

CHARTER REVIEW COMMISSION MINUTES

September 5, 2013

The Charter Review Commission met at 5:30 p.m. in the Municipal Building Conference Room on the 5th day of September, 2013, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

Item 1, being:

CALL TO ORDER AND ROLL CALL.

PRESENT:

Ms. Jane Abraham
Mr. Doug Cubberley
Mr. Hal Ezzell
Mr. Harold Heiple, Chairman
Ms. Samantha Kahoe
Mr. Kenneth McBride
Mr. Kevin Pipes
Mr. Richard Stawicki

ABSENT:

Ms. Carol Dillingham
Mr. Barry Roberts
Mr. Bob Thompson

TARDY:

Mr. Thad Balkman
Mr. Trey Bates

STAFF PRESENT:

Mr. Jeff Bryant, City Attorney
Ms. Brenda Hall, City Clerk
Ms. Kathryn Walker, Assistant City Attorney

Item 2, being:

CONSIDERATION OF APPROVAL OF THE CHARTER REVIEW COMMISSION MINUTES OF AUGUST 1, 2013.

Member McBride moved that the minutes be approved and the filing thereof be directed, which motion was August 1, 2013, seconded by Member Cubberley;

Items submitted for the record

1. Charter Revision Commission minutes of August 1, 2013

and the question being upon approval of the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Members Abraham, Cubberley, Ezzell, Kahoe, McBride, Pipes, Stawicki, and Chairman Heiple

NAYES:

None

Chairman Heiple declared the motion carried and the minutes approved; and the filing thereof was directed.

Item 3, being:

CONTINUED DISCUSSION OF ARTICLE XX TO CONSIDER AMENDING OR UPDATING THE REAPPORTIONMENT COMMISSION PROCESS OR PROCEDURE.

Member Trey Bates arrived at 5:35 p.m. and Member Thad Balkman arrived at 5:36 p.m.

Chairman Heiple said in its meeting of August 1, 2013, the CRC made recommendations to eliminate a Reapportionment Commission that meets annually and create an Ad-hoc Committee that would meet every ten years prior to the census unless Council proposed to annex or de-annex property, during the last quarter of the calendar year prior to the release of the Federal Decennial Census and continuing through the release of the final Census, or upon the recommendation of City Council. The CRC also recommends that the nine member committee be appointed within 90 days of a proposed annexation or deannexation and six months prior to the year of the issuance of the Census. Other recommendations include the Reapportionment Committee issue of a resolution to establish and readjust the wards and their boundaries no later than 180 days after each Federal Decennial Census. The resolution would be submitted to Council who will, within 30 days, conduct a public hearing on the proposed resolution and adopt the resolution without modifications, reject the resolution, or adopt the resolution with such modification as the Council deems necessary. If any changes in ward boundaries are adopted by Council, such changes shall also be adopted by ordinance and codified in the City of Norman Code of Ordinances.

Member Cubberley asked if Staff has ever compared the decennial numbers to the City's projections to see if the City's projections are relatively accurate and Mr. Jeff Bryant, City Attorney, said he would check with Ms. Joyce Green, Geographical Information Systems (GIS) Services Manager, but felt that some type of analysis would have been done.

Member Cubberley said he was not comfortable giving City Council the power to appoint a Reapportionment Committee for anything other than annexing/deannexing or prior to the decennial census. He said there are no criteria established for when Council can direct a review of ward boundaries. Chairman Heiple asked if Member Cubberley would be more comfortable requiring a unanimous vote of Council to call for a review by the Reapportionment Committee and Mr. Bryant suggested the following language:

Section 2 – Appointment and Meetings of the Reapportionment Commission

- c. Upon the unanimous recommendation of the City Council to review population shifts within current ward boundaries based upon verifiable data sources that can be utilized to supplement Federal Decennial Census data.

Member McBride felt no further language was needed after “unanimous recommendation of the City Council.” Member Bates agreed and said it would be difficult to craft language to fit every scenario, but some mechanism for calling for a review is a good idea. A majority of the members felt “unanimous recommendation of the Council” would be acceptable language without adding the other parameters. Member Cubberley asked Staff to ensure language added to Section 3, Criteria for Ward Boundaries, makes it clear what criteria Council has to follow no matter what the reason for calling for the review. Chairman Heiple asked Staff to draft language for the CRC to review at the next meeting.

Members discussed the timeframe for the Reapportionment Committee to submit a resolution to Council regarding ward boundary changes and asked if recommended 180 days was too much time to review the census data and make a recommendation to Council. He asked if the “issuance” of the Decennial Census is date specific because that could affect the time needed for the review and Ms. Brenda Hall, City Clerk, said the issuance of the census is date specific.

Ms. Hall said another timing issue is that Council sets election dates, by Charter, in December for Spring elections and the filing dates are set by Charter specific to the second Monday, Tuesday, and Wednesday in January and those dates would need to be considered. She said if the Reapportionment Committee is not finished reviewing the ward boundaries by the filing dates there is a good chance a candidate may not know what ward they are filing for. Chairman Heiple asked if the CRC should ask Council for permission to review the Council's filing period timeline. Member Stawicki asked what would happen if someone filed for a Ward and just before the election, because of reapportionment, they were no longer in that Ward and Ms. Hall said she did not know, but once the filing period and the protest period is over the ballot is set so that person would be on the ballot for the Ward they filed for. She said it would be important for the Reapportionment Committee to be finished with their review before the filing period. Chairman Heiple wondered if language should be included that stated no ward boundaries could be changed between the filing period dates and election date, but members were concerned that boundaries could change after the election which could be just as detrimental to a candidate.

Items submitted for the record

1. Annotated version of Article XX. Reapportionment

Item 4, being:

DISCUSSION OF WHETHER OR NOT THERE SHOULD BE A SCHEDULED REVIEW OF THE CHARTER WITHIN THE CHARTER ITSELF AND POSSIBLE ACTION.

Chairman Heiple said there are currently no criteria for a regularly scheduled review of the Charter and asked Mr. Bryant what precipitated this topic. Mr. Bryant said when Member Dillingham was on Council, she felt a regularly scheduled review of the Charter, e.g., every ten years, would be beneficial in many ways. Chairman Heiple suggested this topic be discussed in October when Member Dillingham was present to express her thoughts on this subject

Member Cubberley said he would like to know how many review committee meetings have been held around election times over the past 20 years.

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Item 5, being:

ADJOURNMENT.

Chairman Heiple declared the meeting adjourned at 6:22 p.m.