

CITY COUNCIL AND NORMAN TAX INCREMENT FINANCE AUTHORITY  
SPECIAL MEETING MINUTES

September 21, 2010

The City Council and the Norman Tax Increment Finance Authority of the City of Norman, Cleveland County, State of Oklahoma, met in a Special meeting at 6:00 p.m. in the Municipal Building Council Chambers on the 21st day of September, 2010, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Atkins, Butler, Cubberley,  
Dillingham, Ezzell, Griffith, Kovach, Quinn,  
Mayor Rosenthal

ABSENT: None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

CONTRACT NO. K-1011-75: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN TAX INCREMENT FINANCE AUTHORITY; UNIVERSITY NORTH PARK, LLC; UNIVERSITY TOWN CENTER, LLC; NORMAN ECONOMIC DEVELOPMENT COALITION; AND THE UNIVERSITY OF OKLAHOMA FOUNDATION, INC., FOR THE UNIVERSITY NORTH PARK ECONOMIC DEVELOPMENT AGREEMENT.

Acting as the City Council and the Norman Tax Increment Finance Authority, Councilmember Quinn moved that Contract No. K-1011-75 with University North Park, LLC; University Town Center, LLC; Norman Economic Development Coalition; and the University of Oklahoma Foundation, Inc., for the University North Park Economic Development Agreement be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
2. Executive summary of the Proposed University North Park Economic Development Agreement
3. Contract No. K-1011-75
4. PowerPoint presentation entitled, "University North Park TIF Economic Development," City Council, September 21, 2010
5. Excerpt from Community Survey related to the question on Current Pace of Various Types of Land Development
6. E-mail of support dated September 21, 2010, from John Hunter to Cindy Rosenthal, Mayor
7. Resolution of support from the University North Park Tax Increment Finance Development Oversight Committee
8. Unemployment rates by county, August 2009 – July 2010 averages submitted by Glenn Brown

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney
2. Mr. Jeff Bryant, City Attorney
3. Mr. Don Wood, Executive Director, Norman Economic Development Coalition (NEDC)
4. Mr. Richard Stawicki, 2614 South Berry Road, protestant
5. Mr. Glenn Brown, Post Office Box 2667, protestant
6. Mr. George Wilson, 515 Shawnee Street, NEDC Board Chairman, made comments
7. Mr. Mike Bergey, 3611 Chatham Court, proponent
8. Ms. Anna Mary Suggs, 6410 Crooked Oak Drive, Executive Director, Norman Chamber of Commerce, and NEDC Board Member, proponent
9. Ms. Sylvia Martin, Post Office Box 430, protestant
10. Mr. James Harp, 801 Parkside Road, Republic Bank, made comments
11. Mr. Tom Sherman, 2811 Majesty Court, Chamber of Commerce Board President, proponent

Item 3, continued:

- 12. Mr. Henry Baskeyfield, 12500 Buckskin Pass, American Federation of State County and Municipal Employees (AFSCME) President, made comments
- 13. Mr. Matt Jordan, 6909 Greenway, Oklahoma City, AFSCME representative, made comments
- 14. Mr. Charles Schindler, 2000 Morgan Drive, made comments
- 15. Mr. Harold Haralson, 517 Avon, made comments
- 16. Mr. Roger Gallagher, 1522 East Boyd, made comments
- 17. Mr. Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau, proponent
- 18. Mr. Robert Stroman, 9803 East Franklin Road, made comments
- 19. Mr. Steve Lucas, 804 Fairway Drive, asked questions
- 20. Mr. Jonathan Leavey, 4315 Hillside Drive, proponent
- 21. Mr. Mike Tower, 212 East Hughbert, proponent
- 22. Mr. Jim Rickards, 1812 Quail Creek, General Manager, Embassy Suites Hotel, proponent
- 23. Mr. Lee Williams, 622 South Flood, proponent
- 24. Mr. Trey Bates, 3720 Timberidge, proponent

and the question being upon approving Contract No. K-1011-75 with University North Park, LLC; University Town Center, LLC; Norman Economic Development Coalition; and the University of Oklahoma Foundation, Inc., for the University North Park Economic Development Agreement and upon the subsequent authorization, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Mayor Rosenthal

NAYES: Councilmember Kovach

The Mayor declared the motion carried and Contract No. K-1011-75 with University North Park, LLC; University Town Center, LLC; Norman Economic Development Coalition; and the University of Oklahoma Foundation, Inc., for the University North Park Economic Development Agreement approved; and the execution thereof was authorized.

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Item 4, being:

**RESOLUTION NO. R-1011-39:** A RESOLUTION OF THE NORMAN TAX INCREMENT FINANCE AUTHORITY APPROVING CONCURRENCE IN AGREEMENT OF THE NORMAN ECONOMIC DEVELOPMENT COALITION TO FINANCE THE ACQUISITION OF PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES, WITHIN THE UNIVERSITY NORTH PARK ECONOMIC DEVELOPMENT PROJECT.

Acting as the Norman Tax Increment Finance Authority, Trustee Quinn moved that Resolution No. R-1011-39 be adopted, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

- 1. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
- 2. Resolution No. R-1011-39
- 3. Letter dated July 12, 2010, from Chuck R. Thompson, President, Chief Executive Officer, Republic Bank and Trust, to Mr. Don M. Wood, Executive Director, Norman Economic Development Coalition

and the question being upon adopting Resolution No. R-1011-39, a vote was taken with the following result:

YEAS: Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Chairman Rosenthal

NAYES: Councilmember Kovach

The Chairman declared the motion carried and Resolution No. R-1011-39 was adopted.

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Item 5, being:

RESOLUTION NO. R-1011-40: A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE NORMAN TAX INCREMENT FINANCE AUTHORITY (THE "AUTHORITY") ISSUING ONE OR MORE SERIES OF ITS TAX INCREMENT REVENUE NOTES (COLLECTIVELY, THE "TIF NOTES"); APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE AUTHORITY ISSUING ONE OR MORE SERIES OF ITS ECONOMIC DEVELOPMENT REVENUE NOTES (COLLECTIVELY, THE "DEVELOPMENT NOTES"); WAIVING COMPETITIVE BIDDING WITH RESPECT TO THE SALE OF SAID TIF NOTES AND SAID DEVELOPMENT NOTES AND APPROVING THE PROCEEDINGS OF THE AUTHORITY PERTAINING TO THE SALE OF SAID TIF NOTES AND SAID DEVELOPMENT NOTES; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURES AUTHORIZING THE ISSUANCE OF SAID TIF NOTES AND SAID DEVELOPMENT NOTES; APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT TO REMIT FUNDS AND SECURITY AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA (THE "CITY") AND THE AUTHORITY PERTAINING TO THE PLEDGE OF CERTAIN SALES TAX INCREMENT REVENUES AND AD VALOREM TAX INCREMENT REVENUES TO THE REPAYMENT OF THE TIF NOTES; APPROVING AND AUTHORIZING EXECUTION OF ONE OR MORE SECURITY AGREEMENTS PERTAINING TO THE REPAYMENT OF THE DEVELOPMENT NOTES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Councilmember Quinn moved that Resolution No. R-1011-40 be adopted, which motion was duly seconded by Trustee Dillingham;

Items submitted for the record

1. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
2. Resolution No. R-1011-40

and the question being upon adopting Resolution No. R-1011-40, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Mayor Rosenthal

NAYES: Councilmember Kovach

The Mayor declared the motion carried and Resolution No. R-1011-40 was adopted.

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Item 6, being:

**RESOLUTION NO. R-1011-41:** A RESOLUTION AUTHORIZING THE NORMAN TAX INCREMENT FINANCE AUTHORITY (THE "AUTHORITY") TO ISSUE ONE OR MORE SERIES OF TAX INCREMENT REVENUE NOTES (COLLECTIVELY, THE "TIF NOTES") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,250,000; AUTHORIZING THE AUTHORITY TO ISSUE ONE OR MORE SERIES OF ECONOMIC DEVELOPMENT REVENUE NOTES (COLLECTIVELY, THE "DEVELOPMENT NOTES") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$8,250,000; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE TIF NOTES AND THE DEVELOPMENT NOTES TO BE SOLD ON A NEGOTIATED BASIS; APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT TO REMIT FUNDS AND SECURITY AGREEMENT BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO A PLEDGE OF CERTAIN SALES TAX INCREMENT REVENUE AND AD VALOREM TAX INCREMENT REVENUE TO THE REPAYMENT OF THE TIF NOTES; APPROVING AND AUTHORIZING EXECUTION OF ONE OR MORE SECURITY AGREEMENTS PERTAINING TO THE REPAYMENT OF THE DEVELOPMENT NOTES; APPROVING AND AUTHORIZING EXECUTION OF GENERAL BOND INDENTURES AND SERIES SUPPLEMENTAL NOTE INDENTURES, AS APPROPRIATE (COLLECTIVELY, THE "INDENTURES") AUTHORIZING THE ISSUANCE AND SECURING THE PAYMENT OF THE TIF NOTES AND THE DEVELOPMENT NOTES; PROVIDING THAT THE ORGANIZATIONAL DOCUMENT CREATING THE AUTHORITY IS SUBJECT TO THE PROVISIONS OF THE INDENTURES; AUTHORIZING AND DIRECTING THE EXECUTION OF THE TIF NOTES AND THE DEVELOPMENT NOTES AND OTHER DOCUMENTS RELATING TO THE TRANSACTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

Acting as the Norman Tax Increment Finance Authority, Trustee Quinn moved that Resolution No. R-1011-41 be adopted, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Memorandum dated September 8, 2010, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Honorable Mayor and Councilmembers and Honorable Trustees of the Norman Tax Increment Finance Authority
2. Resolution No. R-1011-41

and the question being upon adopting Resolution No. R-1011-41, a vote was taken with the following result:

YEAS:	Trustees Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Quinn, Chairman Rosenthal
NAYES:	Councilmember Kovach

The Chairman declared the motion carried and Resolution No. R-1011-41 was adopted.

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MISCELLANEOUS DISCUSSION

Economic Development. Ms. Ann Gallagher, 1522 East Boyd, said it has been a night of words. Words such as "tee up," which, in her infancy of golf, means to hurry up and Council should not rush on any item that is fiscally responsible for the City. Another word used tonight, "risk" that means probability, chance, a chance of loss, and a gamble. She said these are words not to be taken lightly.

Councilmember Griffith said the citizens of Norman have a broader view and greater vision for what is possible. He said he is grateful the economic development contract and resolutions passed as there is no great reward without some risk and this is a modest risk.

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Speaking Limitations. Ms. Ann Gallagher, 1522 East Boyd, said limiting citizens to five minutes for speaking about an item is wrong. She said she timed the conversations and Councilmembers spoke as long a thirteen minutes. She said the citizens words are just as important as the Council's so if citizens are limited then the Council should be too.

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Miscellaneous Discussion, continued:

Election Expenses. Mr. Leonard Youngblood, 3201 Swan Hollow Drive, asked for the exact cost of the water and sanitation rate increase special election.

Ms. Brenda Hall, City Clerk, said the cost was between \$6,000 and \$7,000, but would have to get back with him on the exact cost. She said the cost was lower because the ballot was shared with the State so the City only paid for ballot printing costs.

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Utility Funds. Mr. Steve Lewis, City Manager, said there had been concerns expressed relative to the City's utility operations productivity. He said Staff and Council believe each utility should achieve its objectives and manage its resources in an economic, effective, and efficient manner. He said a performance audit of the solid waste collection system will be presented to Council in mid-October and it is important to recognize why the study was done. He said the City wanted to review the operational characteristics of the system and to benchmark the system to other communities to identify improvements. He said it is also used to gauge whether or not the system is being operated in an efficient manner. Mr. Lewis said questions have been raised as to whether or not the City should discontinue its collection within the core part of the City in respect to alley pickup. He said it is believed this increases the City's travel time 17% across the system, which is really not correct. He said, actually, the City is seeing an increase in travel times of only 17% within the core parts of Norman.

Mr. Lewis said, over the last year, the City has been really aggressive in trying to attract grants for water and wastewater and have obtained approximate \$5 million in grants and \$21 million in Federal stimulus money at a low interest rate. He said, in addition, there has been a Wastewater Treatment Plant savings of 7 million gallons of potable water that was used on reuse projects. He said a lot of sewer engineering projects have been done in-house for a savings of approximately \$100,000 per year.

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Community Dialogue. Councilmember Kovach said Norman has an engaged citizenry in the community and Council's decisions are based on what is best for the community. He said former Mayor Harold Haralson had started a Community Dialogue process many years ago and presented an excellent opportunity for the City and citizens to discuss issues. He said as the City moves forward with critical issues, Community Dialogue needs to be revitalized and urged that to happen.

Councilmember Dillingham said a Community Dialogue Series should discuss growth and where Norman goes from here and she supports the idea.

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Shop Norman. Councilmember Quinn reminded everyone to "Shop Norman."

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## ADJOURNMENT

There being no further business, Councilmember Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Atkins; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS: Councilmembers Atkins, Butler, Cubberley,  
Dillingham, Ezzell, Griffith, Kovach, Quinn,  
Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 10:07 p.m.

ATTEST: