The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT CITY COUNCIL

6:00 PM	Roscoe J. Hatfield Council Chambers SPECIAL AGENDA	June 7, 2016

CALL TO ORDER

ROLL CALL

ORDER OF BUSINESS

1. Consideration for the Holding of a Special Election
2. Discuss and Take Possible Action on Requests for Proposal for Attorney Services
3. Discuss and Take Possible Action on Request for Qualifications and Proposals for Financial Consulting Services
4. **Executive Session**
    a. Consider Entering Into Executive Session As Authorized By Title 25 O.S. Section 307 B(1) To Discuss The Hiring Of A City Manager
    b. Consider Action Pursuant To Agenda Item 4a To Discuss The Hiring Of A City Manager

ADJOURNMENT

CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 2nd day of June, 2016 and that an agenda of said meeting was posted at the place of such meeting at 5:35 p.m. on the 3rd day of June, 2016.

____

Cynthia J. Price, City of Durant

Agenda Item: 1.

The City of Durant

Office of City Manager

Memorandum

Date: 6/3/2016

To: Mayor and City Council

From: Donnalla Miller, Acting City Manager

Re: Consideration for the Holding of a Special Election

Please Review the Following Information Regarding a Special Election for a Tourism Tax for the Purpose of Enhancing and Promoting Tourism Development.

Council Information / Action Requested

Consider Approval for the Holding of a Special Election

City Staff Information / Action Follow-up, if Council authorizes this action:

City Clerk - Publish Ordinance in Accordance with State Statutes

City Clerk to Contact Election Board

ATTACHMENTS:

Description	Type	Upload Date
Ordinance No. 1792	Ordinance	6/6/2016
Resolution 2016-13 to Hold Election and Proclamation	Backup Material	6/6/2016
City of Durant Boundary Map	Backup Material	6/6/2016

ORDINANCE NO. 1792

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DURANT, OKLAHOMA, BY ADDING TO TITLE III, "TOURISM TAX," CONSISTING OF NEW SECTIONS 37.120 THROUGH 137.148, INCLUSIVE; LEVYING A FIVE PERCENT (5%) TAX UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM OCCUPANCY OF A ROOM OR ROOMS IN THIS CITY, WITH SAID TAX TO BE USED FOR ENHANCING AND PROMOTING TOURISM DEVELOPMENT; PROVIDING CITATION AND DEFINITIONS; PROVIDING FOR TAX RATE, EXEMPTIONS, AND EXEMPTION CERTIFICATES; REQUIRING TAX TO BE SEPARATELY STATED ON BILLS; REQUIRING RECORDS TO BE KEPT; PROVIDING FOR TAX RETURNS, BONDS, ASSESSMENT, DETERMINATION OF TAX, REFUNDS, AND NOTICES; PROVIDING THAT REMEDIES ARE EXCLUSIVE; PROVIDING GENERAL POWERS OF THE CITY CLERK; PROVIDING FOR ADMINISTRATION OF OATHS AND COMPELLING TESTIMONY; PROVIDING FOR CERTIFICATES OF REGISTRATION, INTEREST, AND PENALTIES; PROVIDING FOR HANDLING OF DELINQUENT TAXES; PROVIDING FOR COLLECTION BY SUIT; PROVIDING FOR USE OF FUNDS; PROVIDING FOR CONFIDENTIALITY OF RECORDS; PROVIDING FOR PROCEEDINGS TO COLLECT TAX AND PENALTIES FOR FAILURE TO COMPLY WITH THIS ARTICLE; PROVIDING FOR OPERATOR'S DISCOUNT; PROVIDING THAT PROVISIONS ARE CUMULATIVE; PROVIDING FOR SEVERABILITY; AND PROVIDING EFFECTIVE DATE AND CODIFICATION.

BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF DURANT, OKLAHOMA:

SECTION 1. AMENDMENT. The Code of Ordinances of the City of Durant, Oklahoma is hereby amended by adding to Title III, Chapter 37, "Tourism Tax," which said article shall read as follows:

ARTICLE VIII. TOURISM TAX

Sec. 37.120. Citation.

This article shall be known and cited as the "City of Durant Tourism Tax Ordinance."

Sec. 37.121. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *City Clerk* shall mean the City Clerk of the City of Durant.

