

## COUNCIL STUDY SESSION MINUTES

April 3, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:37 p.m. in the Council Chambers of the Norman Municipal Building on the 3rd day of April, 2012, 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 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers, Ezzell, Dillingham, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, and Mayor Rosenthal

ABSENT: None

### 1. DISCUSSION REGARDING IMPLEMENTATION OF THE 2009 INTERNATIONAL RESIDENTIAL CODE.

Ms. Susan Connors, Director of Planning and Community Development, said building codes were first identified in Norman in 1902 with evidence of the first building permits being obtained in 1924. In 1956, the City of Norman adopted the first of the modern codes and since that time new codes have been adopted periodically. She said updates to these codes are needed to ensure that the codes the City is enforcing are reflective of modern technologies and building materials. She said in May 2009 the Oklahoma Uniform Building Code Commission (OUBCC) was created with Technical Review Committees (TRC). Two City of Norman inspectors served on the OUBCC which reviewed the proposed 2009 International Residential Code (IRC). The OUBCC submitted their amendments to the State Legislature for adoption and the 2009 IRC was adopted with amendments on July 15, 2011, making the IRC the Code to be used by all cities in Oklahoma. She said the Planning and Community Development Staff went to the Business and Community Affairs Committee (BACA) to discuss adopting this Code and it was recommended that Staff work with the building community before it is forwarded to City Council. In January, 2011, the Building Inspection Staff hosted two meetings with the Building Association of South Central Oklahoma (BASCO) and discussed at great length local amendments to the 2009 IRC. She said a public meeting was held in February, 2012, to convey information to any other interested citizens and these changes are being provided to City Council and, with Council's approval, the Ordinance adopting the 2009 IRC will be considered on First Reading on April 24, 2012, and Second Reading on May 8, 2012, with an effective date of June 8, 2012. She said Mr. Bob Christian, Permit Manager, will explain the changes in detail.

Mr. Bob Christian, Permit Manager, said many of the amendments are administrative items and identified some of the impact items that the International Code Council (ICC) included in the 2009 edition. He also highlighted some of the items the State amended in their technical review process.

1. Information Submitted on Construction Documents. Originally these codes were designed for square boxes and rectangular shapes in buildings which has been challenging because these days, that is not the case. Progressively through the years the code has been working with the ability to have prescriptive requirements addressing these irregular conditions. In order to address those appropriately, the code has continued to strengthen the ability to call for a greater degree of detail on construction documents submitted at the application stage of the building permit. This edition of the code takes that a step forward to recognize more modern practices and plan requirements, particularly, where there are exterior wall lines that fall outside the bounds of a normal rectangular or square box.

2. Automatic Fire Sprinklers in Townhouse Construction. These changes deal with one and two family structures and townhomes. After review, the initial ICC requirement was to sprinkle everything; however, after taking into consideration the costs and practicality involved, the state amended the code to only require automatic fire sprinkler systems in townhome construction, primarily because of their density and close proximity which is very much like an apartment house.

Item 1, continued:

3. Carbon Monoxide Alarms. The basic criteria of the code required Carbon Monoxide (CM) alarms in certain conditions and the state amended that by adding the requirement that when a building permit of any kind is obtained for an existing structure, a CM alarm must be added. Staff has added an amendment to remove this requirement for those with existing homes when they apply for some kind of construction permit.
4. Deck Construction. The present code has no prescriptive requirement to help determine certain size of balconies and decks and methods of attachment to the home; however, the new code provides some helpful, prescriptive information.
5. Wall Bracing. The 2009 Code in its initial form was very strong in terms of its requirements of wall bracing, largely due to an emphasis of seismic design consideration in Oklahoma. Although, Norman is in an active design category, wind loads continue to be the primary area of interest. Requirements have been lessened to give the City the ability to expand the prescriptive requirements of the Code and an understanding for where requirements should be applied. The intent is to maintain the stability of the structure.
5. Water Resistance Barrier. Over time, it has been determined that most homes in Norman have either siding materials or masonry veneers applied to them with certain exceptions. Progressively, with the sheathing materials that are used behind these siding materials, it was determined by ICC to require the water resistance barrier in virtually every application. Many builders in Norman already do this.
6. Lighting Systems. There were some very stringent requirements through the Energy Code portion of the 2009 Code. The State evaluated these requirements in their technical review process and although energy efficiency was supported, some liberty in the types of lamps that are used was allowed. The exception was that recessed canned lighting is exempt from that section of the code.
7. Locking Access Caps. With the problem from drug users huffing the refrigerant from air conditioning units, a requirement was made to aid in the protection and to limit the access of unauthorized persons.
8. Arc Fault Protection. These devices have been used for approximately ten years. The technology has been improved and the new code requires a greater degree of application of these products.
9. Tamper Resistant Receptacles. In the interest of safety, particularly young children, there is now a requirement in most instances to have a tamper resistant electrical receptacle where there is a standard convenience outlet now.

