

RESOLUTION NO. 24-

A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 2024-114 SPECIFYING THE ADMINISTRATIVE INTENT OF THE MAYOR AND COUNCIL OF THE CITY OF LAWTON, OKLAHOMA WITH REGARD TO THE EXTENSION OF THE TERM OF THE EXISTING EXCISE TAX OF TWO AND ONE-EIGHTH PERCENT (2.125%) AS APPROVED BY THE REGISTERED VOTERS OF THE CITY OF LAWTON, OKLAHOMA AT AN ELECTION HELD FOR SUCH PURPOSE ON AUGUST 27, 2024 SUCH TWO AND ONE-EIGHTH PERCENT (2.125%) SALES TAX THAT COMBINED AND REPLACED THE EXISTING SEVEN-EIGHTHS OF ONE PERCENT (7/8%) CAPITAL IMPROVEMENT/OPERATIONAL EXPENDITURE SALES TAX AND THE ONE AND ONE-QUARTER PERCENT (1.25%) CAPITAL IMPROVEMENT SALES TAX AS APPROVED BY THE REGISTERED VOTERS OF THE CITY OF LAWTON, OKLAHOMA AT AN ELECTION HELD FOR SUCH PURPOSE ON FEBRUARY 11, 2020.

WHEREAS, adoption of the sales tax extension and levy by Citywide vote of the citizens of Lawton on August 27, 2024, left the City's sales tax rate at its current level but extended the term of said excise tax from terminating on December 31, 2034 to a new termination date ending December 31, 2040, with the exception of a one percent (1.00%) excise tax which shall be permanent for an indefinite period, and funded enhancements to the overall quality of life in Lawton, Oklahoma; and

WHEREAS, adoption of the sales tax by Citywide vote of the citizens of Lawton on February 11, 2020, left the City's sales tax rate at its current level and funded enhancements to the overall quality of life in Lawton, Oklahoma; and

WHEREAS, Resolution 19-116, expressed the administrative intent of the Mayor and Council (hereafter referred to as "the Council") as to how such quality of life enhancements would be financed, implemented, and managed; and

WHEREAS, Resolution 20-28, repealed and replaced Resolution 19-116, and expressed the revised administrative intent of the Council by adding a category of economic development funding for infrastructure and financial support of new and existing retail development and retention in accordance with the City's retail development policy; and

WHEREAS, Resolution 21-64, repealed and replaced Resolution 20-28, and expressed the revised administrative intent of the Council by adding a category for Program Administration to include funding for the development of a program management system/tool, bond/financing fees and associated legal expenses, and other administrative costs as approved by the Council; and

WHEREAS, Resolution 22-59, repealed and replaced Resolution 21-64, and expressed the revised administrative intent of the Council by: (1) removing the reference to the "Lawton Arts and Humanities Council" previously referenced in the section of Resolution 21-64 pertaining to "Parks & Recreational Facilities and Arts & Humanities," and replacing the reference to the "Lawton Arts and Humanities Council" with the "McMahon Auditorium Authority;" and (2) correcting an

inadvertent omission to Resolution 20-28 that removed a reference in Resolution 19-116 to an estimated \$20,000,000 expenditure in the Parks and Recreational Area. That inadvertent omission was again carried forward with Resolution 21-64, but was corrected in Resolution 22-59; and

WHEREAS, Resolution 23-75, repealed and replaced Resolution 22-59, and expressed the revised administrative intent of the Council by allocating an estimated additional \$5,472,607 to Section C(3) of the resolution pertaining to “Improvements to City Buildings/Facilities.” This additional \$5,472,607 is available to be used in any of the three categories [i.e. subparagraphs (a), (b) and (c)] listed in Section C(3) of the resolution. Pursuant to Section 4 hereof, this allocation was made, following input from the citizens at no less than two open meetings of the Council, due to an anticipated one-time annual excess of revenue above \$23,500,000 from July 1, 2022 to June 30, 2023. Also, through Resolution 23-75 the purpose of subparagraph (c) “Continuation of renovation and remodeling of City Hall and facilities” of Section C(3) was clarified that it includes: (1) the expansion of the parking lot immediately west of City Hall and (2) the construction of a stand-alone building for utility bill paying at or near said parking lot; and

