



City of Lawton

City Council

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Fee Committee Agenda

Wednesday, April 23, 2025

2:30 PM

Lawton City Hall
3rd Floor Conference Room

Recommending Body

"Official action can only be taken on items listed on the agenda. As a recommending body, the Committee may review and discuss agenda items, propose and enact floor amendments, and then choose to make a recommendation to the City Council or provide direction to the City Manager. The Committee may also defer items for further review, refer matters to the City Attorney, or send items to standing committees, boards, commissions, or authorities for additional study. In some cases, items may be postponed to a later date or removed from the agenda entirely."

Meeting Called to Order

Statement of Compliance with Oklahoma Open Meeting Act, 25 O.S. 301-314

Roll Call

Introduction of Guests

Business Items

1. Receive a presentation and report on the Stormwater and Drainage Rate Study, performed by Freeze and Nichols in 2024/2025, and consider recommendation to City Council on the merger of the two fees in conjunction with the merger of the two divisions being considered by the Budget and Efficiency Committee for the FY2026 fiscal year budget.
2. Consider the recommendations of the Stormwater Utility rate Study regarding fee rates and fee structure to determine fee calculations, and take action as appropriate.

Adjournment

The City of Lawton encourages participation from all of its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at (580) 581-3305 at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if interpreters for the deaf (signing) is not the necessary accommodation."

[MEET_FOOT]

Item Title:

Receive a presentation and report on the Stormwater and Drainage Rate Study, performed by Freeze and Nichols in 2024/2025, and consider recommendation to City Council on the merger of the two fees in conjunction with the merger of the two divisions being considered by the Budget and Efficiency Committee for the FY2026 fiscal year budget.

Initiator: Michael Watrous, Director

Information Source: Michael Watrous, Director

Background:

There are two items being considered by the Fee and Rate Committee regarding this study. This item is to consider the merging of the two current fees (Drainage Maintenance and Stormwater Management Fee) into one fee, which will allow for the merger of the Drainage Maintenance and Stormwater Management Divisions into one division. Currently, both fees are collected and placed in a separate fund for separate purposes.

Currently, both the Stormwater Management Division and the Drainage Maintenance Division are funded solely from the fees generated (self-funded). They receive no general funds for their operation. Without the fee merger, inefficiencies managing the two funds will persist. Drainage Maintenance will also need to further cut funding in FY26, reducing services provided for citizens as funding for the division last year was pulled from reserves.

Lawton is the only city, when compared to our peer cities, that collects both a drainage and Stormwater fee. Allowing the merger of these fees better aligns us with our peer cities.

Attached in the exhibits is the study final report and presentation, as well as the original resolutions establishing the two fees.

Correlation to the True North Statement:

The Citizen – Everything that we do is for the citizen, EVERYTHING

- Combining the two fees into a single utility fee provides clarity and simplicity for citizens. It reduces confusion about charges on their utility bill and creates a more straightforward, transparent process that serves the citizen first and foremost.

Transparency and Trust

- The merger of these fees into one clearly labeled and equitably assessed Stormwater Utility Fee enhances financial transparency. It eliminates ambiguity about what citizens are paying for, and how those funds are being used to improve infrastructure and comply with federal regulations

Efficiency

- Managing stormwater and drainage services under one fee structure allows for streamlined budgeting, staffing, and maintenance planning. This consolidation reduces administrative duplication and provides a more efficient path for funding necessary

services and improvements

Our Pursuit of Excellence

- Lawton’s decision to consolidate and refine its fee system demonstrates a forward-thinking, no-excuses approach to public service. The new model reflects best practices from peer cities and positions Lawton as a leader in municipal utility management.

Exhibit:

1.) Lawton SWU Report 2.) Stormwater Rate Study 3.) Stormwater Management Fund Resolution 4.) Drainage Maintenance Fund Resolution

Key Issues:

Without the merger of these fees, drainage maintenance will need to further cut their budget in FY25/26 by approximately \$300,000, reducing the level of service provided to the citizens, such as drainage canal vegetation management, mosquito fogging, and drainage structure maintenance.

Funding Source:

N/A

Staff Recommended Council Action:

Approve a council recommendation to merge the Stormwater Management Fee and Drainage Maintenance Fee into one fee.

ATTACHMENTS:

1. Lawton_SWU_Report_03142025
2. Stormwater Rate Study
3. storm water management fund
4. drainage maint fund 95

STORMWATER UTILITY FEE REPORT

Prepared for:

City of Lawton

March 2025



Prepared by:

FREESE AND NICHOLS, INC.

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APPENDICES (TO BE POPULATED WITH FINAL REPORT)

Appendix A Drainage Projects from City FY23-27 CIP Book
Appendix B Public Notice
Appendix C Stormwater Utility Ordinance and Fee Schedule
Appendix D Rate Committee Presentation
Appendix E Council Presentations
Appendix F Concept Maintenance Methodology

1.0 INTRODUCTION

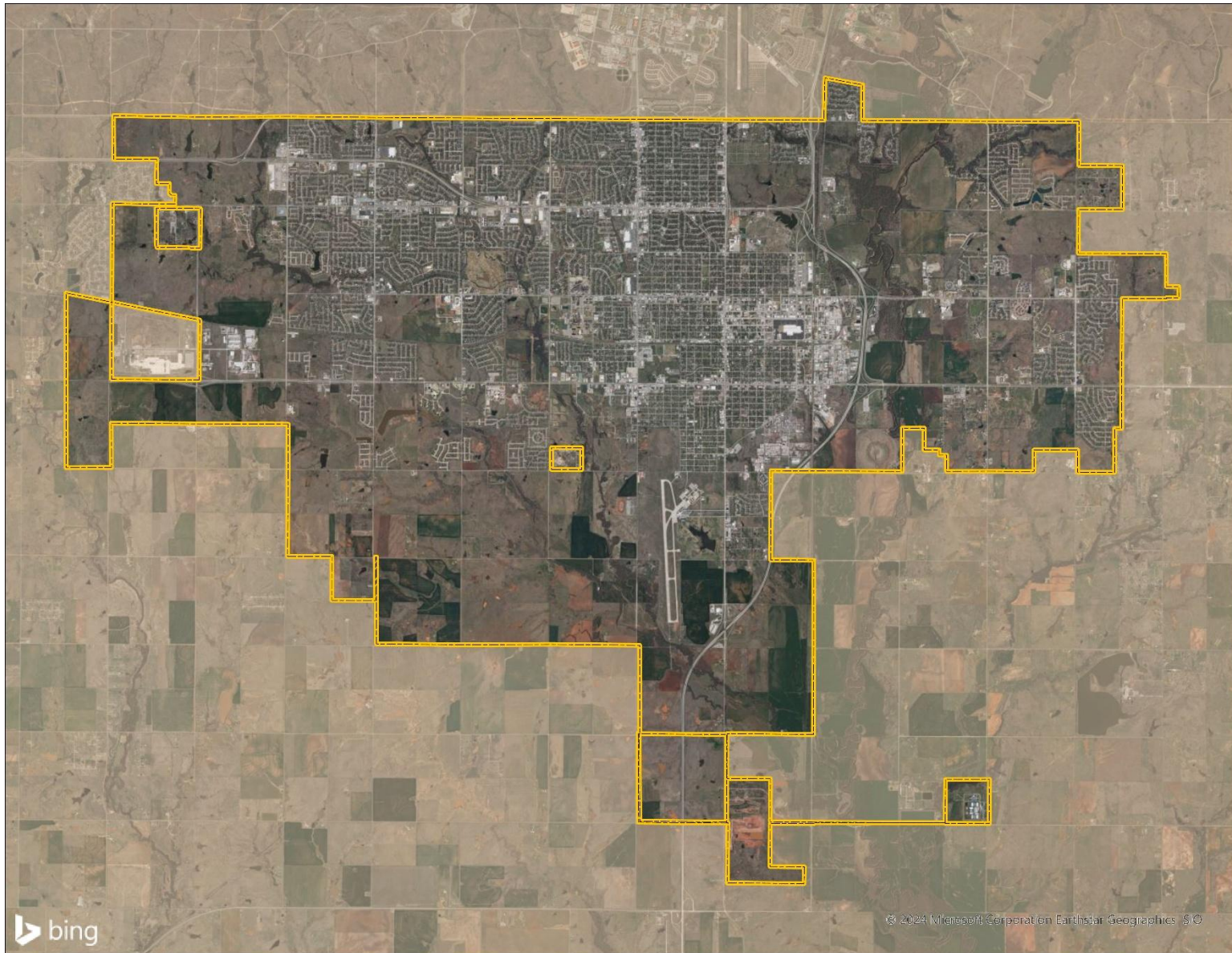
The City of Lawton retained Freese and Nichols, Inc. (FNI) to evaluate the components of a stormwater management and drainage maintenance fee. FNI evaluated a stormwater management and drainage maintenance structure and rates based on requirements of applicable state laws and the City of Lawton (the City's) identified storm system needs. FNI developed a menu of stormwater and drainage services from which the City could choose to meet its stormwater and drainage programs goals, including compliance with new federal water quality protection requirements. Through discussions within the City, it was determined that ultimately merging the utility departments of Stormwater Management and Drainage Maintenance into one utility was a consideration to evaluate during the study. The cost elements of both utilities will be referenced throughout the report, however only one combined fee (a Stormwater Utility Fee) will be referenced, as that is the recommended fee.

1.1 DESCRIPTION OF THE CITY OF LAWTON

Lawton is the largest city in Comanche County, located approximately 86 miles southwest of downtown Oklahoma City. The City has a total area of approximately 81 square miles. Interstate 44 (I-44) is the main thoroughfare through the City, running from the north limits to the south limits of the City. US Highway 62 (US 62) is a major highway running from east to west Lawton. State Highway 7 (SH 7) runs east to west on the southern side of the City.

The 2023 population for the City is 90,245 [1]. The City has three major stormwater related waterways including, East Cache Creek, Wolf Creek, and Nemu Creek accompanied by 10,914 acres of surrounding floodplains.

Figure 1-1: City Limits



1.2 LEGAL BASIS AND LIMITATIONS OF A STORMWATER UTILITY

The State of Oklahoma provides municipalities the opportunity to establish a stormwater utility, which is a legal mechanism used to generate revenue to finance the City's cost to provide and manage stormwater services in the City.[2] "Oklahoma Statutes Title 11. Cities and Towns" section 11-22-104 grants cities in Oklahoma the "Right to engage in business – Public utilities and improvements... for public improvement purposes". To provide these services, municipalities are authorized to assess fees to the users of the stormwater utility system.

The stormwater utility fee is a service fee and must be based on the projected cost of providing stormwater service within the City's jurisdiction.

1.3 STORMWATER UTILITY POLICY

This stormwater and drainage report provides an overview of an assessment of the feasibility for the City of Lawton to finance its stormwater and drainage-related activities through revenues from a stormwater utility fee. Under the present system, necessary stormwater or drainage-related activities are financed through a respective fund of either Stormwater Management or Drainage Maintenance. In addition, significant capital and management improvements to the overall stormwater and drainage systems are needed to protect existing and expected development and to meet ongoing regulatory requirements.

The City is one of many municipalities subject to federal stormwater quality regulations that require the City to further protect and enhance water quality in creeks and lakes through the development of a stormwater quality management program. As an operator of a municipal separate stormwater system (MS4) as defined by the U.S. Environmental Protection Agency, the City is required to develop a multi-faceted program to protect stormwater quality before it enters creeks, rivers, and lakes. The program includes a number of measures to protect stormwater quality, such as the following:

- Storm system maintenance
- Structural and non-structural water quality protection measures
- Storm system mapping and inspections
- Public education, outreach, and involvement
- City ordinances regulating construction activity, illicit discharges, and post-construction runoff
- City staff training and operations improvements

The purpose of this study is to identify a fair and equitable stormwater utility fee and fee structure to finance some or all of these measures, as well as associated administration, service, equipment and other stormwater-related costs. The study strives to identify an appropriate fee based on the projected cost of providing stormwater services in the City. To further protect rate payers from inequitable charges, a means to appeal the rates for any property is currently in place through a Stormwater Hotline listed on the City's website.

The following general goals and policies were considered for the City's stormwater utility. These goals provided an initial basis for the potential purposes and benefits of the utility for the City of Lawton.

- A. Serve as the primary stable source of new stormwater and drainage-related funding.
- B. Finance some or all of the following specific activities:
 - 1. Stormwater Ordinances and Design Criteria modifications
 - 2. Ongoing implementation and maintenance of a Stormwater Quality Management Program to comply with Federal and State MS4 regulations and permit requirements
 - 3. Engineering studies and design
 - 4. Capital improvements to the stormwater and drainage system infrastructure
 - 5. Proactive maintenance for existing infrastructure
 - 6. Equipment for drainage maintenance
 - 7. Staffing for maintenance, compliance, engineering, and/or administration activities
 - 8. Implementation and maintenance of the City's Phase II MS4 stormwater management program to comply with U.S. Environmental Protection Agency (EPA) and Oklahoma Department of Environmental Quality (ODEQ) regulations and permits, as applicable
- C. Provide a mechanism to benefit the quality of life in Lawton by improving and integrating the management of water resources with other aspects of the City such as park systems
- D. Encourage development in the City that minimizes adverse stormwater impacts through better site design and proper management of the City's stormwater resources
- E. Provide a fair and equitable method to assess fees for developed properties' impacts to the City's stormwater system
- F. Allow for the issuance of bonds to finance stormwater capital improvement projects

2.0 COST OF STORMWATER AND DRAINAGE SERVICES

The stormwater utility fee is a common method to address a significant portion of the financial burden for stormwater and drainage management. This section includes considerations and options for services the City may finance with stormwater utility fee revenues. A variety of options for staffing, equipment, and services to provide are made available for reference. The City may choose to select from the list provided, or additional options if the options are stormwater-related. Default values for several parameters are provided in this report with input from the City. This includes rates for labor, equipment purchases and rental, city growth, and inflation.

2.1 COST OF SERVICE DEVELOPMENT CONSIDERATIONS

Options were evaluated to determine an appropriate methodology for identifying the projected cost of providing stormwater and drainage service in the City. It was determined that the following considerations would be incorporated into the assessment of the cost of stormwater and drainage services for the purpose of determining the revenues necessary for the stormwater utility:

- Identify expected stormwater and drainage-related costs. This includes prorated costs for administration, equipment, and other expenses not dedicated to stormwater or drainage activities.
- Evaluate a five-year period for projecting cost of service needs. Cost projections beyond five years are inherently less reliable and may not provide the City with the quality information desired for planning purposes.
- The fund balances for both Stormwater Management and Drainage Maintenance combine to currently have a 180-day operating balance which will be maintained over the observation period.
- Consider prorated costs for items not solely associated with stormwater or drainage but that have an application for stormwater management and drainage maintenance. Examples include engineering staff, maintenance crews, and maintenance equipment.
- Plan for stormwater and drainage revenues to finance all direct operating costs and administrative costs for stormwater and drainage-related activities, including major capital projects.
- Address as much of the City's stormwater and drainage-related costs as practicable through the stormwater utility fee.

2.2 COST OF SERVICE ASSUMPTIONS

For the purposes of the five-year plan, several assumptions were identified and incorporated into the planning process. Specifically, anticipated annual cost increases were identified and developed into cost factors for both stormwater management and drainage maintenance, as shown in **Table 2-1**.

Table 2-1: Annual Cost Factors

	FYE26	FYE27	FYE28	FYE29	FYE30
Expense Rate Inflation	5%	5%	5%	5%	5%
Interest Rate for Debt Service	4%	4%	4%	4%	4%
City Projected Growth Rate	0%	0%	0%	0%	0%

The expense rate inflation and interest rate for debt service are assumed to remain constant over the five-year projection period. City growth is conservatively projected at 0% for the five-year projection period.

2.3 STORM SYSTEM MAINTENANCE

The City plans to establish a program to conduct routine operations and maintenance (O&M) activities throughout the stormwater and drainage system to minimize flooding potential, protect life and property, reduce creek erosion, and protect stormwater quality. The City may consider budgeting through the stormwater and drainage utility to fund all or a portion of a storm system and drainage maintenance crew to conduct stormwater and drainage O&M activities throughout the City. A list of the common crew positions that the City is considering, including compensation with benefits for FYE 2026, is provided in **Table 2-2**. Rates for all positions currently assume 100 percent financing by the combined utility of stormwater management and drainage maintenance. Positions not fully dedicated to stormwater or drainage-related services can be funded on a pro-rated basis if stormwater or drainage utility funding is limited to stormwater or drainage-related services.

The seasonal labor and equipment operators would assume responsibility for routine storm sewer system maintenance activities such as stormwater ditch cleanouts, inlet cleanouts, and drainage swale landscaping. The projected cost to purchase equipment for the seasonal labor and equipment operators is provided in **Table 2-3**. The purchase price of the equipment is amortized over its expected service life to provide an annualized cost. Annual O&M costs include projected fuel and routine maintenance costs.

Table 2-2: Potential Staff

Position	# of Positions	Position Compensation with Benefits (FYE26)	Total Compensation (FYE26)
Equipment Operator	4	\$57,570	\$230,278
Seasonal Labor	6	\$57,299	\$343,791
Environmental Specialist	1	\$105,793	\$105,793
Construction Inspector	1	\$70,150	\$70,150

Table 2-4: Cost to Purchase Equipment for Stormwater Management and Drainage Maintenance

Equipment	Capital Value (FYE25 \$)	Service Life (Years)	Annualized Purchase Cost (FYE25 \$)	Annual O&M (FYE25 \$)	Total Annual Cost (FYE25 \$)
1/2 Ton Pickup (F-450)	\$88,518	5	\$17,704	\$3,100	\$27,244
Landscape Trailer	\$8,000	10	\$800	\$0	\$800
Walk Behind Mower (3)	\$4,500	5	\$900	\$100	\$1,600
Backpack Leaf Blower	\$400	10	\$40	\$100	\$140
Assorted Hand Tools	\$500	10	\$50	\$0	\$50
Zero Turn Mower	\$6,000	10	\$600	\$300	\$2,100
Safety Items	\$300	10	\$30	\$0	\$30
Uniforms and Boots	\$9,000	5	\$1,800	\$0	\$1,800
Large Tractor Mower	\$250,000	10	\$25,000	\$8,800	\$39,800
Small Tractor Mower	\$200,000	10	\$20,000	\$7,000	\$30,000
Weed eater (6)	\$3,600	5	\$720	\$100	\$220
Hydro mulcher	\$5,000	10	\$500	\$200	\$700
Vacuum Truck	\$275,000	10	\$27,500	\$9,700	\$40,200
Truck	\$65,000	5	\$13,000	\$1,000	\$15,200

2.4 CIP IDENTIFICATION

The City’s Proposed Five-Year Capital Improvement Program (FY26 – FY30) identifies a suite of improvements to the City’s drainage maintenance system. Most Capital Improvement Program improvements are from a list of projects in the 2003 Stormwater Master Plan. The project costs have been updated to 2024 values by the City’s stormwater consultant. Financing assumptions are a 20-year loan at a 4 percent interest rate.

2.5 OPERATING RESERVE

The fund balances for both Stormwater Management and Drainage Maintenance combine to currently have a 180-day operating balance. Currently the Stormwater Management Utility has a fund balance equal to approximately \$557,000. The Drainage Maintenance Utility has a fund balance equal to approximately \$930,000.

3.0 REVENUE ASSESSMENT

3.1 BASIS FOR FEE CALCULATION

By practice, the stormwater utility fee rate is calculated according to a basis that estimates a property's use of the stormwater and drainage system. As a result, fee rates are not based solely on certain readily accessible information, such as property values or water usage rates. The City's stormwater utility rate will be based on the amount of impervious area for each property. Impervious surfaces do not provide stormwater significant opportunity for infiltration into the soil and result in increased stormwater runoff to the municipal storm sewer system.

The impervious area approach to stormwater utility rates is the most common basis for estimating a property's impact on the municipal stormwater system. This method is considered a reasonably equitable approach and is used by many surrounding municipalities.

The residential approaches for stormwater utility fees of benchmark comparison cities for Lawton are summarized in the table below:

Table 3-1: Comparison of Stormwater Utility Fees

City	Basis	Rate
Midwest City	Meter Size	\$2.42
Stillwater	Flat Rate	\$2.46
Edmond	Flat Rate	\$3.00
Enid	Per ERU	\$5.55
Broken Arrow	Per ERU	\$10.22
Tulsa	Flat Rate	\$12.22

Property improvements that are considered as impervious areas include buildings, paved parking lots, driveways, patios, walkways, and pools. Gravel parking lots and driveways are also considered impervious area because of the low infiltration rate of stormwater through their surface. Sidewalks within the City ROW were not included in individual property impervious area calculations.

The potential stormwater and drainage impact of impervious area to the storm system include the following:

- Increased total volume of water required to be managed by the municipal storm system resulting in flooding
- Increased peak flows from storm events resulting in flooding
- Increased flow velocities result in increased erosive actions in creek channels and adjacent properties
- Increased pollutant load resulting in degraded water quality

Site-specific design and maintenance approaches may minimize one or more of these impacts. As noted in Section 7.2 (Appeals), the City may determine to reduce the stormwater utility fee for a property by an equitable amount to account for the beneficial stormwater impact of design and/or maintenance approaches by a property owner.

3.2 BILLING METHOD

Fees for stormwater utilities are collected in a variety of ways throughout the country, including as line-items on water bills, as yearly payments with property taxes, or as stand-alone bills. The most common method to assess stormwater and drainage utility charges is through the City utility bill, which is the method Lawton currently uses and will continue.

As part of the City utility bill, the stormwater utility fee will appear on the utility bill as a single line item with the monthly dollar amount for the property shown. A stormwater utility charge will be assessed on a utility account for each eligible property.

If the property can be linked to an associated property with a City utility account, the fee for the improved property is included in the affiliated property's utility account. A common example is a restaurant with a parking lot located on an adjacent lot. If no existing utility account can be associated with the improved property, a new utility account is established by the City for the purpose of assessing the stormwater utility fee. Eligible improved property without an associated utility account still would be assessed a stormwater utility fee, usually as a stand-alone "stormwater-only" charge on a specially developed account for the property owner.

3.3 DETERMINATION OF PROPERTY IMPACT TO STORM SYSTEM

By practice, undeveloped properties in their natural state are not charged a stormwater utility fee. Developed properties with impervious area increase the rate and/or volume of stormwater runoff to the

municipal storm system. Infrastructure improvements, ongoing maintenance, inspections, and evaluations are necessary to effectively manage the increase in stormwater discharge from impervious area.

Impervious area includes rooftops, paved parking lots, paved driveways, gravel driveways, walkways, outbuildings, patios, and pools. It does not include vegetated areas. Properties with less than 400 sq ft of impervious are considered undeveloped. To determine the impact of each developed property on the storm system, FNI delineated the impervious area for each residential and commercial property. The resulting impervious area measurements were used to develop the equivalent residential unit (ERU), which forms the basis fee for all developed properties. One ERU was determined to be 3,200 square feet impervious area based on the mean value residential properties.

The impervious area amount is associated with the specific parcel or group of parcels for the development. The parcel is associated with the appropriate utility billing accounts to allow for assessment of the proper stormwater utility fee if implemented.

Figure 3.1 is an example of the impervious area determination for a single-family residential property, and **Figure 3.2** is an example for a commercial property. **Figure 3.3** shows the impervious area for all properties, City-wide.