Councilmember Gallagher asked what the cost was for CM alarms. Mr. Christian said the code does not specify whether it is necessary that the alarm be attached to the permanent wiring system and an independent battery detector would be suitable. Mr. Christian said many builders are electing to use a combination unit that has a CM detector and smoke alarm and because it has a smoke alarm, it is attached to the permanent wiring system. The cost range for those is \$35 as the cheapest version for just the CO detector and \$50-60 for the more enhanced technology type component. If someone was adding on to their house and needed to install a base unit to an existing house, a battery-operated unit could be installed by the homeowner.

Councilmember Gallagher asked what other states require this and Mr. Christian said this was an international code and it has been adopted by many jurisdictions across the nation. Councilmember Gallagher asked where this code originated from. Mr. Christian said it was a convergence of several code bodies, the Southern Building Code Congress from the Southern Region, Uniform Building Code produced by the Council of American Building Officials, and Building Officials and Code Administrators International, Inc. (BOCA) were the three primary entities and a standardization of the codes was seen to be a benefit and these three bodies merged into the ICC in 2000.

Item 1, continued:

Councilmember Gallagher asked if there were changes with walls and wind bracing. Mr. Christian said there had been a lack of clarity regarding mixing methods of sheathing a structure with either plywood or Oriented Strand Board (OSB) and taking a lead end brace which is metal or wood brace in a corner at a 45-degree angle. He said the 2009 Code clarifies this can be mixed up, broadens the tables that are used, and enhances the information showing where these materials can be joined or used in combination.

Councilmember Gallagher asked what kind of wattage in lighting is regulated with the 2009 Code. Mr. Christian said the 2009 Code does not compare wattage but in terms of efficacy.

Councilmember Spaulding asked if the City is required to adopt the 2009 Code. Mr. Christian said yes and legal counsel has provided that opinion as well. He clarified that the 2009 Code is the official code for the State of Oklahoma and each jurisdiction has the liberty for their local ordinance to adopt the Code. Councilmember Spaulding asked if the City of Norman inspectors strictly adhere to the requirements of the 2009 Code when doing an inspection. Mr. Christian said the inspectors presently used the 2006 Code but when it is adopted, there would be an exclusion for projects that started under the older codes. Councilmember Spaulding asked if our inspectors were free to overlook any aspects that they deemed irrelevant in a project and are parts of this Code subjective. Mr. Christian said the purpose of the 2009 Code was to have a prescriptive standard to address the concern of a lack of consistency. He said the administrative provisions of the 2009 Code give the building official liberty to evaluate the case-by-case situations to promote consistency, to promote legal standard, and to give discretion where appropriate. Councilmember Spaulding asked if our Code or amendments to our Code are more stringent than the State Code and Mr. Christian said occasionally. Councilmember Spaulding asked how the City inspectors handle the manufacturers suggested requirements, such as screw holes in the flange on an air conditioning unit especially if the Code required a different number which could void the warranty. Mr. Christian said the Code gives specific guidance on these types of situations and basically says whichever is more stringent. He said it is a common occurrence for a technician to install an air conditioning unit consistent with the manufacturer's installation instructions with regards to clearance. He said sometimes the technician loses sight that the code might require greater clearance because the installation instruction is dealing with clearance to combustible material and the code is dealing with clearance to service the appliance and allow for adequate airflow. Councilmember Spaulding asked if the City's inspectors have the freedom to say that they do not agree with this Code or the manufacturers suggested instructions. Mr. Christian said the inspectors are tasked to verify compliance with the Code.