WHEREAS, Resolution 24-114, which repealed and replaced Resolution 23-75, expressed the further revised administrative intent of the Council by: (1) allocating an estimated additional \$2,027,393 to subparagraph (c) under Section (C)(3) “Improvements to City Buildings/Facilities,” specifically for the “continuation of renovation and remodeling of City Hall and facilities; and (2) allocating an estimated additional \$5,185,037 to subparagraph (a) under Section (C)(4) “Parks & Recreational Facilities and Arts & Humanities,” specifically for the implementation of the aforementioned parks master plan in subparagraph (a), to include, but not limited to, Elmer Thomas Park, 38th Street Park, existing ballfields and a new sports complex. Pursuant to Section 4 hereof, these allocations are being made, following input from citizens at no less than two open meetings of the Council, due to an anticipated one-time annual excess of revenue above \$23,500,000 from July 1, 2023 to June 30, 2024. Also, through this resolution an inadvertent omission in Resolution 20-28 that removed a reference in Section (C) of Resolution 19-116 to an estimated \$2,500,000 for improvements to the Lawton Area Transit System is being added back into this resolution along with corrective language that the funds for LATS are for improvements including but “not” limited to the purchase of buses. That inadvertent omission was again carried forward with Resolutions 21-64, 22-59 and 23-75, but was being corrected in Resolution 24-114; and

WHEREAS, as set forth in this Resolution below, it is the intent of the Council to complete the projects being funded and to be funded by the extended seven-eighths of one percent (7/8%) tax and the one and one-quarter percent (1.25%) tax upon their replacement with the new excise tax of two and one-eighth percent (2.125%) as approved by the voters on February 11, 2020 and to complete the projects being funded and to be funded from the 2019 CIP projects and to fund the projects known as PROPEL 2040 that are to be funded by the excise tax as approved and extended by Citywide vote of the citizens of Lawton on August 27, 2024. Also, through this resolution the eight million dollar (\$8,000,000) spending limitation for a sports complex from the total estimated twenty million dollar Parks & Recreation allocation in subparagraph (a) of Section (C)(4) in

Resolution 24-114, and increased to twenty five million one hundred eighty five thousand and thirty seven dollars (\$25,185,037) by the same Resolution 24-114 is being removed.

NOW, THEREFORE, BE IT RESOLVED that the Council declares its administrative intent regarding continuation and extension of the aforesaid sales tax, as follows:

1. This Resolution details intended allocations of anticipated revenues. In addition to the allocations of revenues for capital projects, this Resolution details the allocations of certain identified operating funds. All allocations of the revenues from the new excise tax of two and one-eighth percent (2.125%) shall require the approval of the Council. Notwithstanding any other provision in this Resolution, all such intended allocations will prioritize requirements on all prior encumbrances of the sales tax in a first priority position and are subject to prior encumbrances.
2. The allocations for capital projects and operating funds specified herein are based on an initial revenue estimate of \$34,000,000 annually with the annual revenue estimate anticipated to increase three percent (3.00%) annually during the term of the tax. It is the intent of the Council that staff review tax collections during the annual budget period for the prior year and current year and provide a report to Council with adjustment recommendations by March 15 each year, all subject to prior encumbrances which have a first priority. Said annual report to also include an update on the status of ongoing projects, to include a list of the projects that have been bid, awarded and completed.
3. An implementation plan and timing for allocation of both capital projects and operating funds will be developed and adopted by the Council. It is the intent of the Council that if revenues are received in amounts at least equal to the revenue estimate, that the operating funds allocations shall not be lessened.
4. It is the intent of the Council that should revenue estimates projected in paragraph 2 ultimately exceed \$34,000,000 annually including the annual three percent (3.00%) increase during the term of the tax, such funds will be considered excess funds and those excess funds will be allocated by the Council upon the receipt of input from citizens at no less than two open meetings of the Council. Should revenues ultimately fall short of such revenue estimate, allocations for projects and operating funds will be reduced as deemed appropriate by the Council with the goal of funding as many of the intended projects/expenditures specified below as revenues allow, all subject to prior encumbrances which have a first priority.
5. It is the intent of the Council that when capital projects identified herein as conditional are not implemented due to the failure of conditions to be met, the previously allocated funds for any such projects and related operational funds, if applicable, shall first be reallocated to make up for any shortage of estimated revenue as necessary to complete other intended projects/expenditures and, if not necessary, shall be considered excess funds to be allocated as set forth in paragraph 4, all subject to prior encumbrances which have a first priority.
6. It is the intent of the Council that all projects be implemented with prioritization on sustainable design.

NOW, THEREFORE, BE IT FURTHER RESOLVED that, subject to available revenues, the Council's administrative intent is for the proceeds of the sales tax, or proceeds of borrowings by the City or a public trust of which the City is beneficiary payable from the sales tax, to be expended for the purposes established by the Council of the City from time to time, to include the following specific projects/expenditures to the extent legal and practical as funding generated by the approval of Ordinance No. 24-_____ allows:

A. Completion of Projects/Expenditures from the 2015 Public Safety and Capital Improvements/Operational Expenditures Sales Tax

1. Public Safety Purposes:

a. Construct and equip a new City police, jail, fire and municipal court facility, and demolish the existing police station (City staff estimates an aggregate \$39,104,186 expenditure for these purposes over the life of the tax);

b. Funding to provide the cost of hiring and equipping new police and fire personnel as well as provide for pay increases for police and fire personnel with said funding not to exceed \$2,684,000 in any one year and to be at all times in the discretion of the governing body of the City (one-half of one percent (1/2 %) of the two and one-eighth percent (2.125%) is designated to fund the amount not to exceed \$2,684,000 in any one year in addition to also funding water/sewer system improvements and an annual deposit of \$250,000 into the City's emergency fund).

2. Roads and Bridges:

a. Acquire right of way and reconstruct Rogers Lane to five lanes from I-44 to Village Drive (matching funds from Oklahoma Dept. of Transportation are expected) (City staff estimates \$4,500,000 expenditure);

b. Acquire right of way and reconstruct Gore Boulevard from 67th Street to 82nd Street (matching funds from Oklahoma Dept. of Transportation are expected) (City staff estimates \$5,000,000 expenditure).

3. Water and Sewer System Improvements:

Replace water and sewer lines, paint water tanks, replace pump at treatment plant, install water monitoring system and complete water supply study (City staff estimates an aggregate expenditure of \$4,411,114).

4. Public Buildings, Libraries and Recreational Purposes:

a. Heating and air conditioning system improvements for McMahan Auditorium; remodel main and/or branch libraries as needed, including restroom and lobby updates, new indoor furniture, and technology upgrades; playground/fitness equipment; outdoor walking paths/walking trail lighting; restore existing sports facilities to include upgrades to McMahan Ballparks and youth sports fields; and the eventual demolition of the City Hall Annex (City staff estimates an aggregate expenditure of \$4,534,700 for these purposes over the life of the tax);

b. Funds for summer youth programs (City staff estimates an aggregate expenditure of \$200,000 for these purposes over the life of the tax).

5. Americans Disabilities Act compliance improvements:
Repair existing sidewalks and install new sidewalks and other improvements within the City for removal of barriers faced by the disabled, as required by lawsuit (City staff estimates \$1,000,000 will be available for these purposes over the life of the tax).
6. Provide revolving fund for demolition of dilapidated buildings (not to exceed \$150,000).

B. Completion of Projects from the 2016 Capital Improvement Sales Tax

1. Improvements to Existing Water Resources:

Improvements to water resources existing on the effective date of Ordinance No. 15-11, as determined necessary to provide an adequate water supply depending on drought conditions, including development of such existing sources that will contribute to the goal of an adequate water supply.