Figure 3-1: Example of Impervious Area for Single-Family Residential Property

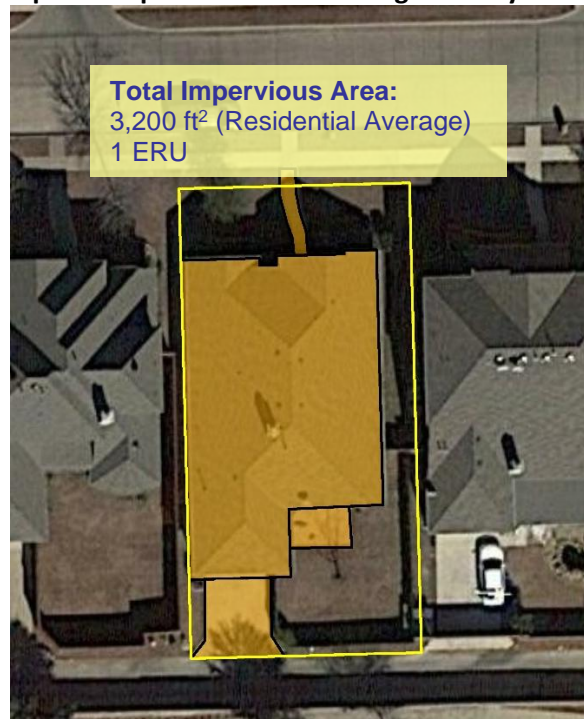


Figure 3-2: Example of Impervious Area for Commercial Property

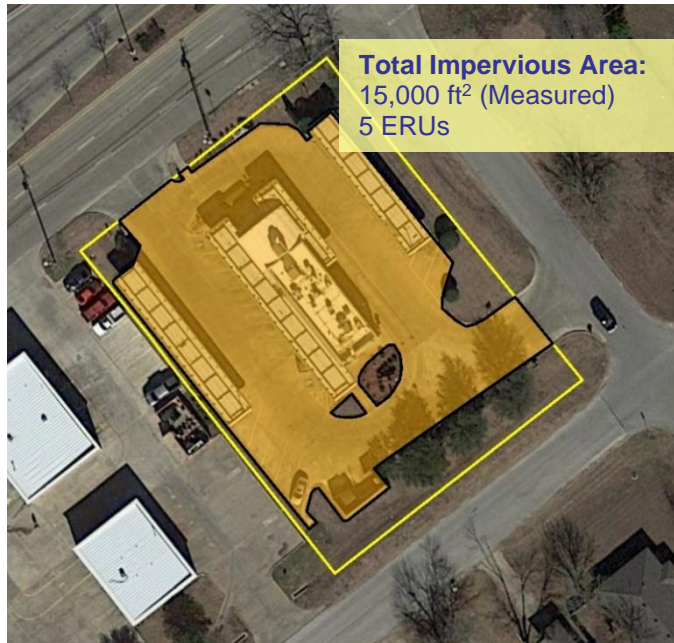
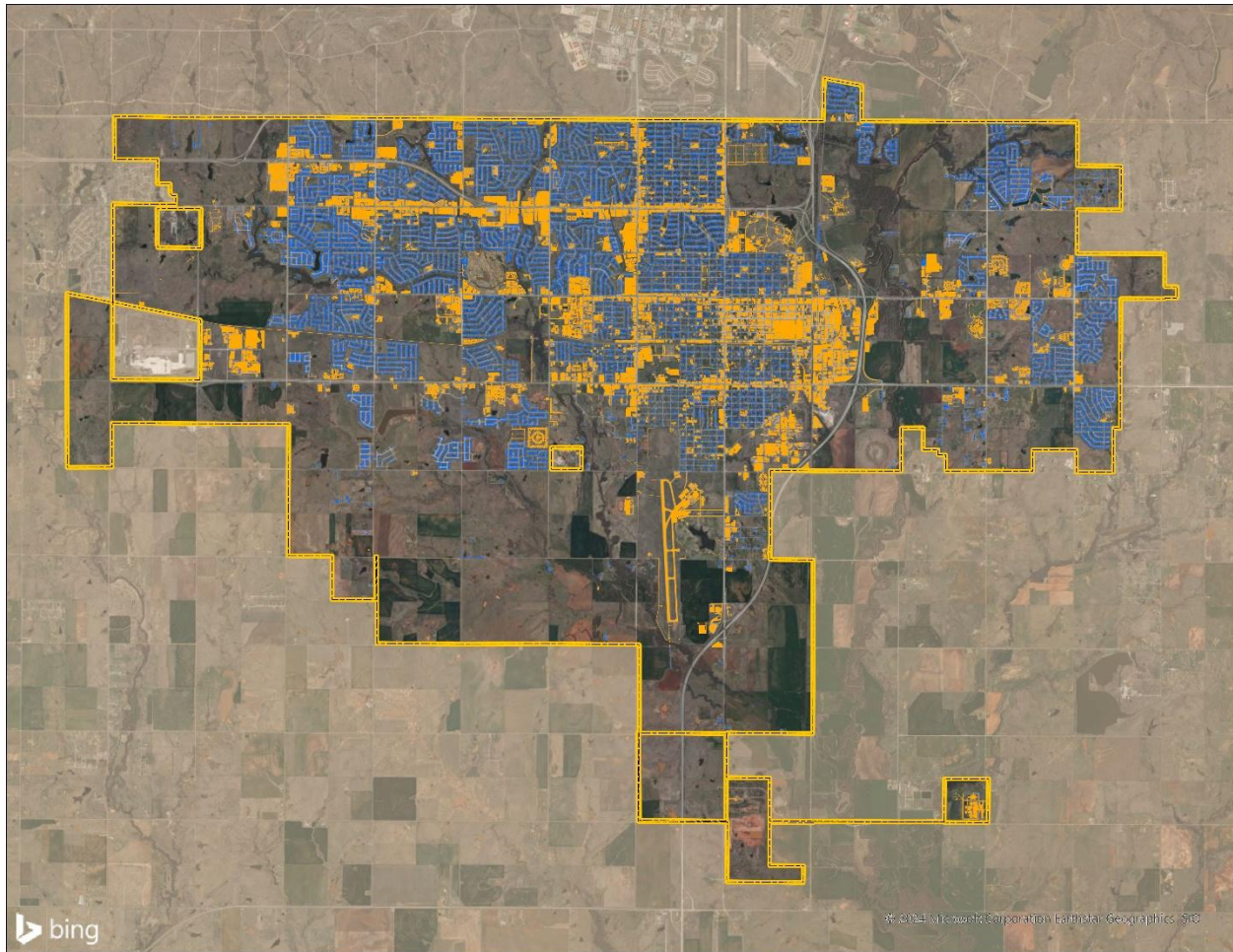


Figure 3-3: City-Wide Impervious Area, by Stormwater Utility Classification



3.4 USER FEE CATEGORIES

The stormwater utility fee system consists of several types of user accounts depending on the type of property and the category of property owner. The stormwater utility fee rate structure is based on the type of user account. The three general account categories include:

- Single Family Residential (includes duplexes)
- Commercial (includes apartments)
- Exempt (currently considering City property)

3.4.1 Single-Family Residential Properties

Single-family residential properties consist of all developed single-family residential properties within the City. Apartment complexes are considered to be commercial properties for fee determination purposes. Impervious area includes the footprint of the residence, including roof overhangs, driveways, walkways,

patios, sheds, carports, gravel surfaces, and other impervious surfaces. It does not include the sidewalk within the City ROW (if present), public streets, or swimming pools.

At the time of this study, 27,698 eligible, non-exempt Single-Family Residential properties were present. 2,911 properties were assigned the Commercial stormwater utility classification. The Single-Family Residential properties account for approximately 90 percent of the total number of parcels and 41 percent of the total impervious area measured for the City in this report.

FNI and the City evaluated numerous different fee structures and decided on a flat residential structure, with the average impervious area per ERU being based on the mean of all residential properties. Each residential account would pay the same amount, equal to one ERU. The fee structure was determined based on feedback from the City as described in Section 6.

3.4.2 Commercial Properties

Any property that is not Single-Family Residential is considered to be Commercial. This includes what is normally considered as commercial as well as apartments and tax-exempt religious organizations. Other developed properties in the City that do not qualify as Single-Family residential and do not meet any of the exemption criteria are also considered Commercial.

Stormwater utility and drainage maintenance fees for eligible commercial are individually calculated based on the total amount of impervious area for the affiliated properties. Each Commercial property is assessed a stormwater utility and drainage maintenance fee at a rate according to the stormwater utility rate unit charge, expressed in whole ERU increments.

3.4.3 Property Exemptions

Many cities consider, and often adopt, exemptions for categories of the community. The City is considering exempting City properties; however, they would be considered Commercial if they were not exempted. The financial modeling contained in this report assumes City properties are exempted from the stormwater utility fee. It is recommended that the City review with the City attorney legal allowances and constraints in establishing exemptions for the stormwater utility fee to verify actions taken are in accordance with applicable laws.

4.0 MENU OF SERVICES

This section presents staffing, maintenance, and capital improvement projects that the City might consider including in its stormwater program. Each new service or project has an associated cost.

Table 4-1 shows the stormwater and drainage needs and associated costs if they were funded through the stormwater utility fee. This menu of services was presented to the City during the biweekly update meetings throughout the year 2024. **Table 4-1** does not include rate rounding/leveling, operating reserve contribution, or administration reimbursement.

Table 4-1: Stormwater and Drainage Service Needs and Associated Cost, FYE 25

Expense Category	Description	Annual Cost	Monthly Cost (\$/ERU)
Staffing	Total Salary, Fringe Benefits, Overtime, Ancillary Supplies, Training, etc.	\$1,967,852	\$2.63
Equipment Expenses	Mowers, Trucks, Tools, Equipment, etc.	\$97,618	\$0.13
Recurring Expenses	Materials and Supplies, Equipment Replacement Fund, etc.	\$406,451	\$0.54
Rehab and Maintenance	Ongoing maintenance	\$417,452	\$0.51

Table 4-2 shows the services being paid for by the stormwater utility fee.

Table 4-2: Cost of Service Summary

Cost	FYE25	FYE26	FYE27	FYE28	FYE29
Current Expenses	\$2,889,373	\$2,940,899	\$3,087,943	\$3,242,340	\$3,404,457
Labor Proposed	\$0	\$175,943	\$184,740	\$193,977	\$203,676
Equipment Proposed	\$0	\$172,328	\$180,945	\$189,992	\$199,492
Recurring Proposed	\$0	\$348,600	\$366,030	\$384,332	\$403,548
Total	\$2,889,373	\$3,637,770	\$3,819,658	\$4,010,641	\$4,211,173

5.0 ALTERNATIVES AND RECOMMENDATIONS

This section documents the alternatives analyzed by FNI and the City and the resulting recommendations.

5.1 STORMWATER NEEDS

FNI and the City evaluated the stormwater needs across Lawton. These included the need for compliance, preventive maintenance, corrective maintenance, and capital improvement projects. The menu of services and their associated costs are shown in Section 4.

FNI and the City also evaluated various storm water capital improvement projects (CIPs) in Lawton. These projects were identified in the City's 2003 Master Plan, complete with preliminary cost estimates and solutions, updated to 2024 value. The City did not select any projects specifically to be included in this Stormwater Utility Fee Development Report.

FNI and the City identified a complete list of stormwater and drainage services that are needed but not conducted due to a lack of funding. These services include preventative maintenance and various CIP projects.

5.2 FEE STRUCTURE AND RATE RECOMMENDATION

In addition to the stormwater needs, various fee structure alternatives were presented to City staff. The recommended fee structure is to charge all Single-Family Residential properties a flat rate. All Commercial properties would be charged per ERU. FNI analyzed several other fee structures with a wide range of variables including 1) numbers of residential tiers, 2) level of service options, 3) exemption assumptions, 4) administration reimbursement amounts, and 5) reserve contribution amounts.

The City chose a flat residential rate system with all single-family residential properties charged the same rate. The proposed rate structure is summarized in **Table 5-1**. With this rate structure all developed residential properties would be charged the same rate, equal to one ERU. Undeveloped single-family residential properties would not receive a stormwater utility fee.

All developed commercial properties would receive a stormwater utility fee based on their impervious area. For every 3,200 sq ft of impervious area or one ERU, a commercial property would receive the fee charge for each ERU applied to the property.

Table 5-1: Summary of Single-Family Residential Properties

Residential Tier	Count of Properties	Mean Impervious Area, sq ft	ERUs
Residential Flat	27,698	3,200	27,698

5.3 RATE RECOMMENDATION

Based on the stormwater and drainage needs, two scenarios were presented to City staff. The scenarios presented to staff summarized a range of rate possibilities for the stormwater utility fee. Scenario 1 shows services largely limited to covering operating expenses, while Scenario 2 shows services covering operating expenses and funding a portion of the identified capital improvements. The corresponding stormwater utility rates for each scenario are in line with comparison cities in the state. Note that because no growth is projected in these financial scenarios, the annual revenue is projected to be flat for the projection period.

Scenario 1 proposes a flat fee of \$5.25 per month for residential properties and \$5.25 per ERU per month for commercial properties. This scenario allows the stormwater utility to remain net revenue positive through FYE29, however minimal funding is available to complete maintenance and CIP needs. Table 5-2 shows the proposed rates and projected annual revenue for Scenario 1.

Scenario 2 proposes a flat fee of \$11.00 per month for residential properties and \$11.00 per ERU per month for commercial properties. This scenario allows the stormwater utility to remain net revenue positive through FYE29 and allows for the City to complete more maintenance projects and complete one-third of the CIP projects identified in the 2003 Master Plan.

The City has the flexibility to consider rates that fall between the two identified scenarios above, with the knowledge that operating expenses would be covered and somewhere between zero and one-third of CIP projects could be funded.

Table 5-2: Scenario 1 Operating Expenses without CIP

Category	Parcels	ERUs	Monthly Fee (\$/ERU/month)	Annual Revenue
Residential	27,698	27,698	\$5.25	\$1,745,000
Commercial	2,911	40,229	\$5.25	\$2,534,000
Total	30,609	67,927		\$4,279,000

**Note revenues are rounded to the nearest \$1,000*

Table 5-3: Scenario 2 Operating Expenses with CIP

Category	Parcels	ERUs	Monthly Fee (\$/ERU/month)	Annual Revenue
Residential	27,698	27,698	\$11.00	\$3,656,000
Commercial	2,911	40,229	\$11.00	\$5,310,000
Total	30,609	67,927		\$8,966,000

**Note revenues are rounded to the nearest \$1,000*

6.0 UTILITY IMPLEMENTATION

6.1 STORMWATER UTILITY ORDINANCE ADOPTION

The stormwater utility fee rates are adopted by ordinance through a majority vote of the City Council. The implementation ordinance declares the stormwater utility adoption and declares the stormwater system of the City to be a public utility. The fee resolution sets the schedule of stormwater utility charges.

6.2 APPEALS PROCESS

By practice customers subject to stormwater utility fees should have the opportunity to appeal the stormwater utility rates set for their properties. Valid reasons for protest include the following:

- A. Undeveloped property is assessed a stormwater utility fee.
- B. Property runoff is contained and does not contribute to the City's stormwater system.
- C. Property is improperly classified (i.e., Commercial instead of Residential), resulting in the incorrect rate being applied.
- D. Fee is charged on multiple utility accounts for the same physical property.
- E. Fee is based on an incorrect impervious area determination for the property.
- F. Fee is based on impervious area for property unrelated to the utility account under appeal.

A recommended appeals process is as follows:

- A. Protests must be made in writing by the account holder and submitted to the stormwater utility administrative staff (Utility Billing) for review. The specific reason for the appeal must be provided, along with necessary information such as the account numbers under protest.
- B. Stormwater utility administrative staff will conduct a review of the protest and is authorized to correct utility fee rates for any of the above reasons, except for claims of incorrect impervious area determinations. Claims of incorrect impervious area determinations will be assessed by the City Engineer.
- C. An initial determination will be provided by the City to the protesting party within 30 days of the protest submission.
- D. Appeals denied by the stormwater utility administrative staff may be appealed to the City Engineer. The City Engineer will conduct a review of the appeal and provide a determination in writing to the protesting party within 30 days of the appeal. Appeal determinations made by the City Engineer may be appealed to the City Manager.

- E. Any adjustment to a stormwater system user's fee must be made on a basis that remains nondiscriminatory, equitable, and reasonable for all utility fee payers. Approved fee adjustments will apply for future bills and will include credit for bills up to six months prior to the appeal. No credit will be applied to bills prior to six months before the appeal was submitted, and no credit will be applied to bills to prior owners of the property.

6.3 SWU FEE BILLING IMPLEMENTATION

Prior to implementation of the stormwater utility fee, the impervious area associated with each property must be linked with the correct utility billing account. This is accomplished by matching address information from the City's utility billing database to address information contained within the appropriate GIS parcel data.

6.4 UTILITY ACCOUNT MANAGEMENT

Each developed, non-exempted property must be assessed a stormwater utility fee and will require a utility account. FNI recommends the utility fee be assessed on a single account per property to minimize the City's administrative burden.

Duplicate utility billing accounts for a property are not typically assessed a stormwater utility fee unless the total stormwater utility fee is apportioned across multiple accounts. For administrative reasons, associating the stormwater utility fee to a single account per property is recommended.

Strip shopping centers and apartment complexes typically have numerous accounts. A common utility account scenario for these types of properties is to have one account for each business or apartment building, respectively, as well as a management account and/or an irrigation account. FNI recommends assigning the stormwater and drainage utility fee to the management or irrigation account to allow the property management to determine the appropriate approach to assess the stormwater and drainage utility fee to individual tenants.

It is recommended that impervious surface calculations for commercial properties be updated as work permits are completed to ensure that data is kept current. This data maintenance responsibility would be the requirement of the stormwater division to assess and provide as permits are applied for or completed. Further information regarding how to maintain and ensure the accuracy of this data can be found in the Appendices.

Some properties have no active utility account. Examples of such properties include those on well water, those within City limits but provided service by other providers, and properties such as parking lots that

have no need for a water account. For these developed properties, a new utility account will typically need to be created specifically to assess the stormwater and drainage utility fee. Properties are not eligible to be exempted from the stormwater and drainage utility fee for the reason of having no water, sewer, or waste disposal service with the City.

Accounts in an exempt category are not assessed a stormwater utility fee. A variety of circumstances can lead to a utility account and/or a property being exempt. A property meeting any of the mandatory exemptions or the City's selected optional exemptions are considered exempt. The associated utility accounts for these properties are categorized in the exempt classification.

The City may determine that it is more efficient to assess stormwater fee for some developed properties as a group. For example, a property that extends across multiple parcels may be assessed a single utility fee but clarifying notes in the utility billing database are recommended to identify the parcels that are aggregated to assess the single fee.

7.0 REFERENCES

- [1] US Census Bureau, "QuickFacts Lawton city, Oklahoma," [Online]. Available: <https://www.census.gov/quickfacts/lawtoncityoklahoma>. [Accessed 20 August 2024].
- [2] <https://oksenate.gov/sites/default/files/2019-12/os11.pdf>

Appendix A: Drainage Projects from City FY23-27 CIP Book

Appendix B: Public Notice

Appendix C: Stormwater Utility Ordinance and Fee Schedule

Appendix D: Rate Committee Presentation

Appendix E: Council Presentations

Appendix F: Concept Maintenance Methodology

Administrative Review Response Form Letter

[Your Name]

[Date]

[Recipient Name]

[Title]

[Company Name]

[Street Address]

[City, ST ZIP Code]

Dear [Recipient Name]:

Thank you for your request to review your Stormwater Utility Fee charge. We have completed our review of your account and have determined your request to be:

- Approved
- Approved with Modifications
- Additional Information is Needed
- Denied

If your request was approved or modified, your updated charge will be based on the following information:

Customer Account: _____

Property Address: _____

Property ID: _____

Property Type: Residential Commercial Exempt

Impervious Area sq.ft. [COM only]:

Equivalent Residential Units (ERUs) (Impervious area sq. ft. / 3,200) [COM ONLY]:

Stormwater Utility Fee (\$/month):

If your classification has been adjusted downward (to a lesser charge) you will receive a credit on the next bill for the billing cycle which has been reviewed. Your charge going forward will be based on the details listed above.

If your request was noted as additional information needed, please submit the requested information to us so we may complete our review.

If your request was denied, we have listed the information we have verified as accurate for your property.

You have the right to appeal this decision to the Lawton Public Works Director. An appeal application form is available on our website at:

[Lawton, OK | Home](#)

IMPORTANT DEADLINE: If you choose to appeal this decision to the Public Works Director, you have **14 days** from receipt of notice of that decision to file an appeal.

Please note that during the time your account is under review, stormwater charges will continue to accrue. Any account that is unpaid and not classified as under review will accrue late charges and be subject to disconnection under existing Lawton procedures.

If you have any questions, please contact me and we can discuss further.

Sincerely,
[Your Name]



Appeals and Change Form

Owner/Applicant:

Call if assistance

needed to fill out form.

Name: _____ Daytime Phone: _____

Mailing Address: _____ City: _____ Zip: _____

Email address: _____

Service Location Information:

Property Address: _____ Utility Billing Account ID: _____

Reason for Appeal: (Check all that apply and attach documents and descriptions as indicated)

Impervious Area Calculation

Owner shall provide a copy of a current survey or site plan specifying area in square feet of all impervious surfaces on the parcel. All measurements are subject to verification by Storm Water Engineering staff.

Current Impervious Area if available (sqft) _____

Proposed Corrected Impervious Area if available (sqft) _____

Current Property Classification

- Residential: []
Commercial: []
Exempt: []

Proposed Property Classification

- Residential: []
Commercial: []
Exempt: []

Incorrect Utility Billing Account Charged:

Current:

Proposed: _____

Comments: _____

Additional Information:

If desired, provide additional details that will assist the Stormwater Utility Administrator in processing this appeal. Email this form with any supporting documents to the Public Works Director, michael.watrous@lawtonok.gov.

City of Lawton USE ONLY

Date Received: _____ Reviewed by: _____

- [] Approved [] Approved with Modifications [] Additional Info Needed [] Denied [] Credit to Apply

Notes: _____

Adjustments

SWU Category (circle one): RES COM EXEMPT Utility Billing Account ID: _____
Impervious Area (sf): _____ SW Parcel ID: _____



Public Works Director

(1) Date to Utility Billing: _____

(2) Date Notification sent to applicant: _____

Signature: _____

Utility Billing Administrator

(3) Date Adjustment Applied: _____

Signature:

STORMWATER UTILITY FAQs

1. WHAT IS A STORMWATER UTILITY FEE?

The stormwater utility fee is a user fee, like water, sewer, and garbage fees, that funds operations, maintenance and improvements to the town’s drainage system.

The stormwater utility fee is an equitable method to assess a drainage charge based on developed properties’ impact to the city’s storm system.

2. Why does Lawton have a stormwater utility fee?

The city maintains a drainage system that provides public health and safety through protection from flooding, minimization of surface water stagnation, and prevention of stormwater pollution.

Revenues from the stormwater utility fee are used solely for drainage-related purposes within the town.

3. WHO RECEIVES A STORMWATER UTILITY FEE?

Only developed properties receive a stormwater utility fee.

Apartment complexes and commercial properties are charged at a Commercial rate based on the total impervious area.

NOTE: Impervious area means a surface which has become compacted or covered with a layer of material so that it is highly resistant to infiltration by water and includes, but is not limited to, caliche and gravel surfaces subject to motorized vehicular traffic, walkways, buildings, parking lots, pavement, and ingress/egress driveways.

Impervious Area does not include sidewalks located in the public right-of-way. For purposes of this definition, a walkway is a pedestrian path in the interior of an Improved Lot or Parcel that is not located in the public right-of-way.

4. HOW IS THE STORMWATER UTILITY FEE DETERMINED FOR EACH PROPERTY?

Customers are charged based on their contribution to the stormwater system, determined by the amount of impervious area for residential and commercial properties.

All residential accounts will receive the same fee. Based on 1 Equivalent Residential Unit (ERU, or 3,200 sq ft of impervious area).

Impervious Area (sf*)	Monthly Fee
N/A	To Be Determine

*sf = square feet

Non-Residential charges are based on a per-ERU basis.

Impervious area (sf)	Monthly fee
Per ERU	To Be Determined /ERU/Month

5. HOW CAN A CUSTOMER LEARN MORE ABOUT THEIR STORMWATER UTILITY FEE?

Any customer wishing to see impervious area or wanting more information about their stormwater utility fee can refer to the Lawton Stormwater Management Website or contact the Public Works Director.

Information is also available online. Upon request, the City will provide a property sheet by e-mail that details the basis for the stormwater utility fee for that property.

Website: [Lawton, OK | Home](#)

Contact information: Michael Watrous - Public Works Director
michael.watrous@lawtonok.gov

6. WHAT IS THE APPEALS PROCESS FOR STORMWATER UTILITY FEES?

Customers wishing to appeal their fee may first contact the Public Works Director, who can review their fee.

Customers who do not notify the City and who do not submit payment for fees will be subject to late fees and disconnection procedures.

Appeals of the Assistant Public Works Director’s decision may be made to the Public Works Director.

NOTE: The call center will not have the information required to modify a customer’s charge, give stormwater utility fee refunds, or check the status of pending appeals.

7. WHEN WILL THE STORMWATER UTILITY FEE BE ADDED TO AN ACCOUNT FOR A NEWLY DEVELOPED PROPERTY?

For property under development, the stormwater utility fee will be added to the utility bill upon issuance of a Certificate of Occupancy or Residential Final Inspection (or equivalent documentation) for the property.

City of Lawton
Stormwater Management
Administrative Policies and Procedures

Effective Date:

Subject: Stormwater Utility Fee
Administrative Review, Adjustment, and Appeals Policy

Applies to: City of Lawton Public Works Director, GIS Department, Deputy Public Works Director

Policy: Provide procedures for the City to comply with its Code of Ordinances, and to establish both an internal administrative review process and a Public Works Director appeal, which authorize corrections and adjustment of water, wastewater, and stormwater utility bills.

Authority: City of Lawton Ordinances, Ord. No. 2005-92

Roles and Responsibility:

Public Works Director

- Has overall responsibility for implementation of the Stormwater Utility Fee in accordance with the City of Lawton Code of Ordinances.
- Hears, reviews, and makes determinations regarding customer appeals from the administrative review process as described in City of Lawton Code of Ordinances, Ord. No. 2005-92.
- Exercises authority to make the final determination on an adjustment to fee.

Assistant Public Works Director

- Reviews and makes determinations regarding overall policy and adjustments made to accounts.
- Reviews and makes determinations on whether an adjustment to the stormwater fee is justified during the administrative review process.
- Provides documentation regarding a customer's account to the Public Works Director if the customer desires to appeal the administrative decisions.
- Notifies Lawton Utility Billing when a customer account is placed in the Appeals Process.
- Notifies customer of date and time of the Public Works Director Appeals Hearing.
- Supervises record keeping for the determination, appeals, final decisions, adjustments made, and reasons for the adjustments.
- Retains records according to the City's Records Retention Schedule.
- Serves as primary contact for customer questions regarding the stormwater utility fee.

City GIS Staff/Stormwater Staff

- Create one page information sheet for property, when requested, that shows that property's impervious area determination.
- At the request of the Assistant Public Works Director, reviews GIS data for property under appeal, to determine if the property in question is being charged appropriately, undercharged, or overcharged.
- Reports results of verification back to Assistant Public Works Director for use in appeals process.
- Make adjustments to GIS database when appeals are successfully granted or when errors are discovered.

City of Lawton Customer Service Manager

- Maintains the correct billing rate and fees for each customer in accordance with the rates and fees adopted by City ordinance.
- Bills each customer for services rendered on the utility bill.
- Maintains customer accounts that document charges and fees, payments and account balances.
- Make corrections, as necessary, to record actual payments made by the customer and to record the proper billing of charges and fees for services rendered.

Procedures:

Parcel Classification

City GIS/Stormwater staff maintain the parcel classification information within the Stormwater Utility (SWU) database. If a parcel classification error is discovered, City staff takes steps to confirm whether the classification is an error or not.

- If the classification is incorrect, the correct classification is assigned in the SWU database.
- If the classification is not an error, the City communicates the correct classification to the landowner.

Impervious Area

City GIS/Stormwater staff maintain the calculated impervious area information within the Stormwater Utility (SWU) database. If an impervious area value is disputed, City staff takes steps to confirm whether the impervious area is an error or not.

- If the impervious area is incorrect, the correct impervious area is updated in the GIS SWU database.
- If the impervious area is not an error, the City communicates the correct impervious area to the utility account holder.

Internal Administrative Review Process

The administrative review process is conducted by the Assistant Public Works Director with assistance from City GIS or Stormwater staff and Lawton Billing. The scope of the administrative review process includes reviewing and considering requests regarding:

- Charge to a property that should not receive a charge;
- Incorrect charge applied to a property

During the internal administrative review process, the following items will be reviewed to provide consistency to customers.

1. Review account information

- a. Proper account selected per prioritization policy
 - i. Owner account
 - ii. Single tenant account
 - iii. Adjacent affiliated parcel owner account
 - iv. Adjacent affiliated parcel tenant account
 - v. Stormwater-only account

2. Review GIS info

- a. Verify SWU Category for parcel
 - i. EXEMPT
 1. Undeveloped (impervious area less than 400 square feet total)
 2. City, state, and federal roads, bridges, highways, streets, and rights-of-way
 3. City parks, city buildings, city facilities and open spaces owned or operated by the city
 4. Property under development (prior to issuance of CO or equivalent)
 - ii. RES
 1. Single family
 2. Duplex
 3. Triplex
 - iii. COM
 1. Multi-family (4 units or more)
 2. Retail
 3. Commercial
 4. Industrial
 5. All other properties not meeting definition of RES or EXEMPT
- b. Verify impervious area for parcel
 - i. RES = impervious area greater than 400 square feet
 - ii. COM = total impervious area

3. Review Billing
 - a. RES
 - i. Flat rate for residential
 - ii. For duplexes, triplexes, divide one (1) ERU (Equivalent Standard Unit) by the number of accounts to receive a bill, then assign the calculated ERU to each account
 - b. COM
 - i. For Commercial, divide the Impervious Area by one (1) ERU to calculate the ERU for the account (round up to nearest whole number). Multiply the rounded up ERUs calculated by the residential rate to determine monthly rate.
 - c. EXEMPT
 - i. Verify no charge is being applied
4. Notify GIS
 - a. Update SWU classification
 - b. Update impervious area
 - c. Update billed account (obtain correct account in coordination with Utility Billing)
5. Notify Utility Billing
 - a. Update billed account (obtain correct account in coordination with Utility Billing)
 - b. Update SWU Category
6. Obtain from Utility Billing
 - a. Fee refund amount
 - b. Fee refund period
 - c. Fee refund account(s)
 - d. Fee refund recipient(s)
7. Notify customer
 - a. Complete form letter with findings and details
8. Billing
 - a. Verify fee refund applied

Appeals Process – Public Works Director

After the completion of the internal administrative review process, the Customer may appeal the administrative determination to the Public Works Director. The appeal must be filed within 14 days of the notification of the decision being appealed. Once requested, an appeal must be held within 21 days of the request.

The Customer may request a hearing as part of the appeal, or a “paper-based” appeal session may be held. The scope of the Public Works Directors authority includes reviewing and considering requests regarding:

- Charge to a property that should not receive a charge;
- Incorrect charge applied to a property

The following requirements will be considered and applied in determining the appeal:

1. The Public Works Director must render a decision on the appeal within 48 hours of the hearing or “paper-based” appeal session.
2. Applicable City records will be compared to information provided by the Customer.
3. Issues appealable include:
 - a. Charge on a property that is thought to be undeveloped or ineligible for SWU charges, consistent with City ordinance.
 - b. Determination of billable impervious area as applicable.

Utility Account Adjustments (non-billing rate changes)

The City of Lawton City will have the authority to make corrections to customer account information and billing information, as necessary, to ensure that the information is correct and accurate. A record will be made to document all adjustments or changes to an account to correct errors. The City of Lawton will ensure that the ability to pull reports from the system is in place at all times. The City’s Customer Service office will pull monthly reports of adjustments made to stormwater accounts.

A copy of all records on adjustments will be maintained and available for internal audit purposes.

The Assistant City Works Director will have the authority to make administrative determinations to direct City Utility Billing to adjust a stormwater utility bill after review of available information. City Utility Billing will make and keep a record of all adjustments made. Records of any adjustments made will be kept in accordance to the City’s Records Retention Schedule.

A copy of all records on adjustments will be maintained and available for internal audit purposes.

Required Documents:

The Utility Billing supervisor will sign off on all adjustments or corrections. Utility Billing will maintain records and documentation for all corrections, adjustments and changes made to customer billing information. Such reports may be system generated or generated by hand, as necessary.

The Deputy Public Works Director will maintain a record of all administrative reviews and determinations made. The record may be system generated or generated by hand. The City Engineer will sign off on all determinations made.

The Deputy Public Works Director will direct the creation of minutes of any appeals hearings and decisions made. The minutes will be approved by the Public Works Director and kept in accordance with the City's Records Retention Schedule.

City of Lawton
Stormwater Management
Administrative Policies and Procedures

Effective Date:

Subject: Stormwater Utility Fee Customer Inquiries

Applies to: City of Lawton Public Works Director, GIS Department, Deputy Public Works Director

Policy: Provide procedures for the City to comply with its Code of Ordinances, and to establish the response to Customer Inquiries by various departments.

Authority: City of Midwest City Ordinances, Ord. No. 2005-92

Roles and Responsibility:

Public Works Director

- Has overall responsibility for implementation of the Stormwater Utility Fee in accordance with the City of Lawton ordinance.

Deputy Public Works Director

- Reviews and coordinates updates to the Customer Service Discussion Points and FAQ's document used to implement this procedure.
- Ensures that the Customer Service Department is supplied with the latest version of the Customer Service Discussion Points and FAQ's document.
- Serves as primary contact for customer questions regarding the stormwater utility fee that are not listed in the Customer Service Discussion Points and FAQ's document.

City Customer Service Management

- Reviews and checks for appropriateness the Customer Service Discussion Points and FAQ's document used to implement this procedure.
- Ensures that the Customer Service Department has the latest version of the Customer Service Discussion Points and FAQ's document.
- Ensures that Customer Service Representatives have been trained on this procedure and on the Customer Service Discussion Points and FAQ's document.
- Ensure that Customer Service Representatives have the opportunity to ask questions and receive answers to strengthen their understanding of the Stormwater Utility Fee.

Office City Customer Service Representatives, Receptionist, Public Information

- Review the Customer Service Discussion Points and FAQ's document used to implement this procedure.
- Receive training on this procedure and on the Customer Service Discussion Points and FAQ's document.
- Ask questions and receive answers to strengthen their understanding of the Stormwater Utility Fee.
- Answer inquiries as stated below in the Procedure.
- Document interactions as directed.

Procedure:

1. When a call is received concerning the Stormwater Utility Fee, listen carefully to the Customer's question.
2. Look for the question/answer on the Customer Service Discussion Points and FAQ's
3. If the answer exists, provide that information to the Customer.
4. If the answer to a Stormwater Utility Fee question is not on the Customer Service Discussion Points or FAQ's, then forward the caller to the Public Works Director at: michael.watrous@lawtonok.gov
5. Document the interaction with the Customer on the provided Stormwater Utility Fee Inquiry tally sheet.

Documentation:

A tracking document will be used to document the questions received. Record time/date and nature of the question, and whether call forwarded to the Assistant Public Works Director or not.

City of Lawton
Stormwater Management
Administrative Policies and Procedures

Effective Date:

Subject: Stormwater Utility Fee Development and Re-development

Applies to: City of Lawton Public Works Director, GIS Department, Deputy Public Works Director

Policy: Provide procedures for the City to comply with its Code of Ordinances, and to establish the audit process for the Stormwater Utility Fee accounts.

Authority: City of Lawton Ordinances, Ord. No. 2005-92

Roles and Responsibility:

Public Works Director

- Has overall responsibility for implementation of the Stormwater Utility Fee in accordance with the City of Lawton Code of Ordinances.

Deputy Public Works Director

- Ensures new or modified SWU accounts are added in a timely manner.
- Serves as primary contact for internal questions or concerns regarding the Stormwater Utility Fee program.

City Community Development Department

- Receive applications for development/re-development
- Review applications
- Resolve differences between new GIS data and site plan submittal
- Once application approved, notify GIS and Utility Billing via the tracking system

City Utility Billing

- Create billing accounts as needed for new developments or re-developments.
- Ensure SWU fee bills are timely sent once Certificate of Occupancy, Temporary Certificate of Occupancy, or Final Inspection as applicable is completed.
- Use the Change Process (contained in the Administrative Review workflow) to make corrections to existing accounts.

GIS Department

- Create new GIS account information for development/re-development, including:

- Parcel address
 - Parcel boundary
 - Impervious area (sq. ft.)
 - SW Parcel ID
- Review the documentation and ensure complete and accurate.

Procedure:

6. When an application for development/re-development has been submitted, Community Development Department will perform the initial review and enter into the development tracking system. The tracking system will notify Billing and GIS that a new application has been entered.
7. When notice that an application for development/re-development has been submitted, GIS Department will complete the following steps:
 - Network folder to verify and update (City Parcel and Impervious Area layers):
 - Parcel address
 - Parcel boundary
 - Impervious Area (sq. ft.)
 - Assign:
 - SW Parcel_ID
 - Utility Billing Account ID
 - SWU Classification
 - New GIS Parcel and IA information sent to database
 - Parcel address
 - SW Parcel_ID
 - Utility Billing Account ID
 - SWU Classification
8. Community Development Department will review new GIS information against site plan submittal and resolve differences with applicant.
9. Once differences resolved, and application approved, Community Development Department will send information to GIS and to Billing.
10. GIS will update City Parcel layer:
 - MCAD Parcel Address
 - MCAD Number
 - SW Parcel_ID
 - SWU Classification
11. Billing will add utility billing record for the development.

12. Billing will create notification of utility billing updates with Location ID into the tracking system.
13. GIS will update City Parcel and SWU Area layer:
 - MCAD Parcel Address
 - MCAD Number
 - SW Parcel_ID
 - SWU Classification
 - Utility Billing Account ID
14. GIS will push out updated City Parcel and SWU Area layers to GIS web mapping applications for internal and external clients.
15. When a Certificate of Occupancy (or equivalent) is issued for a parcel, Community Development Department will notify Billing through the development tracking system, so that Billing may begin billing the account associated with the parcel.

Documentation:

Applications for development/re-development are entered into the development tracking system.

Documentation in the billing system will add the Stormwater Fee to existing bills or establish a “Stormwater Only” account for the new development/re-development.

The GIS system will contain parcel data such as Location ID, Impervious Area, etc.



Stormwater Utility Fee Evaluation Study Update

March 18, 2025



A photograph of four workers in safety gear (hard hats and high-visibility vests) standing on a stone-lined stream bed. The image is overlaid with a semi-transparent blue filter. The workers are engaged in a discussion, with one worker in the foreground looking towards the others.

Stormwater/Drainage Management Overview



Stormwater/Drainage Management and Maintenance



Stormwater runoff enters streams, rivers, and collection systems without treatment.

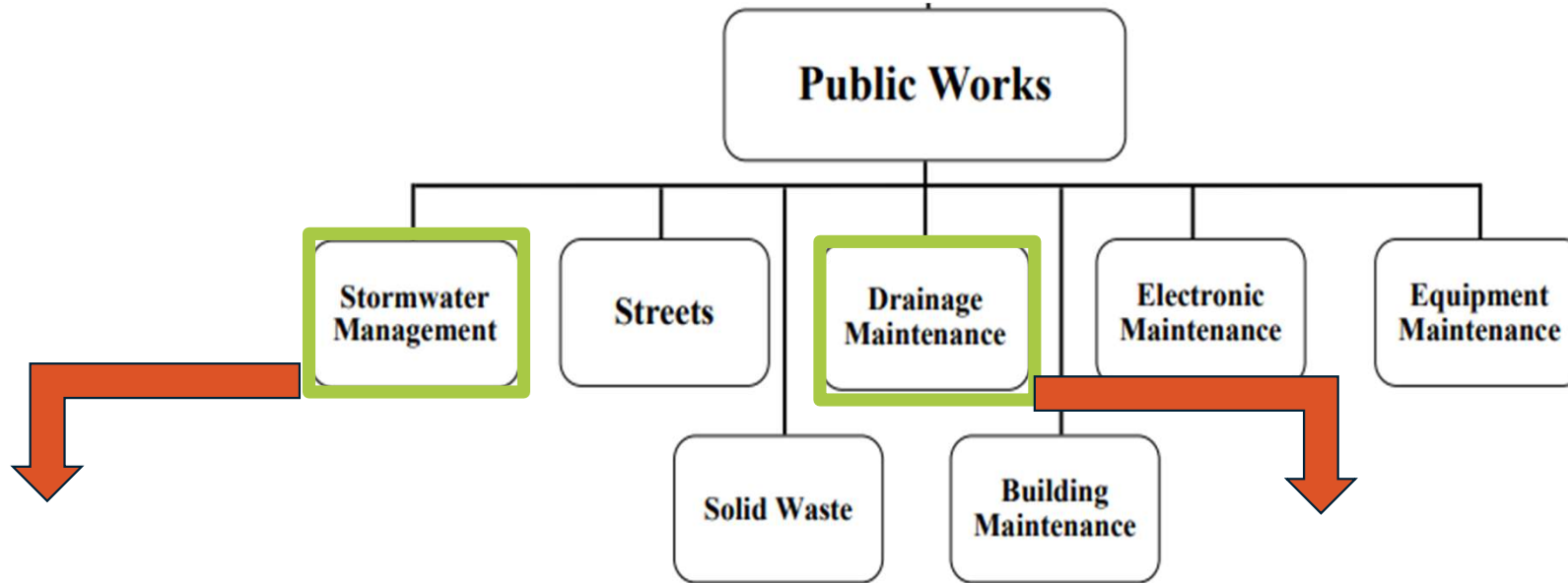
Impervious surfaces increase stormwater runoff to be managed.

Stormwater systems consist of constructed infrastructure (e.g., storm pipes) and natural features (e.g., creeks)

Stormwater/Drainage Program Goals



Lawton's Current Stormwater/Drainage Structure



- **Monthly Charge/Account: \$1.25**
- Annual Revenue: \$903,002
Per Annual Budget (FYE25)

- **Monthly Charge/Account: \$2.30**
- Annual Revenue: \$1,086,452
Per Annual Budget (FYE24)



Stormwater Needs



December 13, 2024

Stormwater Drainage Issues

Flooding



Water Quality



Erosion



Maintenance



Stormwater/Drainage Infrastructure



Stormwater/Drainage Infrastructure



Stormwater/Drainage Infrastructure



Construction



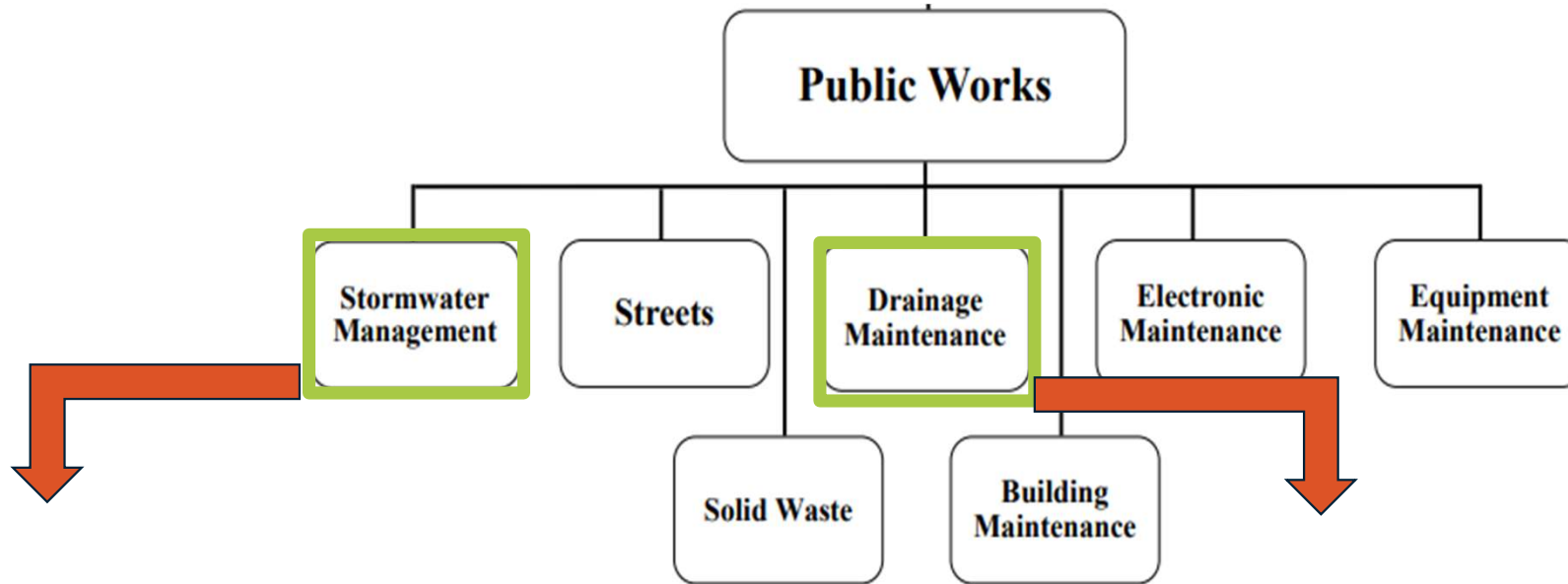
Identified CIP Projects to Complete

Rank	Project Name	Projected Cost (2024 \$)
1	East Branch Numu Creek from Ferris to SW F Ave	\$34,146,728
Unranked	Numu Creek from I-44 north to Lee Blvd.	\$8,466,355
2	Numu creek from Sheridan Rd to Cache Rd	\$48,700,815
3	Numu Creek Channel from 9th St to 11th St.	\$4,328,260
4	SW Jefferson from SW 24th St to Sheridan Rd.	\$9,203,430
Unranked	Santa Fe Bridge on NW 41 st St	\$4,234,844
5	Ferris Ave to Gore Blvd	\$9,972,014
6	Tributary A from NE Flower Mound Rd to East Cache Creek	\$3,550,743
7	Prentice & Floyd	\$17,468,770
8	Wolf Creek north of Gore	\$4,170,039

Rank	Project Name	Projected Cost (2024 \$)
Unranked	Wolf Creek north of Gore	N/A
9	Garden Village Subdivision	\$11,643,061
10	Channel on Dearborn and NE Euclid	\$2,453,638
11	Greer Addition 200' North of Gore Blvd	\$2,392,376
Unranked	S 11th St. Bridge on Wolf Creek south of I-44	\$2,822,646
Unranked	SW Lee Blvd. on SW 52nd St.	\$146,906
12	Lincoln Ave to Cherry Ave	\$18,322,050
13	NW 81st St. and NW Taylor Ave.	\$463,847
14	NE Bell Ave to SE Randolph on NE 51st St	\$679,726
15	Numu Creek and Tributary from Railroad St. west to US 281	\$10,195,221

Total Cost = \$193,361,000

Lawton's Current Stormwater/Drainage Structure



- **Monthly Charge/account: \$1.25**
- **Annual Revenue: \$903,002**
Per Annual Budget (FYE25)

- **Monthly charge/account: \$2.30**
- **Annual Revenue: \$1,086,452**
Per Annual Budget (FYE24)

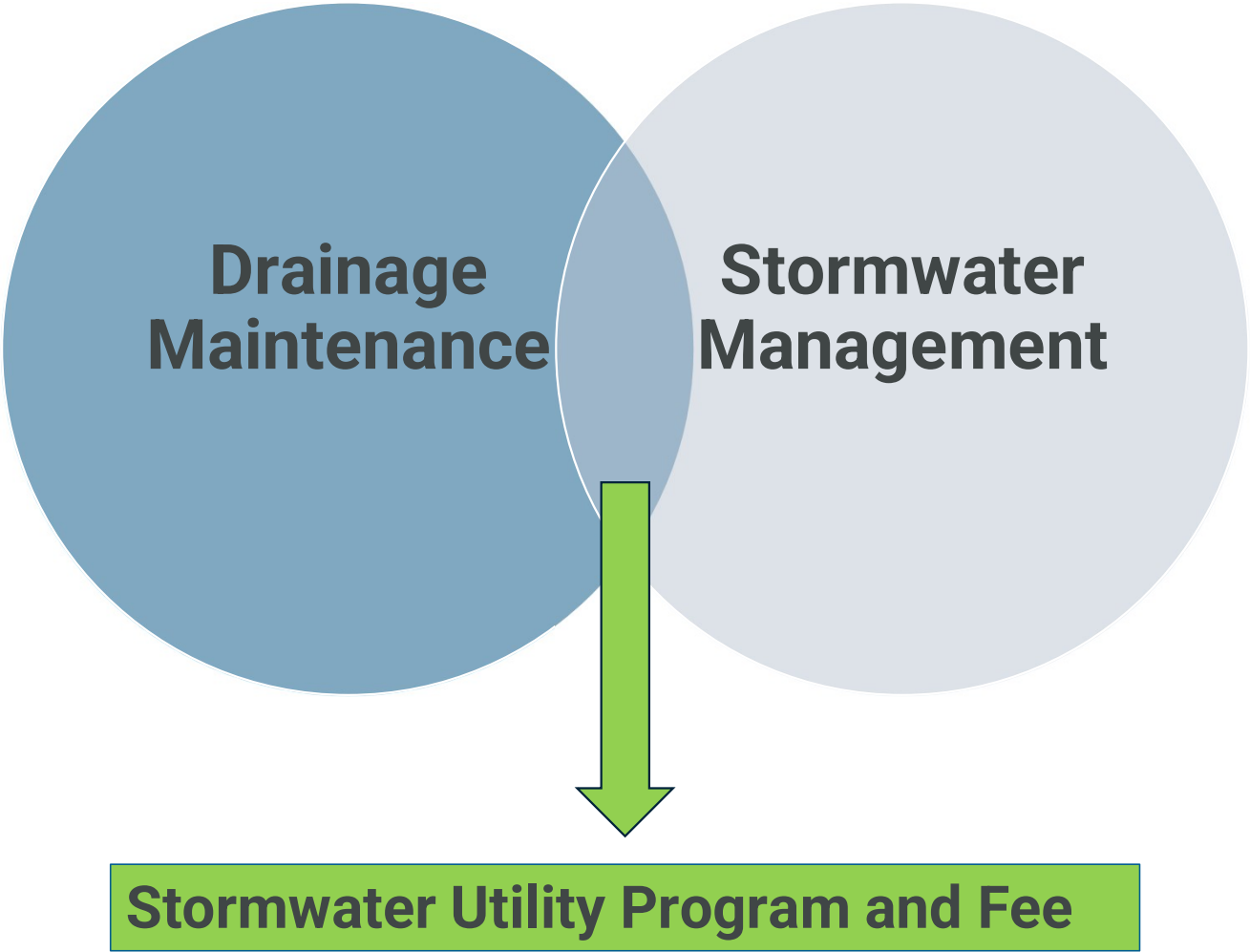
Current rate structures have combined revenue shortfall of \$890,818 in FYE25 for both Stormwater Management and Drainage Maintenance



Proposed Updates

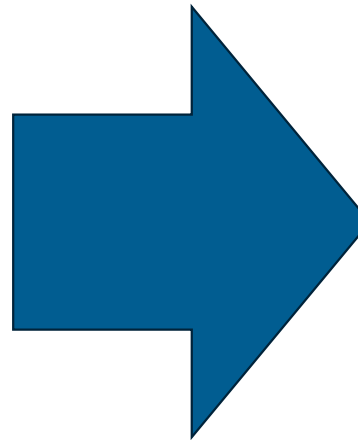


Combine Programs and Fees

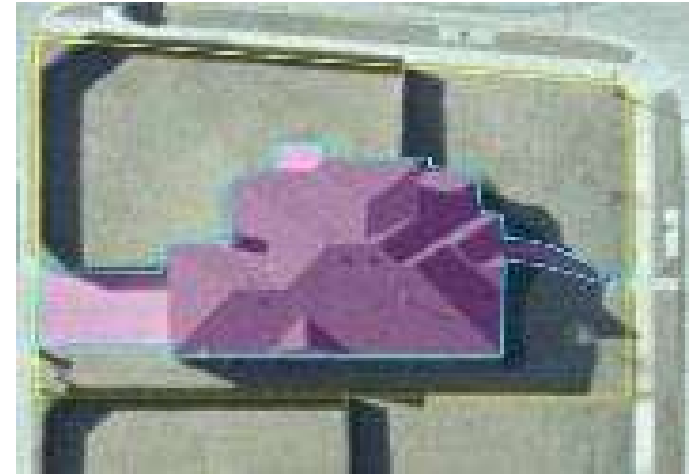


Stormwater Utility Refinements

Meter-Based



Impervious Area-Based



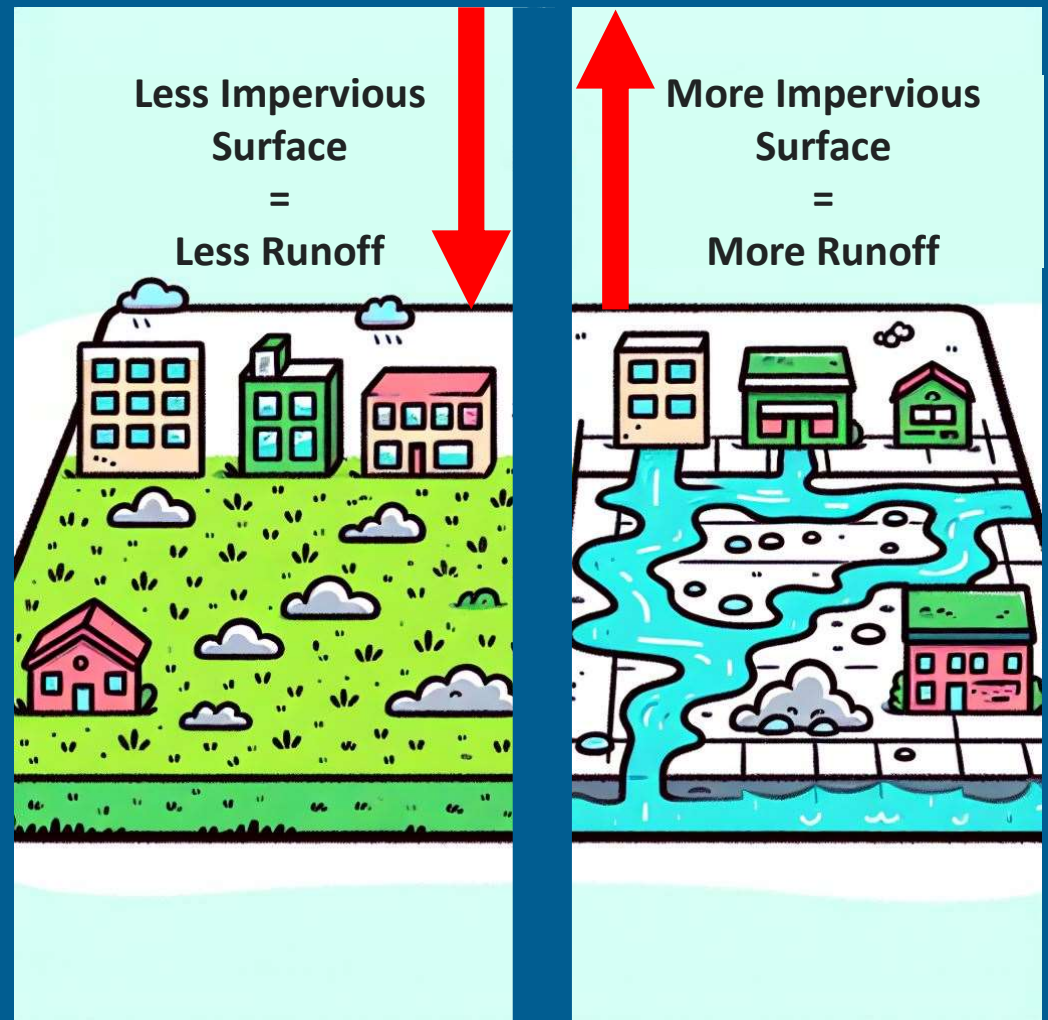
Impervious Area

Impervious surfaces limit stormwater the opportunity for infiltration into the soil and result in increased stormwater runoff.