Mr. Curtis McCarty, 4748 Ridgeline Drive, Builder's Association of South Central Oklahoma and OUBCC member, thanked Mr. Christian and his Staff for the work done on the new 2009 Code. He said three years ago the State recognized that there were no State adopted policies or codes. He said the Construction Industries Board (CIB) only dealt with licensing and although they were tasked to adopt codes, they did not review codes. No residential building codes were adopted in the State and there was a big push for consistency by State legislators so the OUBCC was formed and he has been on the OUBCC since its inception. He said the OUBCC was tasked to use the International Residential Code (IRC) as the first Statewide adopted building code. He said until then there had been no residential codes for the rural areas of the State. He said they are in the process of doing the same thing for the International Building Code (IBC) which addresses commercial, electrical, building, mechanical, and plumbing codes. He said all cities have had the opportunity to make equal to or more stringent local amendments and those amendments will be posted on the OUBCC Website to allow contractors who build in multiple jurisdictions to look at what each city has amended.

Councilmember Gallagher asked when looking at a remodeling job, was it correct that it is the inspector's job to look at what work was being done, not the rest of the house or structure. Mr. Christian said there were certain limitations for inspectors and existing construction and systems that are safe can remain in service without modification. He said the City does not ask the inspectors to ignore the parts of the house and there is a safety concern, they will bring that to the attention to the homeowner.

Item 1, continued:

Mr. Harold Heiple, 218 East Eufaula Avenue, said there are some nuances to building codes and applications that need to be brought to the attention of members of City Council who have never to deal with City Codes and it is worth another meeting to discuss it further.

Items submitted for the record

1. Memorandum dated April 3, 2012, from Bob Christian, Permit Manager, through Susan F. Connors, Director, Department of Planning and Community Development, to Honorable Mayor and Councilmembers
2. PowerPoint Presentation dated April 3, 2012, entitled "Adopting the 2009 International Residential Code"

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2. DISCUSSION REGARDING PROPOSED TRANSPORTATION AND DRAINAGE IMPROVEMENT PROJECTS TO BE INCLUDED IN THE JUNE 2012 GENERAL OBLIGATION BOND ELECTION.

Mr. Shawn O’Leary, Director of Public Works, provided a brief overview of the projects and pointed out some of the changes. He said there are eight proposed transportation and storm water related projects, the top three projects are a blend of storm drainage and street widening projects and the remaining five projects are street widening projects. The key element of the chart is the concept of leveraging federal funds and maximizing access to these funds. He said there was a very ambitious schedule to construct these projects. The City’s share is approximately 47 percent or \$42,138,945 with the federal share being \$46,927,680 or 53 percent.

**Combined Storm Water/Transportation Improvements  
General Obligation Bond Project (FFY 2013-2017)  
Cost Reduction with Federal Funding**

**City Project Cost**

<b>Storm Drainage and Street Widening Projects</b>	<b>Without Federal Funding</b>	<b>With Federal Funding</b>	<b>Federal Share</b>
W. Main Street Bridge	\$ 4,083,900	\$ 2,498,900	\$ 1,585,000
Lindsey St.: 24th SW to Berry	* 32,890,611	**21,390,611	*11,500,000
Franklin Road Bridge	4,466,320	1,906,320	2,560,000
Subtotal	\$41,440,831	\$25,795,831	\$15,645,000

<b>Street Widening Projects</b>	<b>Without Federal Funding</b>	<b>With Federal Funding</b>	<b>Federal Share</b>
Cedar Lane – 12th SE to 1/2 mile East of 24th Ave SE	\$ 9,792,280	\$ 3,561,000	\$ 6,231,280
12th Avenue – Cedar Lane to Highway 9	3,126,514	1,046,514	2,080,000
24th Avenue SE – Lindsey – Robinson	12,953,000	5,122,600	7,830,400
36th NW – Tecumseh – Indian Hills	16,866,000	5,366,000	11,500,000
Subtotal	\$42,737,794	\$15,096,114	\$27,641,680
Alameda Street Project	\$ 4,888,000	\$ 1,247,000	\$ 3,641,000
<b>GRAND TOTAL</b>	<b>\$89,066,625</b>	<b>\$42,138,945</b>	<b>\$46,927,680</b>

Item 2, continued:

\* Leveraging of federal funds is limited for this project due to its high costs. The maximum City of Norman ACOG Funding per year is \$11.5 million

\*\* This cost includes \$4,345,000 for storm water projects north of Lindsey Street along McGee Avenue and Wylie Road. It is a non-participating cost and must be paid 100% by the City of Norman.

The meeting adjourned at 6:08 p.m.

Councilmember Kovach said there was a misperception brought up in the Chamber Forum that should be clarified. He said noted on the chart is the cost of \$4,345,000 in storm water projects in the Lindsey Street Project that is not matched with federal dollars. He said his understanding is that since the area along McGee Avenue and Wylie Road has only drainage improvements included in the Lindsey Street Project but are not part of the widening, the City cannot leverage the federal funds. He said if we just drained McGee Avenue and Lindsey Street but did not connect it to something to allow completed drainage, we would be wasting the money. He said these are actually one drainage project but we are disclosing fully that part of it is to be paid 100% by the City because it is not a part of the widening project. Mr. O'Leary said this was the case and one of the greatest values of the Lindsey Street Project is that the City is maximizing the leverage of transportation funds which will in turn benefit the stormwater improvements. He said the majority of the costs of stormwater improvements on the project will be constructed under the Lindsey Street Project; therefore, federal transportation funds are available for that portion. He said those streets beyond Lindsey Street into the neighborhoods both north and south will receive no widening improvements and are not eligible for federal funds. Mayor Rosenthal said this is a comprehensive drainage solution and not just installation of the pipes under the street. Mr. O'Leary said this is a solution for a very large watershed. He said it is the perception of some citizens that this is an isolated problem at the intersection of McGee Avenue and Lindsey Street and, in fact, even though the main trunk line is in Lindsey Street, it is a multiple acre watershed that extends as far north as Boyd Street and as far south as Briggs Street. He said there are never any guarantees but the City has done its best to apply what has been standard practice for the issuance of federal funding for projects and it is not unusual to combine stormwater and transportation projects. He said the Robinson Street Underpass has \$1 million drainage system and federal transportation funds were used to pay for it. He said this is bond package is a larger scale than Norman has seen, but Staff feels comfortable with the numbers. He said we are maximizing our ability to access federal funds for the comprehensive Lindsey Street solution.

Mr. O'Leary provided a location map and brief overview of all of the proposed General Obligation Bond Projects

**Main Street Bridge.** It replaces existing 4-lane bridge over Brookhaven Creek; reduces flooding of roadway and downstream properties; stabilizes 2,000 square feet of downstream creek; improves public sidewalks and accessibility. It replaces 1,000 feet of pavement on each side of Main Street, 500 feet on each side of the bridge; bridge was near failure in August of 2007; high maintenance; and after heavy rainfall storm water overtops West Main Street cutting off access.

**Lindsey Street from west of 24th Avenue S.W. to East of Berry Road.** It widens one mile of roadway from 3 to 5 lanes; major storm water improvements; continuous public sidewalks and accessibility; streetscape beautification; access management; replaces Imhoff Creek Bridge; number one rated storm water problem in Norman; number one rated traffic congestion corridor in Oklahoma City metropolitan area; crash rate is nearly three times the national average for similar roadways; opportunity to coordinate with I-35/Lindsey Street Interchange Project; construction management strategies to minimize disruption of traffic and to businesses; and construction incentives are envisioned for the project.

**Franklin Road between 12th Avenue N.W. and 24th Avenue N.W. Bridge Replacement.** It replaces existing 2 lane bridge over Little River; replaces 2,000 feet of pavement on Franklin Road; adds 10-foot shoulders to roadway; reduces roadway flooding; improves public safety and accessibility; heavy rainfall overtops Franklin Road; cuts off access to Moore/Norman Technology Center; roadway too narrow; and high maintenance.

