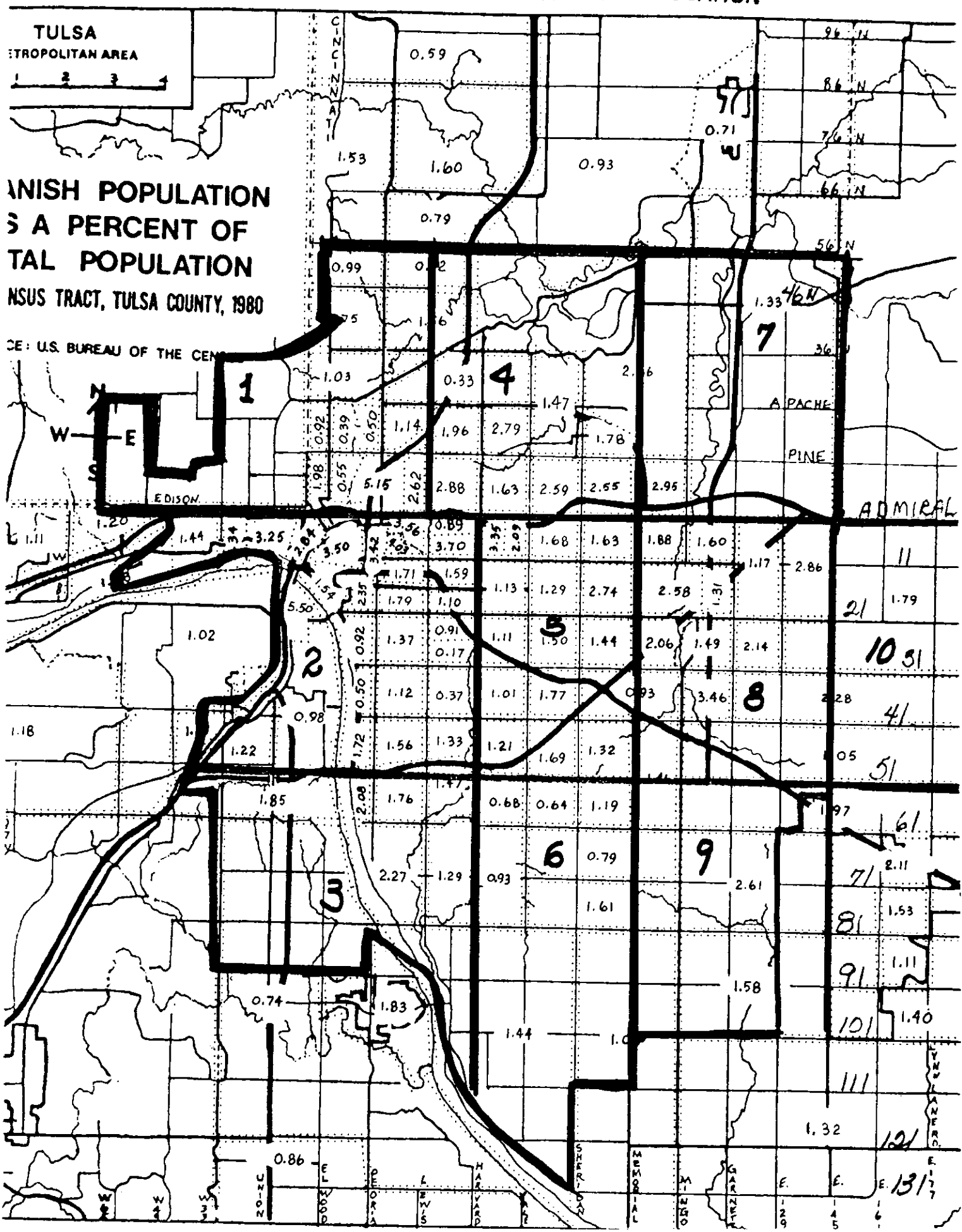
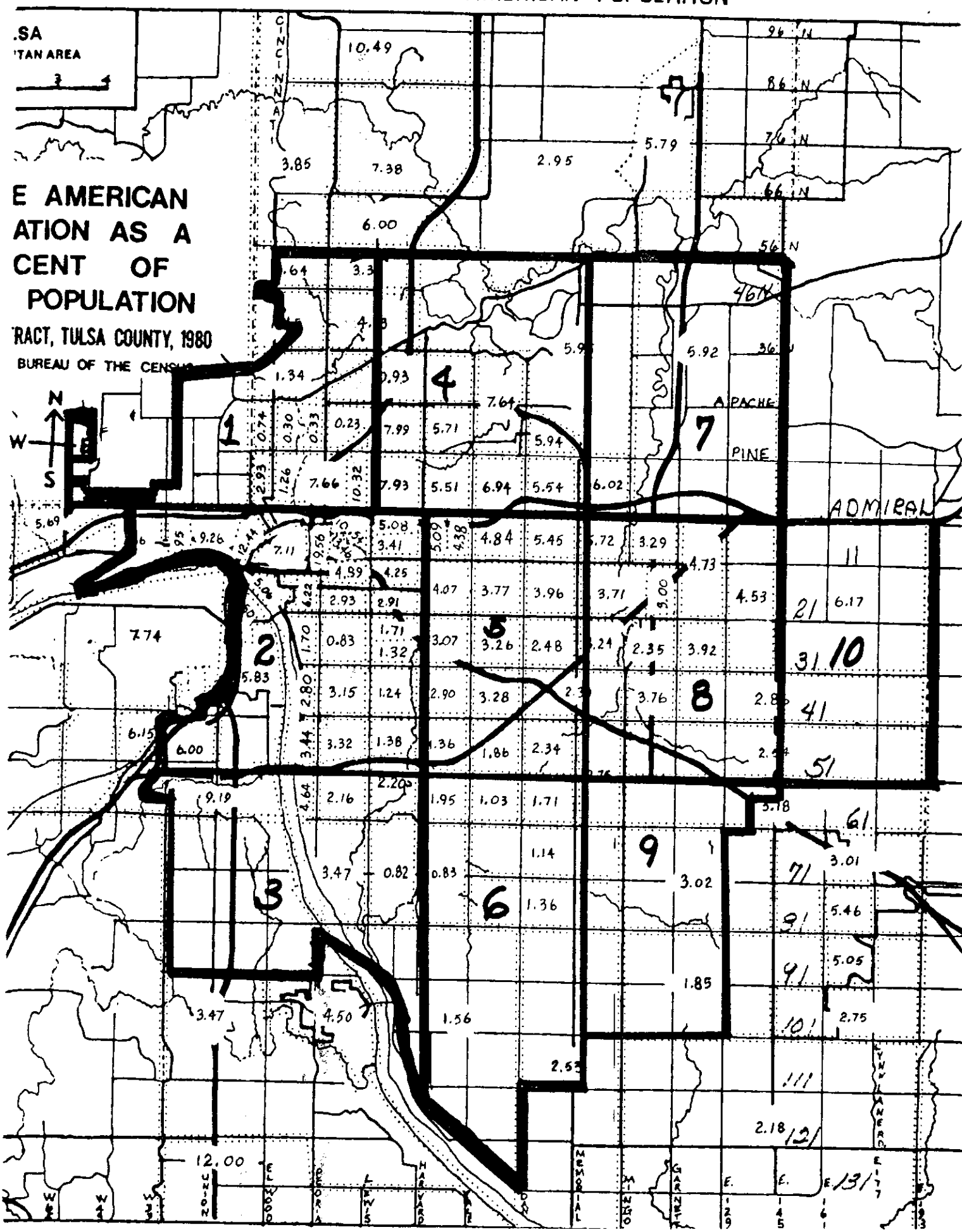
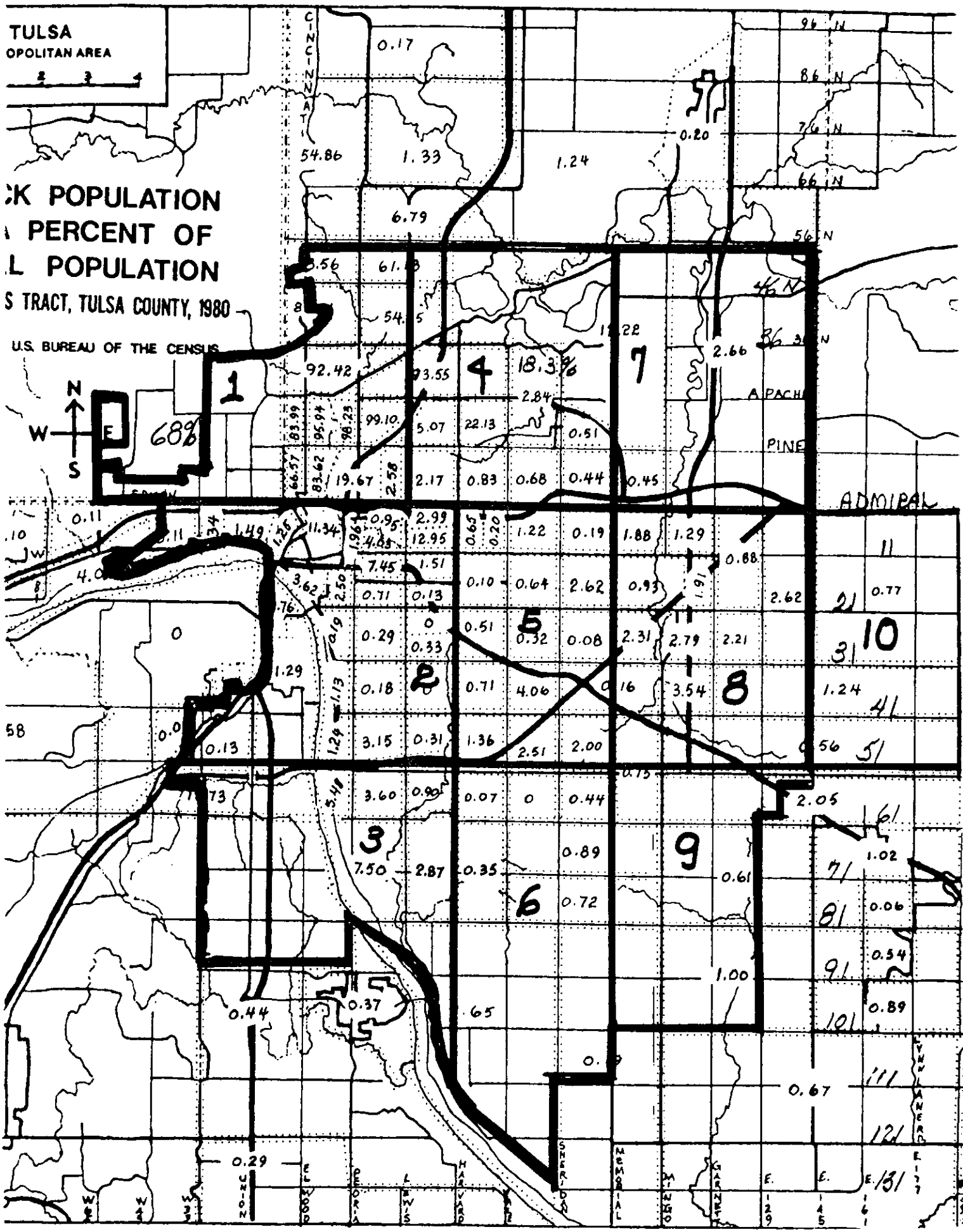
17. SPANISH POPULATION