2. Sewer System, Landfill and Street Improvements

- a. Phase II of the United States Government Environmental Protection Agency (EPA) ordered sewer system rehabilitation program;
- b. Construction of additional cells for the City's landfill and purchase of additional land for operational purposes as necessary;
- c. Reconstruct SE 45th Street to five lanes from Lee Boulevard to Bell Avenue
- d. Overlay and reconstruction of residential streets within the City;

3. LATS Transportation Improvements:

Lawton Area Transit System (LATS) improvements, particularly including, but not limited to the purchase of buses.

4. Infrastructure in Furtherance of Industrial Development:

Infrastructure and related improvements determined to be necessary in furtherance of achieving the City's and Lawton Industrial Development Authority's goals in the vital area of industrial development.

5. Improvements to Information Technology Systems:

Improvements to the City's information technology systems including hardware and software upgrades, replacement and protection of these critical systems.

C. Additional Capital Improvement Projects/Expenditures Funded by the Replacement of the Combined 2015 and 2016 Two and One-Eighth Percent (2.125%) Sales Tax (2019 CIP)

1. Water and Sewer System Improvements:

- a. Improvements to the existing water and sewer systems of the City, including but not limited to the water treatment plants and sewer treatment plants, and hardware and software upgrades, replacement and protection of these critical systems (one-half of one percent (1/2%) of the two and one-eighth percent (2.125%) is designated to fund water/sewer system improvements in addition to also funding the amount not to exceed \$2,684,000 in any one year for new police and fire personnel, pay increases for police and fire personnel and capital equipment costs, and an annual deposit of \$250,000 into the City's emergency fund).
 - b. Construction of a new water treatment plant for the treatment of alternate water sources (City staff estimates seventeen million dollar (\$17,000,000) expenditure).
2. Street/Sidewalk Improvements and Maintenance:
- a. Improvements to arterial streets and construction of new sidewalks and repair of existing sidewalks along arterial streets (City staff estimates eighteen million-dollar (\$18,000,000) expenditure for streets and five million dollar (\$5,000,000) expenditure for sidewalks).
 - b. Maintenance and preventative maintenance of streets to include sealing of cracks, filling potholes, and striping of streets (City staff estimates ten million-dollar (\$10,000,000) expenditure).
3. Improvements to City Buildings/Facilities:
- a. Renovation and remodeling of the Lawton Airport and facilities (matching funds in the amount of fourteen million dollars (\$14,000,000) are anticipated from the Federal Aviation Administration) (City staff estimates two million-dollar (\$2,000,000) expenditure).
 - b. Renovation and remodeling of the McMahan Auditorium and facilities (City staff estimates four million, five hundred thousand-dollar (\$4,500,000) expenditure).
 - c. Continuation of renovation and remodeling of City Hall and facilities (City staff estimates six million dollar (\$6,000,000) expenditure).

With the passage of Resolution 23-75, an additional estimated \$5,472,607 is being added to the preexisting Section (C)(3) "Improvements to City Buildings/Facilities." This additional \$5,472,607 is available to be used in any of the three categories [i.e. subparagraphs (a), (b) and (c)] listed in Section C(3) of the resolution. This additional \$5,472,607 is not reflected in the estimated expenditure amounts listed in subparagraphs (a), (b) and (c) above. Also, through Resolution 23-75, the purpose of subparagraph (c) "Continuation of renovation and remodeling of City Hall and facilities" is being clarified that it includes: (1) the expansion of the parking lot immediately west of City Hall and (2) the construction of a stand alone building for utility bill paying at or near said parking lot.

With the passage of Resolution 24-114, an additional estimated \$2,027,393 is being added to the preexisting subparagraph (c) under Section (C)(3) "Improvement to City Buildings/Facilities", specifically for the "continuation of renovation and remodeling of City Hall and facilities. This additional \$2,027,393 is not reflected in the estimated expenditure amount listed in subparagraph (c) of Section (C)(3) above, nor is it part of

the additional estimated \$5,472,697 added to Section (C)(3) as part of Resolution 23-75.