Item 2, continued:

**Cedar Lane Road from 12th Avenue S.E. to East of 24th Avenue S.E.** It widens 1 1/2 miles of roadway from 2 to 4 lanes; continuous public sidewalks and accessibility; railroad crossing improvements; new traffic signal at 12th Avenue S.E. and Cedar Lane Road; intersection improvements at Classen (SH-77) and Cedar Lane Road; and stormwater improvements. Three preliminary plats have recently been approved in this area with 1,168 apartment units, 825 residential lots, 10,200 square feet of commercial building space, and 21,600 square feet of office space.

**12th Avenue S.E. from Cedar Lane Road to State Highway 9.** It widens 1/2 mile of roadway from 2 to 4 lanes; traffic signal/intersection improvements at 12th Avenue S.E. and State Highway 9; possible traffic signal at Campus Crest Drive for new development; continuous sidewalks and accessibility; and stormwater improvements.

**24th Avenue East from north of Lindsey Street to Robinson Street.** It widens two miles of roadway from 2 to 4 lanes; new traffic signal at Meadowood Boulevard; continuous sidewalks and accessibility; and stormwater improvements. Traffic count station was located just north of Alameda-daily volume increased by nearly 75% from 2002 to 2009; operating at LOS D by 2011; 51 total collisions in past three years with 15% involving injuries; and significant delay attributed to collisions.

**36th Avenue N.W. – Tecumseh Road to Indian Hills Road.** It widens 2 miles of roadway from 2 to 4 lanes; new traffic signals at 36th/Franklin Road and 36th/Indian Hills Road; stormwater improvements; continuous sidewalks and accessibility; and improves access to Ruby Grant Park. At full build-out the intersection of I-35 and Indian Hills will generate 50,000 new cars per day.

**Alameda Street Project.** It widens 1 1/2 mile of roadway with 10-foot paved shoulders on 36th Avenue to 48th Avenue; stormwater improvements; and intersection improvements at Alameda and 36th N.E., and Alameda and 48th N.E. Comprehensive Plan shows this road as an Urban Principle Arterial Street intended to be a fully improved 4 lane road with left turn lanes where needed. The project widens roadway between Ridge Lake Boulevard and 36th Avenue N.E.; and widens roadway between 24th and 36th as a full 4 lane road and possibly 5 lane where needed to accommodate present and future development including Fire Station No. 9 and a future branch library.

Mr. O'Leary provided a potential construction schedule. He said because there is already progress on Cedar Lane Road, Brookhaven Creek Bridge on Main Street, and Franklin Road Bridge over Little River, they would be the first three projects to begin. The Cedar Lane Road project estimated at \$9,792,280 would start in 2013 and Brookhaven Creek Bridge and Franklin Road Bridge with a projected cost of \$8,550,220 would begin in 2014. The 12th Avenue S.E. and Alameda projects costing approximately \$5,565,789 would be in 2015. The Lindsey Street Project at an estimated total project cost of \$32,890,611 would have the target date of 2016 for two reasons, the funds would be more available and the project dovetails back into the I-35 Project by the Oklahoma Department of Transportation. The 24th Avenue East Project for a total estimated cost of \$11,866,800 is set for 2017 and the 36th Avenue N.W. costing approximately \$16,105,500 is scheduled for 2018.

Councilmember Spaulding asked what strings from the federal government were attached to these road projects. Mr. O'Leary said with the exception of federal transportation funds, the City is obligated to do everything in accordance with federal guidelines relating to design. He said there are very stringent regulations for land acquisition and the City must comply with the Federal Acquisition and Relocation Act when acquiring easements or rights-of-way. Utility relocation must be very aggressive and utilities must be removed completely out of the way of the future road construction. The environmental regulations are very stringent and the National Environmental Protection Act (NEPA) must be followed with an environmental analysis on every project with a public hearing held for all property owners and citizens.