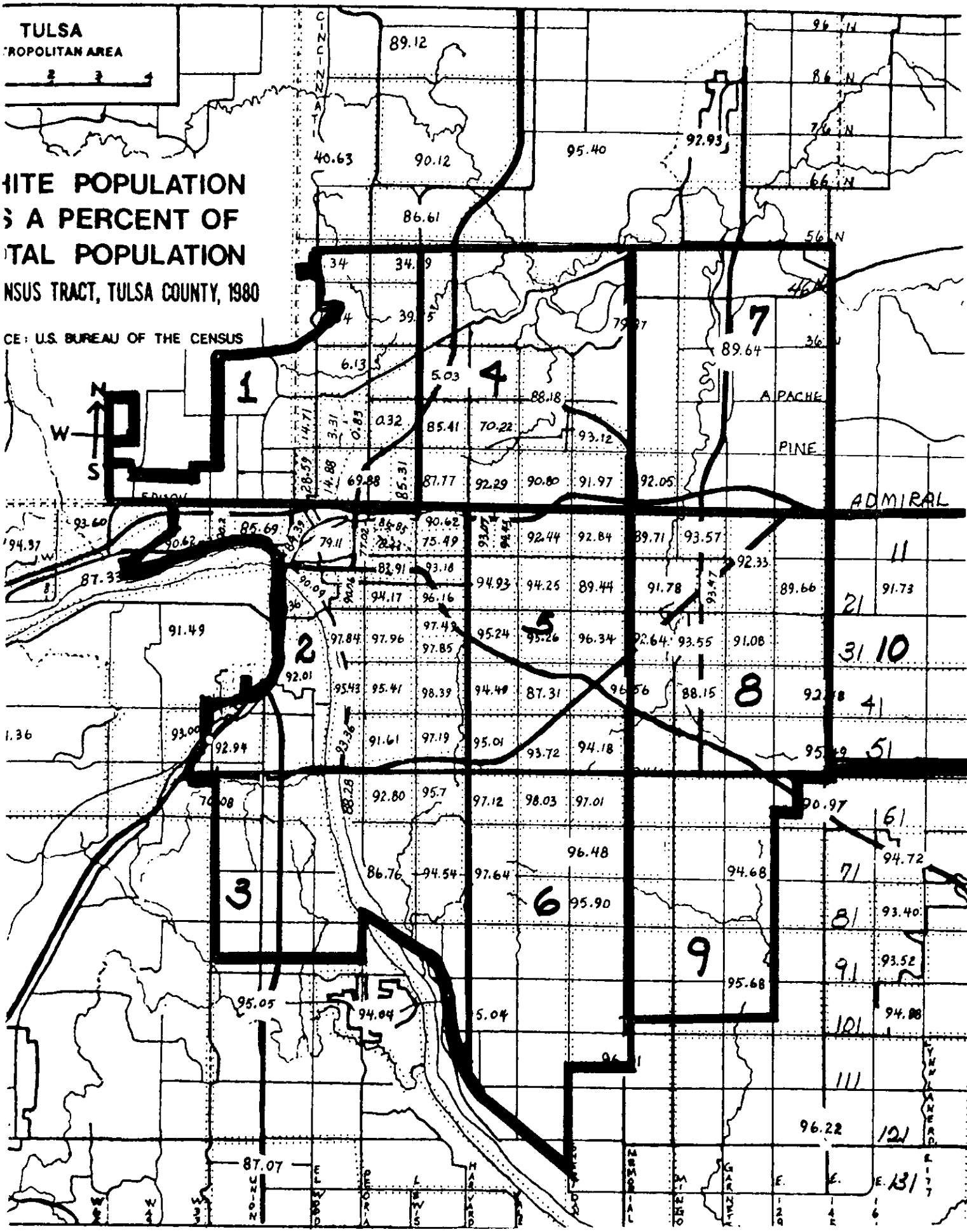
15. NATIVE AMERICAN POPULATION



16. BLACK POPULATION



18. WHITE POPULATION



Metropolitan Tulsa Chamber of Commerce
616 SOUTH BOSTON AVENUE • TULSA, OKLAHOMA 74119 • 918 / 585-1201

June 28, 1988

Dear :

Our Chamber is presently involved in an effort to change our City's form of government from Commission to Mayor/Council.

Your response to three questions would be very helpful to us:

1. What is your present form of local government?

   Mayor/Council?
   City Manager?
   Commission, and so forth?

2. Is it partisan or nonpartisan?

   Do candidates file as Republicans or Democrats, or is there no political designation?

3. What are your thoughts on the pros and cons of a partisan versus nonpartisan local election?

Your prompt reply will be greatly appreciated.

Kindest regards,

Clyde C. Cole
President

CCC/aar

1. What is your present form of government?

San Antonio	City Manager
Little Rock	City Manager
Memphis	Mayor/Council
El Paso	Mayor/Council
Austin	City Manager
Baton Rouge	Mayor/Council
Shreveport	Mayor/Council
Houston	Mayor/Council
Kansas City	Council/Manager
Okla. City	City/Manager
Dallas	City Manager

2. Is the city government partisan or nonpartisan?

San Antonio	Nonpartisan
Little Rock	Nonpartisan
Memphis	Nonpartisan
El Paso	Nonpartisan
Austin	Nonpartisan
Baton Rouge	Nonpartisan
Shreveport	Nonpartisan
Houston	Nonpartisan
Kansas City	Nonpartisan
Okla. City	Nonpartisan
Dallas	Nonpartisan

3. What are your thoughts on the pros and cons of a partisan vs nonpartisan local election?

San Antonio: Strongly support nonpartisan--there should be no Democratic or Republican position on streets, drainage, crime, etc.

Little Rock: My personal opinion on partisan versus nonpartisan is that nonpartisan is preferable in that it forces the candidates to establish their own agenda and philosophy, without relying on the image of a political party. It allows the candidates to be solely accountable to the people instead of a predetermined political platform. Elections are also less expensive, as no primary is involved.

Memphis: A nonpartisan election works best for us. However, you usually know who are the Democrats and who are the Republicans.

El Paso: I can see no advantage to having a partisan local election. Many candidates are already well known as either Republicans or Democrats, but I perceive no single advantage to listing the party affiliation of that individual. They should be running on issues and I am inclined to believe that a nonpartisan election would clearly be preferable.

Austin: In regard to partisan versus nonpartisan local elections, I strongly support nonpartisan elections. A partisan system tends to overlay party politics upon the capabilities of individual candidates. My experience is that many times it is difficult to get a good candidate to run out of the business community when he or she must identify themselves with a political party and work through the party hierarchy to receive support. I can see some advantage in having a mayor who is prominently involved in a national political party (i.e., Cisneros); but, overall I think that nonpartisan elections tend to encourage more candidates and discourage political party posturing.

4. Other related comments:

Little Rock: Until last year, Little Rock operated under a strict city manager form of government, with the seven members of the City Board of Directors elected at-large, by plurality, in nonpartisan elections. The mayor was then elected by the Directors from among their ranks. No compensation is given any of the Directors, and this system has been in place since the late 1950's.

Last year, the City Board voted to modify the form to elect four of the seven Directors from geographic zones and to let the people directly elect the mayor. Still no compensation is involved, the elections are non partisan, and the City Manager runs the day-to-day operations of the city. I believe this form is called City Administration.

El Paso: Most Texas cities have a city manager's/council form which is presided over by a Mayor, but the Council does not have as much power as they have in our system. With the strong Mayor system, the Mayor hires the city administrator during his term of office and hires the city administrator during his term of office and each member of the council supervises the various departments or branches. I am inclined to believe that the city manager's/council system is preferable.

Our city has, however, had great success with the strong Mayor system which is also the same system that they have in Houston.