Examples

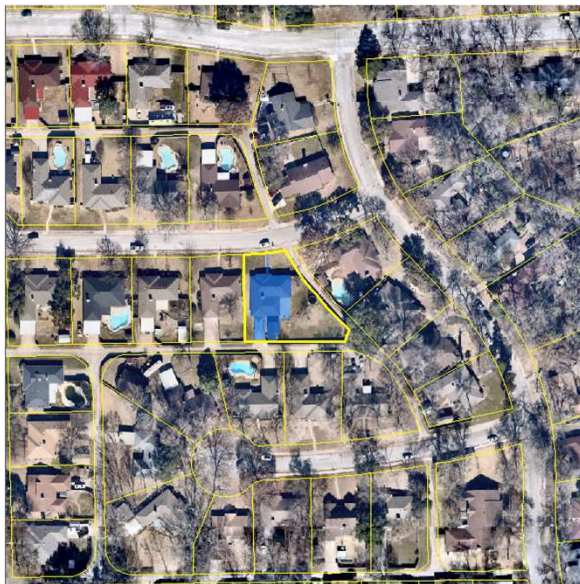
- Rooftops
- Parking lots
- Driveways
- Patios
- Walkways

Equivalent Residential Unit = ERU
3,200 square feet impervious area



Residential and Commercial ERUs

Typical Residential



3,200 sq ft impervious area

1 ERU

Typical Small Commercial



28,213 sq ft impervious area

$$28,213 / 3,200 = 8.8$$

9 ERU

Typical Large Commercial



178,508 sq ft impervious area

$$178,508 / 3,200 = 55.7$$

56 ERU

18



Proposed Rates



Scenario 1 – Limited Cash-Funded CIP

Residential Rate: \$5.25 / Month



Commercial Rate: \$5.25 / ERU / Month

Example property
9 ERUs * \$5.25 = \$47.25



- ✓ Revenue positive through FYE29
- ✓ Exempting City property reduces funding by \$80,000 per year
- ✓ Funds FYE26-FY29 current and proposed operating expenses
- ✓ Cash-funds identified CIP below \$1M by FYE28
- ✓ Paygo CIP funding:
 - ✓ \$660,000 FYE26
 - ✓ \$80,000 FYE29
 - ✓ *Loss of funding capacity due to inflation, zero growth shown through FY29*

Scenario 2 – Moderate Debt-Funded CIP

Residential Rate: \$11.00/ Month



Commercial Rate: \$11.00 / ERU / Month

Example property
9 ERUs * \$11.00 = \$99.00



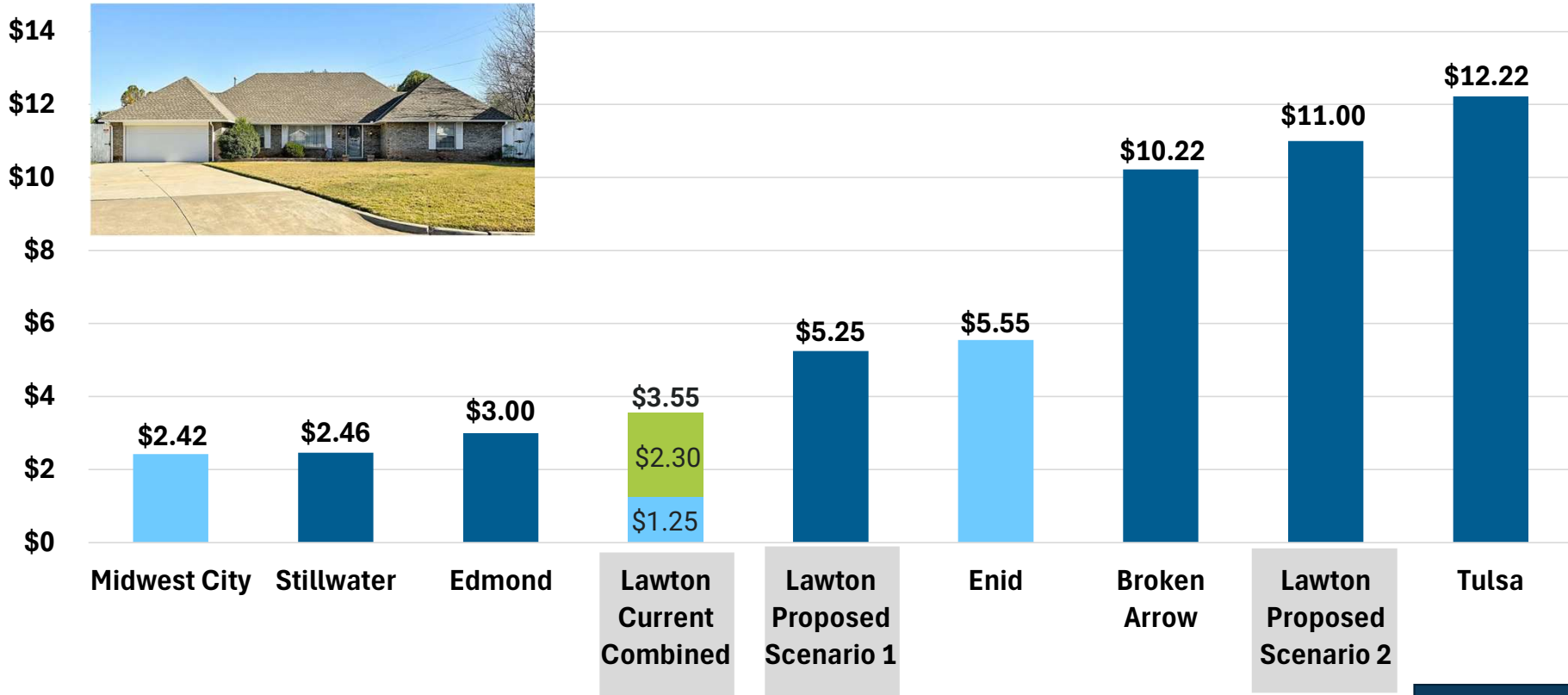
- ✓ Revenue positive through FYE29
- ✓ Exempting City property reduces funding by \$168,000 per year
- ✓ Funds FYE26-FYE29 current and proposed operating expenses
- ✓ **\$4.7M available annually for CIP**
- ✓ **Debt-funds identified CIP list under \$11M**
 - ✓ \$63M for 14 CIP projects
 - ✓ 1/3 of identified CIP projects
 - ✓ \$4.7M note, 20 years, 4% interest



Comparison to Other Cities



Comparison Residential Stormwater Utility Fees



*All benchmark cities are flat residential fees

■ Single fee that covers both Stormwater and Drainage.

■ Fees are for Stormwater only.

Drainage expenses are covered through the General Fund or Drainage Maintenance Fund for Lawton.

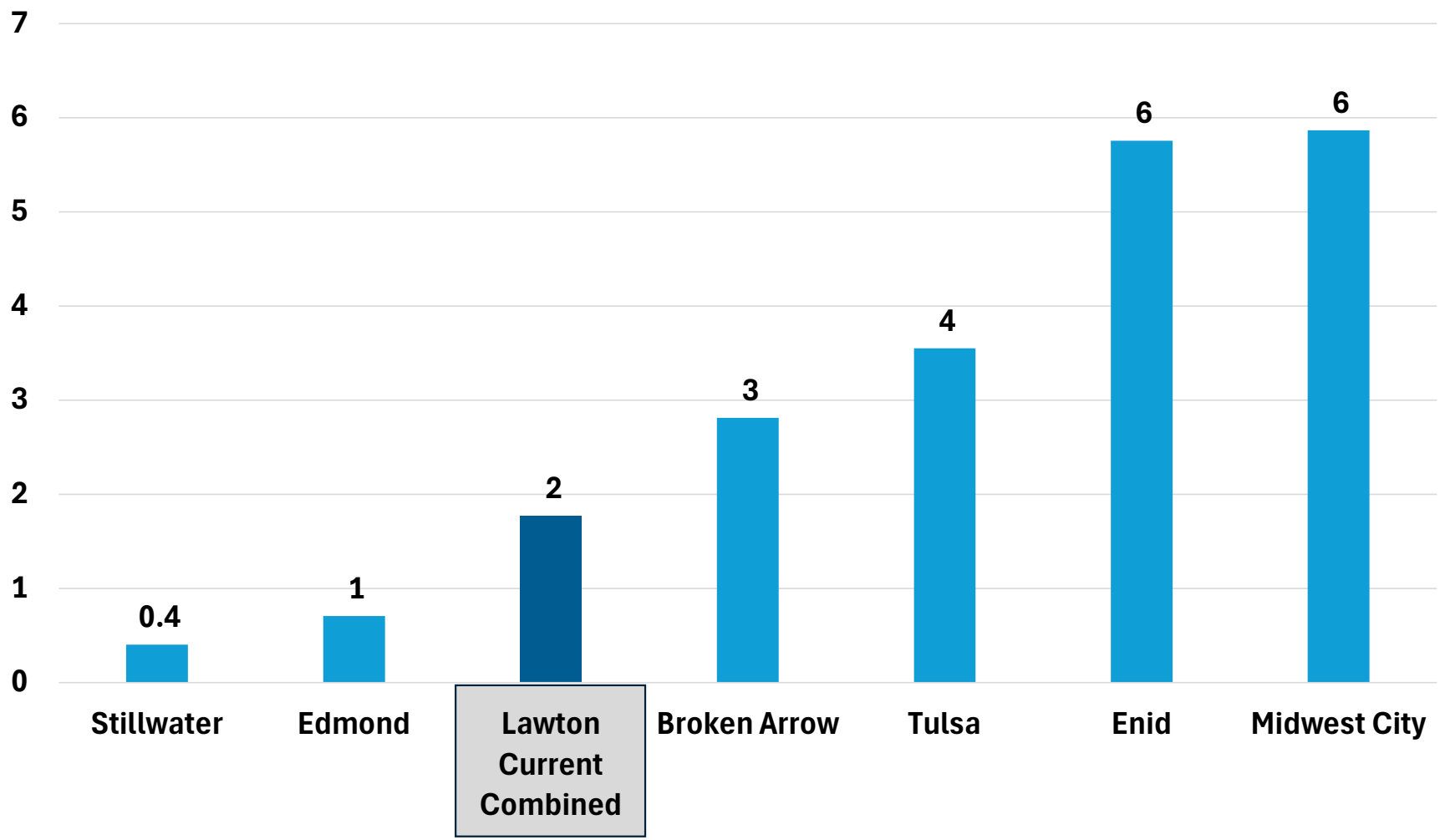
■ Fees are for Drainage only.

****No dedicated stormwater fee:**

Moore – partially funded through 1/8th sales tax and general fund

Norman – partially funded through a Public Safety Sales Tax Fund as well as general fund

Stormwater and Drainage/Streets Personnel per 10,000 Residents





Next Steps

Schedule





Stormwater Utility Fee Evaluation Study Update



Storm Water Management Fund

RESOLUTION NO. 05- 109

A RESOLUTION AMENDING APPENDIX A, SCHEDULE OF FEES AND CHARGES, LAWTON CITY CODE, 1995, AS AMENDED, INCREASING THE RATE FOR WATER AND SEWER SERVICE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Lawton Water Authority has pursuant to the Lawton Water Authority Trust Agreement and the Lease Agreement with the City of Lawton determined that the utility rates for water and sewer service need to be revised to provide for the proper operation of the city's utility system; and

WHEREAS, The Lawton Water Authority has proposed the adoption of a revised Appendix A, Schedule of Fees and Charges as they relate to the operation of the City's utility system; and

WHEREAS, the Council of the City of Lawton wishes to establish these rates uniformly to all water customers billed for use of the utility system as authorized pursuant to the provisions of Sections 22-111, 22-112, 22-131, Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995, and

WHEREAS, Section 1-205, Lawton City Code, 1995, authorizes that fees and charges be set by resolution.

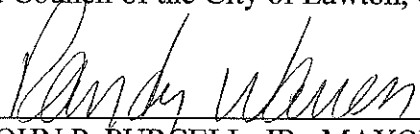
WHEREAS, Storm water Management Fund shall be created for all funds generated by the Storm water Maintenance fee.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lawton, Oklahoma that:

Section 1. APPENDIX A Schedule of Fees and Charges, Lawton City Code, 1995, be as amended as set out in the attached Exhibit A. and that there is hereby created a Storm water Management fund, funded by an assessment set forth in the fee scheduled.

Section 2. EFFECTIVE DATE. The provisions of this resolution shall be in full force and effective on all water bills issued after July 1, 2005

PASSED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 28th day of June, 2005.


JOHN P. PURCELL, JR., MAYOR PRO TEM

ATTEST:


TRACI L. HUSHBECK, CITY CLERK

APPROVED as to form and legality this 28th day of June 2005.



JOHN H. VINCENT, CITY ATTORNEY

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Chapter A-22

UTILITIES

Articles:

A-22-1	GENERAL PROVISIONS
A-22-2	WATER SERVICE
A-22-3	SEWERS
A-22-4	REFUSE

Article A-22-1 GENERAL PROVISIONS

GENERAL FEES AND CHARGES

22-102	Reduction in fees for elderly, low income disable, per month	
	Water	2.50
	Sewer	2.50
	Refuse	4.50
22-103	Duplicate water bill, if more than 2 per year requested	1.00
22-104	Penalties for nonpayment:	
22-104	Late payment of water charges, 20 days after billing date, minimum 1.34	1.34
		Or 10% of unpaid bill
22-104	If bill and penalty not paid 40 days after billing date, service restoration during working hours	15.00
22-104	Above, service restoration during other than working hours	15.00
22-104	Deposit for service reinstated, or the water turned on	\$40.00 or \$150% of the average monthly bill whichever is greater
22-104	Dishonored checks	15.00

WATER FEES AND CHARGES

22-111	Water rates inside city limits; residential, multiunit residential, business, and government	
	In addition to the charges listed below, a <u>drainage maintenance fee</u> will be added to each account for each unit per month, excluding senior citizen and disability discount account.	1.00
	<u>In addition to the charges listed below, a stormwater management fee will be added to each account for each unit per month, excluding senior citizen and disability discount account.</u>	<u>0.75</u>

In addition to the charges listed below, a fee will be added to each account for each unit per month, to be deposited and expended for capital outlay, excluding senior citizens and disability discount accounts as defined in Section 22-102 and those utility accounts which are provided service on a seasonal basis as defined in Section 22-214. An exception is recognized and enacted that during the period from July 1, 2002, through June 30, 2003, the funds collected from this source shall be expended as determined by the governing body.

3.00

In addition to the water rates listed in Section 22-111 of this Appendix, there is hereby assessed a surcharge on each City of Lawton billing to defray the cost of pumping water between the City's lakes. The surcharge shall be billed each utility customer based on the actual cost of pumping the water pro-rated based on consumption. The surcharge shall not apply to those accounts qualifying for the City's elderly/disabled low income reduction in rates as defined in Section 22-102 and utility customers whose water service is provided at a special rate under contract.

22-111 In addition to the water rates listed in Section 22-111 of this Appendix, there is hereby assessed a surcharge on each City of Lawton billing to defray the cost of the Waurika assessment. The surcharge shall be billed to each unit. The surcharge shall not apply to those accounts qualifying for the City's elderly/disabled low income reduction in rates as defined in Section 22-102 and utility customers whose water service is provided at a special rate under contract.

4.00

22-111	First 2,000 gallons or any part thereof	8.25
22-111	All over 2,000 gallons, per 1,000 gallons or any part thereof	<u>2,242.16</u>
22-111	Water rates inside city limits; commercial	
22-111	First 2,000 gallons or any part thereof	21.16
22-111	All over 2,000 gallons, per 1,000 gallons or any part thereof	<u>2,242.16</u>

(Res. 95-137, 12/19/1995; Res. No. 96-2, 01/09/1996; Res. No. 96-56, 06/18/1996; Res. No. 96-82, 08/27/1996; Res. No. 97-69, 06/10/1997; Res. No. 98-109, 06/16/1998; Res. No. 02-100, 06/13/02; Res. No. 02-103, 06/25/02; Res. No. 03-107, 06/17/2003; Res. No. 03-123, 06/24/2003)

22-112 Water rates outside City limits; ~~commercial and industrial~~ 3,353.24

22-112 Water rates outside City limits; residential, water districts, government, associations, or other multi-user entities, unless covered by separate agreement.

In addition to the charges listed below, a fee will be added to each account for each occupied unit per month, to be deposited and expended for capital outlay, excluding senior citizens and disability discount accounts as defined in Section 22-102 and those utility accounts which are provided service on a seasonal basis as defined in Section 22-214. An exception is recognized and enacted that during

	the period from July 1, 2002, through June 30, 2003, the funds collected from this source shall be expended as determined by the governing body.	3.00
	In addition to the water rates listed in Section 220112 of this Appendix, there is hereby assessed a surcharge on each City of Lawton billing to defray the cost of the Waurika assessment. The surcharge shall be billed to each utility customer.	4.00
	In addition to the water rates listed in Section 22-112 of this Appendix, there is hereby assessed a surcharge on each City of Lawton billing to defray the cost of pumping water between the City's lakes. The surcharge shall be billed to each utility customer based on the actual cost of pumping the water pro-rated based on consumption. The surcharge shall not apply to those accounts qualifying for the City's elderly/disabled low income reduction in rates as defined in Section 22-102, and utility customers whose water service is provided at a special rate under contract.	
	Base rate for each metered account	12.84
22-112	Water rates outside City limits; commercial and industrial, Goodyear Tire and Rubber Company	Rate per 1000 gallons
	January 1, 2003 through June 30, 2003	\$0.76
	July 1, 2004 through June 30, 2004	\$0.88
	July 1, 2004 through June 30, 2005	\$1.00
	July 1, 2005 through June 30, 2006	\$1.13
	July 1, 2006 through June 30, 2007	\$1.27
(Res. No. 96-2, 01/09/1996; Res. No. 96-56, 06/18/1996; Res. No. 96-82, 08/27/1996; Res. No. 02-100, 06/13/02; Res. No. 02-228, 12/17/2002; Res. No. 03-107, 06/17/2003; Res. No. 03-123, 06/24/2003)		
22-113	Minimum charge for multiunit users	No. of units x (times)
	(Res. No. 98-109, 06/16/1998)	2,000 gallons per month
22-114	Special contracts for large volume customers	Determined by negotiation between parties
	(Res. No. 02-100, 06/13/02)	
22-115	Water service deposit, 1 1/2 x monthly bill, minimum of	40.00
	Or surety bond for	3,000.00
	Or if greater than \$3,000.00	Cash amount set by city
22-115	Bookkeeping charge for discontinued service on open account, per month	1.00
22-115	Water changeout, split or modification 1 1/2 inches and larger, cost of labor and materials plus 10%	
	Minimum	15.00
	Maximum	50.00

22-115	Establishment of new account or transfer	20.00
22-119	Raw Water rate per 1000 gallons as provided in Section 22-119	.75

(Res. No. 98-109, 06/16/1998; Res. No. 00-94, 09/18/00)

SEWER FEES AND CHARGES

22-131	Base charge, per month for first 2,000 gallons of water consumed, or any part thereof	8.23
	Dwelling unit, next 10,000 gallons, per 1,000 gallons (Quantities in excess of 12,000 gallons of water metered considered as not entering system.)	0.41 0.40
	Business, commercial and governmental, and all other uses except dwelling units, all over 2,000 gallons, per 1,000 gallons	1.08 1.04
	Adjusted to add water from noncity sources; subtract water used in products or otherwise not entering the sanitary sewer system.	
	In addition to all other charges for sewer service, a fee will be added to each account for each occupied unit per month, to be deposited and expended for the rehabilitation of the wastewater collection system, excluding senior citizens and disability discount accounts.	2.35
22-131	Users shall be subject to the following fee schedule. Users that exceed the limits set below shall be subject to the fee schedule and applicability of the surcharge formula. (Charged daily during the 90 day sampling quarter. If more than one sample is collected during a quarter, the first sample surcharge is calculated by using the days from the first of the quarter until the date of the second sample. Then the second sample surcharge is calculated using the remaining days in the quarter. If only one sample is taken during a 90 day period (quarter) any surcharge fee that is applicable to said sample shall apply to all days in the sampling quarter both before and after the sample is taken.)	
	<u>Unit Rate (in dollars)</u>	
	BOD ₅ , each 1mg/l over 500	0.11
	TSS, each 1mg/l over 250	0.09
	Ammonia Nitrogen, each 1 mg/l over 35.12	0.19
	Fats, oil and grease, each 1 mg/l over 200	0.39

Surcharge formula:

The lab will determine (on an individual basis) which parameters (BOD, TSS, NH₃-N and FOG) will be analyzed.

$$S_{BOD5} = V \times 8.34 \times A(BOD_5 - 500)$$

$$S_{TSS} = V \times 8.34 \times B(TSS - 250)$$

$$S_{NH3-N} = V \times 8.34 \times C(NH_3-N - 35.12)$$

$$S_{FOG} = V \times 8.34 \times D(FOG-200)$$

$$S_{Total} = S_{BOD5} + S_{TSS} + S_{NH3-N} + S_{FOG}$$

$$S_{Total} \times D_{Day \text{ in quarter}} = \text{Surcharge}$$

Where S is the surcharge fee in dollars per month

V is the wastewater consumption in millions of gallons per month calculated from the industry's flow

8.34 is pounds per gallon

'A' is 0.11

BOD is the BOD in milligrams per liter

500 is the strength of allowable BOD in milligrams per liter

'B' is 0.09

TSS is the TSS in milligrams per liter

250 is the strength of allowable TSS in milligrams per liter

'C' is 0.19

NH3-N is the ammonia nitrogen in milligrams per liter

35.12 is the strength of allowable NH3-N

'D' is 0.39

FOG is the oil and grease in milligrams per liter

200 is the strength of allowable FOG

22-131

Fees for Dumping Septage (per load)

500 to 750 gallon load

\$2.00

750 to 1000 gallon load

\$4.00

For each 100 gallons in excess of 1000 gallons

\$0.75

22-131

Septic tank dischargers shall be assessed a surcharge fee per load based on the formula below. Each Septic tank company will be analyzed on a random basis. The average of the analyses will be used to calculate the surcharge of BOD5 and TSS. (Charged per load during the 90 day

22-131

Sampling quarter. If more than one sample is collected during a quarter, the first sample surcharge is calculated by using the days from the first of the quarter until the date of the second sample. Then the second sample surcharge is calculated using the loads delivered during the remaining days in the quarter. If only one sample is taken during a 90 day period (quarter) any surcharge fee that is applicable to said sample shall apply to all loads in the sampling quarter both before and after the sample is taken.)

Unit Rate (in dollars)

BOD₅, each 1mg/l over 500

0.001102

TSS, each 1 mg/l over 250

0.00199

Surcharge formula:

The lab will determine (on an individual basis) which parameters (BOD and TSS) will be analyzed.

$$S_{BOD5} = V \times 8.34 \times A(BOD_5 - 500)$$

$$S_{TSS} = V \times 8.34 \times B(TSS - 250)$$

$$S_{Total} = S_{BOD5} + S_{TSS}$$

$$S_{Total} \times N \times \text{Number of load during quarter} = \text{Surcharge}$$

Where S is the surcharge fee in dollars per month

V is the wastewater consumption in millions of gallons per month calculated from the septic tank truck

8.34 is pounds per gallon

'A' is 0.001102

BOD is the BOD in milligrams per liter

500 is the strength of allowable BOD in milligrams per liter

'B' is 0.00199

TSS is the TSS in milligrams per liter

250 is the strength of allowable TSS in milligrams per liter

22-131	Categorical Pollutant Discharge Permit (New)	500.00
	Categorical Pollutant Discharge Permit (Renewal, Existing, Modified)	125.00
	NonCategorical Pollutant Discharge Permit (New)	50.00
	NonCategorical Pollutant Discharge Permit (Renewal)	25.00
	Monitoring, inspections and surveillance (one/year)	50.00
	Filing Appeals	25.00
	Categorical Pollutant Permit (Potential to Discharge, New)	250.00
	Categorical Pollutant Permit (Potential to Discharge, Renewal, Modified)	125.00
	Private Water/Sewer Meter Inspection (Verification/Reverification)	50.00
	Emergency Industrial Waste Disposal Inspection	50.00
	Requested Categorical Pretreatment Facility Inspection	50.00
	Duplication of an approved permit	10.00
22-131	Per space, per month at Fisherman's Cove, Ralph's Resort and Schoolhouse Slough	5.90
22-131	Permit for disposal of septic tank sewage at the waste water treatment plant, permit, annual	115.50

(Res. No. 96-56, 06/18/1996; Res. No. 97-69, 06/10/1997; Res. 97-108, 8/26/1997; Res. No. 98-109, 06/16/1998; Res. No. 98-197, 11/24/1998; Res. No. 00-38, 03/28/2000; Res. No. 03-123, 06/24/2003)

22-132	Certain commercial users special rate	1/2 times rates in above
22-133	Sewer service charge outside city limits	1 1/2 times rates in above

REFUSE FEES AND CHARGES

Single Family Dwellings

22-141	Refuse collection for single family dwellings, per month, curbside, or houseside for disabled	11.17
22-141	Refuse collection for family dwellings per month, houseside, unless authorized disability rate	14.82
Multifamily Dwellings		
22-141	Sanitary container system service	See chart below
22-141	Minimum per month for refuse cans	11.17
22-141	Containers shared by adjacent users, pro rata or minimum per month	11.17
22-141	Nonscheduled pickup, per container yard per pickup	6.70
Business, Industrial, Commercial Uses		
22-142	Sanitation container system service	See chart below
22-142	Containers shared by adjacent users, pro rata or minimum per month	11.85
22-142	Nonscheduled pickups, per container yard per pickup	6.70
22-142	Per dumpster, per month at Schoolhouse Slough, Ralph's Resort and Fisherman's Cove	51.52
22-142	Roll-on/roll-off (Reever) fee, per pickup, including landfill fees, Per ton, with 4 ton minimum	46.76
22-142	Roll-on/roll-off (Reever) fee, containing demolition materials, from structures ordered demolished by council resolution and demolished and removed by owner plus 14.00 per ton, with 4 ton minimum	36.00
22-142	Special Event - per 2, 4, 6, or 8 cubic yard container	50.00
22-142	Special Event - per 20 cubic yard open top container	100.00

(Res. No. 96-56, 06/18/1996; Res. No. 98-49, 04/14/1998; Res. No. 98-108, 06/09/1998; Res. No. 98-112, 06/23/1998; Res. No. 00-88, 08/22/00; Res. No. 02-103, 06/23/02)

REFUSE DUMPSTER RATE CHART
Monthly Fee

(cu. yd).	Frequency of Pickup per Week						
	1	2	3	4	5	6	7
2	58.38	86.75	115.04	143.39	171.72	200.07	228.39
3	73.17	115.04	156.95	200.07	240.70	282.61	324.48
4	86.75	143.39	200.07	256.74	313.40	369.68	426.75
6	115.04	200.07	285.06	369.68	455.08	538.85	625.10
8	143.39	256.74	369.68	483.43	596.76	710.12	823.46

Surcharge for Saturday collection \$16.05 Fees shown above are monthly rates. Service for all or part of a month will be billed at the monthly rate.

(Res. No. 96-56, 06/18/1996; Res. No. 98-108, 06/09/1998)

22-144	Landfill Fees Per load, per ton	27.50
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22-144	Per load, per ton, with uncovered/unsecured load	55.00
22-144	Per load, non-"yard trash" and non-"brushwood" (0 to 1999 pounds)	16.00
22-144	"yard trash" and non-"brushwood" (0 to 1999 pounds), with uncovered/unsecured load	32.00
22-144	Per load, "yard trash and "brushwood" (0 to 499 pounds)	3.75
22-144	Per load, "yard trash and "brushwood" (0 to 499 pounds), with uncovered/unsecured load	7.50
22-144	Per load, "yard trash and "brushwood" (500 to 999 pounds)	8.75
22-144	Per load, "yard trash and "brushwood" (500 to 999 pounds), with uncoverd/unsecured load	17.50
22-144	Per load, "yard trash and "brushwood" (1000 to 1999 pounds)	16.00
22-144	Per load, "yard trash and "brushwood" (1000 to 1999 pounds), with uncovered/unsecured load	32.00
22-144	Construction and demolition materials from structures ordered condemned by council resolutions, demolished and removed by owner per ton or portion thereof, covered/secured	14.00
22-144	Construction and demolition materials from structures ordered condemned by council resolutions, demolished and removed by owner per ton, or portion thereof, uncovered/unsecured	28.00
22-144	Automobile tire, each	1.07
22-144	Truck tire, each	5.35
22-144	To open landfill for disposal purposes outside normal operating hours of landfill site, per hour, minimum 1 hour	247.00
22-144	Per load, per ton, refuse generated outside the state	55.00
22-144	Per load, per ton, refuse generated outside the state with uncovered/unsecured load	110.00
22-144	Per load, minimum, refuse generated outside the state	40.00
222-144	Per load, minimum, refuse generated outside the state with uncovered/unsecured load	80.00
22-144	Per load, hauled in family passenger cars or pickup trucks by residents of the city who are paying for refuse collection	No charge
22-144	Per load, hauled in family passenger cars or pickup trucks by residents of the city who are paying for refuse collection, with uncovered/unsecured load	Applicable uncovered/unsecured charge
2-144	Non-profit organizations who have a primary address within the corporate boundaries of the City of Lawton and who are recognized by the IRS as 501(c)(3) agencies (per ton)	2.00

(Res. No. 96-56, 6/18/96; Res. No. 98-49, 04/14/1998; Res. 98-66, 04/28/1998; Res. No. 98-66, 05/12/1998; Res. No. 98-108, 06/09/1998; Res. No. 98-148, 09/01/1998; Res. No. 00-65, 06/13/00; Res. No. 00-87, 08/22/00; Res. No. 02-103, 06/23/02; Res. No. 02-151, 08/13/02; Res. No. 02-151, 08/13/02) (03-123, Amended, 07/01/2003; 03-107, Amended, 07/01/2003; 02-228, Amended, 12/17/2002; 02-151, Amended, 08/13/2002; 02-100, Amended, 06/13/2002; 01-15, Amended, 01/23/2001)

Article A-22-2 WATER SERVICE

	GENERAL PROVISIONS	
22-203	Application for water service:	
	New account	5.00
	Transfer of service	5.00
	If water connection exists and meter setting required	Fee
22-204	Meter installation charge:	
	Taps 4" and up including 8" within the corporate limits of the city	107.00
	Taps 4" and up to and including 8" outside the corporate limits of the city	1,391.00
22-206	Water service restrictions, water shut off service call	10.00
22-210	Application for water service installation with building permit.	
	Building permit application not issued until water installation fee paid by builder	Fee
	Application for water service installation change outs, splits or modifications for meters 1" or less, direct cost of labor plus 10%	Fixed Fee
	Application for water service installation change outs, splits or modifications for meters 1 and 1/2", quoted price.	Estimated direct cost
22-213	Water meter testing	10.70
22-215	Adjustment of excessive usage water bill, 150% but not to exceed 100% plus \$100.00 of average water consumption	
22-217	Temporary connections to fire hydrants with flush meter, for the amount of replacement cost plus 50% of cost	Cash deposit
22-218	Fixtures; protection against freezing. When necessary for the City to shut water off due to faulty house cutoff or any other plumbing trouble, a charge shall be made for the service call.	10.00

22-223 WATER SYSTEM IMPACT FEE

The fee for connection to the sanitary sewer collection system shall be based upon the size of the water meter to be installed and determined as follows:

<u>Meter Size</u>	<u>Meter Type</u>	<u>2005 - Jun 30, 2006</u>	<u>Jul 1, 2006 Jun 30, 2007</u>	<u>Jul 1, 2007 Jun 30, 2008</u>	<u>Jul 1, 2008 June 30, 2009</u>	<u>Jul 1, 2009 Jun 30, 2010</u>
1" <-R	Displacement	\$600	\$700	\$800	\$900	\$1,000
1" <NR	Displacement	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
1 1/2"	Displacement	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
2"	Turbo	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
3"	Turbo	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500
4"	Turbo	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000

6"	Turbo	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
8"	Turbo	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000

Notes: The water system impact fee for any other meter size not listed shall be determined by the City Manager or his designee. These fees are in addition to other applicable fees listed in this Appendix except that the water impact fee for connections within the defined service area of a sanitary sewer lease-purchase Agreement administered by the City shall be waived when proof of payment of the pro rata portion thereof has been provided. "R" means residential meter and "NR" means nonresidential meter.

22-225	LEASE-PURCHASE AGREEMENT PROCEDURE	
	Review Fee	\$300.00
	Administrative Fee	\$300.00 per transaction administered

(Amended by Res. 03-95, 05/27/2003, Amended by Res. 05-71, 04/26/2005)
(2005-71, Amended, 04/26/2005; 2003-95, Amended, 05/27/2003)

Article A-22-3 SEWERS

22-315 SANITARY SEWER SYSTEM IMPACT FEE

The fee for connection to the sanitary sewer collection system shall be based upon the size of the water meter to be installed and determined as follows:

<u>Meter Size</u>	<u>Meter Type</u>	<u>2005 - Jun 30, 2006</u>	<u>Jul 1, 2006 Jun 30, 2007</u>	<u>Jul 1, 2007 Jun 30, 2008</u>	<u>Jul 1, 2008 June 30, 2009</u>	<u>Jul 1, 2009 Jun 30, 2010</u>
1" & < -R	Displacement	\$600	\$700	\$800	\$900	\$1,000
1" & < -NR	Displacement	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000
1 1/2"	Displacement	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
2"	Turbo	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
3"	Turbo	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500
4"	Turbo	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
6"	Turbo	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
8"	Turbo	\$70,000	\$70,000	\$70,000	\$70,000	\$70,000

Notes: Sanitary sewer impact fee for any other water meter size not listed shall be determined by the City Manager or his designee. These fees are in addition to other applicable fees listed in this Appendix except that the sanitary sewer impact fee for connections within the defined service area of a sanitary sewer lease-purchase agreement administered by the City shall be waived when proof of payment of the pro rata portion

thereof has been provided. Sanitary sewer impact fee shall not be assessed for second water meter installed for irrigation purposes serving the same property or building. "R" means residential meter and "NR" means nonresidential meter.

22-318	LEASE-PURCHASE AGREEMENT PROCEDURE	
	Review Fee	\$300.00
	Administrative Fee	\$300.00 per transaction administered
22-323	Wastewater user monitoring, shock load at POTW treatment plant, city to assess costs of demand monitoring against offending user or users	

(2005-71, Amended, 04/26/2005)

Article A-22-4 REFUSE

22-404	Refuse collection or disposal permit, per vehicle annually	18.11
22-409	Spotting fee, per container	35.00
22-410	Special collection of items not in city container. Charges based on time vehicle is out of yard Per hour/1 hour minimum	40.25

kgH:\Council\Resolutions\WaterSewerFee.AppxA.rtf

RESOLUTION NO. 93- 68

A RESOLUTION ESTABLISHING THE CITY OF LAWTON DRAINAGE MAINTENANCE FUND.

Whereas, the City of Lawton has approved a surcharge on all utility bills, and

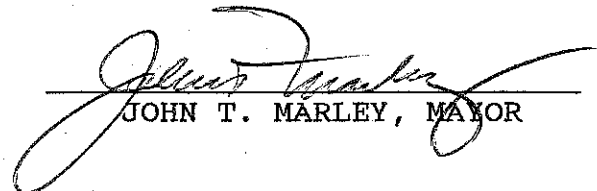
Whereas, this surcharge is to be used exclusively for maintaining and upgrading the City's drainage system, and

Whereas, there presently exists no fund available to properly segregate and account for the receipt and disbursement of the drainage surcharge,

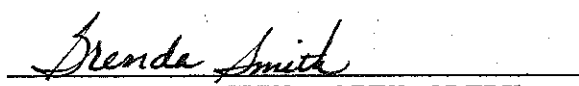
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, Oklahoma, that:

there is hereby established, the City of Lawton Drainage Maintenance Fund, for the purpose of receiving and disbursing all drainage maintenance surcharge funds collected.

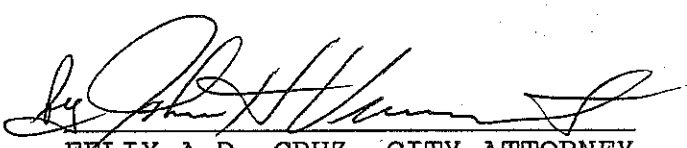
PASSED and APPROVED by the Mayor and City Council of the City of Lawton this 22 day of June, 1993


JOHN T. MARLEY, MAYOR

ATTEST:


BRENDA SMITH, CITY CLERK

APPROVED as to form and legality this 14 day of June, 1993.


FELIX A.D. CRUZ, CITY ATTORNEY

WATER FEES AND CHARGES

22-111	Water rates inside city limits; residential, multiunit residential, business, and government	
	In addition to the charges listed below, a drainage maintenance fee will be added to each account for each unit per month, excluding senior citizen and disability discount account.	2.00 <i>as of 1-12-12</i>
	In addition to the charges listed below, a stormwater management fee will be added to each account for each unit per month, excluding senior citizen and disability discount account.	0.75
	In addition to the charges listed below, a fee will be added to each account for each unit per month, to be deposited and expended for capital outlay (Rolling Stock), excluding senior citizens and disability discount accounts as defined in Section 22-102 and those utility accounts which are provided service on a seasonal basis as defined in Section 22-214.	6.00

RESOLUTION NO 93- 67

A RESOLUTION AMENDING APPENDIX A, SCHEDULE OF FEES AND CHARGES, LAWTON CITY CODE, 1985, AS AMENDED, TO ADD TO ALL UTILITY BILLS, EXCLUDING SENIOR CITIZEN, DISABILITY DISCOUNT ACCOUNTS AND OUTSIDE OF CITY WATER ACCOUNTS, A SURCHARGE OF ONE DOLLAR PER OCCUPIED UNIT AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Lawton City Council has determined that the City requires an extensive upgrade of the existing drainage system for the health, safety and welfare of all citizens; and,

WHEREAS, the projected income from City utilities will not meet the additional costs of providing this necessary drainage upgrade, for either the fiscal year 1993-1994 or in future fiscal years; and,

WHEREAS, the Lawton City Council has determined that the additional cost of the Drainage Maintenance Program should be paid from a monthly surcharge added to all utility bills, excluding Senior Citizens, Disability Discount Accounts and outside of City water accounts; and,

WHEREAS, the revenue for maintaining the upgraded drainage system will be a recurring annual requirement and not a temporary measure; and,

WHEREAS, Section 1-205, Lawton City Code 1985, authorizes that fees and charges be set by resolution.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lawton, that:

SECTION 1. APPENDIX A, Schedule of Fees and Charges, Lawton City Code, 1985, as amended is further amended to read as follows:

Water Fees and Charges

22-111, Water rates inside City Limits: Residential, Multi-unit Residential, business, Commercial and Government.

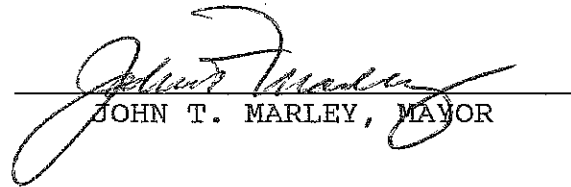
In addition to the charges listed below, a fee will be added to each account for each occupied unit per month, excluding senior citizen and disability discount accounts.

\$1.00

SECTION 2. USE OF FEES: The fees assessed and collected under the provisions of Section 1 of this resolution shall be used for the upgrading and maintenance of drainage system within the City of Lawton to include acquisition of equipment and personnel cost.

SECTION 3. EFFECTIVE DATE: The provisions of this resolution shall be in full force from and after June 24, 1993.

PASSED AND APPROVED by the Mayor and City Council of the City of Lawton, Oklahoma, this 22nd day of June, 1993.



JOHN T. MARLEY, MAYOR

ATTEST:



BRENDA SMITH, CITY CLERK

APPROVED as to form and legality this _____ day of June, 1993.

FELIX A.D. CRUZ, CITY ATTORNEY

Item Title:

Consider the recommendations of the Stormwater Utility rate Study regarding fee rates and fee structure to determine fee calculations, and take action as appropriate.

Initiator: Michael Watrous, Director

Information Source: Michael Watrous, Director

Background:

The study contains two recommendations regarding the fee structure and fee charges for the Stormwater Utility Rate. These both assume that the merger of the two fees are approved and the Stormwater and Drainage Divisions are merged into one division.

1.) Fee Structure. Various fee structure alternatives were presented to City staff. The recommended fee structure is to charge all Single-Family Residential properties a flat rate. All Commercial properties would be charged per Equivalent Residential Unit (ERU).

Public Works recommended a flat residential rate system with all single-family residential properties charged the same rate. This was to reduce the administrative burden of analyzing every residential property on a regular basis to see what the current impervious surface was. With this rate structure all developed residential properties would be charged the same rate, equal to one ERU. Undeveloped single-family residential properties would not receive a stormwater utility fee.

All developed commercial properties would receive a stormwater utility fee based on their impervious area. For every 3,200 sq ft of impervious area or one ERU, a commercial property would receive the fee charge for each ERU applied to the property.

2.) Fee Rate. Based on the stormwater and drainage needs, two scenarios are presented. The scenarios presented summarizes a range of rate possibilities for the stormwater utility fee.

Scenario 1 shows services largely limited to covering operating expenses, while Scenario 2 shows services covering operating expenses and funding a portion of the identified capital improvements. The corresponding stormwater utility rates for each scenario are in line with comparison cities in the state. Note that because no growth is projected in these financial scenarios, the annual revenue is projected to be flat for the projection period.

Scenario 1 proposes a flat fee of \$5.25 per month for residential properties and \$5.25 per ERU per month for commercial properties. This scenario allows the stormwater utility to remain net revenue positive through FYE29, however minimal funding is available to complete maintenance and CIP needs.

Scenario 2 proposes a flat fee of \$11.00 per month for residential properties and \$11.00 per ERU per month for commercial properties. This scenario allows the stormwater utility to remain net revenue positive through FYE29 and allows for the City to complete more maintenance projects and complete one-third of the CIP projects identified in the 2003 Master Plan.

The City has the flexibility to consider rates that fall between the two identified scenarios above, with the knowledge that operating expenses would be covered and somewhere between zero and one-third of CIP projects could be funded.

The current combined fee is \$3.55 each month. In order to remain in the red through FY2029, the rate would need to increase to at least \$5.25, with no capital improvement performed. If capital improvement projects are performed to reduce flooding potential in the city, rates would need to increase up to \$11.00/month. Currently, no capital improvement is performed.

Correlation to the True North Statement:

The Citizen – Everything that we do is for the citizen, EVERYTHING

- The new structure ensures that each property pays a fair share based on its impact on the stormwater system. For residents, the flat rate offers predictability and fairness. For commercial users, the ERU model ensures equity by charging based on impervious area. This reflects a strong commitment to citizen equity and service.

Efficiency

- A uniform, measurable rate structure allows for streamlined billing, more accurate revenue forecasting, and better resource planning. This change simplifies administration while also enabling efficient scaling of services to match actual stormwater impacts across all property types.

Safe Community

- By aligning fees with real-world usage and infrastructure impact, the new structure ensures sustainable funding for critical stormwater services—like drainage maintenance, flood prevention, and regulatory compliance. This promotes a cleaner, safer, and more resilient city.

Our Pursuit of Excellence

- By benchmarking against other cities and adopting a fee model based on best practices, Lawton demonstrates a commitment to excellence. This shift reflects a deliberate choice to innovate, modernize, and lead by example, rather than settling for outdated or inequitable systems.

Exhibit:

1.) Stormwater Utility Report 2.) Stormwater Utility Presentation

Key Issues:

Changing the fee structure will result in higher costs to commercial businesses, but will ensure a fair share of costs on water runoff into the stormwater system. Larger businesses will pay more, as more water runs off their properties than small businesses.

Increasing the fees will allow for improved capital improvement in the city's stormwater system, resulting in less flooding risks for citizens and less damage to infrastructure during flooding

events. Without a rate increase, services provided to citizens will gradually reduce to keep within the established funding provided by the fees.

Funding Source:

N/A

Staff Recommended Council Action:

Consider recommending the approval of the fee structure, and consider a gradual increase in the fee over the course of 3 years so that continued services can be provided for citizens.

ATTACHMENTS:

- 1. Lawton_SWU_Report_03142025
- 2. Stormwater Rate Study

STORMWATER UTILITY FEE REPORT

Prepared for:

City of Lawton

March 2025



Prepared by:

FREESE AND NICHOLS, INC.

3600 NW 138th Street, Ste 202, Oklahoma City, OK 73134
(405) 607-7060

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APPENDICES (TO BE POPULATED WITH FINAL REPORT)

Appendix A Drainage Projects from City FY23-27 CIP Book
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Appendix C Stormwater Utility Ordinance and Fee Schedule
Appendix D Rate Committee Presentation
Appendix E Council Presentations
Appendix F Concept Maintenance Methodology

1.0 INTRODUCTION

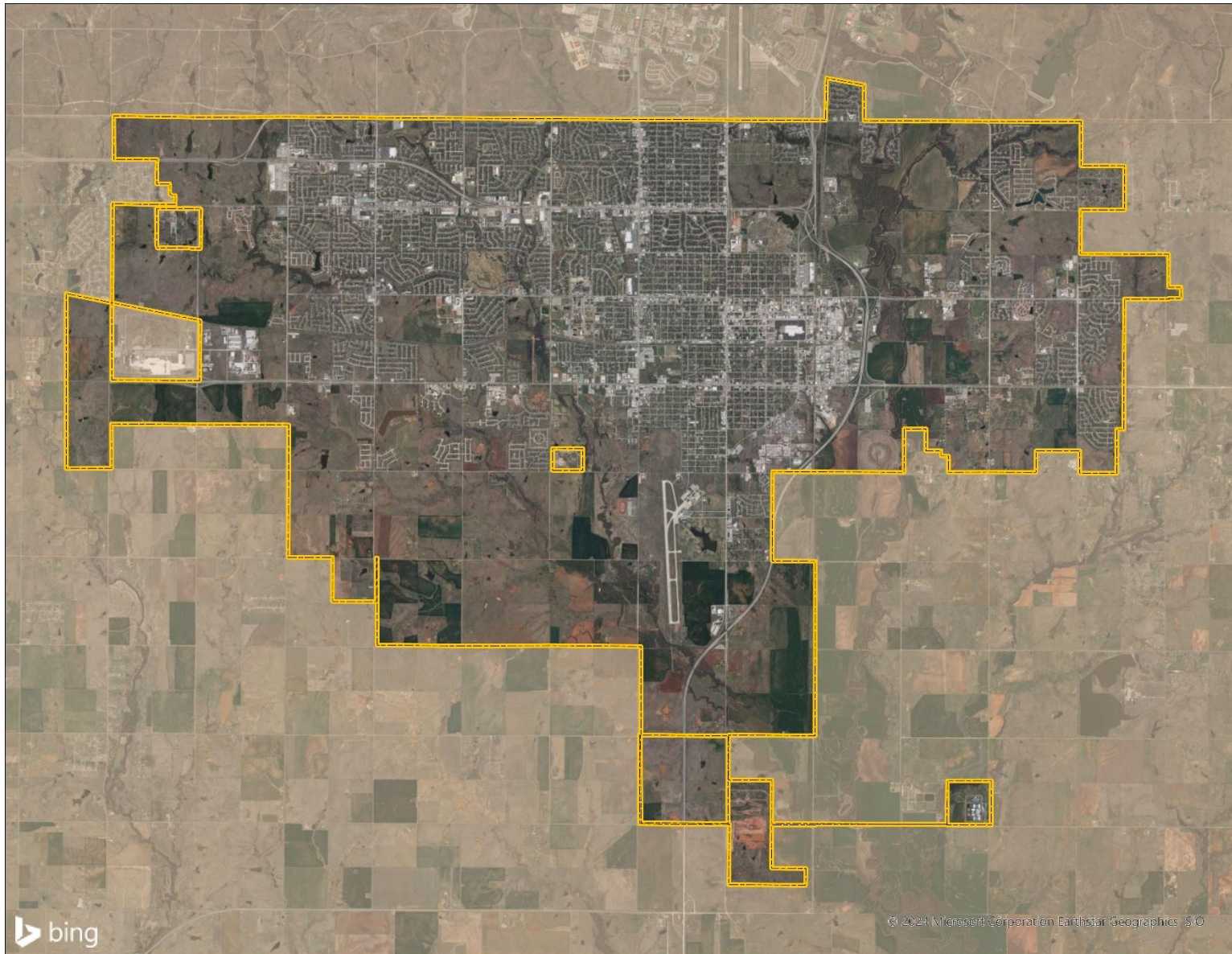
The City of Lawton retained Freese and Nichols, Inc. (FNI) to evaluate the components of a stormwater management and drainage maintenance fee. FNI evaluated a stormwater management and drainage maintenance structure and rates based on requirements of applicable state laws and the City of Lawton (the City's) identified storm system needs. FNI developed a menu of stormwater and drainage services from which the City could choose to meet its stormwater and drainage programs goals, including compliance with new federal water quality protection requirements. Through discussions within the City, it was determined that ultimately merging the utility departments of Stormwater Management and Drainage Maintenance into one utility was a consideration to evaluate during the study. The cost elements of both utilities will be referenced throughout the report, however only one combined fee (a Stormwater Utility Fee) will be referenced, as that is the recommended fee.

1.1 DESCRIPTION OF THE CITY OF LAWTON

Lawton is the largest city in Comanche County, located approximately 86 miles southwest of downtown Oklahoma City. The City has a total area of approximately 81 square miles. Interstate 44 (I-44) is the main thoroughfare through the City, running from the north limits to the south limits of the City. US Highway 62 (US 62) is a major highway running from east to west Lawton. State Highway 7 (SH 7) runs east to west on the southern side of the City.

The 2023 population for the City is 90,245 [1]. The City has three major stormwater related waterways including, East Cache Creek, Wolf Creek, and Nemu Creek accompanied by 10,914 acres of surrounding floodplains.

Figure 1-1: City Limits



1.2 LEGAL BASIS AND LIMITATIONS OF A STORMWATER UTILITY

The State of Oklahoma provides municipalities the opportunity to establish a stormwater utility, which is a legal mechanism used to generate revenue to finance the City's cost to provide and manage stormwater services in the City.[2] "Oklahoma Statutes Title 11. Cities and Towns" section 11-22-104 grants cities in Oklahoma the "Right to engage in business – Public utilities and improvements... for public improvement purposes". To provide these services, municipalities are authorized to assess fees to the users of the stormwater utility system.

The stormwater utility fee is a service fee and must be based on the projected cost of providing stormwater service within the City's jurisdiction.

1.3 STORMWATER UTILITY POLICY

This stormwater and drainage report provides an overview of an assessment of the feasibility for the City of Lawton to finance its stormwater and drainage-related activities through revenues from a stormwater utility fee. Under the present system, necessary stormwater or drainage-related activities are financed through a respective fund of either Stormwater Management or Drainage Maintenance. In addition, significant capital and management improvements to the overall stormwater and drainage systems are needed to protect existing and expected development and to meet ongoing regulatory requirements.

The City is one of many municipalities subject to federal stormwater quality regulations that require the City to further protect and enhance water quality in creeks and lakes through the development of a stormwater quality management program. As an operator of a municipal separate stormwater system (MS4) as defined by the U.S. Environmental Protection Agency, the City is required to develop a multi-faceted program to protect stormwater quality before it enters creeks, rivers, and lakes. The program includes a number of measures to protect stormwater quality, such as the following:

- Storm system maintenance
- Structural and non-structural water quality protection measures
- Storm system mapping and inspections
- Public education, outreach, and involvement
- City ordinances regulating construction activity, illicit discharges, and post-construction runoff
- City staff training and operations improvements

The purpose of this study is to identify a fair and equitable stormwater utility fee and fee structure to finance some or all of these measures, as well as associated administration, service, equipment and other stormwater-related costs. The study strives to identify an appropriate fee based on the projected cost of providing stormwater services in the City. To further protect rate payers from inequitable charges, a means to appeal the rates for any property is currently in place through a Stormwater Hotline listed on the City's website.

The following general goals and policies were considered for the City's stormwater utility. These goals provided an initial basis for the potential purposes and benefits of the utility for the City of Lawton.

- A. Serve as the primary stable source of new stormwater and drainage-related funding.
- B. Finance some or all of the following specific activities:
 - 1. Stormwater Ordinances and Design Criteria modifications
 - 2. Ongoing implementation and maintenance of a Stormwater Quality Management Program to comply with Federal and State MS4 regulations and permit requirements
 - 3. Engineering studies and design
 - 4. Capital improvements to the stormwater and drainage system infrastructure
 - 5. Proactive maintenance for existing infrastructure
 - 6. Equipment for drainage maintenance
 - 7. Staffing for maintenance, compliance, engineering, and/or administration activities
 - 8. Implementation and maintenance of the City's Phase II MS4 stormwater management program to comply with U.S. Environmental Protection Agency (EPA) and Oklahoma Department of Environmental Quality (ODEQ) regulations and permits, as applicable
- C. Provide a mechanism to benefit the quality of life in Lawton by improving and integrating the management of water resources with other aspects of the City such as park systems
- D. Encourage development in the City that minimizes adverse stormwater impacts through better site design and proper management of the City's stormwater resources
- E. Provide a fair and equitable method to assess fees for developed properties' impacts to the City's stormwater system
- F. Allow for the issuance of bonds to finance stormwater capital improvement projects

2.0 COST OF STORMWATER AND DRAINAGE SERVICES

The stormwater utility fee is a common method to address a significant portion of the financial burden for stormwater and drainage management. This section includes considerations and options for services the City may finance with stormwater utility fee revenues. A variety of options for staffing, equipment, and services to provide are made available for reference. The City may choose to select from the list provided, or additional options if the options are stormwater-related. Default values for several parameters are provided in this report with input from the City. This includes rates for labor, equipment purchases and rental, city growth, and inflation.

2.1 COST OF SERVICE DEVELOPMENT CONSIDERATIONS

Options were evaluated to determine an appropriate methodology for identifying the projected cost of providing stormwater and drainage service in the City. It was determined that the following considerations would be incorporated into the assessment of the cost of stormwater and drainage services for the purpose of determining the revenues necessary for the stormwater utility:

- Identify expected stormwater and drainage-related costs. This includes prorated costs for administration, equipment, and other expenses not dedicated to stormwater or drainage activities.
- Evaluate a five-year period for projecting cost of service needs. Cost projections beyond five years are inherently less reliable and may not provide the City with the quality information desired for planning purposes.
- The fund balances for both Stormwater Management and Drainage Maintenance combine to currently have a 180-day operating balance which will be maintained over the observation period.
- Consider prorated costs for items not solely associated with stormwater or drainage but that have an application for stormwater management and drainage maintenance. Examples include engineering staff, maintenance crews, and maintenance equipment.
- Plan for stormwater and drainage revenues to finance all direct operating costs and administrative costs for stormwater and drainage-related activities, including major capital projects.
- Address as much of the City's stormwater and drainage-related costs as practicable through the stormwater utility fee.

2.2 COST OF SERVICE ASSUMPTIONS

For the purposes of the five-year plan, several assumptions were identified and incorporated into the planning process. Specifically, anticipated annual cost increases were identified and developed into cost factors for both stormwater management and drainage maintenance, as shown in **Table 2-1**.

Table 2-1: Annual Cost Factors

	FYE26	FYE27	FYE28	FYE29	FYE30
Expense Rate Inflation	5%	5%	5%	5%	5%
Interest Rate for Debt Service	4%	4%	4%	4%	4%
City Projected Growth Rate	0%	0%	0%	0%	0%

The expense rate inflation and interest rate for debt service are assumed to remain constant over the five-year projection period. City growth is conservatively projected at 0% for the five-year projection period.

2.3 STORM SYSTEM MAINTENANCE

The City plans to establish a program to conduct routine operations and maintenance (O&M) activities throughout the stormwater and drainage system to minimize flooding potential, protect life and property, reduce creek erosion, and protect stormwater quality. The City may consider budgeting through the stormwater and drainage utility to fund all or a portion of a storm system and drainage maintenance crew to conduct stormwater and drainage O&M activities throughout the City. A list of the common crew positions that the City is considering, including compensation with benefits for FYE 2026, is provided in **Table 2-2**. Rates for all positions currently assume 100 percent financing by the combined utility of stormwater management and drainage maintenance. Positions not fully dedicated to stormwater or drainage-related services can be funded on a pro-rated basis if stormwater or drainage utility funding is limited to stormwater or drainage-related services.

The seasonal labor and equipment operators would assume responsibility for routine storm sewer system maintenance activities such as stormwater ditch cleanouts, inlet cleanouts, and drainage swale landscaping. The projected cost to purchase equipment for the seasonal labor and equipment operators is provided in **Table 2-3**. The purchase price of the equipment is amortized over its expected service life to provide an annualized cost. Annual O&M costs include projected fuel and routine maintenance costs.

Table 2-2: Potential Staff

Position	# of Positions	Position Compensation with Benefits (FYE26)	Total Compensation (FYE26)
Equipment Operator	4	\$57,570	\$230,278
Seasonal Labor	6	\$57,299	\$343,791
Environmental Specialist	1	\$105,793	\$105,793
Construction Inspector	1	\$70,150	\$70,150

Table 2-4: Cost to Purchase Equipment for Stormwater Management and Drainage Maintenance

Equipment	Capital Value (FYE25 \$)	Service Life (Years)	Annualized Purchase Cost (FYE25 \$)	Annual O&M (FYE25 \$)	Total Annual Cost (FYE25 \$)
1/2 Ton Pickup (F-450)	\$88,518	5	\$17,704	\$3,100	\$27,244
Landscape Trailer	\$8,000	10	\$800	\$0	\$800
Walk Behind Mower (3)	\$4,500	5	\$900	\$100	\$1,600
Backpack Leaf Blower	\$400	10	\$40	\$100	\$140
Assorted Hand Tools	\$500	10	\$50	\$0	\$50
Zero Turn Mower	\$6,000	10	\$600	\$300	\$2,100
Safety Items	\$300	10	\$30	\$0	\$30
Uniforms and Boots	\$9,000	5	\$1,800	\$0	\$1,800
Large Tractor Mower	\$250,000	10	\$25,000	\$8,800	\$39,800
Small Tractor Mower	\$200,000	10	\$20,000	\$7,000	\$30,000
Weed eater (6)	\$3,600	5	\$720	\$100	\$220
Hydro mulcher	\$5,000	10	\$500	\$200	\$700
Vacuum Truck	\$275,000	10	\$27,500	\$9,700	\$40,200
Truck	\$65,000	5	\$13,000	\$1,000	\$15,200

2.4 CIP IDENTIFICATION

The City’s Proposed Five-Year Capital Improvement Program (FY26 – FY30) identifies a suite of improvements to the City’s drainage maintenance system. Most Capital Improvement Program improvements are from a list of projects in the 2003 Stormwater Master Plan. The project costs have been updated to 2024 values by the City’s stormwater consultant. Financing assumptions are a 20-year loan at a 4 percent interest rate.

2.5 OPERATING RESERVE

The fund balances for both Stormwater Management and Drainage Maintenance combine to currently have a 180-day operating balance. Currently the Stormwater Management Utility has a fund balance equal to approximately \$557,000. The Drainage Maintenance Utility has a fund balance equal to approximately \$930,000.

3.0 REVENUE ASSESSMENT

3.1 BASIS FOR FEE CALCULATION

By practice, the stormwater utility fee rate is calculated according to a basis that estimates a property's use of the stormwater and drainage system. As a result, fee rates are not based solely on certain readily accessible information, such as property values or water usage rates. The City's stormwater utility rate will be based on the amount of impervious area for each property. Impervious surfaces do not provide stormwater significant opportunity for infiltration into the soil and result in increased stormwater runoff to the municipal storm sewer system.

The impervious area approach to stormwater utility rates is the most common basis for estimating a property's impact on the municipal stormwater system. This method is considered a reasonably equitable approach and is used by many surrounding municipalities.

The residential approaches for stormwater utility fees of benchmark comparison cities for Lawton are summarized in the table below:

Table 3-1: Comparison of Stormwater Utility Fees

City	Basis	Rate
Midwest City	Meter Size	\$2.42
Stillwater	Flat Rate	\$2.46
Edmond	Flat Rate	\$3.00
Enid	Per ERU	\$5.55
Broken Arrow	Per ERU	\$10.22
Tulsa	Flat Rate	\$12.22

Property improvements that are considered as impervious areas include buildings, paved parking lots, driveways, patios, walkways, and pools. Gravel parking lots and driveways are also considered impervious area because of the low infiltration rate of stormwater through their surface. Sidewalks within the City ROW were not included in individual property impervious area calculations.

The potential stormwater and drainage impact of impervious area to the storm system include the following:

- Increased total volume of water required to be managed by the municipal storm system resulting in flooding
- Increased peak flows from storm events resulting in flooding
- Increased flow velocities result in increased erosive actions in creek channels and adjacent properties
- Increased pollutant load resulting in degraded water quality

Site-specific design and maintenance approaches may minimize one or more of these impacts. As noted in Section 7.2 (Appeals), the City may determine to reduce the stormwater utility fee for a property by an equitable amount to account for the beneficial stormwater impact of design and/or maintenance approaches by a property owner.

3.2 BILLING METHOD

Fees for stormwater utilities are collected in a variety of ways throughout the country, including as line-items on water bills, as yearly payments with property taxes, or as stand-alone bills. The most common method to assess stormwater and drainage utility charges is through the City utility bill, which is the method Lawton currently uses and will continue.

As part of the City utility bill, the stormwater utility fee will appear on the utility bill as a single line item with the monthly dollar amount for the property shown. A stormwater utility charge will be assessed on a utility account for each eligible property.

If the property can be linked to an associated property with a City utility account, the fee for the improved property is included in the affiliated property's utility account. A common example is a restaurant with a parking lot located on an adjacent lot. If no existing utility account can be associated with the improved property, a new utility account is established by the City for the purpose of assessing the stormwater utility fee. Eligible improved property without an associated utility account still would be assessed a stormwater utility fee, usually as a stand-alone "stormwater-only" charge on a specially developed account for the property owner.

3.3 DETERMINATION OF PROPERTY IMPACT TO STORM SYSTEM

By practice, undeveloped properties in their natural state are not charged a stormwater utility fee. Developed properties with impervious area increase the rate and/or volume of stormwater runoff to the

municipal storm system. Infrastructure improvements, ongoing maintenance, inspections, and evaluations are necessary to effectively manage the increase in stormwater discharge from impervious area.

Impervious area includes rooftops, paved parking lots, paved driveways, gravel driveways, walkways, outbuildings, patios, and pools. It does not include vegetated areas. Properties with less than 400 sq ft of impervious are considered undeveloped. To determine the impact of each developed property on the storm system, FNI delineated the impervious area for each residential and commercial property. The resulting impervious area measurements were used to develop the equivalent residential unit (ERU), which forms the basis fee for all developed properties. One ERU was determined to be 3,200 square feet impervious area based on the mean value residential properties.

The impervious area amount is associated with the specific parcel or group of parcels for the development. The parcel is associated with the appropriate utility billing accounts to allow for assessment of the proper stormwater utility fee if implemented.

Figure 3.1 is an example of the impervious area determination for a single-family residential property, and **Figure 3.2** is an example for a commercial property. **Figure 3.3** shows the impervious area for all properties, City-wide.

Figure 3-1: Example of Impervious Area for Single-Family Residential Property

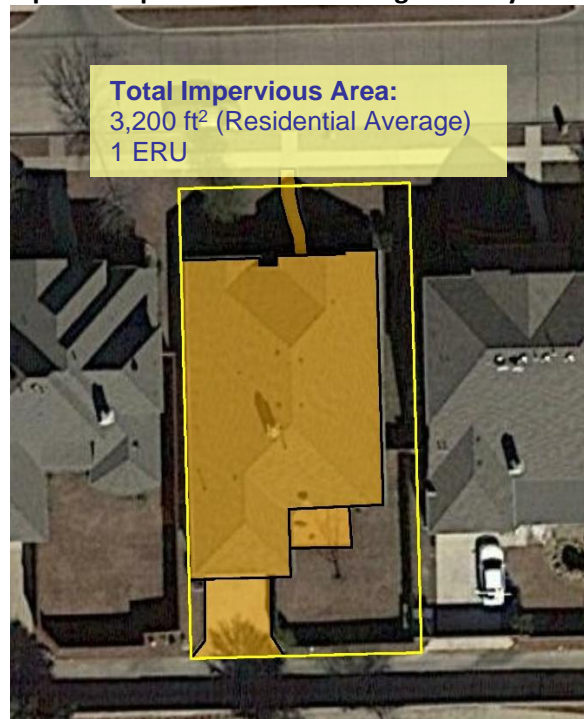


Figure 3-2: Example of Impervious Area for Commercial Property

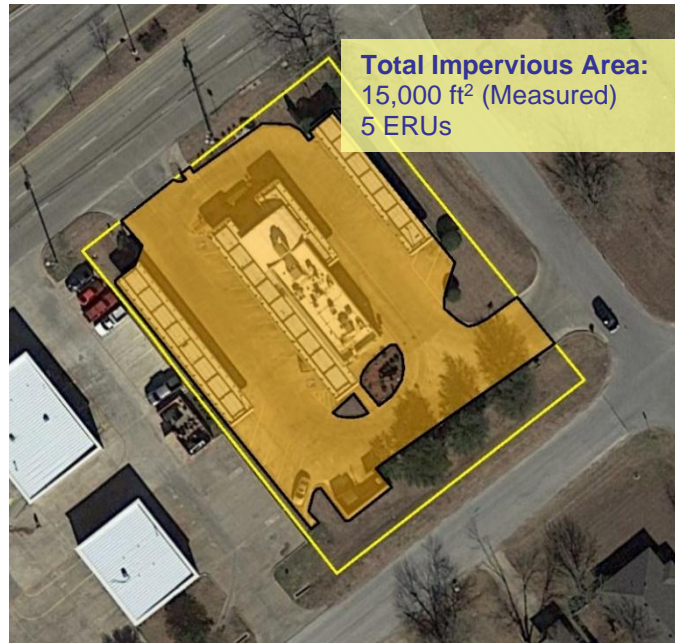
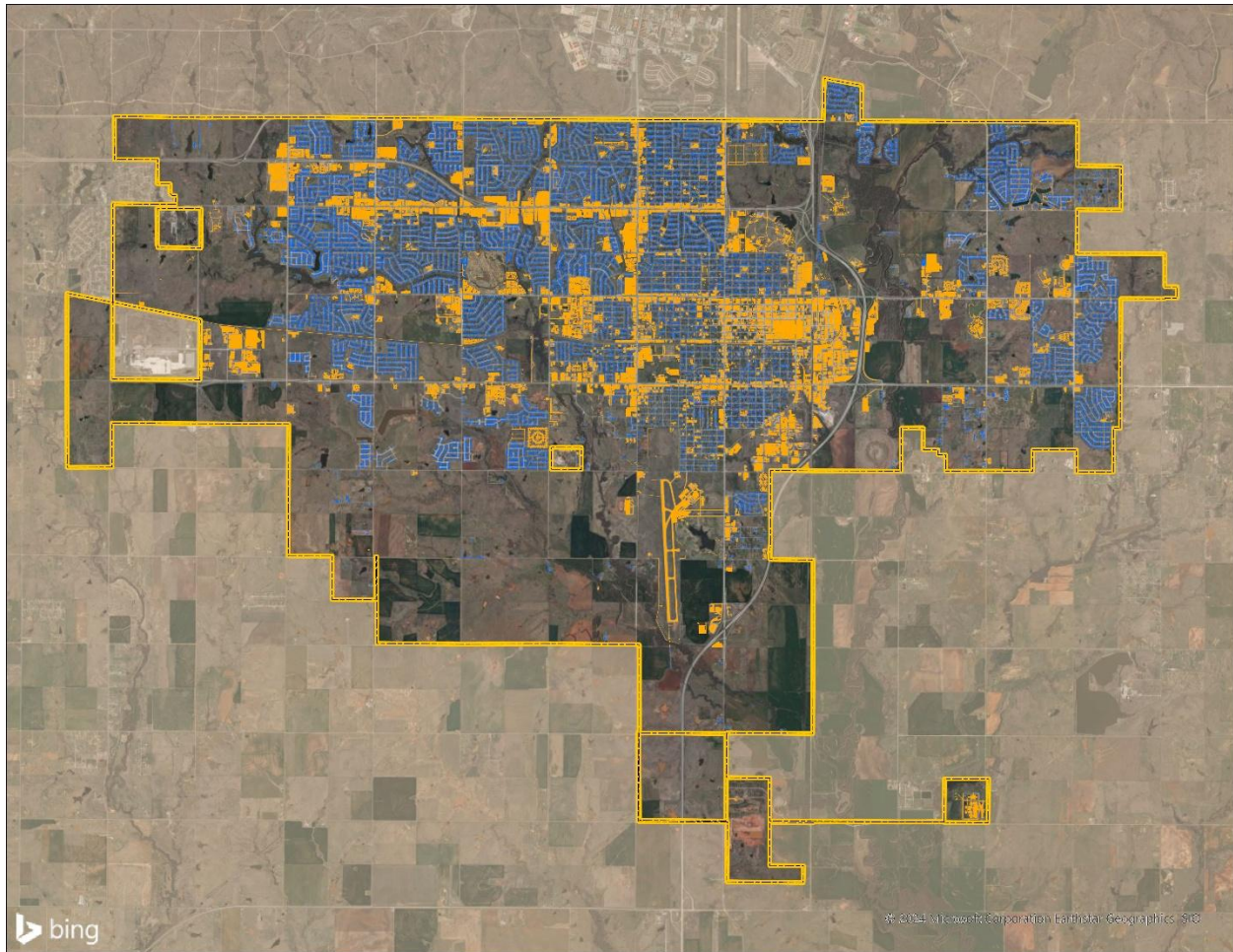


Figure 3-3: City-Wide Impervious Area, by Stormwater Utility Classification



3.4 USER FEE CATEGORIES

The stormwater utility fee system consists of several types of user accounts depending on the type of property and the category of property owner. The stormwater utility fee rate structure is based on the type of user account. The three general account categories include:

- Single Family Residential (includes duplexes)
- Commercial (includes apartments)
- Exempt (currently considering City property)

3.4.1 Single-Family Residential Properties

Single-family residential properties consist of all developed single-family residential properties within the City. Apartment complexes are considered to be commercial properties for fee determination purposes. Impervious area includes the footprint of the residence, including roof overhangs, driveways, walkways,

patios, sheds, carports, gravel surfaces, and other impervious surfaces. It does not include the sidewalk within the City ROW (if present), public streets, or swimming pools.

At the time of this study, 27,698 eligible, non-exempt Single-Family Residential properties were present. 2,911 properties were assigned the Commercial stormwater utility classification. The Single-Family Residential properties account for approximately 90 percent of the total number of parcels and 41 percent of the total impervious area measured for the City in this report.

FNI and the City evaluated numerous different fee structures and decided on a flat residential structure, with the average impervious area per ERU being based on the mean of all residential properties. Each residential account would pay the same amount, equal to one ERU. The fee structure was determined based on feedback from the City as described in Section 6.

3.4.2 Commercial Properties

Any property that is not Single-Family Residential is considered to be Commercial. This includes what is normally considered as commercial as well as apartments and tax-exempt religious organizations. Other developed properties in the City that do not qualify as Single-Family residential and do not meet any of the exemption criteria are also considered Commercial.

Stormwater utility and drainage maintenance fees for eligible commercial are individually calculated based on the total amount of impervious area for the affiliated properties. Each Commercial property is assessed a stormwater utility and drainage maintenance fee at a rate according to the stormwater utility rate unit charge, expressed in whole ERU increments.

3.4.3 Property Exemptions

Many cities consider, and often adopt, exemptions for categories of the community. The City is considering exempting City properties; however, they would be considered Commercial if they were not exempted. The financial modeling contained in this report assumes City properties are exempted from the stormwater utility fee. It is recommended that the City review with the City attorney legal allowances and constraints in establishing exemptions for the stormwater utility fee to verify actions taken are in accordance with applicable laws.

4.0 MENU OF SERVICES

This section presents staffing, maintenance, and capital improvement projects that the City might consider including in its stormwater program. Each new service or project has an associated cost.

Table 4-1 shows the stormwater and drainage needs and associated costs if they were funded through the stormwater utility fee. This menu of services was presented to the City during the biweekly update meetings throughout the year 2024. **Table 4-1** does not include rate rounding/leveling, operating reserve contribution, or administration reimbursement.

Table 4-1: Stormwater and Drainage Service Needs and Associated Cost, FYE 25

Expense Category	Description	Annual Cost	Monthly Cost (\$/ERU)
Staffing	Total Salary, Fringe Benefits, Overtime, Ancillary Supplies, Training, etc.	\$1,967,852	\$2.63
Equipment Expenses	Mowers, Trucks, Tools, Equipment, etc.	\$97,618	\$0.13
Recurring Expenses	Materials and Supplies, Equipment Replacement Fund, etc.	\$406,451	\$0.54
Rehab and Maintenance	Ongoing maintenance	\$417,452	\$0.51

Table 4-2 shows the services being paid for by the stormwater utility fee.

Table 4-2: Cost of Service Summary

Cost	FYE25	FYE26	FYE27	FYE28	FYE29
Current Expenses	\$2,889,373	\$2,940,899	\$3,087,943	\$3,242,340	\$3,404,457
Labor Proposed	\$0	\$175,943	\$184,740	\$193,977	\$203,676
Equipment Proposed	\$0	\$172,328	\$180,945	\$189,992	\$199,492
Recurring Proposed	\$0	\$348,600	\$366,030	\$384,332	\$403,548
Total	\$2,889,373	\$3,637,770	\$3,819,658	\$4,010,641	\$4,211,173

5.0 ALTERNATIVES AND RECOMMENDATIONS

This section documents the alternatives analyzed by FNI and the City and the resulting recommendations.

5.1 STORMWATER NEEDS

FNI and the City evaluated the stormwater needs across Lawton. These included the need for compliance, preventive maintenance, corrective maintenance, and capital improvement projects. The menu of services and their associated costs are shown in Section 4.

FNI and the City also evaluated various storm water capital improvement projects (CIPs) in Lawton. These projects were identified in the City's 2003 Master Plan, complete with preliminary cost estimates and solutions, updated to 2024 value. The City did not select any projects specifically to be included in this Stormwater Utility Fee Development Report.

FNI and the City identified a complete list of stormwater and drainage services that are needed but not conducted due to a lack of funding. These services include preventative maintenance and various CIP projects.

5.2 FEE STRUCTURE AND RATE RECOMMENDATION

In addition to the stormwater needs, various fee structure alternatives were presented to City staff. The recommended fee structure is to charge all Single-Family Residential properties a flat rate. All Commercial properties would be charged per ERU. FNI analyzed several other fee structures with a wide range of variables including 1) numbers of residential tiers, 2) level of service options, 3) exemption assumptions, 4) administration reimbursement amounts, and 5) reserve contribution amounts.

The City chose a flat residential rate system with all single-family residential properties charged the same rate. The proposed rate structure is summarized in **Table 5-1**. With this rate structure all developed residential properties would be charged the same rate, equal to one ERU. Undeveloped single-family residential properties would not receive a stormwater utility fee.

All developed commercial properties would receive a stormwater utility fee based on their impervious area. For every 3,200 sq ft of impervious area or one ERU, a commercial property would receive the fee charge for each ERU applied to the property.

Table 5-1: Summary of Single-Family Residential Properties

Residential Tier	Count of Properties	Mean Impervious Area, sq ft	ERUs
Residential Flat	27,698	3,200	27,698

5.3 RATE RECOMMENDATION

Based on the stormwater and drainage needs, two scenarios were presented to City staff. The scenarios presented to staff summarized a range of rate possibilities for the stormwater utility fee. Scenario 1 shows services largely limited to covering operating expenses, while Scenario 2 shows services covering operating expenses and funding a portion of the identified capital improvements. The corresponding stormwater utility rates for each scenario are in line with comparison cities in the state. Note that because no growth is projected in these financial scenarios, the annual revenue is projected to be flat for the projection period.

Scenario 1 proposes a flat fee of \$5.25 per month for residential properties and \$5.25 per ERU per month for commercial properties. This scenario allows the stormwater utility to remain net revenue positive through FYE29, however minimal funding is available to complete maintenance and CIP needs. Table 5-2 shows the proposed rates and projected annual revenue for Scenario 1.

Scenario 2 proposes a flat fee of \$11.00 per month for residential properties and \$11.00 per ERU per month for commercial properties. This scenario allows the stormwater utility to remain net revenue positive through FYE29 and allows for the City to complete more maintenance projects and complete one-third of the CIP projects identified in the 2003 Master Plan.

The City has the flexibility to consider rates that fall between the two identified scenarios above, with the knowledge that operating expenses would be covered and somewhere between zero and one-third of CIP projects could be funded.

Table 5-2: Scenario 1 Operating Expenses without CIP

Category	Parcels	ERUs	Monthly Fee (\$/ERU/month)	Annual Revenue
Residential	27,698	27,698	\$5.25	\$1,745,000
Commercial	2,911	40,229	\$5.25	\$2,534,000
Total	30,609	67,927		\$4,279,000

**Note revenues are rounded to the nearest \$1,000*

Table 5-3: Scenario 2 Operating Expenses with CIP

Category	Parcels	ERUs	Monthly Fee (\$/ERU/month)	Annual Revenue
Residential	27,698	27,698	\$11.00	\$3,656,000
Commercial	2,911	40,229	\$11.00	\$5,310,000
Total	30,609	67,927		\$8,966,000

**Note revenues are rounded to the nearest \$1,000*

6.0 UTILITY IMPLEMENTATION

6.1 STORMWATER UTILITY ORDINANCE ADOPTION

The stormwater utility fee rates are adopted by ordinance through a majority vote of the City Council. The implementation ordinance declares the stormwater utility adoption and declares the stormwater system of the City to be a public utility. The fee resolution sets the schedule of stormwater utility charges.

6.2 APPEALS PROCESS

By practice customers subject to stormwater utility fees should have the opportunity to appeal the stormwater utility rates set for their properties. Valid reasons for protest include the following:

- A. Undeveloped property is assessed a stormwater utility fee.
- B. Property runoff is contained and does not contribute to the City's stormwater system.
- C. Property is improperly classified (i.e., Commercial instead of Residential), resulting in the incorrect rate being applied.
- D. Fee is charged on multiple utility accounts for the same physical property.
- E. Fee is based on an incorrect impervious area determination for the property.
- F. Fee is based on impervious area for property unrelated to the utility account under appeal.

A recommended appeals process is as follows:

- A. Protests must be made in writing by the account holder and submitted to the stormwater utility administrative staff (Utility Billing) for review. The specific reason for the appeal must be provided, along with necessary information such as the account numbers under protest.
- B. Stormwater utility administrative staff will conduct a review of the protest and is authorized to correct utility fee rates for any of the above reasons, except for claims of incorrect impervious area determinations. Claims of incorrect impervious area determinations will be assessed by the City Engineer.
- C. An initial determination will be provided by the City to the protesting party within 30 days of the protest submission.
- D. Appeals denied by the stormwater utility administrative staff may be appealed to the City Engineer. The City Engineer will conduct a review of the appeal and provide a determination in writing to the protesting party within 30 days of the appeal. Appeal determinations made by the City Engineer may be appealed to the City Manager.

- E. Any adjustment to a stormwater system user's fee must be made on a basis that remains nondiscriminatory, equitable, and reasonable for all utility fee payers. Approved fee adjustments will apply for future bills and will include credit for bills up to six months prior to the appeal. No credit will be applied to bills prior to six months before the appeal was submitted, and no credit will be applied to bills to prior owners of the property.

6.3 SWU FEE BILLING IMPLEMENTATION

Prior to implementation of the stormwater utility fee, the impervious area associated with each property must be linked with the correct utility billing account. This is accomplished by matching address information from the City's utility billing database to address information contained within the appropriate GIS parcel data.

6.4 UTILITY ACCOUNT MANAGEMENT

Each developed, non-exempted property must be assessed a stormwater utility fee and will require a utility account. FNI recommends the utility fee be assessed on a single account per property to minimize the City's administrative burden.

Duplicate utility billing accounts for a property are not typically assessed a stormwater utility fee unless the total stormwater utility fee is apportioned across multiple accounts. For administrative reasons, associating the stormwater utility fee to a single account per property is recommended.

Strip shopping centers and apartment complexes typically have numerous accounts. A common utility account scenario for these types of properties is to have one account for each business or apartment building, respectively, as well as a management account and/or an irrigation account. FNI recommends assigning the stormwater and drainage utility fee to the management or irrigation account to allow the property management to determine the appropriate approach to assess the stormwater and drainage utility fee to individual tenants.

It is recommended that impervious surface calculations for commercial properties be updated as work permits are completed to ensure that data is kept current. This data maintenance responsibility would be the requirement of the stormwater division to assess and provide as permits are applied for or completed. Further information regarding how to maintain and ensure the accuracy of this data can be found in the Appendices.

Some properties have no active utility account. Examples of such properties include those on well water, those within City limits but provided service by other providers, and properties such as parking lots that

have no need for a water account. For these developed properties, a new utility account will typically need to be created specifically to assess the stormwater and drainage utility fee. Properties are not eligible to be exempted from the stormwater and drainage utility fee for the reason of having no water, sewer, or waste disposal service with the City.

Accounts in an exempt category are not assessed a stormwater utility fee. A variety of circumstances can lead to a utility account and/or a property being exempt. A property meeting any of the mandatory exemptions or the City's selected optional exemptions are considered exempt. The associated utility accounts for these properties are categorized in the exempt classification.

The City may determine that it is more efficient to assess stormwater fee for some developed properties as a group. For example, a property that extends across multiple parcels may be assessed a single utility fee but clarifying notes in the utility billing database are recommended to identify the parcels that are aggregated to assess the single fee.

7.0 REFERENCES

- [1] US Census Bureau, "QuickFacts Lawton city, Oklahoma," [Online]. Available: <https://www.census.gov/quickfacts/lawtoncityoklahoma>. [Accessed 20 August 2024].
- [2] <https://oksenate.gov/sites/default/files/2019-12/os11.pdf>

Appendix A: Drainage Projects from City FY23-27 CIP Book

Appendix B: Public Notice

Appendix C: Stormwater Utility Ordinance and Fee Schedule

Appendix D: Rate Committee Presentation

Appendix E: Council Presentations

Appendix F: Concept Maintenance Methodology

Administrative Review Response Form Letter

[Your Name]

[Date]

[Recipient Name]

[Title]

[Company Name]

[Street Address]

[City, ST ZIP Code]

Dear [Recipient Name]:

Thank you for your request to review your Stormwater Utility Fee charge. We have completed our review of your account and have determined your request to be:

- Approved
- Approved with Modifications
- Additional Information is Needed
- Denied

If your request was approved or modified, your updated charge will be based on the following information:

Customer Account: _____

Property Address: _____

Property ID: _____

Property Type: Residential Commercial Exempt

Impervious Area sq.ft. [COM only]:

Equivalent Residential Units (ERUs) (Impervious area sq. ft. / 3,200) [COM ONLY]:

Stormwater Utility Fee (\$/month):

If your classification has been adjusted downward (to a lesser charge) you will receive a credit on the next bill for the billing cycle which has been reviewed. Your charge going forward will be based on the details listed above.

If your request was noted as additional information needed, please submit the requested information to us so we may complete our review.

If your request was denied, we have listed the information we have verified as accurate for your property.

You have the right to appeal this decision to the Lawton Public Works Director. An appeal application form is available on our website at:

[Lawton, OK | Home](#)

IMPORTANT DEADLINE: If you choose to appeal this decision to the Public Works Director, you have **14 days** from receipt of notice of that decision to file an appeal.

Please note that during the time your account is under review, stormwater charges will continue to accrue. Any account that is unpaid and not classified as under review will accrue late charges and be subject to disconnection under existing Lawton procedures.

If you have any questions, please contact me and we can discuss further.

Sincerely,
[Your Name]



Appeals and Change Form

Owner/Applicant:

Call if assistance

needed to fill out form.

Name: _____ Daytime Phone: _____

Mailing Address: _____ City: _____ Zip: _____

Email address: _____

Service Location Information:

Property Address: _____ Utility Billing Account ID: _____

Reason for Appeal: (Check all that apply and attach documents and descriptions as indicated)

Impervious Area Calculation

Owner shall provide a copy of a current survey or site plan specifying area in square feet of all impervious surfaces on the parcel. All measurements are subject to verification by Storm Water Engineering staff.

Current Impervious Area if available (sqft) _____

Proposed Corrected Impervious Area if available (sqft) _____

Current Property Classification

- Residential: []
Commercial: []
Exempt: []

Proposed Property Classification

- Residential: []
Commercial: []
Exempt: []

Incorrect Utility Billing Account Charged:

Current:

Proposed: _____

Comments: _____

Additional Information:

If desired, provide additional details that will assist the Stormwater Utility Administrator in processing this appeal. Email this form with any supporting documents to the Public Works Director, michael.watrous@lawtonok.gov.

City of Lawton USE ONLY

Date Received: _____ Reviewed by: _____

- [] Approved [] Approved with Modifications [] Additional Info Needed [] Denied [] Credit to Apply

Notes: _____

Adjustments

SWU Category (circle one): RES COM EXEMPT Utility Billing Account ID: _____

Impervious Area (sf): _____ SW Parcel ID: _____



Public Works Director

(1) Date to Utility Billing: _____

(2) Date Notification sent to applicant: _____

Signature: _____

Utility Billing Administrator

(3) Date Adjustment Applied: _____

Signature:

STORMWATER UTILITY FAQs

1. WHAT IS A STORMWATER UTILITY FEE?

The stormwater utility fee is a user fee, like water, sewer, and garbage fees, that funds operations, maintenance and improvements to the town’s drainage system.

The stormwater utility fee is an equitable method to assess a drainage charge based on developed properties’ impact to the city’s storm system.

2. Why does Lawton have a stormwater utility fee?

The city maintains a drainage system that provides public health and safety through protection from flooding, minimization of surface water stagnation, and prevention of stormwater pollution.

Revenues from the stormwater utility fee are used solely for drainage-related purposes within the town.

3. WHO RECEIVES A STORMWATER UTILITY FEE?

Only developed properties receive a stormwater utility fee.

Apartment complexes and commercial properties are charged at a Commercial rate based on the total impervious area.

NOTE: Impervious area means a surface which has become compacted or covered with a layer of material so that it is highly resistant to infiltration by water and includes, but is not limited to, caliche and gravel surfaces subject to motorized vehicular traffic, walkways, buildings, parking lots, pavement, and ingress/egress driveways.

Impervious Area does not include sidewalks located in the public right-of-way. For purposes of this definition, a walkway is a pedestrian path in the interior of an Improved Lot or Parcel that is not located in the public right-of-way.

4. HOW IS THE STORMWATER UTILITY FEE DETERMINED FOR EACH PROPERTY?

Customers are charged based on their contribution to the stormwater system, determined by the amount of impervious area for residential and commercial properties.

All residential accounts will receive the same fee. Based on 1 Equivalent Residential Unit (ERU, or 3,200 sq ft of impervious area).

Impervious Area (sf*)	Monthly Fee
N/A	To Be Determine

*sf = square feet

Non-Residential charges are based on a per-ERU basis.

Impervious area (sf)	Monthly fee
Per ERU	To Be Determined /ERU/Month

5. HOW CAN A CUSTOMER LEARN MORE ABOUT THEIR STORMWATER UTILITY FEE?

Any customer wishing to see impervious area or wanting more information about their stormwater utility fee can refer to the Lawton Stormwater Management Website or contact the Public Works Director.

Information is also available online. Upon request, the City will provide a property sheet by e-mail that details the basis for the stormwater utility fee for that property.

Website: [Lawton, OK | Home](#)

Contact information: Michael Watrous - Public Works Director
michael.watrous@lawtonok.gov

6. WHAT IS THE APPEALS PROCESS FOR STORMWATER UTILITY FEES?

Customers wishing to appeal their fee may first contact the Public Works Director, who can review their fee.

Customers who do not notify the City and who do not submit payment for fees will be subject to late fees and disconnection procedures.

Appeals of the Assistant Public Works Director’s decision may be made to the Public Works Director.

NOTE: The call center will not have the information required to modify a customer’s charge, give stormwater utility fee refunds, or check the status of pending appeals.

7. WHEN WILL THE STORMWATER UTILITY FEE BE ADDED TO AN ACCOUNT FOR A NEWLY DEVELOPED PROPERTY?

For property under development, the stormwater utility fee will be added to the utility bill upon issuance of a Certificate of Occupancy or Residential Final Inspection (or equivalent documentation) for the property.

City of Lawton
Stormwater Management
Administrative Policies and Procedures

Effective Date:

Subject: Stormwater Utility Fee
Administrative Review, Adjustment, and Appeals Policy

Applies to: City of Lawton Public Works Director, GIS Department, Deputy Public Works Director

Policy: Provide procedures for the City to comply with its Code of Ordinances, and to establish both an internal administrative review process and a Public Works Director appeal, which authorize corrections and adjustment of water, wastewater, and stormwater utility bills.

Authority: City of Lawton Ordinances, Ord. No. 2005-92

Roles and Responsibility:

Public Works Director

- Has overall responsibility for implementation of the Stormwater Utility Fee in accordance with the City of Lawton Code of Ordinances.
- Hears, reviews, and makes determinations regarding customer appeals from the administrative review process as described in City of Lawton Code of Ordinances, Ord. No. 2005-92.
- Exercises authority to make the final determination on an adjustment to fee.

Assistant Public Works Director

- Reviews and makes determinations regarding overall policy and adjustments made to accounts.
- Reviews and makes determinations on whether an adjustment to the stormwater fee is justified during the administrative review process.
- Provides documentation regarding a customer's account to the Public Works Director if the customer desires to appeal the administrative decisions.
- Notifies Lawton Utility Billing when a customer account is placed in the Appeals Process.
- Notifies customer of date and time of the Public Works Director Appeals Hearing.
- Supervises record keeping for the determination, appeals, final decisions, adjustments made, and reasons for the adjustments.
- Retains records according to the City's Records Retention Schedule.
- Serves as primary contact for customer questions regarding the stormwater utility fee.

City GIS Staff/Stormwater Staff

- Create one page information sheet for property, when requested, that shows that property's impervious area determination.
- At the request of the Assistant Public Works Director, reviews GIS data for property under appeal, to determine if the property in question is being charged appropriately, undercharged, or overcharged.
- Reports results of verification back to Assistant Public Works Director for use in appeals process.
- Make adjustments to GIS database when appeals are successfully granted or when errors are discovered.

City of Lawton Customer Service Manager

- Maintains the correct billing rate and fees for each customer in accordance with the rates and fees adopted by City ordinance.
- Bills each customer for services rendered on the utility bill.
- Maintains customer accounts that document charges and fees, payments and account balances.
- Make corrections, as necessary, to record actual payments made by the customer and to record the proper billing of charges and fees for services rendered.

Procedures:

Parcel Classification

City GIS/Stormwater staff maintain the parcel classification information within the Stormwater Utility (SWU) database. If a parcel classification error is discovered, City staff takes steps to confirm whether the classification is an error or not.

- If the classification is incorrect, the correct classification is assigned in the SWU database.
- If the classification is not an error, the City communicates the correct classification to the landowner.

Impervious Area

City GIS/Stormwater staff maintain the calculated impervious area information within the Stormwater Utility (SWU) database. If an impervious area value is disputed, City staff takes steps to confirm whether the impervious area is an error or not.

- If the impervious area is incorrect, the correct impervious area is updated in the GIS SWU database.
- If the impervious area is not an error, the City communicates the correct impervious area to the utility account holder.

Internal Administrative Review Process

The administrative review process is conducted by the Assistant Public Works Director with assistance from City GIS or Stormwater staff and Lawton Billing. The scope of the administrative review process includes reviewing and considering requests regarding:

- Charge to a property that should not receive a charge;
- Incorrect charge applied to a property

During the internal administrative review process, the following items will be reviewed to provide consistency to customers.

1. Review account information

- a. Proper account selected per prioritization policy
 - i. Owner account
 - ii. Single tenant account
 - iii. Adjacent affiliated parcel owner account
 - iv. Adjacent affiliated parcel tenant account
 - v. Stormwater-only account

2. Review GIS info

- a. Verify SWU Category for parcel
 - i. EXEMPT
 1. Undeveloped (impervious area less than 400 square feet total)
 2. City, state, and federal roads, bridges, highways, streets, and rights-of-way
 3. City parks, city buildings, city facilities and open spaces owned or operated by the city
 4. Property under development (prior to issuance of CO or equivalent)
 - ii. RES
 1. Single family
 2. Duplex
 3. Triplex
 - iii. COM
 1. Multi-family (4 units or more)
 2. Retail
 3. Commercial
 4. Industrial
 5. All other properties not meeting definition of RES or EXEMPT
- b. Verify impervious area for parcel
 - i. RES = impervious area greater than 400 square feet
 - ii. COM = total impervious area

3. Review Billing
 - a. RES
 - i. Flat rate for residential
 - ii. For duplexes, triplexes, divide one (1) ERU (Equivalent Standard Unit) by the number of accounts to receive a bill, then assign the calculated ERU to each account
 - b. COM
 - i. For Commercial, divide the Impervious Area by one (1) ERU to calculate the ERU for the account (round up to nearest whole number). Multiply the rounded up ERUs calculated by the residential rate to determine monthly rate.
 - c. EXEMPT
 - i. Verify no charge is being applied
4. Notify GIS
 - a. Update SWU classification
 - b. Update impervious area
 - c. Update billed account (obtain correct account in coordination with Utility Billing)
5. Notify Utility Billing
 - a. Update billed account (obtain correct account in coordination with Utility Billing)
 - b. Update SWU Category
6. Obtain from Utility Billing
 - a. Fee refund amount
 - b. Fee refund period
 - c. Fee refund account(s)
 - d. Fee refund recipient(s)
7. Notify customer
 - a. Complete form letter with findings and details
8. Billing
 - a. Verify fee refund applied

Appeals Process – Public Works Director

After the completion of the internal administrative review process, the Customer may appeal the administrative determination to the Public Works Director. The appeal must be filed within 14 days of the notification of the decision being appealed. Once requested, an appeal must be held within 21 days of the request.

The Customer may request a hearing as part of the appeal, or a “paper-based” appeal session may be held. The scope of the Public Works Directors authority includes reviewing and considering requests regarding:

- Charge to a property that should not receive a charge;
- Incorrect charge applied to a property

The following requirements will be considered and applied in determining the appeal:

1. The Public Works Director must render a decision on the appeal within 48 hours of the hearing or “paper-based” appeal session.
2. Applicable City records will be compared to information provided by the Customer.
3. Issues appealable include:
 - a. Charge on a property that is thought to be undeveloped or ineligible for SWU charges, consistent with City ordinance.
 - b. Determination of billable impervious area as applicable.

Utility Account Adjustments (non-billing rate changes)

The City of Lawton City will have the authority to make corrections to customer account information and billing information, as necessary, to ensure that the information is correct and accurate. A record will be made to document all adjustments or changes to an account to correct errors. The City of Lawton will ensure that the ability to pull reports from the system is in place at all times. The City’s Customer Service office will pull monthly reports of adjustments made to stormwater accounts.

A copy of all records on adjustments will be maintained and available for internal audit purposes.

The Assistant City Works Director will have the authority to make administrative determinations to direct City Utility Billing to adjust a stormwater utility bill after review of available information. City Utility Billing will make and keep a record of all adjustments made. Records of any adjustments made will be kept in accordance to the City’s Records Retention Schedule.

A copy of all records on adjustments will be maintained and available for internal audit purposes.

Required Documents:

The Utility Billing supervisor will sign off on all adjustments or corrections. Utility Billing will maintain records and documentation for all corrections, adjustments and changes made to customer billing information. Such reports may be system generated or generated by hand, as necessary.

The Deputy Public Works Director will maintain a record of all administrative reviews and determinations made. The record may be system generated or generated by hand. The City Engineer will sign off on all determinations made.

The Deputy Public Works Director will direct the creation of minutes of any appeals hearings and decisions made. The minutes will be approved by the Public Works Director and kept in accordance with the City's Records Retention Schedule.

City of Lawton
Stormwater Management
Administrative Policies and Procedures

Effective Date:

Subject: Stormwater Utility Fee Customer Inquiries

Applies to: City of Lawton Public Works Director, GIS Department, Deputy Public Works Director

Policy: Provide procedures for the City to comply with its Code of Ordinances, and to establish the response to Customer Inquiries by various departments.

Authority: City of Midwest City Ordinances, Ord. No. 2005-92

Roles and Responsibility:

Public Works Director

- Has overall responsibility for implementation of the Stormwater Utility Fee in accordance with the City of Lawton ordinance.

Deputy Public Works Director

- Reviews and coordinates updates to the Customer Service Discussion Points and FAQ's document used to implement this procedure.
- Ensures that the Customer Service Department is supplied with the latest version of the Customer Service Discussion Points and FAQ's document.
- Serves as primary contact for customer questions regarding the stormwater utility fee that are not listed in the Customer Service Discussion Points and FAQ's document.

City Customer Service Management

- Reviews and checks for appropriateness the Customer Service Discussion Points and FAQ's document used to implement this procedure.
- Ensures that the Customer Service Department has the latest version of the Customer Service Discussion Points and FAQ's document.
- Ensures that Customer Service Representatives have been trained on this procedure and on the Customer Service Discussion Points and FAQ's document.
- Ensure that Customer Service Representatives have the opportunity to ask questions and receive answers to strengthen their understanding of the Stormwater Utility Fee.

Office City Customer Service Representatives, Receptionist, Public Information

- Review the Customer Service Discussion Points and FAQ's document used to implement this procedure.
- Receive training on this procedure and on the Customer Service Discussion Points and FAQ's document.
- Ask questions and receive answers to strengthen their understanding of the Stormwater Utility Fee.
- Answer inquiries as stated below in the Procedure.
- Document interactions as directed.

Procedure:

1. When a call is received concerning the Stormwater Utility Fee, listen carefully to the Customer's question.
2. Look for the question/answer on the Customer Service Discussion Points and FAQ's
3. If the answer exists, provide that information to the Customer.
4. If the answer to a Stormwater Utility Fee question is not on the Customer Service Discussion Points or FAQ's, then forward the caller to the Public Works Director at: michael.watrous@lawtonok.gov
5. Document the interaction with the Customer on the provided Stormwater Utility Fee Inquiry tally sheet.

Documentation:

A tracking document will be used to document the questions received. Record time/date and nature of the question, and whether call forwarded to the Assistant Public Works Director or not.

City of Lawton
Stormwater Management
Administrative Policies and Procedures

Effective Date:

Subject: Stormwater Utility Fee Development and Re-development

Applies to: City of Lawton Public Works Director, GIS Department, Deputy Public Works Director

Policy: Provide procedures for the City to comply with its Code of Ordinances, and to establish the audit process for the Stormwater Utility Fee accounts.

Authority: City of Lawton Ordinances, Ord. No. 2005-92

Roles and Responsibility:

Public Works Director

- Has overall responsibility for implementation of the Stormwater Utility Fee in accordance with the City of Lawton Code of Ordinances.

Deputy Public Works Director

- Ensures new or modified SWU accounts are added in a timely manner.
- Serves as primary contact for internal questions or concerns regarding the Stormwater Utility Fee program.

City Community Development Department

- Receive applications for development/re-development
- Review applications
- Resolve differences between new GIS data and site plan submittal
- Once application approved, notify GIS and Utility Billing via the tracking system

City Utility Billing

- Create billing accounts as needed for new developments or re-developments.
- Ensure SWU fee bills are timely sent once Certificate of Occupancy, Temporary Certificate of Occupancy, or Final Inspection as applicable is completed.
- Use the Change Process (contained in the Administrative Review workflow) to make corrections to existing accounts.

GIS Department

- Create new GIS account information for development/re-development, including:

- Parcel address
 - Parcel boundary
 - Impervious area (sq. ft.)
 - SW Parcel ID
- Review the documentation and ensure complete and accurate.

Procedure:

6. When an application for development/re-development has been submitted, Community Development Department will perform the initial review and enter into the development tracking system. The tracking system will notify Billing and GIS that a new application has been entered.
7. When notice that an application for development/re-development has been submitted, GIS Department will complete the following steps:
 - Network folder to verify and update (City Parcel and Impervious Area layers):
 - Parcel address
 - Parcel boundary
 - Impervious Area (sq. ft.)
 - Assign:
 - SW Parcel_ID
 - Utility Billing Account ID
 - SWU Classification
 - New GIS Parcel and IA information sent to database
 - Parcel address
 - SW Parcel_ID
 - Utility Billing Account ID
 - SWU Classification
8. Community Development Department will review new GIS information against site plan submittal and resolve differences with applicant.
9. Once differences resolved, and application approved, Community Development Department will send information to GIS and to Billing.
10. GIS will update City Parcel layer:
 - MCAD Parcel Address
 - MCAD Number
 - SW Parcel_ID
 - SWU Classification
11. Billing will add utility billing record for the development.

12. Billing will create notification of utility billing updates with Location ID into the tracking system.

13. GIS will update City Parcel and SWU Area layer:

- MCAD Parcel Address
- MCAD Number
- SW Parcel_ID
- SWU Classification
- Utility Billing Account ID

14. GIS will push out updated City Parcel and SWU Area layers to GIS web mapping applications for internal and external clients.

15. When a Certificate of Occupancy (or equivalent) is issued for a parcel, Community Development Department will notify Billing through the development tracking system, so that Billing may begin billing the account associated with the parcel.

Documentation:

Applications for development/re-development are entered into the development tracking system.

Documentation in the billing system will add the Stormwater Fee to existing bills or establish a “Stormwater Only” account for the new development/re-development.

The GIS system will contain parcel data such as Location ID, Impervious Area, etc.



Stormwater Utility Fee Evaluation Study Update

March 18, 2025



A photograph of four workers in safety gear (hard hats and high-visibility vests) standing on a stone-lined stream. The image is overlaid with a semi-transparent blue filter. The workers are engaged in a discussion, with one worker in the foreground looking towards the others. The background shows a wooded area.

Stormwater/Drainage Management Overview



Stormwater/Drainage Management and Maintenance



Stormwater runoff enters streams, rivers, and collection systems without treatment.