(2) *Hotel* shall mean any building or building structures, trailer, or other facility in which the public may, for consideration, obtain sleeping accommodations in which five *(5)* or more rooms are used for the accommodation of such guests, whether such rooms are in one or in several structures. This term shall include hotels, apartment hotels, motels, tourist homes, houses or courts, lodging houses, inns, rooming houses, trailer houses, trailer motels, dormitory space where bed space is rented to individuals or groups, apartments not occupied by "permanent residents," and all other facilities where rooms or sleeping facilities or space are furnished for a consideration. The term shall not include hospitals, sanitariums or nursing homes, nor shall this term include permanent resident facilities as defined below for occupancy for terms in excess of thirty (30) days.

(3) *Occupancy* shall mean the use or possession, or the right to the use or possession, of any room or rooms in a hotel, or the right to use or possession of the furnishings or to the services and accommodations accompanying the use and possession of the room.

(4) *Occupant* shall mean a person, who for a consideration, uses, possesses or has the right to the use or possession of any room or rooms in a hotel under lease, concession, permit, right to access, license to use, or other agreement.

(5) *Operator* shall mean any person operating a hotel in this City, including but not limited to, the owner, proprietor, lessee, sub-lessee, mortgagee in possession, licensee, manager or similar agent, or any other person otherwise operating such hotel.

(6) *Permanent resident* shall mean any occupant who has or shall have the right of occupancy of any room in a hotel for at least thirty (30) consecutive days during the current calendar year or preceding year.

(7) *Rent* shall mean the consideration received for occupancy valued in money, whether received in money or otherwise, including all receipts, cash, credits, and property or services of any kind or nature, and also any amount for which credit is allowed by the operator to the occupant, without any reduction therefrom whatsoever.

(8) *Return* shall mean any return filed or required to be filed as herein provided.

(9) *Room* shall mean any room or rooms of any kind in any part or portion of the hotel which is available for, or let for the use of, or possessed for any purpose other than a place of assembly. As used herein, "place of assembly" means a room or space which is capable of being occupied by seventy-five *(75)* or more persons and which is used for educational, recreational or amusement purposes and shall include: dance halls, cabarets, nightclubs, restaurants, any room or space for public or private banquet, feasts, socials, card parties or weddings, lodge and meeting halls or rooms, skating rinks, gymnasiums, swimming pools, billiard, bowling and table tennis rooms, halls or rooms used for public or private catering purposes, funeral parlors, markets, recreational rooms, concert halls, broadcasting studios, and all other places of similar type of occupancy.

(10) *Tax* shall mean the tax levied pursuant to this Article.

Sec. 37.122. Tax rate.

There is hereby levied an excise tax of five percent (5 %) upon the gross proceeds or gross receipts derived from all rent for every occupancy of a room or rooms in a hotel in this city, except that the tax shall not be imposed where the rent is less than the rate of five dollars ($5.00) per day. Rooms provided free of charge, through barter, trade or any other arrangement or agreement of any kind or nature, are also subject to such tax at the sales value of the room so provided (with "sales value" to mean the price at which the room would be rented to the operator's best customer in the ordinary course of business). The excise tax provided by this article shall be in addition to any existing sales taxes imposed by the City or the State of Oklahoma.

Sec. 37.123. Exemptions.

The following shall be exempt from the tax levied in this article:

(1) Permanent residents;
(2) The United States Government or any agency or division thereof;
(3) The State of Oklahoma or any political subdivision thereof;
(4) Any public school or state accredited private school, provided that its primary purpose is not carrying on a business for profit;
(5) Any organization, corporation or association organized and operated exclusively for religious, charitable, philanthropic or educational purposes; provided that its primary purpose is not carrying on a trade or business for profit.

Sec.37.124. Certificate of exemption required.

(a) Every hotel shall submit a monthly exemption form, as provided by the City Clerk, with each monthly room tax report. This exemption form will indicate the name of the person seeking exemption, the exempt organization with which they are affiliated, the period of occupancy, number of rooms occupied and any other information required by the City Clerk. Every exemption form shall be signed by the hotel manager or authorized agent, so that the signature shall serve as an acknowledgment that all information contained in the exemption form is true and correct. Upon submission of these forms to the City, the City Clerk shall make a final determination as to the validity of all claimed exemptions. Should the City Clerk determine that a claimed exemption is not valid, the hotel shall be assessed the then current percentage of tax applicable, within three (3) months of the date that the exemption is claimed. The hotel claiming such exemption shall become liable for payment of the tax and shall submit the same with its next monthly tax remittance.

(b) For purposes of this section, an exemption will not be validated by the City Clerk unless the exemption is claimed for the month in which it accrues. For good cause shown, the City Clerk may grant an extension for claiming an exemption.

(c) Every operator shall be required to maintain copies of monthly room reports, monthly exemption forms and individual exemption forms upon the business premises of the hotel for a period of three (3) years. Such records shall be available for inspection and examination at any time upon demand by the City Clerk, or a duly authorized agent or employee of the City. For purposes of this section, individual exemption forms shall be available from the City Clerk and shall, at a minimum, include the following:

(1) A statement declaring the reason for exemption;

(2) The name, signature, address, home telephone and work telephone numbers of the person claiming the exemption;

(3) The date on which the exemption form is completed; and

(4) An acknowledgement, by signature, of the exemption by an employee or agent of the hotel.

Sec. 37.125. Tax to be separately designated on bills.

The operator shall separately designate, charge and show the tax on all bills, statements, receipts or any other evidence of charges or payment of rent for occupancy issued or delivered by the operator.

Sec. 37.126. Operator responsible for collection.

The tax levied by this article shall be paid by the occupant to the operator, whether a person, firm or corporation, as trustee for and on account of the City of Durant. Each and every operator, whether a person, firm or corporation, in this City shall collect from the occupant the full amount of the tax levied by this article. Every person required to collect any tax imposed by this article, and in the case of a corporation or limited liability company, each principal officer thereof, shall be personally liable for said tax.

Sec. 37.127. Records to be kept.

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon in such form as the City Clerk may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the City Clerk, or a duly authorized agent or employee of the City and shall be preserved for a period of three (3) years; except that the City Clerk may consent to theft destruction within that period or may require that they be kept longer.

Sec. 27.128. Returns.

(a) Every operator shall file with the City Clerk a return of occupancy and of rents and of the taxes payable on a per month basis. Said return shall be due from the operator and taxes payable thereon to the City Clerk within fifteen (15) days of the tax period accounted for in such return and is past-due thirty (30) days from the date.

(b) The operator shall deposit these specific funds in a separate account for remission to the City.

Sec. 37.129. Payment of tax.

At the time of filing a return of occupancy and of rents, each operator shall pay to the City Clerk the taxes imposed by this article upon the rents included in such return, as well as all other monies collected by the operator acting or purporting to act under the provisions of this article. All the taxes for the period for which a return is required to be filed shall be due from the operator and payable to the City Clerk on or before the date fixed for the filing of the return for such period without regard to whether a return which is filed correctly shows the amount of rents and the taxes thereon.

Sec. 37.130. Bond required.

(a) Where the City Clerk believes that any operator is about to cease business, leave the State, or remove or dissipate assets, or for any other similar reason the City Clerk deems it necessary in order to protect revenues under this article, the City Clerk may require such operator to file with the City a bond issued by a surety company authorized to transact business in this State in such amount as the City Clerk may fix to secure the payment of any tax or penalties and interest due, or which may become due from such operator.

(b) In the event the City Clerk determines that an operator shall file such bond, the City Clerk shall give notice to such operator specifying the amount of bond required. The operator shall file such bond within five *(5)* days after the giving of such notice unless within such five *(5)* days the operator shall request in writing a hearing before the City Council or its designee, at which the propriety and amount of the bond shall be determined by the City Council or its designee. Such determination shall be final and shall be complied with within fifteen *(15)* days thereafter. In lieu of such bond, securities approved by the City Clerk, or cash in such amount the City Clerk may prescribe, may be deposited with the City Clerk, who may at any time after five *(5)* days notice to the depositor, apply them to any tax and/or any penalties due, and for that purpose the securities may be sold at private or public sale.

Sec. 37.131. Assessment and determination of tax.

If a return required by this article is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be assessed by the City Clerk from such information as may be obtamable and, if necessary, the tax may be estimated on the basis of external indices such as number of rooms, location, scale of rents, comparable rents, types of accommodations and services, number of employees, or other factors. Written notice of such assessments shall be given to the person liable for the collection and payment of the tax. Such assessment shall finally and irrevocably fix and determine the tax unless the person against whom it is assessed, within ninety (90) days after the giving of notice of such assessment, shall apply in writing to the City Councilor its designee for a hearing or unless the City Clerk, for good cause shown, shall reassess the same. After such hearing, the City Council or its designee shall give written notice of its determination to the person against whom the tax is assessed and such determination shall be final.

Sec. 37.132. Refunds.

(a) *Procedure.* The City Clerk shall refund or credit any tax erroneously, illegally or unconstitutionally collected if written application to the City Clerk for such refund shall be made within two (2) years from the date of payment thereof. For like causes, and in the same period, a refund may be so made upon the initiative and the order of the City Clerk. Whenever a refund is made, the reasons therefor shall be stated in writing. Such application may also be made by the person who has collected and paid such tax to the City Clerk, providing that the application is made within two (2) years of the payment of the occupant to the operator, but no refund of money shall be made to the operator until he has repaid to the occupant the amount for which the application for refund is made. The City Clerk, in lieu of any refund required to be made, may allow credit thereof on payment due from the applicant.

(b) *Determination and hearing.* Upon application for a refund, the City Clerk may receive evidence with respect thereto, and make such investigation as the City Clerk deems necessary. After making a determination as to the refund, the City Clerk shall give notice thereof to the applicant. Such determination shall be final unless the applicant, within ninety (90) days after such notice, shall apply in writing to the City Council or its designee for a hearing. After such hearing, the City Council or its designee shall give written notice of this decision to the applicant.

Sec. 37.133. Notices.

Any notice provided for under this article shall be deemed to have been given when such notice has been delivered personally to the operator or deposited in the United States mail to the last known address of the operator.

Sec. 37.134. Remedies exclusive.

The remedies provided in this article shall be exclusive remedies available to any person for the review of tax liability imposed by this article.

Sec. 37.135. General powers of the City Clerk.

In addition to all other powers granted herein, the City Clerk is hereby authorized and empowered:
(1) To make, adopt and amend rules and regulations appropriate to the carrying out of this article for the purposes thereof;
(2) To extend, for good cause shown, the time for filing a return for a period not exceeding sixty (60) days; and for good cause shown, waive, remit, or reduce penalties or interest;

(3) To delegate functions provided hereunder to an Assistant or other employee or employees of the City;

(4) To assess, reassess, determine, revise and readjust the taxes imposed by this Article;

(5) To prescribe methods for determining the taxable and nontaxable rents.

Sec. 37.136. Administration of oaths and compelling testimony.

The City Clerk, or a designated representative of the City Clerk, shall have the power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of the powers and duties provided under this article. The City Clerk shall have the power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of the duties provided hereunder and all the enforcement of this article and to examine them in relation thereto.

Sec. 37.137. Certificates of registration.

Every operator shall file with the City Clerk a certificate of registration in a form prescribed by City Clerk within ten (10) days after the effective date of this article, or in the case of operators commencing business or opening new hotels after such effective date, within three (3) days after such commencement or opening. The City Clerk shall, within five *(5)* days after such registration, issue, without charge, to each operator a certificate of authority empowering such operator to collect the tax from the occupant and duplicates thereof for each additional hotel. Each certificate of authority shall be permanently displayed by the operator in such manner that it may be seen and comes to the notice of all occupants and persons seeking occupancy. Such certificates shall be non-assignable and non-transferable, and shall be surrendered immediately to the City Clerk upon the cessation of business at the hotel named, or upon its sale or transfer.

Sec. 37.138. Interest and penalties.

(a) If any tax levied by this article becomes delinquent, the person responsible and liable for such tax shall pay interest on such unpaid tax at the rate of one and one-half (1.5%) percent per month on the unpaid balance from the date of delinquency.

(b) In addition to the interest, if a return is not filed and the total amount of taxes due remitted within thirty (30) days of the due date as defined in this article, a penalty of ten (10) percent of the total amount of taxes due shall be assessed; but if a return is not filed and/or the total amount of the taxes is not paid after thirty (30) days from such due date, the penalty shall increase to twenty-five *(25)* percent of the total amount of taxes due.

Sec. 37.139. Delinquent taxes.

The tax levied by this article shall be due and payable at the time filing of the returns provided for in this article is required. All taxes not paid within five *(5)* days from the time they become due shall be delinquent.

Sec. 37.140. Collection by suit.

Such taxes and interest due hereunder shall at all times constitute a prior, superior and paramount claim as against the claim of unsecured creditors and may be collected by suit as any other debt.

Sec.37.141. Use of funds.