Baton Rouge: Kansas City, Kansas moved from three commissioner form of government to a mixed at-large/district system which works very well on a nonpartisan basis.

Kansas City: The City is divided into 6 districts - there are 12 members on the city council.

6 are elected at large
6 are elected on a district basis

The mayor is elected at large and has a vote on the council.

Mail to:

Charter Drafting Committee
c/o _____
_____
_____
Tulsa, Oklahoma 741_____

Attention: _____

In drafting a proposal for a new charter for the City of Tulsa to provide for a mayor/council form of government, there are several key issues which are of interest to all residents of the City. The charter drafting committee would appreciate your providing any comments on these questions. Your answers and the public input received at our public hearings will be utilized in making the decisions necessary to draft a new charter proposal.

1. Under Tulsa's commission form of government, all commissioners and the mayor are elected by the whole city. In the mayor/council form of government, the mayor is usually elected from the city at large, with some or all of the council members elected by districts. The exact number and location of council districts is typically drawn to achieve equal population using U.S. census data in compliance with Federal law. For Tulsa, the 1980 U.S. census data appears to suggest approximately nine council districts. Please give us your opinion on the following matters relating to the election of the council and mayor:

   A. Should the council be elected exclusively from districts or should some part of the council be elected from the city at large? Why?

   B. If some of the council is elected at large, should they be elected from the entire city or from "super district" that would be comprised of two or more contiguous districts? Why?

   C. Should the term of the mayor be two years or four years?

   D. Should the term of the council members be two or four years?

E. Should a position of council representative be full-time or part-time?

F. Should the mayor and council be nominated and elected on a partisan or nonpartisan basis?

2. While the city auditor does not typically have a vote in a council form of government, the auditor is obviously an important post. Should the auditor be elected or appointed by either the mayor or the council?

Thank you for your input on these issues.

STATEMENT OF POSITION OF CHARTER DRAFTING COMMITTEE

The Charter Drafting Committee was convened by four sponsoring organizations, the Greenwood Chamber of Commerce, the Tulsa Labor Council/AFL-CIO, the Metropolitan Tulsa Chamber of Commerce and the League of Women Voters. The sponsors created the committee with the directions to draft a proposed new charter for the City of Tulsa providing for a mayor/council form of government.

The committee was not formed to debate the issue of what is the best form of government for the City of Tulsa. This issue has often been debated and will no doubt be fully discussed if a vote on the matter is held. However, it was the view of the sponsoring organizations that an alternative charter needed to be drafted to focus this debate. To this end, the committee was charged with drafting such a charter.

Tulsa's current city charter was adopted in 1908. It provides for the commission form of government with a mayor and four commissioners, each of which has an equal vote on the Board of City Commissioners, the legislative body for passing city ordinances. In addition, there is a city auditor elected as a nonvoting member of the commission. The mayor and all city commissioners are elected for two year terms by the city at large.

Each commissioner, for the most part, operates independently with respect to his or her department and acts as the chief administrator of that department. In addition, the commissioners, acting together, pass all city ordinances which regulate such departments.

The commission form of government is common in cities much smaller than Tulsa. There is currently only one other city of comparable size still using the commission form.

The sponsoring organizations which formed the drafting committee believe that Tulsa's form of government should be changed to a mayor/council form. The reasons for this are grounded in basic governmental efficiencies and our American political heritage, some of which are as follows:

1. Our state and Federal governments are based on a theory of separation of powers between the legislative and executive branches. We traditionally believe that this separation creates the checks and balances which are appropriate to the creation of effective legislation and effective administration of the laws so enacted. In addition, under Tulsa's form of government, the combining of legislative and executive functions put unmanageable burdens on each commissioner. The system encourages each commissioner to look only at

their own department and not question other departments.

2. Again analogizing to our state and Federal governments, it is understood that representation is a key element of these American political institutions. We believe that legislation created by a body which is representative of the different sections of a community will create better legislation taking into account the interests of the whole community. This is the theory of our state and Federal legislatures. If the Federal House of Representatives were elected by the nation as a whole, like Tulsa's City Commission is elected by the City as a whole, it is highly unlikely that Oklahoma would have even one representative, much less six.

3. Under our current system where the mayor is merely one commissioner, there is no mechanism for cohesive leadership, either administratively or in legislation. In addition, this system results in some duplication of effort since each city department is considered independent unless it agrees otherwise. Thus, there are people in each department performing similar functions.

The sponsoring organizations created a charter drafting committee representative of the diverse nature of the sponsoring organizations and of the different areas of the City. The committee is aware that the NAACP has filed a lawsuit against the City alleging violations of the Federal Voting Rights Act based primarily on the idea that the election of all city commissioners by the City as a whole does not allow for representation of certain areas of the City. Because we view the need for a new form of government to be required by various inherent weaknesses in our current form, one of which weaknesses is a lack of representation, we hope that the NAACP lawsuit can be a catalyst to the necessary change.

DEFINITION OF TERMS

1. CITY CHARTER - A plan of government for a city like the Oklahoma State Constitution is a plan of government for our state.

2. COMMISSION FORM OF GOVERNMENT - Tulsa's present form of government. The mayor and four commissioners are elected by the whole city in so called "at large" elections. Each commissioner is in charge of one area of city services: police and fire, streets and public property, water and sewer, finance and revenue. The city auditor is also elected by the whole city "at large" and is a non-voting member of the commission.

3. MAYOR/COUNCIL FORM OF GOVERNMENT - The form of government the Charter Drafting Committee is proposing. In this form of government, the legislative function is performed by a council elected from specific districts. Just as different states elect members of the U.S. Congress, each area of the city would elect its representative to the council. The mayor would be elected by the whole city at large and would carry out the executive functions of city government, and all departments of city government would report to the mayor like the cabinet members report to the President.

4. LEGISLATIVE BRANCH - The legislative branch is the part of government that passes laws, as our Oklahoma State Legislature

does for the state. In Tulsa's current commission form of government, the mayor and four voting commissioners together act as the "legislative branch".

5. EXECUTIVE BRANCH - The part of government that implements the laws and provides the services of government. In Tulsa's current commission form of government, there is no "executive branch" because the executive function is divided among the mayor and the commissioners. In the Mayor/Council form of government, all executive functions are consolidated under the mayor, as they are in our Federal system under the President.

6. DISTRICTS - For this discussion, a district means a defined section of the city. By law, district lines must be drawn so that each area has approximately equal population. Each district would have its own representative in a Mayor/Council form of government.

7. AT-LARGE - Election by the city as a whole. This is the way Tulsa currently elects its city commission. Candidates are chosen to represent the whole city and are voted on by all the citizens. The result has often been a commission made up of people all living in the same part of the city.

8. SUPER DISTRICT or REGIONAL DISTRICT - This method of choosing council members combines some aspects of the at-large method and district representation. Two adjoining districts could be

combined to form a larger geographic area (the "super district" or "regional district") which would also elect a member of the council. Usually, this would mean a council composed of representatives from both specific districts and some regional districts.

9. PARTISAN ELECTION - An election among candidates running as members of specific political parties. Tulsa currently has partisan elections. The Republican and Democratic parties each hold primaries to select their nominees to run in a general election. Independents also can run in the general election.

10. NON-PARTISAN ELECTION - An election in which political parties play no role. All candidates would run as independents, without party labels or endorsements. Many cities use this method.

11. FULL TIME/PART TIME COUNCIL MEMBERS - Tulsa's commission positions are essentially full-time jobs, because the commissioners have so many duties. In contrast, members of the Oklahoma Legislature have other jobs or businesses which they return to when the legislature is not meeting. Some cities strive to minimize the duties of members of the City Council so that it can be a part time job. The theory is that in this way people can afford to serve on the council without the pay for a council member having to be at a very high level.

12. VOTING RIGHTS ACT - This is a Federal law which, as applied to Tulsa, essentially requires that a form of government not operate to deny minorities a fair voice in government. This is the law under which Tulsa's commission form of government is being challenged in court.

THE CHAMBER
New Orleans & the River Region

RECEIVED AUG - 1 1988

July 28, 1988

Mr. Clyde C. Cole, President
Metropolitan Tulsa Chamber of Commerce
616 South Boston Avenue
Tulsa, Oklahoma 74119

Dear Clyde:

This letter is in reply to your request for information on our forms of local governments.

Six of the seven parishes (equivalent of counties) represented by The Chamber operate on a parish council system. They are: Orleans, Jefferson, Plaquemines, St. James, St. Charles and St. John the Baptist parishes.

Orleans Parish and the City of New Orleans' boundaries are coterminous. New Orleans operates under a mayor-council plan, with the mayor assisted by a chief administrator and a city council made up of seven members...five from districts and two at-large...each elected to a four-year term. The mayor is elected for one four-year term, with a maximum of two consecutive terms allowed.

P.O. Box 30240
New Orleans, LA 70190
(504) 527-6900

Jefferson parish differs from Orleans in that a parish president is its chief administrator instead of a mayor. Its council also serves a lawmaking function. The president and the seven-member council are elected by popular vote to four-year terms.

Plaquemines, St. James, St. Charles and St. John the Baptist parishes all operate under a council and parish president structure, with St. James and Plaquemines parishes having a seven-member council and St. Charles and St. John the Baptist parishes governed by nine-member councils.

The political party designation of a candidate who is registered as being affiliated with a recognized political party shall appear on the primary or general election ballot. Louisiana's open primary system does away with Republican/Democrat primaries (as is common in many states). All persons who are qualified voters may vote in the election for <u>any</u> candidates except those elections in which a candidate is seeking membership on a committee of a political party with which the voter is not registered as being affiliated.

I hope this information will be of some help to you.

Sincerely,

David H. Jones
President and
Chief Executive Officer

DHJ/bjs

GREATER ALBUQUERQUE CHAMBER OF COMMERCE

July 28, 1988

Clyde C. Cole
President
Metropolitan Tulsa Chamber of Commerce
616 South Boston Avenue
Tulsa, Oklahoma 74119

Dear Mr. Cole:

Terri Maisel asked that I respond to your letter of June 28. Please forgive my delay in responding.

1. Albuquerque presently has a mayor/council form of government. The council consists of nine individuals elected from districts.

2. Albuquerque city elections are presently non-partisan.

3. Albuquerque's city charter, adopted in 1974, is presently being reviewed by a citizens task force on charter revision. Although a former city council president is advocating a charter amendment making city elections partisan, he appears to be a tiny minority.

   From our vantage point, there appears to be nothing to be gained from changing to a partisan system. While the council president has been a member of the party holding a majority on the council on every council since the current charter was adopted in 1974, partisanship has not been prevalent on the council on other than leadership matters.

   The former council president mentioned above believes that partisan election would "legitimize" the party involvement that now occurs in council campaigns. He also believes that the council is often adrift in terms of goals and directions, and thinks that formal partisanship would at least provide some focus.

   Although our Board has no formal position on partisan vs. non-partisan council elections, it is our informal opinion that they would not benefit city government.

Sincerely,

Wayne W. Ciddio

Wayne W. Ciddio

Wayne W. Ciddio
Group Manager
Community Development/
Public Affairs
P.O. Box 25100
Albuquerque, NM 87125
(505) 764-3772

LUBBOCK

RECEIVED JUL 25 1988

Lubbock Chamber of Commerce
P.O. Box 561
Lubbock, Texas 79408
806-763-4666

July 22, 1988

Mr. Clyde C. Cole
Metropolitan Tulsa Chamber of Commerce
616 South Boston Avenue
Tulsa, Oklahoma 74119

Dear Clyde:

Please accept my apologies for the delay in responding to your letter about our city's form of government.

Our present form of city government is Manager/Council type. We have a mayor elected at large and six council members elected from districts and a city manager.

Our form is nonpartisan.

In answer to the third question, since our council elections are nonpartisan, I have not had any experience with partisan elections. The people of Lubbock are pleased with the nonpartisan status and I suspect it will stay that way at least for the foreseeable future.

I hope things are going well for you.

Sincerely yours,

John A. Logan
President and General Manager

JAL/fa

The Newest Star On The Texas Horizon

EXHIBIT D

CHARTER DRAFTING COMMITTEE
REPRESENTATION ISSUES

FINAL RECOMMENDATIONS ADOPTED BY COMMITTEE

1. Recommendation:
MEMBERS OF THE COUNCIL BE NOMINATED AND ELECTED BY DISTRICTS.

Comment: Representation by districts under principles of one person - one vote is consistent with our national political heritage, is similar to state and federal systems and will be consistent with requirements of federal Voting Rights Act.

2. Recommendation:
DISTRICTS SHOULD BE GEOGRAPHICALLY SIMPLE, CONSISTING OF CONTIGUOUS, COMPACT TERRITORY, SHOULD BE SUBSTANTIALLY EQUAL IN POPULATION BASED UPON THE MOST RECENT FEDERAL CENSUS, AND WHEREVER POSSIBLE, BOUNDARY LINES SHOULD FOLLOW THE CENTER LINES OF STREETS AND CORRESPOND WITH PRECINCT BOUNDARY LINES.

Comment: The Committee felt strongly that the citizens of Tulsa must feel protected from gerrymandering and that the more similar geographically the district boundaries are drawn, the more acceptable they will be to the voters.

3. Recommendation:
NO REGIONAL, SUPER DISTRICTS OR AT-LARGE DISTRICTS.

Comment: Public sentiment at our public hearings was strongly opposed to at-large districts. In addition, such districts may not result in compliance with the Voting Rights Act.

4. Recommendation:
THERE BE NINE (9) DISTRICTS OF APPROXIMATELY EQUAL POPULATION (PRESENTLY 39,000 TO 40,000).

Comment: A lesser number of districts may not comply with the Voting Rights Act and a greater number of districts could be unwieldy.

5. Recommendation:
ELECTION DISTRICT BOUNDARIES BE ADJUSTED IF NECESSARY EVERY TEN (10) YEARS FOLLOWING COMPLETION OF THE FEDERAL CENSUS BY APPOINTMENT OF AN ELECTION DISTRICT COMMISSION COMPOSED OF ONE PERSON APPOINTED BY THE MAYOR, WITH COUNCIL APPROVAL AND ONE PERSON APPOINTED BY THE GOVERNING BODY OF EACH OF THE TWO POLITICAL PARTIES HAVING THE LARGEST NUMBER OF

REGISTERED VOTERS IN THE CITY AS OF THE DATE OF THE MOST RECENT MUNICIPAL GENERAL ELECTION.

Comment: The committee also considered the boundary adjustment provisions of the 1969 draft charter, but felt that the 1973 charter provision provided a more fair, bi-partisan method of redistricting. If elections are to be non-partisan, then the above recommendation will need reconsideration.

6. Recommendation:
BOTH THE MAYOR AND AUDITOR SHALL HAVE THE RIGHT TO APPEAR AND SPEAK AT ALL COUNCIL MEETINGS.

Comment: Promotes communication between executive and legislative branches and facilitates Mayor's ability to make recommendations and explain his or her proposals to the council.

EXHIBIT E

CHARTER DRAFTING COMMITTEE
COUNCIL SUBCOMMITTEE ISSUES

FINAL RECOMMENDATIONS

1. Recommendations:
CANDIDATES FOR THE CITY COUNCIL SHOULD HAVE THE FOLLOWING QUALIFICATIONS:

A. U.S. Citizen
B. Twenty-five (25) years of age or older.
C. Must have resided in the City of Tulsa for two (2) years before filing.
D. Must have resided in the District to be represented one (1) year before filing.

Comment: These qualifications are self-explanatory and the Committee felt are the minimums that should be established.

2. Recommendations:
COUNCIL MEMBER'S STARTING SALARY BE STATED IN THE CHARTER AT $24,000 PER YEAR.

Comment: It was the intent and belief of the Committee that a Council Member could have full-time employment and still serve on the council. this would open the position to more candidates, both from a financial and from a career perspective. the Committee was split on whether a portion of the salary should be paid as fees for meetings attended, with some leeway allowed for normal absences. It was felt that this would be a very appealing aspect of the new charter to voters.

3. Recommendations:
COUNCIL MEMBERS SHOULD BE ELECTED FOR A TERM OF FOUR (4) YEARS.

Comment: This term would make the Council more effective and less time would be spent in "running" for office.

4. Recommendations:
THE TERMS OF COUNCIL MEMBERS SHOULD BE STAGGERED SO THAT APPROXIMATELY ONE-HALF OF THE COUNCIL IS ELECTED EVERY TWO (2) YEARS.

Comment: In the initial election, the Mayor, the Auditor, and the Council Members from the even-numbered districts should be elected for four (4) year terms, while the council Members from the odd-numbered districts should be elected for two 92) year terms. This

should provide for continuity on the Council, and yet half of the council is up for re-election every two years. In addition, this will provide for the Mayor's and Auditor's terms to always be coterminous.

5. <u>Recommendations:</u>
The MAYOR, THE AUDITOR AND COUNCIL MEMBERS MAY EACH SERVE AN INDEFINITE NUMBER OF TERMS.

<u>Comment</u>: The Committee felt strongly that a council member could succeed himself indefinitely, but felt less strongly about the Mayor succeeding himself more than once. There was a strong minority of the Committee which felt that the Mayor should not serve more than two terms.

EXHIBIT F

CHARTER DRAFTING COMMITTEE
EXECUTIVE BRANCH ISSUES
FINAL RECOMMENDATIONS ADOPTED BY COMMITTEE

I. ORGANIZATION

1. **Recommendation:**
CHANGE FORM OF CITY GOVERNMENT FROM "COMMISSION" TO "STRONG MAYOR/COUNCIL."

   Comment: Provides better representation, more responsive to citizens; separation of legislative and executive powers with appropriate checks and balances; increased efficiency.

2. **Recommendation:**
DIVISION HEADS BE APPOINTED BY THE MAYOR, CONFIRMED BY A MAJORITY VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL, BE NON-CLASSIFIED, AND REPORT DIRECTLY TO THE MAJOR. THE FOUR DIVISIONS WILL BE: FINANCE, PUBLIC WORKS, PUBLIC SAFETY, AND COMMUNITY SERVICE.

   Comment: In an attempt to keep the new Charter (and City government) as streamlined as possible, these four divisions are regarded as the minimum necessary for efficient operation. These division heads constitute the Mayor's "cabinet"; consequently, the Mayor should have as much latitude as possible in their selection. Administrative Services could be consolidated in one of the divisions, probably Finance.

3. **Recommendation:**
MAYOR BE ALLOWED A LIMIT OF THREE NON-CIVIL SERVICE APPOINTMENTS FOR PERSONAL STAFF, THIS STAFF TO BE ORGANIZED AS HE SEES FIT.

   Comment: This will allow the Mayor an appointment of a "Chief Administrative Officer" if desired, but not place the CAO in a line position as recommended in the 1973 Revision.

4. **Recommendation:**
PERSONNEL DIRECTOR BE APPOINTED BY THE MAYOR FROM RECOMMENDATIONS PROVIDED BY THE CIVIL SERVICE COMMISSION. ONLY THE CIVIL SERVICE COMMISSION HAS THE POWER TO REMOVE THE PERSONNEL DIRECTOR.

   Comment: Since the Mayor appoints the Civil Service Commission, this requirement of selecting a Personnel Director from a list of applicants previously approved by the Commission is an added safeguard, a check and balance measure.

5. **Recommendation:**
THE MAYOR SHOULD APPOINT MUNICIPAL JUDGES, SUBJECT TO STATE STATUTES.

Comment: Appointment helps keep politics out of the municipal courts; State law defines organization and appointment procedures for municipal courts.

6. **Recommendation:**
INCLUDE IN ARTICLE III, SECTION 1.4 ("EXECUTIVE DIVISION," "POWERS AND DUTIES-EXECUTIVE AND ADMINISTRATIVE POWERS") OF THE "1973 PROPOSED CHARTER BY REVISION," A PARAGRAPH STATING THAT IT IS THE MAYOR'S DUTY TO STRIVE FOR COST EFFICIENT GOVERNMENT AND TO ELIMINATE ORGANIZATIONAL DUPLICATION.

Comment: One of the primary reasons to have a Mayor/Council form of government is to provide increased efficiencies by eliminating duplications and redundancies in the organization. The Mayor must make a commitment to more efficient government. Accordingly, a Mission Statement seems appropriate.

7. **Recommendation:**
MAYOR'S STARTING SALARY BE STATED IN THE CHARTER AT $70,000 PER YEAR.

Comment: Approximate average starting salary for the office of Mayor in cities of size comparable to Tulsa. Members of the Committee felt that a competitive salary was necessary to attract the quality of leadership required. Several members believed the salary was high and would be politically unacceptable.

8. **Recommendation:**
CITY AUDITOR'S STARTING SALARY BE STATED IN THE CHARTER AT $45,000 PER YEAR.

Comment: Approximate average starting salary for the office of City Auditor in cities of size comparable to Tulsa. Same comments as above but this was unanimously approved.

9. **Recommendation:**
SALARIES OF DIVISION HEADS AND UNCLASSIFIED PERSONNEL BE DETERMINED BY THE BUDGETARY PROCESS.

Comment: This is the method used to currently set these salaries and provides the necessary checks and balances.

10. **Recommendation:**
CITY AUDITOR BE ELECTED AT-LARGE (CITY-WIDE VOTE).
Comment: This makes the City Auditor responsible to the electorate instead of the Mayor if appointed by the Mayor. The Auditor is viewed as the people's watchdog - not the Mayor's.

11. **Recommendation:**
MAYOR WILL BE ELECTED AT-LARGE (CITY-WIDE VOTE).

Comment: Directly responsible to people; maintains existing procedure.

12. **Recommendation:**
TERM OF MAYOR AND CITY AUDITOR SHOULD BE FOUR YEARS.

Comment: This term is necessary in order to set up and effectively implement programs; increases portion of elected official's term not dedicated to campaigning for reelection; most cities of comparable size and larger have four-year terms.

13. **Recommendation:**
THERE SHOULD BE NO STATEMENT OF JOB OR EXPERIENCE QUALIFICATIONS IN THE CHARTER FOR THE OFFICE OF CITY AUDITOR.

Comment: The City Auditor is an administrator first, and his Deputy City Auditor and the remaining staff will have to meet stringent requirements. (See attached Job Description).

14. **Recommendation:**
IF THE CITY AUDITOR IS TO BE ELECTED BY CITY-WIDE VOTE, ARTICLE III, SECTION 1.4F ("EXECUTIVE DIVISION," "POWERS AND DUTIES - EXECUTIVE AND ADMINISTRATIVE POWERS") OF THE "1973 PROPOSED CHARTER REVISION" SHALL BE AMENDED BY DELETING THE WORDS: "...THE CITY AUDITOR AND...".

Comment: Housecleaning.

15. **Recommendation:**
EXCEPT FOR SPECIFIC RECOMMENDATIONS OF CHANGE CONTAINED WITHIN THIS DOCUMENT, OR ANY OTHER SUBCOMMITTEE REPORT BROUGHT BEFORE AND APPROVED BY THE CHARTER DRAFTING COMMITTEE, ALL MATTERS CONCERNING THE MAYOR'S VETO POWERS AND THE CITY COUNCIL'S SUBSEQUENT OVERRIDE AUTHORITY SHALL REMAIN AS WRITTEN IN THE "1973 PROPOSED CHARTER REVISION."

Comment: The "powers" and "authority" written into the 1973 "proposal" are standard ones used in the vast majority of strong Mayor/Council forms of municipal government.

II. FIRE DEPARTMENT

1. **Recommendation:**
ARTICLE XII OF THE "1973 PROPOSED CHARTER REVISION" ENTITLED "FIRE DEPARTMENT," BE ADOPTED WITH THE FOLLOWING CHANGES:
   (A) SECTION 3, ENTITLED "FIREFIGHTERS-HOW APPOINTED," BE ADOPTED WITH THE FOLLOWING AMENDED WORDING: "FIREFIGHTERS WILL RECEIVE A SALARY INCREASE IN SIX (6) MONTHS, BUT HAVE A PROBATIONARY PERIOD OF TWELVE (12) MONTHS."

Comment: Extending probationary period from 6 months to 12 months gives the Department a better chance for thorough review.

(B) **STRIKE FROM SECTION 5, ENTITLED "POLITICAL ACTIVITIES PROHIBITED," THE WORDS "ANY PARTISAN CAMPAIGN" AND INSERT THE WORDS "ELECTIONS FOR MUNICIPAL OFFICE."**

Comment: This approach retains prohibition from participating in municipal (city) elections (same as Civil Service employees), but allows active participation in county, state and national elections (again, same as Civil Service employees).

2. **Recommendation:**
THE CITY OF TULSA FIRE DEPARTMENT NOT BE PLACED UNDER CIVIL SERVICE.

Comment: The Fire Department has not been under civil service in the past and worked well; "Firefighters" union would not support a Charter change proposal requiring the Fire Department to be placed under Civil Service. Several members thought the Fire Department should not be treated differently than other City employees.

III. BOARDS AND AUTHORITIES

1. **Recommendation:**
THE TULSA AIRPORT AUTHORITY CONTINUE AS A CHARTER BOARD AS STATED IN ARTICLE V, ENTITLED "BOARDS AND AUTHORITIES," SECTION 1.1 - 1.9, OF THE "1973 PROPOSED CHARTER REVISION."

Comment: Tulsa Airport Authority too important a component of the City to try to dismantle and replace or even de-emphasize.

2. **Recommendation:**
THE TULSA PARK AND RECREATION BOARD CONTINUE AS A CHARTER BOARD WITH ITS SOLE RESPONSIBILITY BEING TO SERVE AS TRUSTEE TO GILCREASE MUSEUM. ALL OTHER DUTIES TO BE REASSIGNED TO DIVISIONS DEEMED APPROPRIATE BY THE MAYOR.

Comment: Park Board's functions, overall, are antiquated; need to maintain its existence only because of the Trust Agreement between the City and Gilcrease.

3. **Recommendation:**
THE UTILITY BOARD OF THE CITY OF TULSA CONTINUE AS A CHARTER BOARD WITH ITS SOLE RESPONSIBILITY BEING TO ACT IN AN ADVISORY CAPACITY TO THE COUNCIL REGARDING UTILITY RATE CHANGES. ALL OTHER DUTIES TO BE REASSIGNED TO DIVISIONS DEEMED APPROPRIATE BY THE MAYOR.

Comments: Utility Board's functions, overall, are antiquated, but can maintain functions of rate advisory to the Council as well as an effective "watchdog" for the citizens.

4. Recommendation:
ALL NON-CHARTER BOARDS AND COMMISSIONS EXPIRE AT THE END OF FIVE (5) YEARS FROM THE DATE OF ADOPTION OF THE CITY CHARTER AND EVERY FIVE (5) YEARS THEREAFTER UNLESS EXTENDED BY A MAJORITY VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL.

Comment: This will force City Hall (and allow citizens) to review effectiveness, efficiency and need for all non-charter boards and commissions on a regular and continuing basis; help cut down on creation of new non-charter boards and commissions.

5. Recommendation:
PROVISIONS OF THE "1973 PROPOSED CHARTER REVISION" REGARDING THE BOARD OF TRUSTEES FOR THE FIREMEN'S PENSION FUND AND THE POLICE PENSION FUND BE CHANGED TO CONFORM WITH STATE STATUTES.

Comment: Conforms with State statutes.

6. Recommendation:
EXCEPT FOR SPECIFIC RECOMMENDATIONS OF CHANGE CONTAINED WITHIN THIS DOCUMENT, OR ANY OTHER SUBCOMMITTEE REPORT BROUGHT BEFORE AND APPROVED BY THE CHARTER DRAFTING COMMITTEE, ALL MATTERS CONCERNING ARTICLE XI, ENTITLED "CIVIL SERVICE COMMISSION AND PERSONNEL DEPARTMENT," SHALL REMAIN AS WRITTEN IN THE "1973 PROPOSED CHARTER REVISION."

Comment: The 1973 "proposal" contains a well-written, carefully constructed Article XI concerning the Civil Service Commission and Personnel Department.

IV. OTHER BUSINESS

1. Recommendation:
THE PREAMBLE TO THE NEW CHARTER SHOULD BE EXPANDED TO INCLUDE A STRONG STATEMENT ON HUMAN RIGHTS.

Comments: This is the best place for such an important issue which needs to be a part of the City Charter.

2. Recommendation:
CITY ELECTIONS SHOULD BE PARTISAN.

Comments: Provides mechanism for selecting and supporting candidates; provides avenue for identifying and developing issues; provides valuable linkage to other levels of government. Facilitates increased involvement of women and minorities. Enables those of limited financial means to raise

sufficient funds to participate. Committee was split. Strong minority felt that political parties should be taken out of the election process. Chamber canvas of other cities indicates virtually all have non-partisan elections.

3. **Recommendation:**
FILING PERIOD AND ELECTION DATE REFERENCES IN THE "1973 PROPOSED CHARTER REVISION" BE REVISED TO REFLECT THE FOLLOWING:
(A) FILING DATE FOR THE PRIMARY ELECTION AND INDEPENDENT CANDIDATES BE DESIGNATED AS THE MONDAY, TUESDAY AND WEDNESDAY IN THE SECOND WEEK IN JANUARY.

Comment: Attempting to move filing dates up in order to hold election earlier in the year giving elected officials (especially newly-elected) a longer budget planning period; requires all candidates to start from the same gate.

(B) CITY PRIMARY ELECTION DATE BE DESIGNATED AS THE SECOND TUESDAY IN FEBRUARY.

Comment: Again, attempting to move entire election process up in order to give elected officials (especially newly-elected) a longer budget planning period.

(C) CITY GENERAL ELECTION DATE BE DESIGNATED AS THE FOURTH TUESDAY IN MARCH.

(D) ELECTED OFFICIALS TAKE OFFICE ON THE SECOND TUESDAY IN APRIL.

4. **Recommendation:**
ARTICLE VIII OF THE "1973 PROPOSED CHARTER REVISION," ENTITLED "REMOVAL AND RECALL OF ELECTED OFFICIALS," BE ADOPTED WITH THE FOLLOWING EXCEPTION: SECTION 2, ENTITLED "PROCEDURE FOR RECALL OF ELECTED OFFICIALS," STATE THAT "25% OF THE TOTAL VOTES CAST FOR THAT OFFICE IN THE MOST RECENT ELECTION BE REQUIRED FOR RECALL."

Comment: The need to increase percentage requirement over 1973 proposal, but decrease requirement of present charter.

5. **Recommendation:**
DELETE ALL REFERENCES IN THE CHARTER TO ANY CITY OFFICIAL HAVING ANY RESPONSIBILITIES FOR CANDIDATE FILING, COUNTING BALLOTS, SETTING POLLING PLACES, OR ANY OTHER REFERENCES CONCERNING THE CONDUCTING OF CITY ELECTIONS.

Comment: Get the City out of the election "business" and turn it over to the County Election Board where it belongs.

6. **Recommendation:**
AMEND ARTICLE VII, SECTION 5 OF THE "1973 PROPOSED CHARTER REVISION," ENTITLED "ELECTION AND QUALIFICATIONS OF OFFICERS," "INDEPENDENT CANDIDATES," TO REQUIRE INDEPENDENT CANDIDATES FOR OFFICE TO SUBMIT SIGNATURES IN AN AMOUNT OF ONE-HALF OF ONE PERCENT (1/2 OF 1%) OF THE VOTES CAST FOR THAT OFFICE IN THE LAST CITY ELECTION.

Comment: Past signature requirements have been far too low, this requirement is more realistic while still fair; eliminates a fixed number and replaces it with a sliding scale which will be more practical as the City grows.