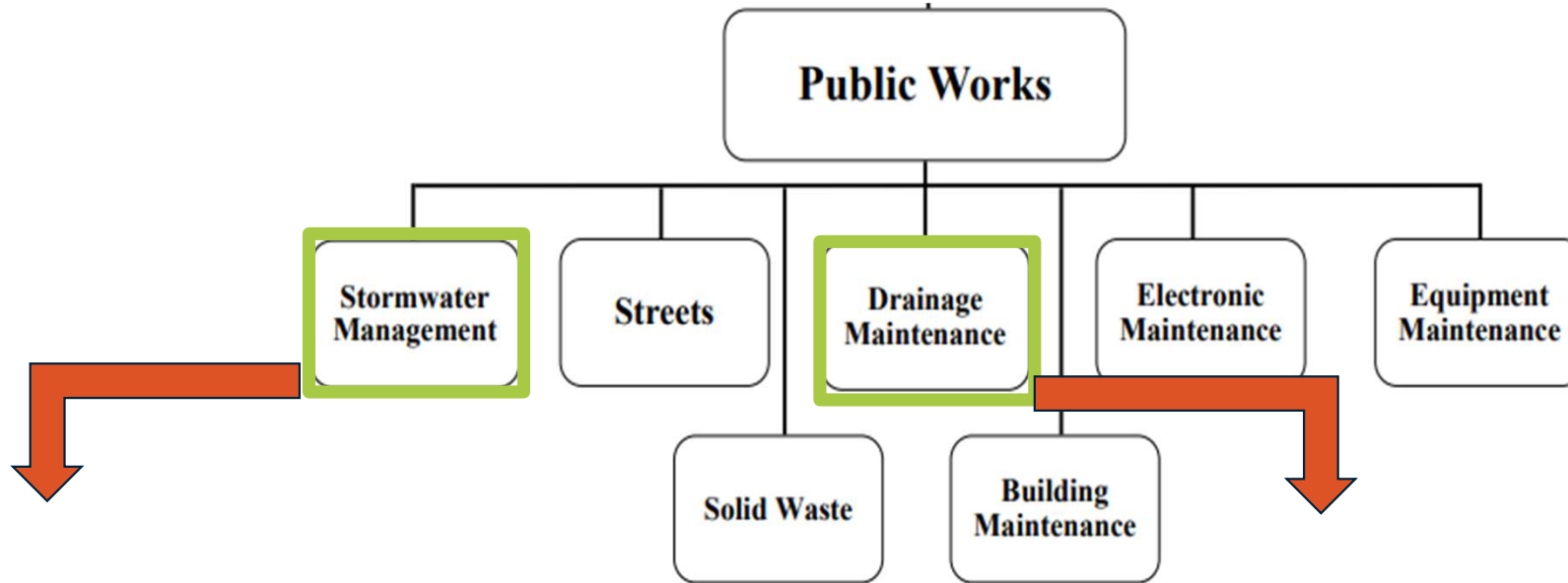
Impervious surfaces increase stormwater runoff to be managed.

Stormwater systems consist of constructed infrastructure (e.g., storm pipes) and natural features (e.g., creeks)

Stormwater/Drainage Program Goals



Lawton's Current Stormwater/Drainage Structure



- **Monthly Charge/Account: \$1.25**
- Annual Revenue: \$903,002
Per Annual Budget (FYE25)

- **Monthly Charge/Account: \$2.30**
- Annual Revenue: \$1,086,452
Per Annual Budget (FYE24)

A photograph of four workers in safety gear (hard hats and high-visibility vests) standing on a rocky stream bed. They appear to be engaged in a discussion or inspection. The image is overlaid with a semi-transparent blue filter.

Stormwater Needs



December 13, 2024

Stormwater Drainage Issues

Flooding



Water Quality



Erosion



Maintenance



Stormwater/Drainage Infrastructure



Stormwater/Drainage Infrastructure



Stormwater/Drainage Infrastructure



Construction



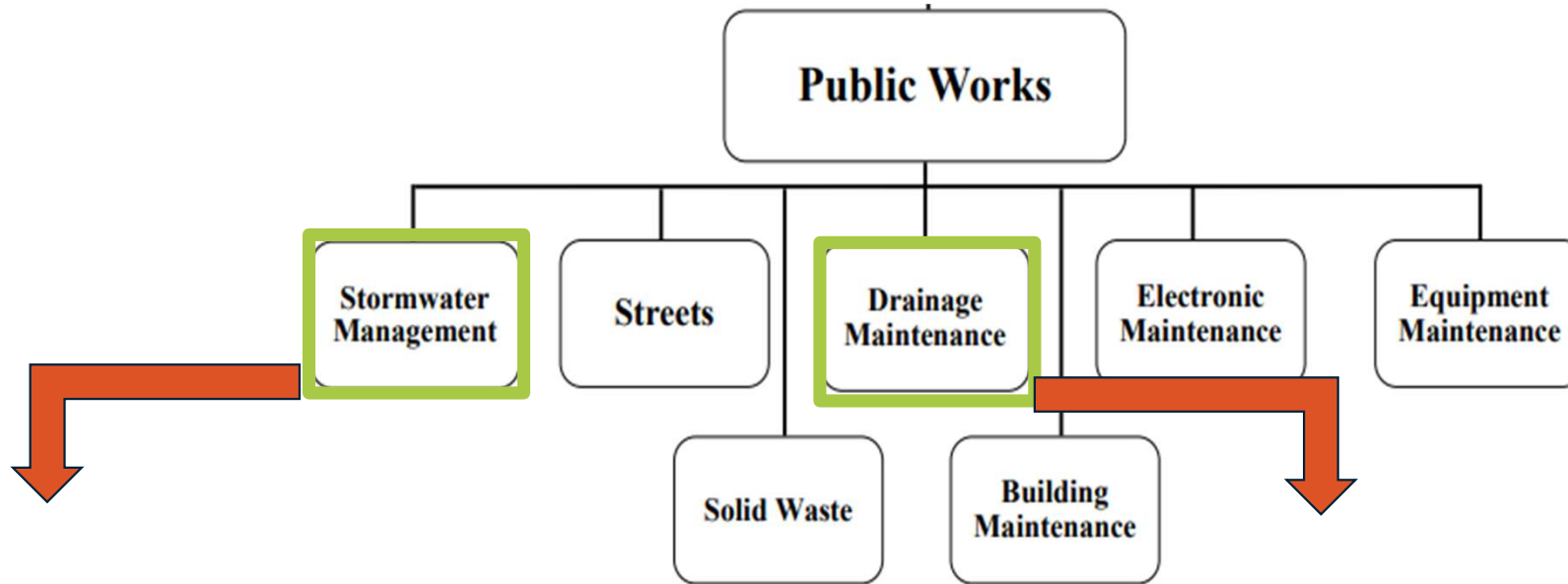
Identified CIP Projects to Complete

Rank	Project Name	Projected Cost (2024 \$)
1	East Branch Numu Creek from Ferris to SW F Ave	\$34,146,728
Unranked	Numu Creek from I-44 north to Lee Blvd.	\$8,466,355
2	Numu creek from Sheridan Rd to Cache Rd	\$48,700,815
3	Numu Creek Channel from 9th St to 11th St.	\$4,328,260
4	SW Jefferson from SW 24th St to Sheridan Rd.	\$9,203,430
Unranked	Santa Fe Bridge on NW 41 st St	\$4,234,844
5	Ferris Ave to Gore Blvd	\$9,972,014
6	Tributary A from NE Flower Mound Rd to East Cache Creek	\$3,550,743
7	Prentice & Floyd	\$17,468,770
8	Wolf Creek north of Gore	\$4,170,039

Rank	Project Name	Projected Cost (2024 \$)
Unranked	Wolf Creek north of Gore	N/A
9	Garden Village Subdivision	\$11,643,061
10	Channel on Dearborn and NE Euclid	\$2,453,638
11	Greer Addition 200' North of Gore Blvd	\$2,392,376
Unranked	S 11th St. Bridge on Wolf Creek south of I-44	\$2,822,646
Unranked	SW Lee Blvd. on SW 52nd St.	\$146,906
12	Lincoln Ave to Cherry Ave	\$18,322,050
13	NW 81st St. and NW Taylor Ave.	\$463,847
14	NE Bell Ave to SE Randolph on NE 51st St	\$679,726
15	Numu Creek and Tributary from Railroad St. west to US 281	\$10,195,221

Total Cost = \$193,361,000

Lawton's Current Stormwater/Drainage Structure



- **Monthly Charge/account: \$1.25**
- **Annual Revenue: \$903,002**
Per Annual Budget (FYE25)

- **Monthly charge/account: \$2.30**
- **Annual Revenue: \$1,086,452**
Per Annual Budget (FYE24)

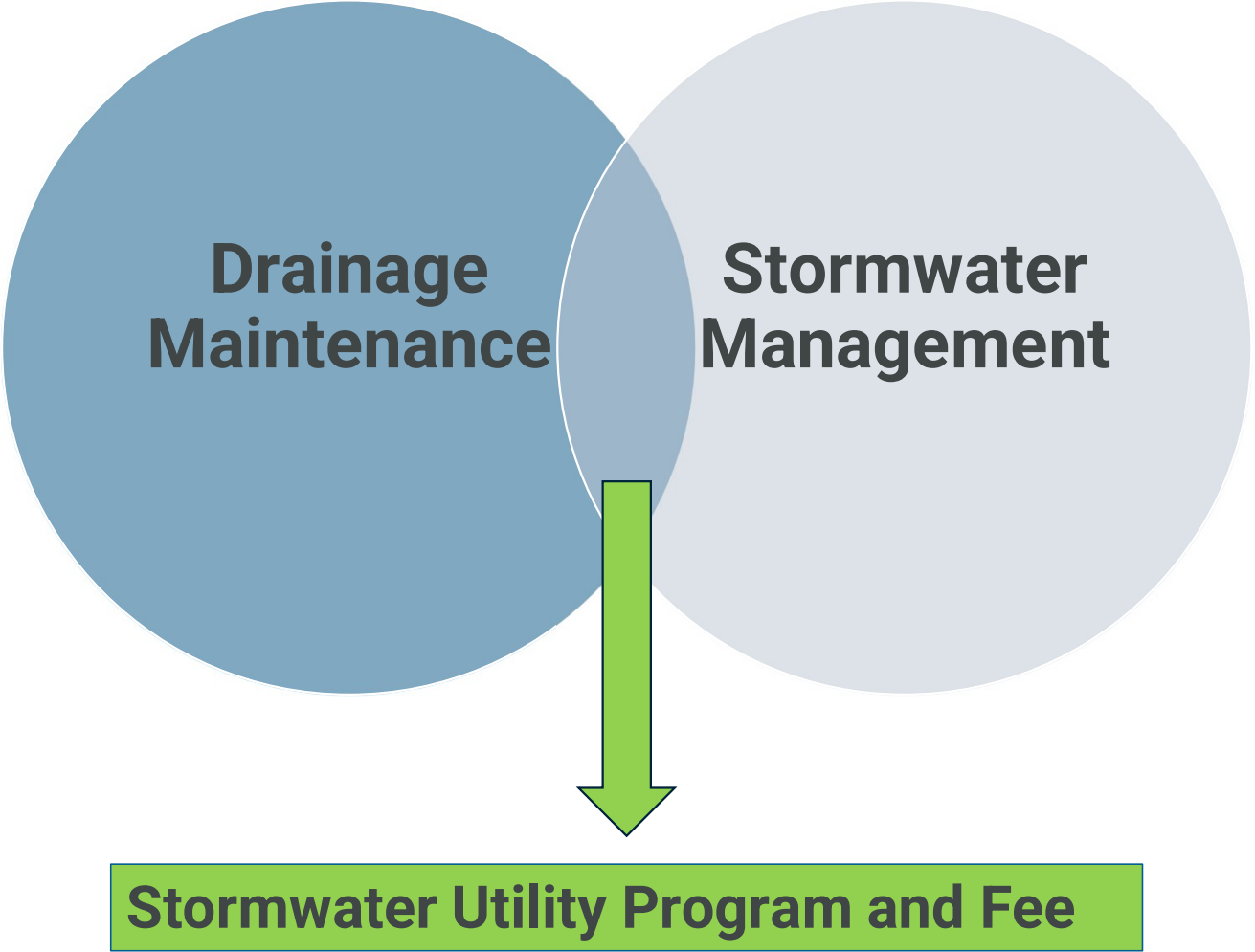
Current rate structures have combined revenue shortfall of \$890,818 in FYE25 for both Stormwater Management and Drainage Maintenance



Proposed Updates

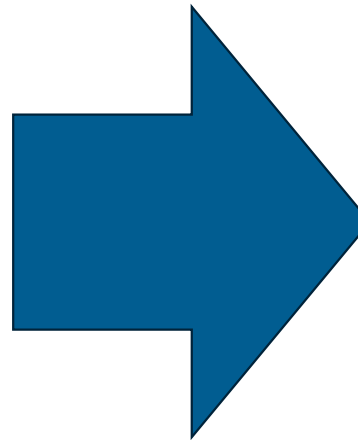


Combine Programs and Fees



Stormwater Utility Refinements

Meter-Based



Impervious Area-Based



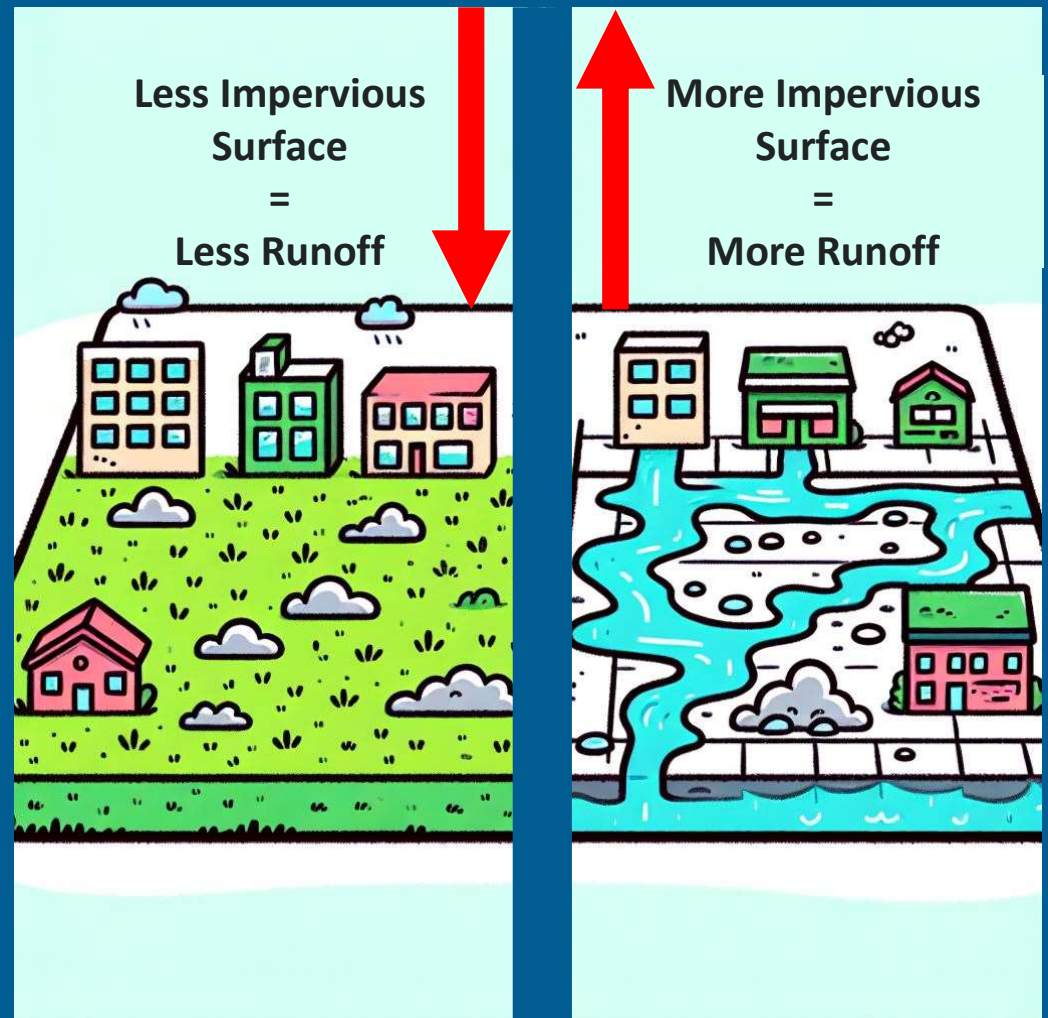
Impervious Area

Impervious surfaces limit stormwater the opportunity for infiltration into the soil and result in increased stormwater runoff.

Examples

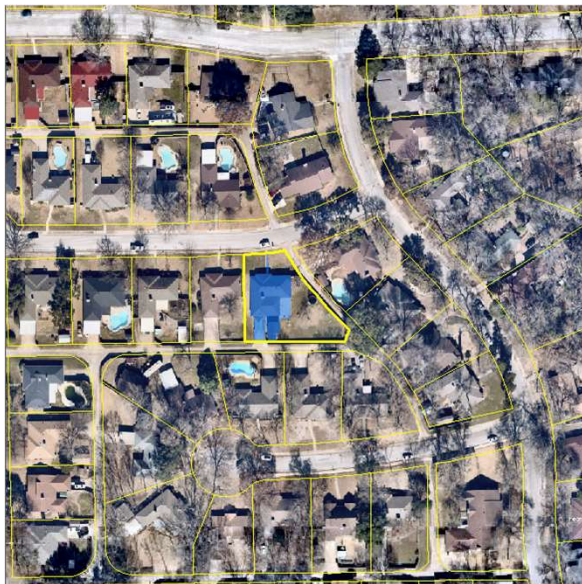
- Rooftops
- Parking lots
- Driveways
- Patios
- Walkways

Equivalent Residential Unit = ERU
3,200 square feet impervious area



Residential and Commercial ERUs

Typical Residential



3,200 sq ft impervious area

1 ERU

Typical Small Commercial



28,213 sq ft impervious area

$$28,213 / 3,200 = 8.8$$

9 ERU

Typical Large Commercial



178,508 sq ft impervious area

$$178,508 / 3,200 = 55.7$$

56 ERU

18



Proposed Rates



Scenario 1 – Limited Cash-Funded CIP

Residential Rate: \$5.25 / Month



Commercial Rate: \$5.25 / ERU / Month

Example property
9 ERUs * \$5.25 = \$47.25



- ✓ Revenue positive through FYE29
- ✓ Exempting City property reduces funding by \$80,000 per year
- ✓ Funds FYE26-FY29 current and proposed operating expenses
- ✓ Cash-funds identified CIP below \$1M by FYE28
- ✓ Paygo CIP funding:
 - ✓ \$660,000 FYE26
 - ✓ \$80,000 FYE29
 - ✓ *Loss of funding capacity due to inflation, zero growth shown through FY29*

Scenario 2 – Moderate Debt-Funded CIP

Residential Rate: \$11.00/ Month



Commercial Rate: \$11.00 / ERU / Month

Example property
9 ERUs * \$11.00 = \$99.00



- ✓ Revenue positive through FYE29
- ✓ Exempting City property reduces funding by \$168,000 per year
- ✓ Funds FYE26-FYE29 current and proposed operating expenses

- ✓ **\$4.7M available annually for CIP**

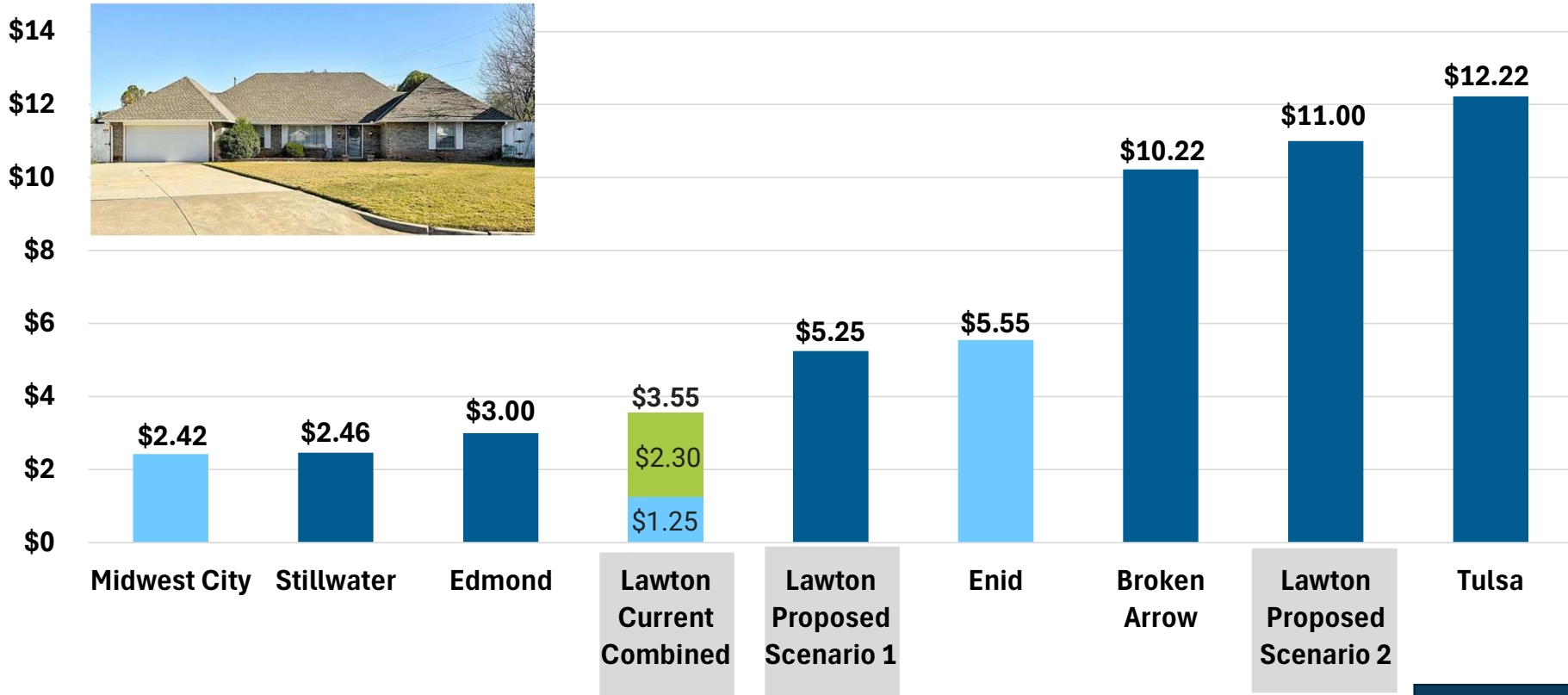
- ✓ **Debt-funds identified CIP list under \$11M**
 - ✓ \$63M for 14 CIP projects
 - ✓ 1/3 of identified CIP projects
 - ✓ \$4.7M note, 20 years, 4% interest



Comparison to Other Cities



Comparison Residential Stormwater Utility Fees



*All benchmark cities are flat residential fees

■ Single fee that covers both Stormwater and Drainage.

■ Fees are for Stormwater only.

Drainage expenses are covered through the General Fund or Drainage Maintenance Fund for Lawton.

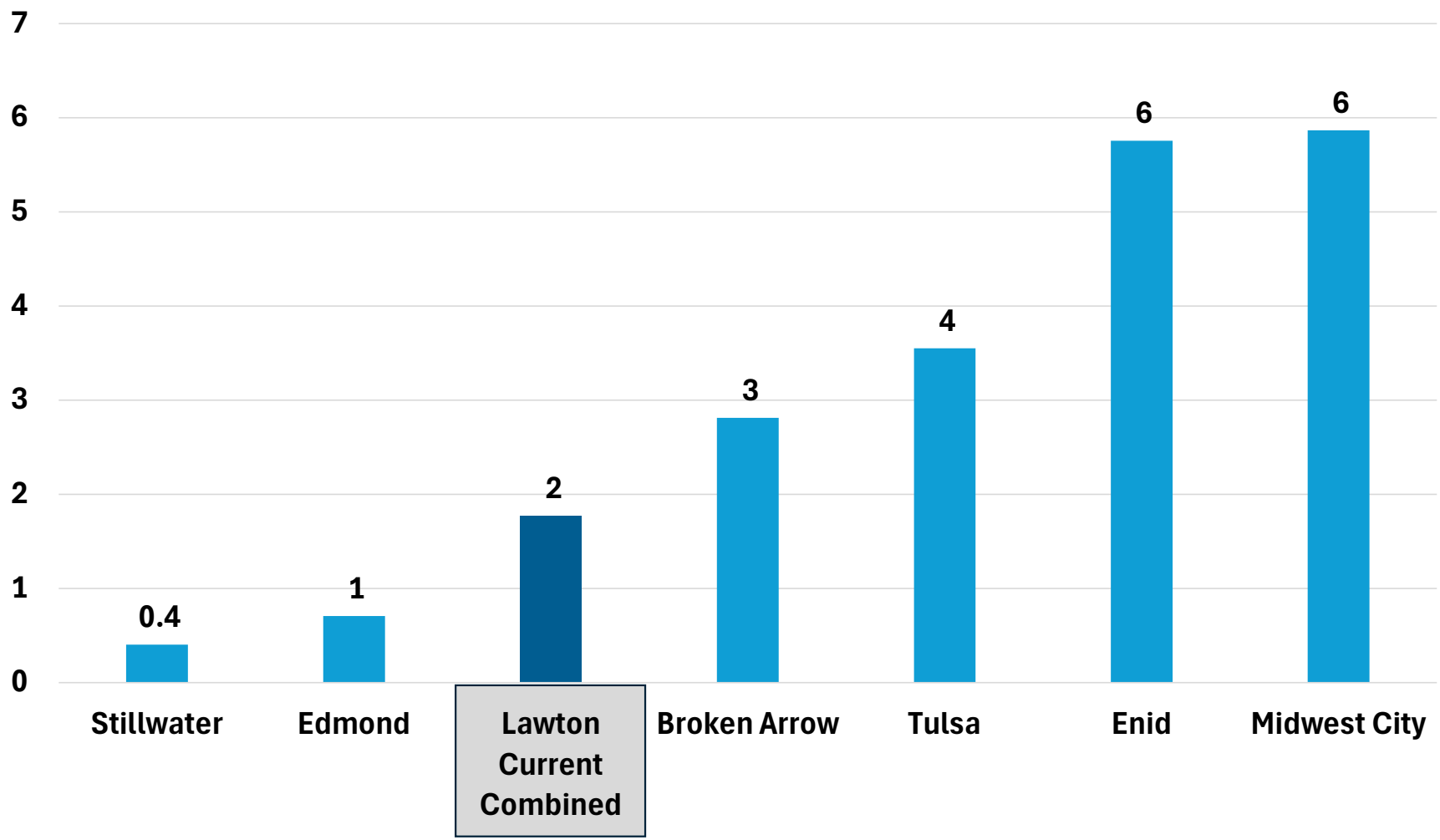
■ Fees are for Drainage only.

****No dedicated stormwater fee:**

Moore – partially funded through 1/8th sales tax and general fund

Norman – partially funded through a Public Safety Sales Tax Fund as well as general fund

Stormwater and Drainage/Streets Personnel per 10,000 Residents





Next Steps

Schedule





Stormwater Utility Fee Evaluation Study Update