All taxes collected pursuant to the provisions of this article shall be set aside and used exclusively for enhancing and promoting tourism development. Provided, however, that the expenditures specified for the above purposes may be reduced in the amount determined by the City Council to be necessary to defray any or all reasonable and necessary expenses and costs of the City or its agents or contractors in collecting, enforcing, and administering the taxes levied by this article; and/or in administering and implementing the expenditures specified in this article; provided further, the tax levied by this article may also be expended to pay principal and interest on and costs of issuance and/or administration of bonds, notes or other obligations issued by a City public trust for the purposes set forth above.

Sec. 37.142. Records confidential.

The confidential and privileged nature of the records and files concerning the administration of the hotel tax is legislatively recognized and declared, and to protect the same the provisions of 68 O.S. §205 of the State Sales Tax Code, and each subsection thereof, is hereby adopted by reference and made fully effective and applicable to administration of the City of Durant Tourism Tax Ordinance as herein set forth.

Sec. 37.143. Proceedings to recover tax; penalties.

(a) Whenever any taxpayer or other person shall fail to collect and pay over any tax or any tax penalty due and owing, or interest imposed by this article as herein provided, the City Manager shall, upon the request of the City Clerk, take appropriate action to enforce the payment of the same.

(b) Pursuant to the authority of Title 68 O.S. §2704, all taxes, interest and penalties imposed by this article are hereby declared to constitute a lien in favor of the City of Durant upon all franchises, property and rights to property, whether real or personal, then belonging to or thereafter acquired by the person, firm or corporation owing the tax, whether such property is employed by such person, firm or corporation in the conduct of its business, or in the hands of an assignee, trustee or receiver for the benefit of creditors, from the date said taxes are due and payable under the provisions of this article.

(c) Any sum or sums collected or required to be collected in this article shall be deemed to be held in trust for the City of Durant and, as trustee, the collecting person, firm or corporation shall have a fiduciary duty to the City of Durant in regards to such sums and shall be subject to the trust laws of this state. Any person, firm or corporation who willfully or intentionally fails to remit the tax, after tax levied by this article was collected from the occupant, and appropriates the tax held in trust to his own use, or to the use of any person, firm or corporation not entitled thereto, without the authority of law shall be guilty of embezzlement.

(d) In addition to all civil penalties provided by this article, the willful failure or refusal of any operator or other persons to make reports and/or remittances as herein required or the making of any false or fraudulent report for the purpose of avoiding or escaping payment of any tax or portion thereof lawfully due under this article or the failure to post any required bond shall be a misdemeanor and upon the conviction thereof the offending operator or other person shall be punished as provided in Section 10.99 of this Code. Each day a violation continues shall constitute a separate offense.

Sec. 37.144. Operator's discount.

In order to remunerate an operator for keeping tax records, filing reports, and remitting the tax when due, a two percent (2%) discount shall be allowed upon all taxes paid prior to the time they become delinquent. In order to be eligible for the discount, the report and any monthly exemption forms must accompany payment.

Sec. 37.145. Amendments.

The people of Durant, by their approval of this article at the election herein provided, hereby authorize the City Council by ordinance duly enacted to make such administrative and technical changes or additions in the method and manner of administration and enforcing this article as may be necessary or proper for efficiency and fairness; except that the tax rate and the uses specified for such tax shall not be changed without approval of the qualified electors of the City as provided by law.

Sec. 37.146. Provisions cumulative.

The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of the City ordinances.

Sec. 37.147. Provisions severable.

The provisions hereof are hereby declared to be severable; and if any section, paragraph, sentence or clause of this article is for any reason held invalid or inoperative by any court of competent jurisdiction, such decision shall not affect any other section, paragraph, sentence or clause hereof.

Sec. 37.148. Effective date.

This article shall become and be effective on and after the___ day of ____________, 2016, subject to approval of a majority of the registered voters of Durant voting on same in the manner prescribed by law.

SECTION 2. CODIFICATION. This Ordinance shall be codified as Sections 37.120 through 37.148 of the Code of Ordinances of the City of Durant, Oklahoma, unless there is created a duplicate in numbering, in which case the provisions of this ordinance may be re-numbered to conform to the numbering system in the existing Code.

SECTION 3. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, article, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Durant that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

PASSED AND APPROVED this ___ day of ______________, 2016.

