

RESOLUTION

Fire Department Fiscal Year 23-24 Appropriations & Fire Sales Tax Expenditures & Projects

A RESOLUTION REGARDING APPROPRIATIONS FOR THE FIRE DEPARTMENT FOR FISCAL YEAR 2023-2024; STATING COUNCIL’S INTENT REGARDING GENERAL FUND APPROPRIATIONS FOR THE FIRE DEPARTMENT; STATING COUNCIL’S INTENT REGARDING FIRE SALES TAX APPROPRIATIONS FOR THE FIRE DEPARTMENT; AND APPROVING CERTAIN FIRE SALES TAX EXPENDITURES AND/OR PROJECTS, INCLUDING FIRE LISTED PROJECTS AND FIRE OTHER PROJECTS.

WHEREAS, pursuant to Okla. City Charter, Art. II, § 1, the City Council (“Council”) of The City of Oklahoma City (“City”) is the legislative branch of City government; and

WHEREAS, pursuant to 11 O.S. (2011) § 17-204(15), the Council is the “governing body” of the City for purposes of the Oklahoma Municipal Budget Act, 11 O.S. §§ 17-201, *et seq.*; and

WHEREAS, pursuant to the Oklahoma Municipal Budget Act, 11 O.S. (2011) § 17-204(3), an “appropriation” is “an authorization to expend or encumber revenues and fund balance of a fund” and without a sufficient appropriation an expenditure of funds is unlawful (11 O.S. (2011) § 17-211(A), § 17-215(D)); and

WHEREAS, pursuant to the Oklahoma Municipal Budget Act, 11 O.S. (2011) § 17-209(A), Council has the legal discretion and authority to “add or increase items or delete or decrease items in the budget”; and

WHEREAS, pursuant to common law, the appropriation of revenue in the City General Fund, Grants Management Fund or Special Funds (such as the Fire Sales Tax Fund, also sometimes referred to as the “Public Safety Sales Tax”) for purposes of City government rests in the discretion of Council as the City’s legislative branch, limited solely by applicable provisions of the Oklahoma Constitution and/or the Oklahoma Statutes (*City of Sand Springs v. Dept. of Public Welfare*, 1980

OK 36, ¶ 19, 608 P.2d 1139; 56 Am.Jur.2d, *Municipal Corporations*, § 56 (appropriation of money and authorization of expenditures inhere solely to municipal council, which may divide funds or allocate them in any manner it sees fit, as long as not contrary to applicable law); and 63 Am.Jur.2d, *Public Funds*, § 34 (power to appropriate funds for specific purposes and to reduce appropriations solely a legislative power; appropriation of money for public purposes rests in sole discretion of legislative body, limited only by applicable law); and

WHEREAS, this Resolution expresses Council’s intent regarding appropriations of revenue in the General Fund and the Fire Sales Tax Fund for the Oklahoma City Fire Department for Fiscal Year 2023-2024 and further approves certain Fire Sales Tax expenditures and/or projects (attached Exhibits A—J); and

WHEREAS, in the exercise of its legal discretion under the Oklahoma Municipal Budget Act and the common law, Council desires to express its intent to appropriate \$125,220,206 in the City General Fund for the Fire Department in Fiscal Year 2023-2024, which appropriations include an appropriation for 821 General Fund employment positions for uniformed firefighters in the Fire Department; and

WHEREAS, in regard to the Fire Sales Tax, in 1989, pursuant to Okla. Const. Art. 18, § 4, certain citizens of the City circulated Initiative Petition No. 24 (*see* Finding No. 1 in the January 12, 1993, Journal Entry of Judgment in *City v. Stone, et al.*, CJ-92-3864-09 (Okla. Co.) (“JE”)); and

WHEREAS, Initiative Petition No. 24 called for the adoption of an ordinance levying an additional three-quarters percent (3/4%) sales tax to be earmarked and “‘expended only for the purposes of providing...[police, fire fighting, or fire-rescue]...services, facilities, and equipment’, ‘commencing with’ an *administrative* mandate to fund certain projects” (JE, Finding No. 1, emphasis added); and

WHEREAS, pursuant to Okla. Const. Art. 18, § 4, City voters approved Initiative Petition No. 24 at a City special election held on June 20, 1989 (JE, Finding No. 3); and

WHEREAS, the Ballot Title for the June 20, 1989, City special election stated:

BALLOT TITLE

Shall the Ordinance proposed by Initiative Petition Number 24, amending the City Sales Tax Code, Chapter 52, Article II of the Oklahoma City Municipal Code, 1980, by the addition thereto of a new Section 52-20.1, levying an additional three-quarters (3/4%) percent excise tax; *one-half (1/2) to be earmarked and expended only for the purposes of providing police services, facilities and/or equipment*; and *one-half (1/2) to be earmarked and expended only for the purposes of providing fire-fighting and fire-rescue services, facilities and/or equipment*; and establishing two limited-purpose tax funds, all as specified in said ordinance, be approved? (JE, Finding No. 3, emphasis added); and

