

CITY COUNCIL BUDGET RETREAT MINUTES

March 3, 2009

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a budget retreat at 5:30 p.m. in the Municipal Building Conference Room on the 3rd day of March, 2009, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Thompson, Mayor Rosenthal
ABSENT:	None
OTHERS PRESENT:	Councilmember-Elect Atkins

PRESENTATION AND DISCUSSION REGARDING AN AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, THE NORMAN UTILITIES AUTHORITY, BOARD OF CLEVELAND COUNTY COMMISSIONERS, AND THE CLEVELAND COUNTY JUSTICE AUTHORITY CONCERNING THE PUBLIC INFRASTRUCTURE TO BE PUT INTO PLACE IN CONNECTION WITH THE CLEVELAND COUNTY DETENTION CENTER PROJECT TO BE LOCATED WITHIN THE CITY LIMITS OF THE CITY OF NORMAN.

Mr. Jeff Bryant, City Attorney, said the public infrastructure agreement for the Cleveland County Detention Center Project recognizes responsibilities; identifies mutual goals; identifies public infrastructure, i.e., transportation, storm water, water, and wastewater; and addresses construction and inspection concerns as well as development fees and taxes. Mr. Shawn O'Leary, Director of Public Works, identified the property site for the proposed detention center project and said the current proposal contains four, possibly five, lots including the detention center lot. He highlighted the proposed infrastructure improvements to be constructed by the County as a part of this agreement as follows:

- Realignment of Franklin Road from 24th Avenue N.W. and Highway 77/Flood Avenue – estimated cost of \$760,000
- Connection of the I-35 Service Road to the realigned Franklin Road with sidewalks on Franklin Road from 24th Avenue N.W. to Flood Avenue – estimated cost of \$210,000
- Improvements on 24th Avenue N.W. for a two lane road at a new elevation plus replacement of the double tinnhorn bridge with a tripled 12 X 12 concrete box culvert – estimated cost of \$622,000 for street improvements and \$250,000 for the box culvert bridge
- Installation of a traffic signal at Highway 77 and Franklin Road – estimated cost of \$200,000 (anticipated that ODOT will fully fund this improvement and County agrees to pay its pro-rata share if not fully funded)

Mr. Ken Komiske highlighted proposed water and sewer improvements to be constructed by the County as follows:

- Installation of approximately 1,870 feet of 12 inch waterline and associated appurtenances along the new alignment of Franklin Road between Flood Avenue and 24th Avenue N.W. – estimated cost of \$218,751
- Installation of an eight inch waterline coming off of 24th Avenue N.W. – estimated cost of \$186,155 – City has option to upgrade to 12 inch line at an additional cost of \$50,000
- Installation of approximately 574 feet of public sewer line to serve the Center and the adjacent lot to the west – estimated cost of \$30,000
- Installation of approximately 318 feet of 12 inch sewer line from 24th Avenue N.W. to the southwest – estimated cost of \$22,000

Mr. Komiske said the agreement indicates the County agrees to release its approved sewer solution, i.e., lift station currently on the property, and the City agrees to connect the new sewer line to the Little River Interceptor at the sufficient size, location, and elevation to accommodate gravity sewage from the Center. The City also agreed to bore under the Little River and connect Johnson Controls to the north. The total City cost is estimated at \$36,000.

Mr. Bryant said the agreement also recognizes the County is not under the jurisdiction of the City; however, the County wants to ensure the infrastructure/public improvements and construction of the Center be completed to current City standards. The County would like to utilize City inspections throughout the construction and obtain a City approved Certificate of Occupancy for the facility. He said the County plans to file an application requesting C-2, General Commercial, zoning with Special Use for a Detention Facility and they are asking for a waiver of all City fees associated with the rezoning and platting processes as well as building permit fees. He said since the County committed to the construction and funding of \$2.3 million in infrastructure improvements, Staff felt waiving approximately \$19,561 in application and permit fees was amenable.

Finally, Mr. Bryant said the County is claiming an exemption from the City's Wastewater Excise Tax fee and in recognition of the significant infrastructure improvements being paid by the County; Staff negotiated and recommends the City not contest the County's claim for exemption. He said if Council so desires, the City could pay the Wastewater Excise Tax fee in one lump payment or in phases as the Center was brought on line. Councilmember Kovach questioned whether this would set a precedent if the fee was waived. Councilmembers expressed concern with waiving the excise tax fee and felt the fee should be paid by the City.

The contract will be submitted for Council's consideration on the March 10th agenda.