4. Parks & Recreational Facilities and Arts & Humanities:
 - a. Development of a parks master plan by a parks and recreation consultant and implementation of the plan to include, but not limited to, Elmer Thomas Park, 38th Street Park, existing ballfields and a new sports complex (City staff estimates twenty million dollar (\$20,000,000) expenditure, with not to exceed eight million dollars (\$8,000,000) of the twenty million dollars (\$20,000,000) for the new sports complex from the City with the remaining funding for the new sports complex coming from other public and/or private sources).
 - b. Arts and Humanities programs and activities in partnership with the McMahon Auditorium Authority (not to exceed two hundred and fifty thousand dollar (\$250,000) expenditure).

With the passage of Resolution 24-114 , an additional estimated \$5,185,037 is being added to the preexisting subparagraph (a) under Section (C)(4) “Parks & Recreational Facilities and Arts & Humanities,” specifically for the implementation of the aforementioned parks master plan in subparagraph (a), to include, but not limited to, Elmer Thomas Park, 38th Street Park, existing ballfields and a new sports complex. The additional \$5,185,037 is not reflected in the estimated \$20,000,000 expenditure amount listed in subparagraph (a) of Section (C)(4) above.

With the passage of this Resolution the eight million dollar (\$8,000,000) spending limitation referenced in the above paragraph 4a of this section is removed.

5. Youth Programs:

Programs to be recommended by a Council Member/Citizen Committee with specific qualifications to study and evaluate opportunities for youth of all ages in the City to develop life and career enhancing skills and avoid involvement in the criminal justice system (City staff estimates six million dollar (\$6,000,000) expenditure).
6. Industrial Development/Retention:

Infrastructure and support of projects in furtherance of industrial development and retention in accordance with the City’s industrial development policy (twenty-eight million seven hundred fifty thousand dollars (\$28,750,000) in addition to remaining funding designated for such purposes in the 2016 Capital Improvements Sales Tax, as amended).
7. Information Technology Improvements:

Improvements to the City’s information technology systems including hardware and software upgrades, replacement and protection of these critical systems (City staff estimates twelve million dollar (\$12,000,000) expenditure).
8. Beautification Improvements:

- a. Development and implementation of an eight (8) year bulk trash pickup program including the purchase of the equipment to implement the program.
 - b. Mowing of City right of way and easements and abatement of high grass, weeds and trash on private property including the purchase of necessary equipment. (City staff estimates eight million dollar (\$8,000,000) expenditure for programs in subparagraphs a & b)
 - c. Demolition of structures declared by the City Council to be dilapidated and a public nuisance including personnel cost associated with the abatement process (not to exceed three million, seven-hundred and fifty thousand (\$3,750,000) expenditure).
9. Emergency Fund:
On an annual basis the amount of two-hundred and fifty thousand dollars (\$250,000) shall be deposited in the City's existing emergency fund created in Article 16, Chapter 10 of the Lawton City Code for the funding of qualifying emergencies and events listed in the emergency fund ordinance (one-half of one percent (1/2 %) of the two and one-eighth percent (2.125%) is designated to fund the annual deposit of \$250,000 into the City's emergency fund in addition to also funding the amount not to exceed \$2,684,000 in any one year for new police and fire personnel, pay increases for police and fire personnel and capital equipment costs, and water/sewer system improvements).
10. Retail Development/Retention.
Infrastructure and financial support of new and existing retail development and retention in accordance with the City's retail development policy.
11. LATS Transportation Improvements:
Lawton Area Transit System (LATS) improvements, particularly including, but not limited to the purchase of buses (City staff estimates two million, five hundred thousand dollar (\$2,500,000) expenditure).
12. Program Administration:
Includes the development of a program management system/tool, bond/financing fees and associated legal expenses, and other administrative costs as approved by the City Council. The total cost of Program Administration shall not exceed one million dollars (\$1,000,000).
- D. Additional Capital Improvement Projects/Expenditures Funded by the Extension of the Replacement of the Combined 2015 and 2016 Two and One-Eighth Percent (2.125%) Sales Tax (PROPEL 2040)
1. Industrial Development:
Infrastructure and support of projects in furtherance of industrial development and retention in accordance with the City's industrial development policy (thirty-five million dollars (\$35,000,000) in addition to remaining funding designated for such purposes in the 2016 Capital Improvements Sales Tax, as amended and in C.6. above).

2. Juvenile Programs:
 - a. Arts for All Camps in June and July and other art activities estimated at two million, five hundred thousand dollars (\$2,500,000).
 - b. Summer Youth Work Programs estimated at one million, five hundred thousand dollars (\$1,500,000).
 - c. Arts & Humanities estimated at one million, five hundred thousand dollars (\$1,500,000) to outreach programs for at risk youth.

3. Public Buildings/Improvements to City Buildings and Facilities:
 - a. City Dome improvements, renovation, repair, maintenance estimated at two million dollars (\$2,000,000).
 - b. Improvements and renovations and repairs to the Museum of the Great Plains estimated at six million dollars (\$6,000,000).
 - c. Improvements, repairs, renovations, maintenance, equipping of the: (i) Armory-Community Theater, (ii) historic Carnegie Library, and (iii) McMahon Auditorium, including new seating for McMahon Auditorium, all in the estimated amount of thirteen million dollars (\$13,000,000).
 - d. Improvements, repairs, renovation and equipping of the City of Lawton Library estimated at two million dollars (\$2,000,000).
 - e. City animal shelter and dog parks construction, remodel, acquisition, and/or improvements at existing and/or new facilities estimated at five million dollars (\$5,000,000).
 - f. Renovations and equipping at Central Fire Station estimated at one million (\$1,000,000), capital expenses and improvements at City cemetery estimated at one million (\$1,000,000) and providing additional/replacement storm sirens estimated at one million dollars (\$1,000,000).
 - g. Continuation of the renovation, improving, remodeling, and equipping of the Lawton Airport and facilities and acquisition of first responder vehicles estimated at three million dollars (\$3,000,000).
 - h. Provide funding for capital support for the City Golf Course estimated at two million dollars (\$2,000,000).
 - i. Development and construction and implementation of a Discovery Zone for adults and youth to explore and learn science and nature and anticipated to stimulate STEM career courses to assist in providing enhanced work force for local businesses estimated at fifteen million dollars (\$15,000,000).
 - j. Acquisition and implementation of a new fire station alert system estimated at one million three hundred thousand dollars (\$1,300,000).
 - k. Lake buildings, specifically: (i) acquisition, construction and equipping costs for a new lake house office building at Lake Lawtonka, as well as funding for the demolition and removal current lake house office building; (ii) demolition and removal of the old store facility at Robinson's Landing at Lake Lawtonka; (iii) demotion and removal of dry stalls at Lake Ellsworth located in the Ralph's resort area, (iv) demolition and removal of the "old lake patrol building" at Lake Ellsworth west of the dam, all in a total amount of four hundred thousand dollars (\$400,000), with any remaining funds from the aforementioned \$400,000 to be

used capital expenses for law enforcement activities and policing at Lake Lawtonka and Lake Ellsworth.

4. Crime Resources:
 - a. Contribution to the Victim Resource Center in the estimated amount of four million dollars (\$4,000,000) for annual operations and/or capital improvements or to assist in obtaining grants.
 - b. Provision for crime fighting technology, such as cameras in the City of Lawton and other measures to aid in crime prevention and enforcement in the amount of ten million dollars (\$10,000,000).

5. Traffic Control:
 - a. Providing for implementation and installation of automated traffic control system, including but not limited to poles, lighting and other necessary equipment, estimated at ten million dollars (\$10,000,000).

6. Sidewalk Improvements/Preventative Road Catch-Up Program:
 - a. Improvements and maintenance/repair of existing sidewalks and construction of additional sidewalks estimated at three million dollars (\$3,000,000).
 - b. Preventative street program, as originally intended to be a catch-up program rather than a maintenance program payable from funds under C.2.b. with no additional funds for streets to include sealing of cracks, filling potholes, and striping of streets and with such preventative program to be completed by June 30, 2029, and funds payable under this resolution for this purpose will discontinue.

7. Redevelopment Revolving Fund:

Establish a revolving fund for residential redevelopment for projects as determined by City Council estimated at twenty-five million dollars (\$25,000,000)

8. ADA Compliance/D&D/Curb Appeal:
 - a. Additions and implementation of American with Disabilities Act (ADA) compliance including repair existing sidewalks and install new sidewalks and other improvements within the City for removal of barriers faced by the disabled estimated at one million dollars (\$1,000,000).
 - b. Improvements and enhancements for curb appeal beautification for streets, medians, public facilities grounds, and any improvements that provide beautification to the City is to be included in the amount allocated in C.8.a. & b. above.
 - c. Demolition and Destruction of structures including housing and commercial buildings declared by the City Council to be dilapidated and a public nuisance including all operating costs associated with the abatement process estimated at seven million dollars (\$7,000,000).

9. LATS Transportation Improvements:
Lawton Area Transportation System (LATS) capital improvements and equipment estimated at three million dollars (\$3,000,000).

10. Public Safety / Emergency Dispatcher Wages:

- a. Provide funding for additional wage and/or benefit maintenance for police and fire personnel to augment increases in wages and/or benefits to be applied at the discretion of City Council, initially funded at three hundred and fifty thousand dollars (\$350,000). Based upon the annual Consumer Price Index (CPI), Dallas-Fort Worth-Arlington area there shall be deposited on an annual basis the amount equal to the CPI times the base of three hundred and fifty thousand dollars (\$350,000) initially and on a cumulative basis thereafter, assuming the total receipts of excise tax have met or exceeded the CPI (if the total excise tax receipts have not met the CPI or if the CPI does not increase from the prior year or if the CPI decreases in a given calendar year there shall be no additional deposit made in that year) (of the permanent one percent (1.00%) tax, a portion of a one-half of one percent (1/2 %) excise tax is designated to fund the annual deposit in addition to also funding other projects funded by the one-half of one percent (1/2%) excise tax).
- b. Providing funding for additional wage and/or benefit maintenance for emergency communication dispatch personnel to augment increases in wages and/or benefits to be applied at the discretion of City Council, initially funded at forty thousand dollars (\$40,000). Based upon the annual Consumer Price Index (CPI), Dallas-Fort Worth-Arlington area there shall be deposited on an annual basis the amount equal to the CPI times the base of forty thousand dollars (\$40,000) initially and on a cumulative basis thereafter, assuming the total receipts of excise tax have met or exceeded the CPI (if the total excise tax receipts have not met the CPI or if the CPI does not increase from the prior year or if the CPI decreases in a given calendar year there shall be no additional deposit made in that year) (of the permanent one percent (1.00%) tax, a portion of a one-half of one percent (1/2 %) excise tax is designated to fund the annual deposit in addition to also funding other projects funded by the one-half of one percent (1/2%) excise tax).

11. Emergency Fund Annual Increase:

Based upon the annual emergency fund contribution in C.9. above of two hundred and fifty thousand dollars (\$250,000), on an annual basis based upon the Consumer Price Index (CPI), Dallas-Fort Worth-Arlington area there shall be deposited the amount equal to the CPI times the base of two hundred and fifty thousand dollars (\$250,000) initially and on a cumulative basis thereafter, assuming the total receipts of excise tax have met or exceeded the CPI, in the City's existing emergency fund created in Article 16, Chapter 10 of the Lawton City Code for the funding of qualifying emergencies and events listed in the emergency fund ordinance (if the total excise tax receipts have not met the CPI or if the CPI does not increase from the prior year or if the CPI decreases in a given calendar year there shall be no additional deposit made in that year) (of the permanent one percent (1.00%) tax, a portion of a one-half of one percent (1/2 %) excise tax is designated to fund the annual deposit in addition to also funding other projects funded by the one-half of one percent (1/2%) excise tax).

excise tax is designated to fund the annual deposit in addition to also funding other projects funded by the one-half of one percent (1/2%) excise tax).

12. Streets/Roads and Bridges:

Of the permanent one percent (1.00%) tax, one quarter of one percent (1/4%) is to be dedicated to constructing, improving, major repairs such as mill and overlay City streets, roads, and bridges.

13. Public Parks/Amenities and Recreational Facilities:

Of the permanent one percent (1.00%) tax, one quarter of one percent (1/4%) is to be dedicated to constructing, improving, equipping and support of new and existing public parks and amenities and recreational facilities to include parking lots all such facilities and amenities as used by the public and owned by the City or its public trusts.

14. Contingency Fund in an estimated amount of seventeen million dollars (\$17,000,000). A contingency fund will be established to cover situations where either (a) costs overruns occur or (b) not enough funds come in to cover the capital projects covered in Section (D) of this Resolution; i.e. PROPEL 2040. Note: the contingency fund shall not be used to fund: (1) “Streets/Roads and Bridges” under Paragraph 12 of this Section (D) of this Resolution; (2) “Public Parks/Amenities and Recreational Facilities” under Paragraph 13 of this Section (D) of this Resolution; (3) Public Safety/Emergency Dispatcher Wages under Paragraph 10 of this Section (D) of this Resolution; or (3) any new projects not originally listed in Section (D) of this Resolution, provided contingency funds may be used for new projects subject to the requirements in the subsequent paragraph once all of the listed projects in subparagraphs 2, 3, 4, 5, 6, 8, 9 of Section (D) are completed. All expenditures from this fund shall be subject to specific action and approval from the city council.

It is further the intent of the city council that no new projects be added to the projects listed in Section D of this Resolution until all of the initial projects listed in subparagraphs 2, 3, 4, 5, 6, 8, 9 of Section D of this Resolution have been completed. In the event the initial projects listed in subparagraphs 2, 3, 4, 5, 6, 8, 9 of Section D of this Resolution have been completed and additional funds remain, it is the intent of city council that such remaining funds can only be spent on new projects that would fall within the project categories listed under Section D of this Resolution.

Effective Date/Repeal. This Resolution shall become effective upon passage of Ordinance No. 2024-___ at an election to be held on August 27, 2024, and upon such passage of Ordinance No. 2024-___, this Resolution shall repeal Resolution No. 2024-114. Repeal of this Resolution shall require an affirmative vote of two-thirds of the entire Council of the City of Lawton.

PASSED AND APPROVED THIS 3rd DAY OF JUNE 2024.

THE CITY OF LAWTON, OKLAHOMA

(SEAL)
ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this _____ day of June 2024.

John Andrew, City Attorney

STATE OF OKLAHOMA)
) SS
COUNTY OF COMANCHE)

I, the undersigned, the duly qualified and acting Clerk of The City of Lawton, Oklahoma, hereby certify that the foregoing is a true and complete copy of a Resolution specifying the administrative intent of the Mayor and Council of the City of Lawton, Oklahoma with regard to the replacement of the existing seven-eighths of one percent (7/8%) sales tax and the one and one-quarter percent (1.25%) sales tax with an extended excise tax of two and one-eighth percent (2.125%) as approved by registered voters of the City, adopted by the governing body of said municipality and Transcript of Proceedings of said governing body at a regular meeting thereof duly held on the date therein set out, insofar as the same relates to the introduction, reading, and adoption thereof as the same appears of record in my office.

I further certify that attached hereto is a true and complete copy of the public notice given to the City Clerk of Lawton, Oklahoma, and of the public notice posted in prominent public view at entry to City Hall, 212 S.W. 9th, Lawton, Oklahoma, at least twenty-four (24) hours prior to the meeting wherein said Resolution was approved, excluding Saturdays, Sundays, and State designated legal holidays.

WITNESS my hand and seal this ____ day of June 2024.

(SEAL)

Donalynn Blazek-Scherler, City Clerk