WHEREAS, following approval by City voters, Initiative Petition No. 24 was designated as Ordinance No. 19,226 (“Ordinance No. 19,226” or “Ordinance”) and is now codified as Section 52-21 of the Oklahoma City Municipal Code, 2020 (“2020 Code”) (JE, Finding No. 4; and 2020 Code, § 52-21); and

WHEREAS, “[b]y its express terms, Ordinance No. 19,226: (1) levies an additional three-quarters percent (3/4%) sales tax upon the gross receipts derived from all sales taxable under the sales tax laws of the State of Oklahoma; (2) *expressly earmarks and authorizes expenditures of said tax ‘for the purposes of providing...[police, fire-fighting, or fire-rescue]...services, facilities or equipment, commencing with’ an administrative mandate to fund certain projects*; and (3) establishes two limited-purpose tax funds for the administration of revenues generated by the Ordinance;...” (JE, Finding No. 5, emphasis added); and

WHEREAS, one-half of the tax levied and earmarked by the 2020 Code, § 52-21, is known as the “Fire Sales Tax”; and

WHEREAS, pursuant to the plain wording in both the June 20, 1989, Ballot Title and the 2020 Code, § 52-21(b)(2), the legislative earmarking for the Fire Sales Tax is “for the purposes of providing firefighting and/or fire-rescue services, facilities and/or equipment”, with such

legislative purpose followed by an “administrative mandate” to commence with (start or begin with) certain projects involving specific administrative details (JE, Findings No. 1, 3, 5); and

WHEREAS, fifteen of the seventeen projects set forth in the administrative "commencing with" portions of the Ordinance have been characterized as the "listed projects"; the listed projects are now codified in the 2020 Code, § 52-21(b)(1)(a) through (g), inclusive (Police), and § 52-21(b)(2)(a) through (h), inclusive (Fire) (the Fire Department listed projects are hereinafter referred to as the "Fire Listed Projects" or, if singular, the "Fire Listed Project") (JE, Finding No. 6; and 2020 Code, § 52-21); and

WHEREAS, two of the seventeen projects set forth in the administrative "commencing with" portions of the Ordinance have been characterized as "other projects"; the other projects are now codified in the 2020 Code, § 52-21(b)(1)(h) (Police) and § 52-21(b)(2)(i) (Fire) (the Fire Department other projects are hereinafter referred to as the "Fire Other Projects" or, if singular, the "Fire Other Project") (JE, Finding No.7; and 2020 Code, § 52-21); and

WHEREAS, JE, Conclusion No. 16, states that any obligations imposed upon the City or the Council by the terms of the JE “shall *not be construed or enforced* in a manner that is *inconsistent with* the provisions of Article 10, § 19, *Article 10, § 26 or Article 18, § 4 of the Oklahoma Constitution or any other applicable law*” (emphasis added); and

WHEREAS, JE, Conclusion No. 17, states that “none of the parties shall be deemed to have forfeited any rights they may have under Article 10, § 19, *Article 10, § 26 or Article 18, § 4 of the Oklahoma Constitution, or any other law applicable to the administration of municipal finance*” (emphasis added); and

WHEREAS, the Oklahoma Municipal Budget Act, 11 O.S. (2011) § 17-209(A), and the common law are laws “applicable to the administration of municipal finance,” and pursuant to these laws the Council, as the City’s legislative branch, is vested with legal discretion concerning appropriations in the General Fund and the Fire Sales Tax Fund for Fire Department purposes; and

WHEREAS, under Okla. Const. Art. 10, § 26, as cited in the JE, Conclusions No. 16 and 17, a multiyear obligation cannot lawfully be imposed on a municipality without approval of the obligation by 3/5th vote of the electors of the municipality and without concurrent approval by said electors of the levy of an ad valorem tax to defray such obligation; hence, Ordinance No. 19,226 cannot constitutionally be construed as imposing a *legal obligation* on the City to maintain General Funding for the Fire Department at any specific or minimum level or to maintain a minimum number of General Fund firefighters on the City payroll; and

WHEREAS, JE, Finding No. 24, states that “at issue” in the litigation resulting in the JE “were expectations that the sales tax proposed thereby would provide additional tax dollars to fund improvements to the Police and Fire Departments of The City...*and that The City’s General Fund appropriations for said Departments would not be reduced below the dollar-levels appropriated by Council for said Departments in the 1988-1989 Fiscal Year*, the Fiscal Year in which Initiative Petition No. 24 was circulated and approved,” with the 1988-1989 appropriations for said Departments being \$34,694,784.00 for the Police Department and \$28,876,716.00 for the Fire Department (JE, Findings No. 24, 25 emphasis added);

