

**ORDINANCE NO. 24-**

AN ORDINANCE PERTAINING TO ADMINISTRATION, AMENDING SECTION 2-3-9-362, AND CREATING SECTION 2-3-9-366 AND SECTION 2-3-9-367, DIVISION 2-3-9, OF ARTICLE 2-3, CHAPTER 2, LAWTON CITY CODE, 2015, RELATING TO BOARDS, COMMISSIONS, AND COMMITTEES BY CHANGING MEMBERSHIP REQUIREMENTS FOR THE YOUTH AND FAMILY AFFAIRS COMMITTEE, ESTABLISHING THE PROCESS FOR THE APPOINTMENT OF A CHAIRPERSON, PROVIDING REQUIREMENTS FOR YOUTH AND FAMILY AFFAIRS GRANT APPLICANTS, AND CLARIFYING THE ROLL OF THE CITY OF LAWTON'S INTERNAL AUDITOR IN THE YOUTH AND FAMILY AFFAIRS GRANT PROCESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND ESTABLISHING AN EFFECTIVE DATE.

**ORDINANCE**

***NOW, THEREFORE, BE IT ORDAINED*** BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA THAT;

**Section 1.** Section 2-3-9-362 is hereby amended to read as follows:

**2-3-9-362 Members—Term of office.**

- A. Prior to December 17, 2021, the membership of the committee shall consist of nine (9) members, one of whom shall be a member of the city council and the other eight (8) shall be non-councilmembers. The non-councilperson members of the committee shall be residents of the City of Lawton who have been determined to have 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. The councilperson on the committee, as a member of the city council, shall also be a resident of the City of Lawton. Members shall be nominated to serve on the committee by the mayor and confirmed by the city council.
- B. Effective December 17, 2021, the membership of the committee shall consist of nine (9) members, ~~two (2) of whom shall be members of the city council and the other seven (7) shall be non-councilmembers~~ composed of a combination of Councilmembers and citizens. The number of Councilmembers shall be less than a quorum, with the remaining members being citizens of Lawton. The non-councilperson members of the committee shall be residents of the City of Lawton who have been determined to have 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. The councilpersons on the committee, as members of the city council, shall also be residents of the City of Lawton. The committee will include individuals with balanced expertise in business, financial

management, and social services. Members shall be nominated to serve on the committee by the mayor and confirmed by the city council.

- C. Initially, individuals nominated and confirmed as members 1, 2 and 3 on the committee shall serve a one-year term; individuals nominated and confirmed as members 4, 5 and 6 on the committee shall serve a two-year term; individuals nominated and confirmed as members 7, 8 and 9 on the committee shall serve a three-year term. The December 17, 2021 requirement for a second council member to serve on the committee will be for the third committee member position. The individual serving in the third member position on December 16, 2021, if anyone, will cease to do so on December 17, 2021. The third member position will thereafter be filled by a council member. Said second council member shall initially join committee members 1 and 2 by serving the remaining time left on the initial one-year term with those members. Thereafter, each individual nominated and confirmed to serve on the committee shall serve a term of three (3) years or until a successor is named, whichever occurs first. Appointments to fill any vacancy on the committee shall, following a nomination by the mayor, be confirmed by majority vote of the city council, with the individual so appointed to serve the remainder of the unexpired term of office. Filling an unexpired term shall not constitute a full term toward the below-referenced two-term limitation. The ninth and third committee member positions listed above shall be the positions reserved for the city councilpersons appointed to the committee.
- D. No member shall serve more than two (2) successive three-year terms. However, a member, after serving two (2) full three-year terms, may serve again after remaining inactive for a calendar year.
- E. Members who miss three (3) consecutive meetings without being excused shall automatically cease to serve on the committee.
- F. Members who fail to maintain their residency in the City of Lawton shall automatically cease to serve on the committee.
- G. Should the council member serving on the committee cease to serve on the city council, that member shall also automatically cease to serve on the committee at the time they cease being a member of city council.
- H. Any member of the committee may be removed at any time by a majority vote of the city council, with cause.
- I. The Chairperson of the Youth and Family Affairs Committee shall be appointed annually by the Mayor of the City of Lawton. The appointment of the Chairperson will occur at the beginning of each calendar year, with the term lasting for one (1) year or until a successor is elected. In the event that the appointed Chairperson steps down prior to the completion of their term, the Mayor shall appoint a replacement to serve for the remainder of the unexpired term.