Items submitted for the record

1. Draft Contract No. K-0809-121
2. PowerPoint presentation entitled, "Cleveland County Detention Facility Project, Public Infrastructure Agreement" dated Tuesday, March 3, 2009

DISCUSSION REGARDING THE FYE 2010 CAPITAL BUDGET.

Ms. Linda Price, Revitalization Manager, said the capital projects and fund summaries have been modified based upon input received from Council at the previous Capital Budget Retreat and three options are submitted for further consideration.

Option A – includes the base budget available for new projects plus increasing the Maintenance of Existing Facilities budget from 3% to 5% for a net increase of \$226,055; \$156,000 was added for the recent change order approved for the West Main Street and 36th Avenue West Improvements Project; and \$201,859 was included as matching funds for the Compressed Natural Gas (CNG) grant.

Option B – includes all items in Option A and four new time sensitive projects – Signalization at Tecumseh and Journey Parkway, \$15,000; Truman Elementary School Zone Project, \$20,000; Highway 9 Multi-Modal Path, \$150,000; and the Digital Aerial Photography and Mapping Project, \$150,000.

Ms. Price said the digital photography project has been reduced from \$198,000 and Staff is working with the Association of Central Oklahoma Governments to possibly coordinate with other cities in the metro area who may wish to partner with Norman and reduce our costs.

Option C – incorporates everything in Options A and B and reschedules some projects to bring the available for new projects line item into the black in all five years of the Five Year Capital Improvements Plan (CIP). The Firehouse Art Center and Sooner Theatre improvements were moved into the facility maintenance portion; the

Building Maintenance and Storage Facility Project [\$450,000] was postponed to 2012; the North Base Salt Building Project [\$475,000] was postponed from 2011 to 2012; \$50,000 of the \$100,000 budgeted for greenbelt acquisition was postponed from 2010 to 2012; the right-of-way acquisition for the Boyd/Pickard Intersection Project [\$138,000] was postponed from 2009 to 2012 (not ready at this time); and the Judicial Center Project in 2011 was reduced by \$360,000 to cover items recently approved by Council and the remaining \$2.5 million was split out over four years for maintenance of existing facilities, canceling the project.

Ms. Price said Option A leaves \$690,228 available for new projects, Option B leaves \$355,228 available for new projects, and Option C leaves \$993,228 available for new projects. She said typically Council keeps approximately \$1 million available for unscheduled emergency projects throughout the year and project shortfalls; therefore, Staff has not programmed any of the remaining new projects submitted this year.

Mr. Steve Lewis, City Manager, said the Council Finance Committee recommended the design funding budgeted in FYE 2009 for the Judicial Center Project be utilized for the interim solution for Municipal Court. He said both Council and the Finance Committee agreed existing facilities should be repaired and maintained before new facilities were built. He said the remaining \$2.5 million budgeted in FYE 2011 was redirected towards maintenance of existing facilities. He said funding to remodel Building A for Municipal Court purposes was authorized in last year's Bond Election and when the construction of a new library is approved at a future election, that funding will become available. Councilmember Cubberley said the \$2.5 million remaining in the project would go a long way towards maintenance of facilities and once the facilities were caught up, the 5% earmarked each year could maintain the facilities.

Councilmember Kovach expressed concern with hinging the new court facility on the passage of a new library. Mayor Rosenthal and Councilmember Cubberley said the Court needs a solution now and the only other land in the vicinity identified as a possible solution will not work because 70% of it is located in the flood plain. Councilmember Thompson said he was supportive of using the design funds budgeted in FYE 2009 for an interim solution, but was hesitant to cancel the project in its entirety. He was afraid it would send the wrong message that the interim solution would become the permanent solution. Councilmember Cubberley suggested the project remain in the Five Year CIP, but moved to 2014 and Councilmembers concurred. Councilmember Kovach said he wanted to continue to pursue alternate locations for a free standing court.

Items submitted for the record

1. PowerPoint presentation entitled "Capital Fund 50, FYE 2010 Capital Budget & FYE 2011-2014 Plan"
2. Memorandum dated February 26, 2009, from Linda R. Price, Revitalization Manager, to Honorable Mayor and Councilmembers
3. Capital Fund 50 – Base Budget Project Schedule, FYE 2010 Capital Budget and FYE 2011-2014 Plan
4. Capital Fund Summaries, Options A, B, and C

The meeting adjourned at 6:45 p.m.

ATTEST:

City Clerk

Mayor