WHEREAS, accordingly, based on JE, Finding No. 24—but also in recognition of the legal discretion of the Council over appropriations of City funds and the debt limitations imposed by Okla. Const. Art. 10, § 26—JE, Conclusion No. 1, states that the “parties agree in principle that General Fund appropriations for the Police and Fire Departments should not fall below the dollar-levels appropriated by Council for said Departments in Fiscal Year 1988-1989, the Fiscal Year in which Initiative Petition was circulated and approved; *provided, however, that actual General Fund appropriations for said Departments in any particular fiscal year shall at all times be strictly conditioned upon annual appropriation of funds by a majority vote of the Council of The City of Oklahoma City as required by applicable law; provided, further, that nothing herein shall ever be construed as mandating an appropriation of funds by Council in any particular fiscal year, since*

such a mandate may constitute a violation of Article 10, § 26 of the Oklahoma Constitution” (emphasis in original); and

WHEREAS, this Resolution expresses Council’s intent to meet the General Funding moral obligation stated in the JE, Conclusion No. 1, and to appropriate \$125,220,206 in the City General Fund for the Fire Department for Fiscal Year 2023-2024, which dollar amount substantially exceeds the dollar-level of General Fund appropriations for the Fire Department in Fiscal Year 1988-1989; and

WHEREAS, under Okla. Const. Art. 18, § 4, as construed by the Oklahoma Supreme Court, municipal elected officials cannot be compelled or prohibited from performing *administrative* acts—i.e., the power of initiative or referendum under Okla. Const. Art. 18, § 4, cannot be used to compel or prohibit acts by elected officials involving *administrative discretion* and/or involving the *administrative implementation of existing authority* (see *Brazell v. Zeigler*, 1910 OK 193, 110 P. 1052; *Yarbrough v. Donaldson*, 1918 OK 73, 170 P. 1165; *In re Initiative Petition No. 2 of Town of Skiatook*, 1951 OK 238, 236 P.2d 247; *Hughes v. Bryan*, 1967 OK 57, 425 P.2d 952; *In Re Supreme Court Adjudication of Sufficiency of Initiative Petition in Tulsa*, 1979 OK 103, 597 P.2d; *Fite v. Lacey*, 1984 OK 83, 691 P.2d 901; and *Moseby v. Kier*, Oklahoma Supreme Court Case No. 83,092 (OK CIV APP, DIV. 4, 1995)); and

WHEREAS, in *Moseby*, the Oklahoma Court of Appeals held that a proposed Tulsa initiative petition calling, *inter alia*, for “additional police personnel” and “additional fire...personnel” was administrative in nature because said subject matter involves decision-making that is primarily dependent upon economic conditions and that relates to personnel management and because it involves the method and manner of implementing existing authority (see Oklahoma Court of Appeals opinion in *Moseby*, pp. 6-7); and

WHEREAS, by law, *administrative* acts involve administrative details (such as timing, numbers of personnel, numbers of items, personnel management, funding levels, etc.) reserved to

the administrative discretion of elected officials and administrative provisions in an initiative petition measure cannot constitutionally be construed to be *legally binding* on elected officials; therefore, notwithstanding the administrative portions of the Ordinance (*see* JE, Findings No. 1, 5, 6, and Stipulations No. 1, 5 and 6), Council retains its inherent legal discretion over such administrative matters and details; and

WHEREAS, JE, Conclusion No. 16, as cited above, provides that no obligation imposed upon the City or the Council by the terms of the JE can “be *construed or enforced* in a manner that is *inconsistent with* the provisions of...*Article 18, § 4 of the Oklahoma Constitution*” (emphasis added); and

WHEREAS, JE, Conclusion No. 17, as cited above, provides that the City did *not* forfeit “*any rights...under...Article 18, § 4 of the Oklahoma Constitution*” (emphasis added); and

WHEREAS, therefore, notwithstanding the administrative portions of the Ordinance, by law (as expressly incorporated into the JE by Conclusions No. 16 and 17), Council retains administrative discretion over the funding of personnel for the Fire Department, including specific dollar-levels of General Fund and Fire Sales Tax appropriations for employment positions for uniformed firefighters in the Fire Department; and

WHEREAS, notwithstanding the fact that the “commencing with” portions of the Ordinance are administrative in nature (*see* JE, Findings No. 1, 5, 6, and Stipulations No. 1, 5 and 6), Council has since 1989 exercised its legal discretion *to fully complete* all Fire Listed Projects; and, in addition, Council has exercised said discretion to continue to fund several Fire Listed Projects each fiscal year from and since 1989; and

WHEREAS, the status of the administrative Fire Listed Projects for Fiscal Year 2023-2024 is hereby declared by Council to be as follows:

<u>Fire “Listed Projects”</u>	<u>City Code Ref.</u>	<u>Current Status</u>
"Construction and equipping of a new fire station in the	Sec. 52-21 (b)(2)(a)	Completed

vicinity of Southwest 15th Street and Mustang Road, Oklahoma City, OK;"

"Construction and equipping of a new fire station in the vicinity of Northwest 93rd Street and Council Road, Oklahoma City, OK;"

Sec. 52-21
(b)(2)(b)

Completed

"Construction and equipping of a new fire station in the vicinity of Southwest 134th Street and South May, Oklahoma City, OK;"

Sec. 52-21
(b)(2)(c)

Completed

"Construction and equipping of a new fire station in the vicinity of Southeast 104th Street and Peebly Road, Oklahoma City, OK;"

Sec. 52-21
(b)(2)(d)

Completed

"Construction and equipping of a new fire station in the vicinity of Northwest 164th Street and North Pennsylvania Avenue, Oklahoma City, OK;"

Sec. 52-21
(b)(2)(e)

Completed

"Replacement of vehicles used by the Oklahoma City Fire Department;"

Sec. 52-21
(b)(2)(f)

Completed

"Purchase [or] maintenance of fire fighting tools and equipment;" (See Exhibit B)

Sec. 52-21
(b)(2)(g)

Commenced and currently continuing from year-to-year as specified by Council in the City budget for Fiscal Year 2023-2024

"The funding of a minimum additional 200 fully equipped firefighters for the Oklahoma City Fire Department;"

Sec. 52-21
(b)(2)(h)

Completed, with 202 fully equipped firefighter employment positions to be funded in Fiscal 2023-2024 as a Fire Sales Tax expenditure, per authorization of June 20, 1989, Ballot Title and per authorization of the legislative purpose specified in Sec. 52-21(b)(2) of the 2020 Code (*see* Exhibit A, attached), *see also* City Budget for Fiscal Year 2023-2024;

and

WHEREAS, as stated above, Council desires to fund 202 fully equipped firefighters in the Fire Department as a Fire Sales Tax expenditure authorized by the legislative purpose for the Fire Sales Tax specified in the June 20, 1989, Ballot Title and in the 2020 Code, § 52-21(b)(2); and

WHEREAS, the Fire Sales Tax expenditure for 202 fully equipped firefighter employment positions is set forth on Exhibit A, Fire Sales Tax expenditure, attached; and

WHEREAS, JE, Conclusion No. 10, states that certain administrative "listed projects" should receive funding priority over administrative "other projects", but with the express proviso *“that actual limited-purpose tax funding for ‘listed projects’ in any particular fiscal year shall at all times be strictly conditioned upon annual appropriation of funds by a majority vote of the Council of The City of Oklahoma City as required by law”* (emphasis in original); and

WHEREAS, Council desires to fund one Fire Listed Project for Fiscal Year 2023-2024, which Fire Listed Project is described in Exhibit B attached hereto.

WHEREAS, JE, Conclusion No. 11, states that when funding of all "listed projects" has been declared "completed," "commenced with a projected completion date," and/or "commenced and continuing from year-to-year" by resolution of Council, Council may continue to declare "other projects" under the 2020 Code, §§ 52-21(b)(1)(h) (Police) and 52-21(b)(2)(i) (Fire), and to expend limited-purpose tax funds for such "other projects"; provided, however, that "other projects" under the 2020 Code, §§ 52-21(b)(1)(h) (Police) and 52-21(b)(2)(i) (Fire), shall henceforth be limited to projects which provide "new, additional, or increased" police, fire fighting, or fire-rescue services and/or "new, additional, or improved" facilities or equipment; and

WHEREAS, on January 12, 1993, Council first adopted a Resolution declaring that funding of all "listed projects" has been "completed", "commenced with a projected completion date," and/or "commenced and continuing from year-to-year," as contemplated by Conclusion No.

11 of the JE, with the current status of all “listed projects” for Fiscal Year 2023-2024 being as previously stated in this Resolution; and

WHEREAS, JE, Conclusion No. 10, states that "listed projects" "commenced with a projected completion date" and/or "commenced and continuing from year-to-year" should henceforth receive funding priority over "other projects", with the express proviso “*that actual limited-purpose tax funding for "listed projects" in any particular fiscal year shall at all times be strictly conditioned upon annual appropriation of funds by a majority vote of the Council of The City of Oklahoma City as required by law*” (emphasis in original); and

WHEREAS, Fire Sales Tax funding for all Fire Listed Projects "commenced and continuing from year-to-year" has been provided for in the City Budget for Fiscal Year 2023-2024 in the actual amounts which a majority of Council desired and voted in its discretion to appropriate, as provided by law; and