**Section 2.** Section 2-3-9-366 is hereby created to read as follows:

**SECTION 2-3-9-366: Youth And Family Affairs Committee Grant Application Requirements**

The following provisions govern the application, administration, and disbursement of grants under the Youth and Family Affairs Committee (YFAC) program. These requirements are designed to ensure the proper and lawful use of funds, accountability of recipients, and the successful implementation of eligible programs aimed at developing life and career enhancing skills for the youth of Lawton while helping them avoid involvement in the criminal justice system.

A. **Application Process Deadlines:** To facilitate effective budgeting, the Youth and Family Affairs Committee (YFAC) shall establish a specified grant application period to secure funding for each fiscal year.

1. The grant application period shall commence on the first business day of December and remain open until the last business day of January.
2. YFAC shall review, approve, deny, or modify funding applications and submit a proposed budget for the upcoming fiscal year no later than April 1st each year.
3. Upon approval of the proposed budget, YFAC may begin presenting funding agreements to the City Council, with all agreements to be submitted no later than the final City Council meeting in June of each year.
4. Successful applicants will receive an official award date after the funding agreement is fully approved, executed by all parties, and a Notice to Proceed is issued by the City of Lawton. Only expenses incurred between the official award date and the termination date specified in the agreement will be eligible for reimbursement.

B. **Program Budget Submission:** All grant applicants must submit a comprehensive program budget as part of the application process. The budget must outline all anticipated program expenses, including but not limited to operational costs, personnel, materials, and overhead. The City reserves the right to request additional documentation or clarification regarding any budgeted items. Any discrepancies between the submitted budget and actual expenditures may result in a reduction or denial of reimbursement.

C. **Grant Matching Requirements:** The grant follows a graduated matching funds structure over a three-year period. In the first year, applicants are required to provide 20% of the program's total cost, with the grant covering up to 80% of eligible expenses. In the second year, applicants must provide 40% of the program's total cost, with the grant covering up to 60%. In the third year, applicants must provide 60% of the total program cost, and the grant will cover up to 40%. This graduated structure encourages sustainability and reduced reliance on city funds over time.

D. **Reimbursement-Based Disbursement:** All grants are disbursed on a reimbursement basis only. Recipients must submit detailed claim forms, accompanied by verifiable proof of purchases (such as receipts or invoices), to receive reimbursement for incurred expenses. Advance payments will not be provided under this program. Failure to provide adequate documentation may result in denial or delay of reimbursement.

- E. **Annual Funding Cap:** The maximum grant awarded to any applicant is limited to \$35,000.00 per fiscal year, regardless of the total program cost or the applicant's ability to raise matching funds.
- F. **Salary and Wage Limitations:** The portion of grant funds used to pay salaries or wages for program staff shall not exceed a pre-determined percentage of the total program cost. This percentage shall be set by the City at the time of application, based on the nature of the program and the total amount of the grant request. The purpose of this limitation is to ensure that the majority of grant funds are used for direct program expenses and services.
- G. **Eligible Matching Contributions:** Matching contributions may include rent, salaries, program materials, and utilities directly related to the program. In-kind contributions may also be considered, provided they are properly documented and substantiated to reflect their fair market value.
- H. **Compliance with Prior Year Obligations:** Applicants who received grant funding in prior years must be in full compliance with all reporting requirements, conditions, and audits. Noncompliance with prior obligations, including unresolved audits or unsubmitted reports, will result in disqualification from current-year funding.
- I. **Expenditure Restrictions:** Grant funds must be used solely for expenses approved in the grant application. Any deviation from the approved budget must receive prior written authorization from the City. Unauthorized use of funds for unapproved expenses is prohibited and may result in penalties, including reimbursement of funds and disqualification from future funding opportunities.
- J. **Mandatory Training:** All grant applicants and administrators are required to complete mandatory training sessions on the grant application and administration process. These sessions will cover topics such as eligibility requirements, financial reporting, outcome-based reporting, and compliance. Failure to attend the training will result in disqualification from the grant process.
- K. **General Accounting Standards:** All applicants for grant funding shall adhere to generally accepted accounting principles (GAAP) as defined by the Governmental Accounting Standards Board (GASB) or other relevant governing bodies. Grant recipients shall maintain accurate and complete records of all transactions related to the use of grant funds for a minimum of five (5) years following the end of the grant period and shall make all records available for inspection upon request by the City of Lawton.
- L. **Limitation on Cash Use:** Grant funds shall not be used for cash-based transactions, except in cases where non-cash payment methods are demonstrably impractical or unavailable. Any cash transaction must be fully documented with receipts and a clear statement of purpose, demonstrating the necessity of cash use.
- M. **Sanctions for Misuse of Funds and Noncompliance:** Misuse of funds, submission of fraudulent claims, or failure to comply with audits will result in severe penalties. Penalties

may include disqualification from future funding, demands for reimbursement of improperly used funds, and referral for criminal prosecution as allowed by law. Any irregularities found in audits or failure to provide requested documentation may result in immediate termination of funding and potential legal action.

- N. **Limitations on Multiple Sources of City Funding:** No applicant shall be eligible to receive funding from more than one city program, fund, or grant source within the same fiscal year. Applicants are required to disclose any additional sources of city funding received or applied for during the current fiscal year.
- O. **Outstanding Financial Obligations:** Applicants with outstanding debts or financial obligations to the City of Lawton, including unpaid taxes, fines, or fees, are ineligible to apply for or receive grant funding until such obligations are fully resolved.

Section 3. Section 2-3-9-367 is hereby created to read as follows:

**Section 2-3-9-367: Duties Of The City Of Lawton Internal Auditor In The Youth And Family Affairs Committee Grant Process**

- A. **General Responsibilities:** The City of Lawton's Internal Auditor, hereinafter referred to as "Internal Auditor," shall be responsible for ensuring the proper oversight, compliance, and fiscal integrity of the Youth and Family Affairs Committee (YFAC) grant process. The Internal Auditor shall act as an independent party to verify that all grant-related activities are conducted in accordance with applicable City ordinances, policies, and state and federal laws governing municipal grants.
- B. **Mandatory Pre-Application Training Coordination:** The Internal Auditor shall be responsible for coordinating the mandatory pre-application training for all prospective grant applicants. This training shall cover the requirements and guidelines for the YFAC grant process, including but not limited to the application procedures, financial documentation standards, compliance expectations, and allowable expenditures. The Internal Auditor shall ensure that the training is conducted annually and shall provide resources and materials necessary to facilitate the training effectively. Attendance at this training shall be a prerequisite for any organization or individual seeking to apply for YFAC grant funding.
- C. **Pre-Award Financial Review:** Prior to the disbursement of any YFAC grant funds, the Internal Auditor shall conduct a comprehensive financial review of the grant applicants, which shall include, but is not limited to:
  - 1. **Verification of Financial Documentation:** Ensuring that all financial documentation submitted with the grant application, including budgets and matching fund declarations, are accurate, complete, and comply with the financial guidelines established by the City.
  - 2. **Assessment of Prior Year Compliance:** Reviewing the applicant's performance

in previous grant cycles (if applicable) to confirm compliance with reporting obligations, reimbursement protocols, and any audit requirements.

3. **Debt and Liability Verification:** Confirming that the applicant does not have any outstanding debts, financial obligations, or unresolved financial discrepancies with the City of Lawton.

**D. Post-Award Audit and Compliance Monitoring:** The Internal Auditor shall monitor and audit all YFAC grant recipients throughout the duration of the grant to ensure proper use of funds and adherence to the approved budget and grant conditions. The duties of the Internal Auditor shall include, but are not limited to:

1. **Ongoing Financial Audits:** Conducting periodic audits of grantee financial records, including invoices, receipts, and other documentation, to ensure that funds are being expended in compliance with the approved grant application and the provisions of City Code.
2. **Verification of Reimbursement Claims:** Reviewing and verifying all claims for reimbursement submitted by the grant recipients to ensure that such claims are properly documented and in accordance with the reimbursement-only policy of the YFAC grant program.
3. **Expenditure Compliance:** Ensuring that funds are being used exclusively for the purposes outlined in the approved application and flagging any unauthorized expenditures for further investigation.
4. **Audit Discrepancies:** Reporting any discrepancies, irregularities, or misuse of funds to the City Council, City Manager, and the Youth and Family Affairs Committee for corrective action, including the possible initiation of civil or criminal proceedings.

**E. Annual Report and Recommendations:** At the close of each fiscal year, the Internal Auditor shall submit a comprehensive report to the City Council, City Manager, and the Youth and Family Affairs Committee, detailing the following:

1. **Grant Compliance Summary:** A summary of the compliance status of each grant recipient, noting any issues related to misuse of funds, noncompliance with audit requests, or other violations of grant requirements.
2. **Audit Findings:** Detailed findings from financial audits conducted during the fiscal year, including any corrective actions taken or recommended against grant recipients found to be in violation of City ordinances or grant terms.
3. **Recommendations for Process Improvements:** Recommendations for policy or procedural changes that will improve the integrity, efficiency, and accountability of the YFAC grant process in future fiscal years.

**F. Corrective Actions and Enforcement:** Upon identifying any noncompliance or irregularity in the grant process, the Internal Auditor shall:

1. **Notice of Violation:** Provide written notice to the grant recipient, detailing the violation and corrective actions required to remedy the issue within a specified timeframe.
2. **Suspension of Grant Funds:** If the recipient fails to correct the identified issue within the specified timeframe, the Internal Auditor, in coordination with the City Manager and City Attorney, shall have the authority to recommend the suspension of grant funds pending further investigation.
3. **Referral for Legal Action:** In cases of egregious misuse of funds, fraud, or failure to comply with corrective actions, the Internal Auditor shall refer the matter to the City Attorney for appropriate legal action, including the pursuit of civil or criminal penalties as provided by law.

**G. Collaboration with the Youth and Family Affairs Committee:** The Internal Auditor shall maintain open lines of communication with the Youth and Family Affairs Committee throughout the grant process. This includes providing the Committee with updates on audit findings, compliance issues, and any other matters related to the financial integrity of the grant program. The Internal Auditor shall also provide support and guidance to the Committee in evaluating the financial aspects of grant applications.

**H. Confidentiality and Impartiality:** In conducting all duties related to the YFAC grant process, the Internal Auditor shall ensure that all financial reviews, audits, and investigations are conducted impartially and confidentially. All findings and reports shall be based solely on objective financial data and evidence, without influence from political or personal considerations.

**Section 4. Codification.** Section 2-3-9-366 and Section 2-3-9-367 shall be codified in Division 2-3-9 of Article 2-3, Chapter 2, Lawton City Code, 2015.

**Section 5. Severability Clause.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

**Section 6. Effective Date.** The Provisions of this ordinance shall become effective thirty (30) days after the passage of the ordinance.

**ADOPTED AND APPROVED** by the Council of the City of Lawton, Oklahoma, this \_\_\_\_ day of October, 2024.

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STANLEY BOOKER, MAYOR

ATTEST:

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DONALYNN BLAZEK-SCHERLER, CITY CLERK

**APPROVED** as to form and legality this \_\_\_ day of October, 2024.

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JOHN ANDREW, CITY ATTORNEY



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**Brief Gist**

This ordinance pertains to the Youth and Family Affairs Committee, adjusting its membership criteria to include both Councilmembers and citizens with expertise in business, financial management, and social services. It establishes a procedure for appointing a chairperson and sets specific criteria for grant applicants requesting funding through the Youth and Family Affairs Committee. Additionally, it clarifies the role of the City of Lawton's Internal Auditor in the grant process.