



MEMORANDUM

Council Agenda
Item No. XI. AC
5/21/2024

The City of OKLAHOMA CITY



TO: Mayor and City Council

FROM: Craig Freeman, City Manager

Resolution authorizing the Mayor to issue a Special Election Proclamation calling a special election to be held on August 27, 2024, to submit Ordinance No. 27,610 to the registered voters of The City of Oklahoma City, Oklahoma, for their approval or disapproval; and further providing for certain legally required actions to be taken by the City Clerk and the appropriate county election boards, all as may be required by the election laws of the State of Oklahoma.

Background

On May 7, 2024, Ordinance No. 27,610 was introduced to propose an additional levy of a Hotel Tax in Oklahoma City in the amount of 3.75%, with the revenues derived from the tax to be earmarked exclusively for encouraging, promoting, and/or fostering the convention and/or tourism (visitor) development of the City, with certain categories of convention and tourism expenditures listed. On May 14, 2024, a public hearing was held. Ordinance No. 27,610 is set for final adoption by Council at the May 21, 2024 Council meeting. To become effective, however, the additional Hotel Tax levy must be approved by majority vote of City voters, as is legally required by 68 O.S. § 2705. The date of Tuesday, August 27, 2024, is an authorized municipal special election date, and it is desired that the Special Election for Ordinance No. 27,610 be held on that date.

Purpose

The attached Resolution will authorize the Mayor to issue a Special Election Proclamation to call a special election to be held on Tuesday, August 27, 2024, for submission of Ordinance No. 27,610 to City voters for their approval or disapproval. The Ballot for the Special Election is attached as Exhibit A to the Resolution.

In addition, the Resolution will direct the City Clerk to take certain additional actions related to the Special Election. The Resolution also specifies, consistent with Oklahoma law, that the Special Election shall be conducted by the Oklahoma County Election Board, and other appropriate county election boards, in all respects as provided for by the election laws of the State of Oklahoma, with the returns thereof to be canvassed by such Election Boards pursuant to State law and certified to the Mayor and Council of the City.

Review:

Municipal Counselor's Office

Recommendation: Resolution be adopted.



RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR TO ISSUE A PROCLAMATION CALLING A SPECIAL ELECTION TO BE HELD ON AUGUST 27, 2024, TO SUBMIT ORDINANCE NO. 27,610 TO THE REGISTERED VOTERS OF THE CITY OF OKLAHOMA CITY, OKLAHOMA, FOR THEIR APPROVAL OR DISAPPROVAL; AND FURTHER PROVIDING FOR CERTAIN LEGALLY REQUIRED ACTIONS TO BE TAKEN BY THE CITY CLERK AND THE APPROPRIATE COUNTY ELECTION BOARDS, ALL AS MAY BE REQUIRED BY THE ELECTION LAWS OF THE STATE OF OKLAHOMA.

WHEREAS, on May 21, 2024, the City Council of The City of Oklahoma City finally passed Ordinance No. 27,610 amending the City Hotel Tax Code, Chapter 52, Article III, of the Oklahoma City Municipal Code, 2020, thereby enacting a Section 52-63.2 of said Article III, which section levies an additional limited-purpose excise tax of three and three-fourths percent (3.75%) upon the gross proceeds or gross receipts from all rent for every occupancy of a hotel room or rooms in this City; and further enacting a Section 52-81.2 of said Article III to specify the use for which such tax shall be expended; and

WHEREAS, 68 O.S. § 2705 provides that no levy of a tax by a municipal corporation shall be valid unless approved by a majority vote of the qualified electors of such municipal corporation; and

WHEREAS, 11 O.S. § 16-112 provides that when the municipal governing body shall deem it advisable, it may, by resolution or ordinance, authorize the Mayor to call a special election for any purpose authorized by law; and

WHEREAS, by passage of this Resolution, the Council of The City of Oklahoma City desires to provide for the calling and holding of a special election in accordance with the authority of 68 O.S. § 2705 and 11 O.S. § 16-112, with such special election to be held on Tuesday, August 27, 2024, for