



Tulsa County Clerk - PAT KEY
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 Tulsa County Election Board

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BY *A. Windma*

**CITY OF OWASSO, OKLAHOMA
 RESOLUTION NO. 2014-18**

A RESOLUTION OF THE CITY OF OWASSO, TULSA COUNTY, OKLAHOMA, CALLING FOR A SPECIAL ELECTION TO BE HELD ON THE 3rd DAY OF MARCH, 2015, FOR THE PURPOSE OF SUBMITTING AN ORDINANCE FOR APPROVAL BY THE QUALIFIED ELECTORS WHICH GRANTS TO PUBLIC SERVICE COMPANY OF OKLAHOMA, AN OKLAHOMA CORPORATION, A NON-EXCLUSIVE FRANCHISE FOR TWENTY-FIVE (25) YEARS TO BUILD, EQUIP, MAINTAIN, EXTEND, OWN AND OPERATE A SYSTEM FOR THE MANUFACTURE, TRANSMISSION, DISTRIBUTION, SALE AND CONTROL OF ELECTRICITY IN AND TO THE CITY AND THE PUBLIC GENERALLY, TO A VOTE OF THE REGISTERED VOTERS OF THE CITY FOR THEIR APPROVAL OR DISAPPROVAL; SPECIFYING THE QUESTION TO BE VOTED UPON AT SUCH SPECIAL ELECTION AND FURTHER DIRECTING THE DISTRIBUTION AND PUBLICATION OF THIS RESOLUTION.

WHEREAS, Article 18, §5(a) of the Oklahoma Constitution provides that no grant of a franchise by a municipal corporation shall be valid unless approved by a majority vote of the qualified electors of such City; and

WHEREAS, this City Council, by a vote on December 16, 2014, approved an Ordinance calling for a special election to be set; and

WHEREAS, the Ordinance, if approved by the voters, would grant to Public Service Company of Oklahoma, an Oklahoma Corporation, a non-exclusive franchise for twenty five (25) years to build, equip, maintain, extend, own and operate a system for the manufacture, transmission, distribution, sale and control of electricity and information distribution in and to the City and the public generally; and

WHEREAS, the Mayor of Owasso, Oklahoma, shall, upon the adoption of this Resolution, proclaim a special election to submit the Ordinance for approval or disapproval by the qualified electors of the City of Owasso; and

WHEREAS, 11 O.S. §16-101, requires that notice of a special election shall be given by publishing the Resolution of the municipal governing body calling for the election at least ten (10) days before the date of the special election.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Owasso, Oklahoma, as required by the Constitution and statutes of Oklahoma, does hereby call a special election for the purpose of submitting the Ordinance to the registered voters of Owasso for their approval or disapproval, the Ordinance granting to Public Service Company of Oklahoma, an Oklahoma Corporation, a non-exclusive franchise for twenty five (25) years to build, equip, maintain, extend, own and operate a system for the manufacture, transmission, distribution, sale and control of electricity and information distribution in and to the City and the public generally.

AND, BE IT FURTHER RESOLVED that the Mayor and City Council hereby call a special election on the 3rd day of March, 2015, to be administered by the Tulsa County Election Board.

SECTION 1:

The Proposed ballot language for the franchise agreement election shall read as follows:

PROPOSITION

An ordinance granting to Public Service Company of Oklahoma, an Oklahoma corporation, its successors and assigns, a non-exclusive franchise for twenty-five (25) years to use the streets, alleys, avenues, ways, and other public places and grounds in the City of Owasso, Tulsa County, Oklahoma, for building, equipping, maintaining, extending, owning, and operating a system for the manufacture, transmission, distribution, sale, and control of electricity and communication circuits for itself and others in and to the City and the public generally; providing for assignment; granting right to operate business with reasonable rules; whereby Public Service Company of Oklahoma agrees to maintain electric service pursuant to Oklahoma Corporation Commission regulation and agrees to indemnify the City in certain situations; whereby Public Service Company of Oklahoma is given a continuing right to operate within the City's limits and is authorized to allow those properly permitted to attach facilities to its poles; whereby Public Service Company of Oklahoma agrees to charge legal rates for such service; if possible to sell and deliver to the City all electricity and services requested by it; providing for payment to the City by Public Service Company of Oklahoma of a monthly fee on gross receipts from delivery and, if applicable, the sale of electricity; calling for an election and providing for acceptance; providing for repeal of conflicting ordinances; providing for severability; and declaring an emergency.

Shall the proposed ordinance be approved?

_____ FOR THE PROPOSITION – YES
_____ AGAINST THE PROPOSITION – NO

AND, BE IT FURTHER RESOLVED That the City Council of the City of Owasso hereby certifies to the Tulsa County Election Board that Tulsa County precincts #750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760 and Rogers County precincts #31 and 130 are to be opened; and Tulsa County precinct #21 and Rogers County precincts #6, 21, 29, and 30 are to remain closed as there are no residents of Owasso in those precincts.



(SEAL)

ATTEST:

Sherry Bishop
Sherry Bishop, City Clerk

APPROVED AS TO FORM:

Julie Lombardi
Julie Lombardi, City Attorney

Approved this 16th day of December, 2014.

Jeri Moberly
Jeri Moberly, Mayor