Item 2, continued:

Councilmember Gallagher asked if 24th Avenue S.E. is to be widened with the same contours or will the roadway be leveled where there are uneven areas. He said there are issues which this road being 4 lanes because the houses are 25--30 feet away. He felt that if the road was widened with dirt fill, it would require a sound wall for noise and visibility. Mr. O'Leary said there are some vertical alignment changes in the area where those hills and valleys will be evened out to get that profile of the roadway more appropriate. There will be a noise analysis done and other analyses done to determine that there is not harm being done to the properties and everything that is needed is included in the project to get nice improvements while balancing the interest of the adjacent property owner. Councilmember Gallagher asked if the project included cutting down some of the road and Mr. O'Leary said yes. Councilmember Gallagher asked if the sound wall is in this project. Mr. O'Leary said there is not a sound wall specifically designed or priced but there is a contingency in the cost estimate adequate to address the issue. He said this would not be known until the preliminary design was completed and the environmental assessment was undertaken. The residents would have the opportunity for a great deal of input and have access to all of the studies.

Councilmember Gallagher asked what the advantage was to package all of the projects together. He said constituents were asking why the projects were not split out separately. He asked if Staff had thought about giving individual choices about the projects and having one each year. Mr. O'Leary said the planning horizon through the Association of Central Oklahoma (ACOG) funding scheme is five years in length. He said the more the City has done regarding design, land acquisition, right-of-way acquisition, etc., the more likely it will be to get

those funds in the next fiscal year. He said a year to year voter referendum is not conducive and in 2005 four propositions were combined allowing the funding to be available to advance all four projects as needed putting them in line for federal funding. In order to do Lindsey Street in 2016, some security now is required because ODOT is already in the final planning stage. Mayor Rosenthal stressed that certain milestones must be reached along the way in order to leverage the funding and the Lindsey Street Project cannot start in 2016 and get done if the projects are approved year-to-year.

Mr. Anthony Francisco, Director of Finance, said if the voters were to approve all of these propositions, the City would not envision selling the bonds all at once. He said there are concerns with spending the proceeds of the tax-exempt bond in a timely fashion because the deadline is approximately three years from the time that the bonds are issued. If the voters approve all of the proposition, the City would propose to sell the bonds in two sales; the first would pay for the first three years of project construction and to pay for the design work, the right-of-way and utility relocation for all of the other projects. By doing that, the readiness points could be obtained before the bonds were sold to pay for the construction. He said from a financial perspective, Staff would not recommend selling the bonds all at once. Councilmember Gallagher asked what the total cost would be to the property owners on property taxes. Mr. Francisco said the estimated cost on a home that has a market value of \$100,000 would be \$3 a month for all propositions. Councilmember Gallagher said this was a low amount and was that because the time period would be spread out. Mr. Francisco said it was assumed that these would be 20-year bonds which lower what the property owner pays. Councilmember Gallagher said he did not doubt the validity of the projects but given the economic structure, it is an overwhelming idea to the taxpayers. Councilmember Kovach asked for what would happened if the federal funds were not received and the projects are approved by taxpayers. Mr. Francisco said the availability for the first sale is fairly certain. The authorization for the Treasury Bill in place right now would fund those projects because the City is already on the Transportation Improvement Plan (TIP) for those projects. The second sale would depend on the next authorization of federal transportation funds but because there are so many national projects tied into those federal transportation bills, he would be very surprised if there was no funding and because these particular projects would have such a high ranking within the Oklahoma City metropolitan area. Councilmember Kovach asked Mr. Francisco to clarify that under no circumstances would the taxpayers be on the hook for the rest of the project if the funding was not received, and in the worst circumstances, it would just be decided not to do the project. Mr. Francisco said this was correct. Councilmember Kovach said Staff has worked very hard to plan ahead and the readiness points have allowed

Item 2, continued:

the City to be ahead of the game as far as getting projects approved with ACOG. He agreed with Councilmember Gallagher that all of these projects are needed and have been asked for by the public. He said there is sufficient flexibility in the bond language to work out specific concerns in neighborhoods and from constituents and it is important to move forward. He said he supports moving forward with the language that has been presented this evening. He said these projects should be bundled together because they affect all of the citizens.

Councilmember Spaulding asked who will market these bonds and will they be available to the local citizens. Mr. Francisco said under the State Statutes, the City issues all General Obligations Bonds, the sale of the bonds has to be marketed competitively, and anyone can bid on the purchase of a bond. He said usually the successful purchaser is a professional underwriting firm. Once the underwriter is chosen, the general public is solicited along with anyone else who wants to purchase those bonds from the underwriter. Councilmember Spaulding asked how someone from the general public could purchase these bonds. Mr. Francisco said the general public would follow the City Council Agenda for the day the sale is marketed to the underwriting community and find out which underwriter is chosen. He said Council will publicly award that underwriting contract and the citizen will call the firm that was awarded the bid. He said another way to purchase bonds is that sometimes people who buy the bonds from the underwriter resell those bonds. Mr. Francisco said there is usually a minimum denomination of about \$1,000-\$5,000 and whoever gives the best interest rate can purchase the bonds. Councilmember Spaulding to make this easier for the public, could the City require that the bonds be available through local banking institutions. Mr. Francisco said State law requires that the bonds be sold to the most competitive bidder; the one that offers the City the lowest interest rate, and the general public cannot violate that State law. He said within that State law, the general public can bid on the bonds.

Councilmember Ezzell said he appreciated Councilmember Gallagher's concerns about the large size of the bond package but it should be put into perspective. He said he has discovered during his time on Council that the citizens are very capable of evaluating the merits of bond proposals and packages. He said in December of 2009 taxpayers and citizens of Norman approved by a \$110 million bond issue for the school system by a 67% margin and the schools were not able to leverage their \$110 million bonds into \$220 million in projects. Councilmember Quinn said after three years the school system has completed 50-60% of the projects and the City of Norman has a good plan, will have the money to do the projects, and will get it done with results.

Councilmember Kovach said in one of the meetings with the property owners of Lindsey Street, he asked them how they wanted the bond package come forward, individually or as a bundle and they unanimously agreed it should be a bundle.

Councilmember Lockett said it was her understanding that the bond was worded as such to allow time for discussion about the design of Lindsey Street after the vote. Mayor Rosenthal said the wording states that the final engineering design is yet to be completed.

Councilmember Gallagher asked Mr. O'Leary if he had studied the suggested changes by business owners on Lindsey regarding the Lindsey Street Project. Mr. O'Leary said yes and the design team is producing the final plan based on all the input and ideas and he believes that those issues have been addressed. He said these projects are not at the final design stage and all issues can be addressed but perhaps in different degrees. He said adjustments might be made but the plan should maximize aesthetics, green space, and planting of trees within the 100 feet of right-of-way. If voters approve this project, he anticipates a very community oriented design process.

Mayor Rosenthal said the challenge of identifying critical roadways throughout the city as a Citywide initiative intended to meet the desires of the whole community has come together in a very comprehensive package addressing the highest priority projects and it should go forward as a package. She said it is scheduled for First Reading on April 10, 2012, and final adoption on April 24, 2012.

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Item 2, continued:

Ms. Jeanette Coker, 620 East Main Street, asked if this bond issue passes, and no federal funds are received, will the full \$89 million go on the Ad Valorem taxes. Mr. Francisco said if the projects overrun those costs, the money would have to come from some other source to pay for the overruns.

Ms. Coker asked how much was spent on the Robinson Street Underpass Project and what did it really cost. Mr. Francisco said the General Obligation Bond funded portion was approximately \$9.8 million and at this point, a little less than that has been spent. He said some federal funding was secured for that project that was not anticipated. Mr. O'Leary said the project is near completion and will come in about \$25 million with only \$9.8 in bond funds and the remainder was from federal funds or some form of demonstration grant through federal transportation sources.

Ms. Coker asked if there any guaranteed cap on how much we will be actually obligating ourselves for and will there be an actual amount on the ballot. Mayor Rosenthal said there is a specific amount on the ballot of \$42,000,000.

Mr. Harold Heiple, 218 East Eufaula Avenue, asked if the bond projects contemplate paying utility relocation costs as being part of the funding. Mr. O'Leary said yes. Mr. Heiple said he wants this to pass and it needs to go as a bundle with one vote and suggested Council look at the business community for support to get this out to the public to get it approved.

ATTEST:

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City Clerk

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Mayor