WHEREAS, Council desires to approve one or more Fire Department "other project(s)" for Fiscal Year 2023-2024 under the administrative provisions of the 2020 Code, § 52-21(B)(2)(i) (Fire), and to authorize expenditures of Fire Sales Tax funds for the firefighting and/or fire-rescue "services, facilities, or equipment" included in said "other project(s)"; and

WHEREAS, JE, Conclusion No. 12, states that if "other projects" are, in the future, considered for funding by Council under the provisions of the 2020 Code, §§ 52-21(b)(1)(h) (Police) and/or 52-21(b)(2)(i) (Fire), there shall be a complete description of the proposed "other project" presented, which description should include the following information: (1) specification of what is to be included by item, (2) the cost thereof, (3) the purpose for said project, and (4) how said project will provide "new", "additional", or "increased" police, fire fighting, or fire-rescue services, and/or "new", "additional" and/or "improved" facilities or equipment to the Police or Fire Departments; and

WHEREAS, JE, Conclusion No. 12, states that Council shall hold not less than two (2) public hearings on an "other project" proposed under the provisions of the 2020 Code, §§ 52-21(b)(1)(h) (Police) and/or 52-21(b)(2)(i) (Fire), and make the above-described information available for public review not less than three (3) calendar days prior to the first public hearing on the matter; and

WHEREAS, the procedural requirements for "other projects" as set forth in the JE, Conclusion No. 12, have been satisfied for the Fire Other Projects attached to this Resolution as Exhibits C, D, E, F, G, H, I, and J. **NOW, THEREFORE, BE IT RESOLVED** that the Council of The City of Oklahoma City exercises its discretion pursuant to law and does hereby:

1. Express its intent to appropriate \$125,220,206 in the General Fund for the Fire Department for Fiscal Year 2023-2024, which includes appropriations for 821 General Fund employment positions for uniformed firefighters; and
2. Express its intent to appropriate \$56,638,474 in the Fire Sales Tax Fund for the Fire Department for Fiscal Year 2023-2024, which includes appropriations for 202 employment positions for fully equipped uniformed firefighters; and
3. Approves a Fire Sale Tax expenditure for 202 employment positions for fully equipped uniformed firefighters as described in Exhibit A, attached; and
4. Approves the Fire Listed Project described in Exhibit B, attached; and
5. Approves the Fire Other Projects described in Exhibits C, D, E, F, G, H, I, and J.

ADOPTED in open meeting of the Council of The City of Oklahoma City on the 20TH day of June, 2023 .

SIGNED by the Mayor of The City of Oklahoma City on the 20TH day of June, 2023 .

ATTEST: (SEAL)

Amy K Simpson
CITY CLERK



David Holt
MAYOR

REVIEWED for form and legality.

Britt Zagon
ASSISTANT MUNICIPAL COUNSELOR

EXHIBIT "A"

FIRE SALES TAX EXPENDITURE (FY 2023-2024)
(202 Employment Positions For Fully Equipped Uniformed Firefighters)

This Fire Sales Tax expenditure is authorized by the June 20, 1989, Ballot Title for the Police-Fire Sales Tax and by the legislative purpose earmarking in the Oklahoma City Municipal Code, 2020, § 52-21(b)(2).

This Fire Sales Tax expenditure will fund salaries and benefits for 202 employment positions for uniformed firefighters in the Fire Department. Salaries and benefits include the "risk management chargebacks" (which are workers' compensation benefits, which The City is legally required to provide).

The total cost of this Fire Sales Tax expenditure for FY 2023-2024 is estimated at \$25,396,440, all from new revenues.

1. The estimated cost of the Fire Sales Tax expenditure to the Fire Sales Tax Fund for FY 2023-2024 is \$24,541,046, excluding the risk management chargebacks.
2. The "risk management chargebacks" are payments to the Internal Service Fund to be transferred to the City's self-funded workers' compensation program. The City is required by law to provide workers' compensation benefits. The estimated cost to the Fire Sales Tax Fund for the risk management chargeback portion of this Fire Sales Tax expenditure for FY 2023-2024 is \$855,394.

EXHIBIT "B"
FIRE "LISTED PROJECT"

2020 CODE PROVISION DESCRIBING THE "LISTED PROJECT":

QUOTING SECTION 52-21(b)(2)(g) OF THE 2020 CODE:

Section 52-21(B)(2)(g) of the 2020 Code, which provides,

"(g) Purchase [or] maintenance of fire fighting tools and equipment;"

**DESCRIPTION & COSTS OF SPECIFIC ELEMENTS OF SAID "LISTED PROJECT"
FOR FISCAL YEAR 2023-2024:**

This "listed project" will provide for the purchase or maintenance of a wide variety of Fire Department tools and equipment to be used by firefighters. The total amount budgeted for this project is \$8,690,000 in new revenues. Fire fighting tools and equipment to be purchased or maintained include but may not be limited to:

1. Fire Fighting Tools - This includes the purchase of varying sizes of rescue and emergency medical service tools and supplies, fire hose, ventilation fans, nozzles, saws, adapters, hand tools, rescue technologies, and other equipment needed for effective fire fighting, fire-rescue, and emergency medical services. It also includes funding to maintain various tools and/or equipment used in fire department operations, such as hazardous materials incidents.
2. Apparatus Maintenance - This includes funding for the maintenance (including repair, renovation, and/or testing) of aerial and ground ladders, maintenance (including repair parts and shop equipment) for equipment (including vehicles); and funding to maintain other fire fighting, fire-rescue and emergency medical services apparatus. Effective maintenance of apparatus can extend the useful life of equipment.
3. Communication Equipment - This includes the purchase of Mobile Data Computers (MDCs), radio and other communication equipment, maintenance of the computer equipment used in conjunction with MDCs, radios and other communication equipment.
4. Personal Protective Equipment - This includes the purchase of protective clothing, such as bunker gear, gloves, helmets and boots, including the cost of services and equipment necessary to clean and maintain this protective clothing in accordance with established standards; and self-contained breathing apparatus and Personal Alert Safety System (PASS) devices.

EXHIBIT "C"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": **FIRE COMPENSATION
PROJECT**

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This project consists of the "wage adjustment" which consists of salary and related payroll tax increases, merit increases, market adjustments, career development, and retirement increases for all eligible Fire Department employees that have resulted from labor contracts, plus the increase in the "wage adjustment" authorized by Conclusion No. 4 of the Journal Entry of Judgment.**
- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The calculated amount of the "wage adjustment" portion of the project is \$13,153,973 which may vary based on the final sales tax revenue amounts in FY 2023. The calculated "wage adjustment" portion of this project is based upon the formula set forth in Conclusion No. 4 of the Journal Entry of Judgment. The "wage adjustment" portion of the project will not exceed \$14,388,177 (which is the maximum allowable amount for the "wage adjustment" under Conclusion No. 4 of the Journal Entry of Judgment). The budgeted "wage adjustment" transfer to the General Fund for FY 2024 is \$13,153,973.**
- (3) The purpose for said "other project": **The purpose of this project is to fund "wage adjustment" (as described above).**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", additional" and/or "improved" fire fighting or fire-rescue facilities or equipment to the Fire Department: **This "other project" and the increase in the "wage adjustment" portion thereof are expressly recognized by Conclusion No. 2 of the Journal Entry of Judgment.**

CITY CLERK CERTIFICATION

PROJECT F-250 information (as set forth above) first available for public review on the 2ND day of JUNE, 2023 ;

PROJECT F-250 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023 ; and

EXHIBIT "C", PAGE 2 OF 2

PROJECT F-250 approved by the Council of The City of Oklahoma City at
a public hearing held on the 20TH day of JUNE, 2023.

CERTIFIED this 20TH day of JUNE, 2023.

Amy K Simpson
CITY CLERK

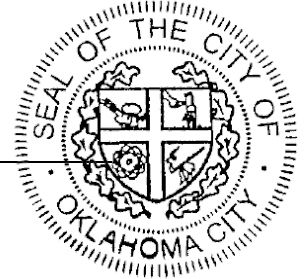


EXHIBIT "D"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": **FIRE SUPPORT PERSONNEL PROJECT**

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This project consists of the costs of hiring, training, salaries, and benefits for nineteen clerical, mechanic, and professional Fire Department employees necessary to support the additional personnel and equipment funded by Ordinance No. 19,226 and/or to improve fire fighting and fire-rescue services.**

The positions to be filled under this project are the following: 2 Fire Apparatus Mechanics (50001815 and 50001816); 1 Administrative Coordinator (50004108); 1 Office Coordinator (50003706); 1 Fire Protection Specialist (50001569); 1 Management Specialist (50005251); 1 System Support Specialist II (50007014); 2 Equipment Technician I (50007256 and 50007257); 1 Equipment Technician II (50007258); 1 Digital Media Producer (50008372); 1 System Analyst I (50008829); 1 Licensed Professional Counselor (50008830); 1 Fleet Services Administrator (50008832); 1 Office Coordinator (50008831), 3 Equipment Technician I (N-92682, N-92683, and N-92684), and 1 Inventory Technician I (N-92685).

It should be noted that "salaries and benefits" includes the "risk management chargebacks" (which are the worker's compensation benefits which The City is legally required to provide). "Risk management chargebacks" are payments to the Internal Service Fund to be transferred to the City's self-funded workers' compensation program.

- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The cost of this project for FY 2023-2024 will not exceed \$1,579,063 of which \$66,633 is for "risk management chargebacks." All funding for this project comes from new revenues.**
- (3) The purpose for said "other project": **This project provides administrative and technical support for Fire Department programs and for the increased work load funded through the limited-purpose sales tax.**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", "additional", and/or "improved" fire fighting or fire-rescue facilities or equipment to the Oklahoma City Fire Department: **The nineteen support positions are expressly recognized by Conclusion No. 2 of the Journal Entry of Judgment.**

CITY CLERK CERTIFICATION

PROJECT F-251 information (as set forth above, except for underlined wording) first available for public review on the 2ND day of JUNE, 2023 ;

PROJECT F-251 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023 ; and

PROJECT F-251 approved by the Council of The City of Oklahoma City at a public hearing held on the 20TH day of JUNE, 2023 .

CERTIFIED this 20TH day of JUNE, 2023 .

Amy K Simpson
CITY CLERK

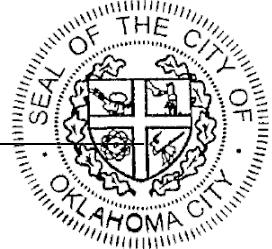


EXHIBIT "E"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": **ADVANCED LIFE SUPPORT**

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This project consists of the costs of training new paramedics.**
- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The cost of this project for FY 2023-2024 will not exceed \$100,000.**
- (3) The purpose for said "other project": **The additional paramedics will staff additional ALS engines.**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", "additional", and/or "improved" fire fighting or fire-rescue facilities or equipment to the Oklahoma City Fire Department: **This project will provide additional fire-rescue services to the public in the form of additional Advanced Life Support (ALS) engines, capable of delivering a variety of emergency medical services to the public.**

CITY CLERK CERTIFICATION

PROJECT F-252 information (as set forth above, except for underlined wording) first available for public review on the 2ND day of JUNE, 2023 ;

PROJECT F-252 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023 ; and

PROJECT F-252 approved by the Council of The City of Oklahoma City at a public hearing held on the 20TH day of JUNE, 2023 .

CERTIFIED this 20TH day of JUNE, 2023 .

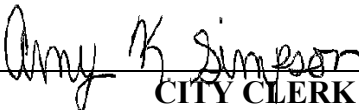

CITY CLERK



EXHIBIT "F"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": **WELLNESS**

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This project consists of a proactive physical wellness program for firefighters, including funding for the training, services, advanced health screening procedures and equipment necessary for such a program.**
- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The cost of this project for FY 2023-2024 will not exceed \$600,000.**
- (3) The purpose for said "other project": **This project will increase the effectiveness of firefighters, while reducing injuries and the possibility of cardiovascular related illness.**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", "additional", and/or "improved" fire fighting or fire-rescue facilities or equipment to the Oklahoma City Fire Department: **The leading cause of death for firefighters is heart attack and related cardiovascular disease. This project is intended to increase the effectiveness and on the job safety of firefighters, especially at fire scenes. This project will provide additional training and equipment, as well as advanced health screening procedures, which will be used to improve the current wellness program.**

CITY CLERK CERTIFICATION

PROJECT F-253 information (as set forth above, except for underlined wording) first available for public review on the 2nd day of JUNE, 2023; and

PROJECT F-253 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023; and

PROJECT F-253 approved by the Council of The City of Oklahoma City at a public hearing held on the 20TH day of JUNE, 2023.

CERTIFIED this 20TH day of JUNE, 2023.


CITY CLERK

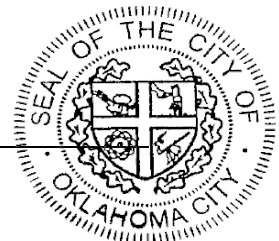


EXHIBIT "G"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": FIRE TECHNOLOGY

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This project will provide for additional and upgraded computers, software, networking, applications and document management for the Fire Department. In addition, new monitors, laser printers, battery backups, audio visual equipment, and related peripherals will be provided.**
- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The cost of this project for FY 2023-2024 will not exceed \$800,000.**
- (3) The purpose for said "other project": **This project will increase the efficiency of fire firefighters by providing computer equipment and software required to complete administrative and training tasks which support firefighting activities. This equipment will provide access to citywide computer networks, facilitate communications with other City and Fire Department locations through email, and enable firefighters to fully utilize the capabilities of departmental fire incident and personnel management systems.**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", "additional", and/or "improved" fire fighting or fire-rescue facilities or equipment to the Oklahoma City Fire Department: **This project will provide new equipment (computers, monitors, printers and other related computer peripherals) that will increase the efficiency of fire firefighters by providing them with equipment and software that will utilize current and improved technology.**

CITY CLERK CERTIFICATION

PROJECT F-254 information (as set forth above, except for underlined wording) first available for public review on the 2ND day of JUNE, 2023; and

PROJECT F-254 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023; and

PROJECT F-254 approved by the Council of The City of Oklahoma City at a public hearing held on the 20TH day of JUNE, 2023.

CERTIFIED this 20TH day of JUNE, 2023.

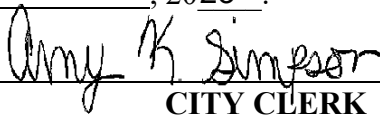

CITY CLERK



EXHIBIT "H"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": **FIRE RECRUIT OVERAGE
SALARIES, BENEFITS AND
UNIFORMS**

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This "other project" will provide funding for overage recruit salaries and benefits, uniforms, materials, services and equipment with which to hire, train and fully equip recruits including recruitment supplies and hiring services.**
- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The total cost to the Fire limited-purpose tax fund for this "other project" for FY 2023-2024 will not exceed \$2,060,000.**
- (3) The purpose for said "other project": **The purpose of this "other project" will be to provide funds for overage recruit salaries, benefits, uniforms, materials, services, and equipment for fire recruits including recruitment supplies and hiring services. The risk management chargeback for these overage positions is not included in this project.**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", "additional", and/or "improved" fire fighting or fire-rescue facilities or equipment to the Oklahoma City Fire Department: **This project will provide increased or additional fire protection services for the citizens of Oklahoma City by providing for the hiring of more recruits than the current budgeted positions will allow. The recruits will fill overage positions in excess of the number of vacant firefighter positions normally available to start an academy.**

CITY CLERK CERTIFICATION

PROJECT F-255 information (as set forth above, except for underlined wording) first available for public review on the 2ND day of JUNE, 2023; and

PROJECT F-255 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023; and

PROJECT F-255 approved by the Council of The City of Oklahoma City at a public hearing held on the 20TH day of JUNE, 2023.

CERTIFIED this 20TH day of JUNE, 2023.



CITY CLERK



EXHIBIT "I"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": **FIRE FACILITY REPAIRS**

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This project will provide funding for fire facility repairs.**
- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The cost of this project for FY 2023-2024 will not exceed \$2,000,000.**
- (3) The purpose for said "other project": **To repair and maintain aging fire facilities.**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", "additional", and/or "improved" fire fighting or fire-rescue facilities or equipment to the Oklahoma City Fire Department: **This project will provide increased funding for the repair and maintenance of aging fire facilities. This "other project" is expressly recognized by Conclusion No. 2 of the Journal Entry of Judgment.**

CITY CLERK CERTIFICATION

PROJECT F-256 information (as set forth above, except for underlined wording) first available for public review on the 2ND day of JUNE, 2023; and

PROJECT F-256 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023; and

PROJECT F-256 approved by the Council of The City of Oklahoma City at a public hearing held on the 20TH day of JUNE, 2023.

CERTIFIED this 20TH day of JUNE, 2023.

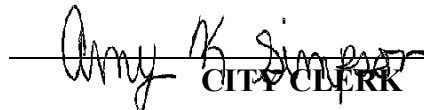

CITY CLERK



EXHIBIT "J"
(FIRE "OTHER PROJECT")

IDENTIFICATION NO. OF "OTHER PROJECT":

BRIEF DESCRIPTION OF "OTHER PROJECT": FIRE STATION
CONSTRUCTION/REMODELS

COMPLETE DESCRIPTION OF "OTHER PROJECT":

- (1) Specification of what is to be included by item in said "other project": **This project will provide additional funding for new fire station construction or remodel of existing facilities. This project will allow funding from the Fire Sales Tax to fund fire station construction or remodels.**
- (2) The cost of said "other project" (if estimate, use "not to exceed" figure): **The cost of this project for FY 2023-2024 will not exceed \$2,000,000.**
- (3) The purpose for said "other project": **To allow additional funding for construction of new fire station facilities or the remodeling of existing facilities.**
- (4) How said "other project" will provide "new", "additional", or "increased" fire fighting or fire-rescue services and/or "new", "additional", and/or "improved" fire fighting or fire-rescue facilities or equipment to the Oklahoma City Fire Department: **This project will provide funding for the construction of new fire station facilities, as well as the improvement of existing facilities through remodeling projects that exceed the scope of maintenance.**

CITY CLERK CERTIFICATION

PROJECT F-257 information (as set forth above, except for underlined wording) first available for public review on the **2ND** day of **JUNE**, 20**23**; and

PROJECT F-257 first considered by the Council of The City of Oklahoma City at a public hearing held on the 6TH day of JUNE, 2023 ; and

PROJECT F-257 approved by the Council of The City of Oklahoma City at a public hearing held on the 20TH day of JUNE, 2023.

CERTIFIED this 20TH day of JUNE, 2023.

Amy K Simpson
CITY CLERK