CITY OF DURANT

By:____________________________

STEWART HOFFMAN, Mayor

ATTEST:

____

CYNTHIA J. PRICE, City Clerk

6-3-162:00 pm]

RESOLUTION NO. 2016-13

A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF AN ELECTION IN THE CITY OF DURANT, OKLAHOMA, ON THE ___ DAY OF _________, 2016, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF DURANT, OKLAHOMA, THE QUESTION OF THEIR APPROVAL OR REJECTION OF ORDINANCE NO. 1792 LEVYING A FIVE PERCENT (5%) TAX UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM OCCUPANCY OF A ROOM OR ROOMS IN THIS CITY; PROVIDING THAT THE REVENUES FROM SUCH TAX SHALL BE USED FOR ENHANCING AND PROMOTING TOURISM DEVELOPMENT; PROVIDING EFFECTIVE DATE; PROVIDING FOR ADMINISTRATION AND COLLECTION OF SUCH TAX; PROVIDING THE PROVISIONS ARE CUMULATIVE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of Durant, Oklahoma, on the ___ day of _____________, 2016, enacted Ordinance No. 1792, levying a Five Percent *(5%)* city excise tax upon the gross proceeds or gross receipts derived from all rent for every occupancy of a room or rooms in a hotel in this city; providing that the revenues from such tax shall be used for enhancing and promoting tourism development; providing effective date; providing for administration and collection of such tax; providing the provisions are cumulative; and providing for severability.

WHEREAS, under the provisions of Oklahoma law, an ordinance levying such a tax must be submitted to and approved by a majority of registered voters at such election before said ordinance shall become effective.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DURANT, OKLAHOMA:

Section 1: The Mayor of the City of Durant, Oklahoma, is hereby authorized and directed to call an election to be held in the City of Durant, Oklahoma, on the ___ day of ______, 2016, for the purpose of submitting to the qualified electors of the City of Durant, Oklahoma, for their approval or rejection, the following proposition:

PROPOSITION 1

(City of Durant 5% Tourism Tax)

Shall Ordinance No. 1792, approved by the City Council of the City of Durant, Oklahoma, which levies and assesses a five percent *(5%)* city excise tax upon the gross proceeds or gross receipts derived from all rent for every occupancy of a room or rooms in a hotel in this city; providing that the revenues from such tax shall be used for operation of parks and recreational facilities and for enhancing and promoting tourism development; providing for administration and collection of such tax; providing the provisions are cumulative; providing for severability; and providing that such tax shall be effective on_______________; be approved?

Section 2: That the call for such election shall be by proclamation signed by the Mayor and attested by the City Clerk setting forth the proposition to be voted upon and the hours of opening and closing of the polls. The ballots for said election shall set forth the proposition substantially as set out in Section 1 hereof, and the returns of such election shall be made to and canvassed by the Bryan County Election Board.

BE IT FURTHER RESOLVED that pursuant to *Title 26, Oklahoma Statutes, §13-103,* the City of Durant hereby authorizes the following precincts, which are only partially contained within the city limits of the City of Durant, to **not** be opened by the County Election Board for this election:

Precinct Numbers

Bryan County Precinct #
Bryan County Precinct #
Bryan County Precinct #

BE IT FURTHER RESOLVED that the City of Durant hereby certifies that no persons reside within that portion of the above precincts within the limits of the City of Durant.

PASSED AND APPROVED this ___ day of ___________, 2016.

CITY OF DURANT

By______________________________
STEWART HOFFMAN, Mayor

ATTEST: (Seal)

____
CYNTHIA J. PRICE, City Clerk

I, the undersigned City Clerk of the City of Durant, Oklahoma, hereby certify that the above and foregoing is a true, correct and complete copy of the resolution of said city duly adopted by the governing body of said city at a meeting held on the date therein stated as the same appears in the minutes of said meeting on file in my office as a part of the official record thereof.

____
CYNTHIA J. PRICE, City Clerk
City of Durant, Oklahoma

ELECTION PROCLAMATION

Pursuant to a Resolution duly adopted by the governing body of the City of Durant, Oklahoma, the undersigned Mayor of said City hereby calls an election to be held in said City on the ____day of ______________, 2016, for the purpose of submitting to all of the registered qualified electors residing within said City the following proposition:

PROPOSITION 1

(City of Durant 5% Tourism Tax)

> Shall Ordinance No. 1792, approved by the City Council of the City of Durant, Oklahoma, which levies and assesses a FIVE percent (5%) city excise tax upon the gross proceeds or gross receipts derived from all rent for every occupancy of a room or rooms in a hotel in this city; providing that the revenues from such tax shall be used for enhancing and promoting tourism development; providing for administration and collection of such tax; providing the provisions are cumulative; providing for severability; and providing that such tax shall be effective on ______________ be approved?

The polling places for said special election shall be opened at 7:00 o'clock a.m. and shall remain open until, and be closed at 7:00 o'clock p.m., on said day.

All registered qualified electors residing within the corporate limits of said City, shall be entitled to vote on the foregoing proposition at said election

DATED AND ISSUED this___ day of _________, 2016.

CITY OF DURANT

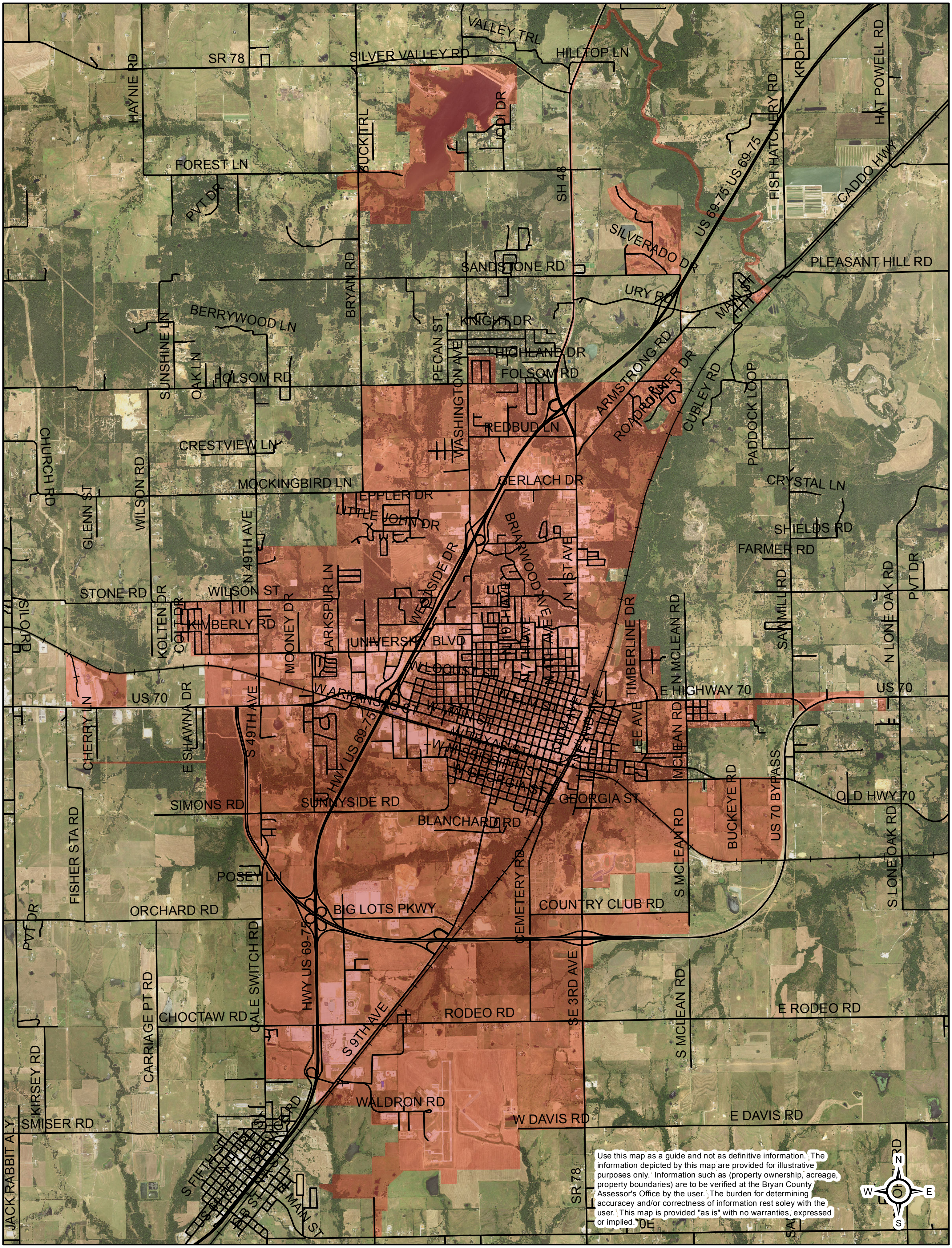
By______________________________

STEWART HOFFMAN, Mayor

ATTEST: (Seal)

____

CYNTHIA J. PRICE, City Clerk



VALLEY TRL
SR 78
SILVER VALLEY RD
HILLTOP LN
KROPP RD
HAT POWELL RD
HAYNIE RD
JODI DR
BUCK TRL
FOREST LN
FISH HATCHERY RD
CADDO HWY
US 69-75
SH 48
PVT DR
SILVERADO DR
BRYAN RD
SANDSTONE RD
PLEASANT HILL RD
URY RD
BERRYWOOD LN
KNIGHT DR
MAIN ST
PECAN ST
SUNSHINE LN
OAK LN
HIGHLAND DR
FOLSOM RD
ARMSTRONG RD
WASHINGTON AVE
CUBLEY RD
PADDOCK LOOP
REDBUD LN
CHURCH RD
CRESTVIEW LN
MOCKINGBIRD LN
GERLACH DR
CRYSTAL LN
WILSON RD
GLENN ST
EPPLER DR
LITTLE JOHN DR
BRIARWOOD LANE
N 49TH AVE
SHIELDS RD
FARMER RD
STONE RD
WILSON ST
WESTSIDE DR
N 1ST AVE
SAWMILL RD
PVT DR
N LONE OAK RD
KOLTEN DR
KIMBERLY RD
MOONEY DR
LARKSPUR LN
UNIVERSITY BLVD
TIMBERLINE DR
N MCLEAN RD
SILO RD
E HIGHWAY 70
US 70
CHERRY LN
E SHAWNA DR
S 49TH AVE
HWY US 69-75
MCLEAN RD
BUCKEYE RD
US 70 BYPASS
OLD HWY 70
SIMONS RD
SUNNYSIDE RD
E GEORGIA ST
BLANCHARD RD
S LONE OAK RD
FISHER STA RD
POSEY LN
CEMETERY RD
S MCLEAN RD
BIG LOTS PKWY
COUNTRY CLUB RD
ORCHARD RD
GALE SWITCH RD
SE 3RD AVE
CARRIAGE PT RD
CHOCTAW RD
RODEO RD
E RODEO RD
S 9TH AVE
KIRSEY RD
WALDRON RD
W DAVIS RD
E DAVIS RD
SMISER RD
JACK RABBIT ALY
S FIFTH ST
MAIN ST
SR 78
Use this map as a guide and not as definitive information. The information depicted by this map are provided for illustrative purposes only. Information such as (property ownership, acreage, property boundaries) are to be verified at the Bryan County Assessor's Office by the user. The burden for determining accuracey and/or correctness of information rest soley with the user. This map is provided "as is" with no warranties, expressed or implied.
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DURANT
· OKLAHOMA ·

The City of Durant

Office of City Clerk

Memorandum

Date:	6/3/2016
To:	Mayor and City Council
From:	Cynthia J. Price, City Clerk
Re:	Discuss and Take Possible Action on Requests for Proposal for Attorney Services

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Council Information / Action Requested

Discuss and take possible action on requests for proposal for attorney services.

City Staff Information / Action Follow-up, if Council authorizes this action:

DURANT
· OKLAHOMA ·

The City of Durant
Office of City Clerk

Memorandum

Date:	6/3/2016
To:	Mayor and City Council
From:	Cynthia J. Price, City Clerk
Re:	Discuss and Take Possible Action on Request for Qualifications and Proposals for Financial Consulting Services

Council Information / Action Requested

Discuss and take possible action on request for qualifications and proposals for financial consulting services.

City Staff Information / Action Follow-up, if Council authorizes this action:

DURANT
· OKLAHOMA ·

The City of Durant

Office of City Clerk

Memorandum

Date:	6/2/2016
To:	Mayor and City Council
From:	Cynthia J. Price, City Clerk
Re:	Consider Entering Into Executive Session As Authorized By Title 25 O.S. Section 307 B(1) To Discuss The Hiring Of A City Manager

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Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

Agenda Item: 4.b.

The City of Durant

Office of City Clerk

Memorandum

Date:	6/2/2016
To:	Mayor and City Council
From:	Cynthia J. Price, City Clerk
Re:	Consider Action Pursuant To Agenda Item 4a To Discuss The Hiring Of A City Manager

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Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action: