

MAY 21 2024

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RESOLUTION NO. 24-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND SPRINGS, COUNTIES OF TULSA AND OSAGE, OKLAHOMA ("CITY"), CALLING FOR A SPECIAL ELECTION TO BE HELD ON THE 27TH DAY OF AUGUST 2024, FOR THE PURPOSE OF SUBMITTING AN ORDINANCE NO. 1419 FOR APPROVAL BY THE QUALIFIED ELECTORS THAT WILL GRANT TO PUBLIC SERVICE COMPANY OF OKLAHOMA, AN OKLAHOMA CORPORATION (PSO), A NON-EXCLUSIVE FRANCHISE FOR TWENTY-FIVE 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 THE SPECIAL ELECTION AND FURTHER DIRECTING THE DISTRIBUTION AND PUBLICATION OF THIS RESOLUTION.

RECITALS

Article 18, §5(a) of the Oklahoma Constitution provides that no grant of a franchise by a municipal corporation will be valid unless approved by a majority vote of the qualified electors of a city.

By a vote on May 20, 2024, the City Council approved Ordinance No. 1419 calling for a special election to be set to approve or disapprove the franchise granted in the Ordinance.

If approved, Ordinance No. 1419 will grant to PSO a non-exclusive franchise for twenty-five 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.

Upon the adoption of this Resolution, the Mayor of the City shall proclaim a special election to submit Ordinance No. 1419 for approval or disapproval by the qualified electors of the City.

Oklahoma statutes 11 O.S. §16-101 and §16-304 require that notice of a special election must be given by publishing the Resolution, Ordinance, and Special Election Proclamation and Notice of the municipal governing body calling for the special election in a legal newspaper of the county at least ten days before the date of the special election, or if there is no legal newspaper of the county in general circulation in the municipality, the

notice must be given by posting a copy of the Resolution in at least five public places in the municipality.

RESOLUTIONS

BE IT RESOLVED THAT the City of Sand Springs, Oklahoma, as required by the Constitution and Oklahoma statutes shall call a special election for the purpose of submitting Ordinance No. 1419 to the registered voters of the City for their approval or disapproval, Ordinance No. 1419 granting to Public Service Company of Oklahoma, an Oklahoma Corporation, a non-exclusive franchise for twenty-five 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.

BE IT FURTHER RESOLVED that the Mayor of the City shall call a special election on the 27th day of August, 2024, to be administered by the Tulsa County Election Board.

BE IT FURTHER RESOLVED that pursuant to Title 26, Section 13-103, all precincts totally or partially contained within the limits of the City shall be open for election, except the City authorizes the following precincts, which are only partially contained within the limits of the City of Sand Springs, not to be opened by certifying to the county election boards that no persons reside within that portion of the precinct contained within the limits of the City of Sand Springs, and these precincts can therefore not be opened:

Osage County Precinct 570206
Osage County Precinct 570208
Osage County Precinct 570305
Osage County Precinct 570308
Osage County Precinct 570311

AND BE IT FURTHER RESOLVED by the County Election Board that the question to be voted upon at a special election will be as follows:

PROPOSITION

An ordinance granting to Public Service Company of Oklahoma (PSO) the right, privilege and non-exclusive franchise for twenty-five years to build, equip, maintain, extend, own and operate a system for the manufacture, transmission, distribution, sale, and control of electricity and communications circuits for itself and others in, under, over, across, through and along any and all of the present and future streets, alleys, avenues, ways

and other public places and grounds within the limits of the City of Sand Springs, Counties of Tulsa and Osage, Oklahoma; and granting to PSO the right to operate an electric business pursuant to reasonable rules and regulation by the Oklahoma Corporation Commission; with PSO agreeing to charge legal rates for the electric service; and, if possible, to sell and deliver to the City all electricity and services requested by it; providing for payment to the City by PSO of monthly fees on gross receipts from the delivery and sale of electricity; and providing for the repeal of conflicting ordinances; and declaring an emergency.

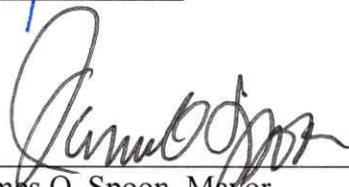
Shall the proposed ordinance be approved?

FOR THE PROPOSITION - YES

AGAINST THE PROPOSITION - NO

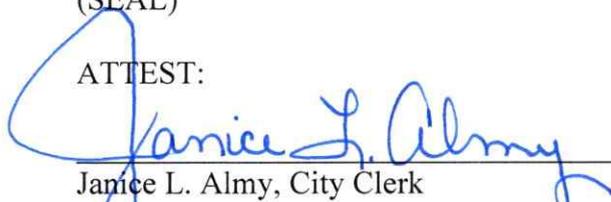
AND, BE IT FURTHER RESOLVED that the Mayor does direct the City Clerk of Sand Springs, Oklahoma to cause Resolution No. 24-32, Ordinance No. 1419, and the Special Election Proclamation to be published in a legally qualified newspaper of the county one time within fifteen days after adoption of this Resolution, or post a copy of this Resolution in at least five public places in the municipality if the Resolution cannot be published in accordance with law, the publication or posting being for the purpose of giving notice of the special election to be held on the 27th day of August, 2024.

SIGNED by the Mayor of the City of Sand Springs, Counties of Tulsa, Creek, and Osage, Oklahoma, this 20th day of May, 2024.


James O. Spoon, Mayor

(SEAL)

ATTEST:


Janice L. Almy, City Clerk



APPROVED AS TO FORM:


David L. Weatherford, City Attorney