STUDY SESSION MINUTES

December 17, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in study session at 5:30 p.m. in the Municipal Building Conference Room on the 17th day of December, 2013, 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 Castleberry, Griffith, Holman, Jungman, Kovach, Miller, Williams, and Mayor Rosenthal
ABSENT:	Councilmember Heiple

Item 1, being:

CONTINUED DISCUSSION REGARDING RENEWAL OF THE PUBLIC SAFETY SALES TAX TO BE SUBMITTED FOR VOTER APPROVAL.

Mr. Anthony Francisco, Director of Finance, said Council began discussing renewal of the Public Safety Sales Tax (PSST) in Council Retreat on November 25, 2013, and again in Study Session on December 3, 2013. He highlighted amended baseline assumptions and responded to questions raised by Council in the previous study session.

Mayor Rosenthal highlighted information previously requested as 1) the impact of new vehicles to Fleet Maintenance; 2) costs associated with additional personnel and needs of the Animal Welfare Facility; 3) revenue figures of a ten year tax term vs. seven years; and 4) storm siren bond renewal figures.

Mr. Francisco said Council asked Staff to calculate ten year projections on revenue bonds and that is provided in Tables 2, 3 and 4.

Mr. Francisco said Council questioned whether or not PSST funds could be used for additional personnel at the Animal Welfare Facility and Deputy Police Chief Jim Maisano assured Council no additional personnel was needed; however, an Animal Welfare Facility volunteer attending the meeting disagreed and voiced his concerns regarding keeping kennels clean and the lack of veterinarian care onsite. Chief Humphrey said once construction is completed at the new Animal Welfare Facility, the kennels will be easier to clean and recommended the part-time kennel attendant be reclassified to a full-time position instead of hiring additional personnel. Chief Humphrey felt there was not enough work to justify hiring a full-time veterinarian and it would be more economical to contract spay/neuter services with a veterinarian utilizing the facility's surgery area. He said the volunteer adoption coordinator is a registered Veterinarian Technician and assists in that capacity when needed.

In the December Study Session, Ms. Joy Hampton, the Norman Transcript, asked how animal service calls are handled after 5:00 p.m. when Animal Welfare Officers are off duty and Chief Humphrey said an Animal Welfare Officer is assigned to duty after 5:00 p.m. several months of the year; however, they do not go out on calls for dogs at large during days with early hours of darkness. He said if a problem is brought to the Police Department's attention, they do all they can to address the issues and will adjust an Animal Control Officers hours if needed.

Mr. Francisco said there was discussion regarding the possibility of proposing a voter referendum for a General Obligation Bond (G.O. Bond) to finance some of the public safety capital needs requested by the Police and Fire Departments. He said the revenue stream freed up from the Outdoor Warning System (OWS) portion of the bond sale would be approximately $505,000 per year for a five year capital project. He said Council may want to evaluate the costs versus the benefits of calling a referendum for such a small amount of capital proceeds.

Mr. Francisco said the Police Department is proposing to add a program for twelve School Resource Officers (SRO) and one supervisor. The SRO's will cost an estimated annual compensation of $69,668 per officer and the supervisor will cost an estimated annual compensation of $85,668. The SRO's would be provided a vehicle at a one-time capital cost of $46,000 plus $5,375 per year in ongoing costs for fuel and maintenance. Council asked if the SRO's stationed at the same school could share a vehicle and Mr. Keith Humphrey, Police Chief, said although that would be feasible to a point, it would not be practicable. He said at any given time, an SRO could be asked to respond to any number of incidents that would require transportation leaving one SRO without a vehicle. If anything further happened requiring transportation and the one officer did not have a vehicle then that could be problematic. He said SRO's would act as patrol officers during the summer when there is no school, which would require a vehicle. Mr. Francisco said this proposal is based on the assumption that one-half (50%) of the expenses for the SRO Program will be paid by Norman Public Schools.

Another proposal is being made to add ten Master Police Officers (MPO) over the seven year temporary PSST period to "keep pace with increased population." The City would hire two officers per year at an annual compensation of $73,426 per officer and each officer will be provided a City owned vehicle at a one-time capital cost of $46,000 plus $5,375 per year in ongoing costs for fuel and maintenance. Council expressed concern about the additional burden to the Fleet Maintenance Division regarding maintenance of the additional vehicles.

Mr. Francisco said Council previously asked for more information on the proposed radio system and whether or not the proposed $12,000,000 was a realistic figure. Chief Humphrey said a new system would have to have inter-operability to connect with State and County Systems to be able to communicate with the County Sheriff, OU Police, Highway Patrol, etc. He said there are many things to look at in a radio system, e.g., the number of subscribers, number of channels available, number of communication towers, etc. He said Tacoma, Washington, recently installed a system for $15 million and Irving, Texas, installed a system for $18 million. He said in 2018, the Motorola Corporation will no longer support the City's current radio system and once support ceases, repair to the system will be cost prohibitive or unattainable. Substantial increases in the price of radio system parts and decreases in availability of the same are already being realized. The replacement is expected to necessitate increased space for the system hardware and space for the communications personnel. In addition to the radio system and communication needs, the inclusion of space for computer data storage and an Emergency Operations Center (EOC) would be key to maintaining minimum City services during hazardous events. The current recommendation is for a "hardened facility" that includes space and technology for radio system hardware, communications personnel, and municipal data storage. Chief Humphrey said neither the Municipal Complex nor Fire Station No. 7 meets the threshold of a hardened facility and the recent tornadoes in Moore serves as a prime example of the need for a functional EOC to house decision makers during chaotic events.

Mr. Francisco continued and said Council previously asked for an analysis of the ability to fund some of the high priority one-time public safety capital needs with revenue bonds secured by PSST revenues. Based on the preliminary analysis, the PSST could potentially finance the levels of one-time capital projects related to each of the following scenarios:

	7-YEAR	10-YEAR
• Carry Over Fund Balance (Projected as of 6/30/16)	$ 4,729,617	$ 4,729,617
• "New" PSST Revenue Collections (1/2016-6/2016)	$ 5,067,418	$ 5,067,418
• Updated revenue with 1/2% tax	$17,000,000	$24,000,000
• 1/2% tax plus transfers to E911 and target Rainy Day Fund	$14,000,000	$19,500,000
• 1/2% tax plus transfers and School Resource Officers	$10,400,000	$14,500,000

Mr. Francisco said the Legal Department prepared a draft ordinance for the renewal of the PSST and Staff is requesting direction on several critical policy issues such as the date of the election; whether the referendum will be for a temporary or permanent tax; whether the tax will be 1/2%; if tax is temporary tax will it be for a seven or ten year period; which scenario will be pursued; which (if any) of the PSST capital needs will be included in the referendum; and whether revenue bonds will be proposed to finance capital projects. Mr. Francisco was also asked to calculate projections for a 3/8% tax instead of 1/2% and he stated projections show expenditures would overtake tax growth over a seven year period.

Mayor Rosenthal said the Public Safety Oversight Committee (PSOC) reviewed the proposal for renewal of the PSST and there was support; however, there were a variety of opinions on a temporary tax versus a permanent tax and one member was very much against making a temporary tax permanent. She said the PSOC also discussed the SRO Program and how that would work.

Councilmember Jungman asked about the advantages of a permanent tax and Councilmember Kovach said there are essentially permanent positions being paid from a temporary tax so the advantage will be more stability for those individuals whose salary comes from a permanently funded source rather than a temporarily funded source. Councilmember Jungman asked how the City would "undo" a permanent tax if needed and Mr. Bryant, City Attorney, said he would have to verify, but believed Council has the authority to decrease a tax, but increasing a tax would require a vote of the people.

Councilmember Castleberry said a permanent expenditure needs to have a permanent revenue source. He felt it was unfair to personnel when some have a permanent salary source while PSST personnel do not. He asked if the City were to have a reduction in force for some reason, would PSST personnel be the first to go? Mayor Rosenthal said all personnel have bumping rights and personnel paid out of the PSST are not in some special category so all personnel have the same rights. Mr. Bryant said, according to the union contract, personnel with special skills can be retained and Councilmember Castleberry asked if the union would fight for the PSST personnel if they were laid off. Councilmember Castleberry said there is a perception that PSST personnel are treated differently than everyone else.

Mayor Rosenthal said when the PSST was originally presented to the voters it was presented as a temporary sales tax to pay for specific public safety needs and the City is being held accountable for those promises made. She said the main rationale for the temporary sales tax over a permanent tax was that as times change expenditures may need to be adjusted to include or exclude items going forward so this is an opportunity to adjust that tax according to different needs. Councilmember Holman felt the tax should be permanent at some point in the future, but supported temporary at this time. He said perhaps after the next seven year period the City can come back and show the public their track record of doing what they said they would do and ask for a permanent tax. Councilmember Castleberry said he would support a 3/8% permanent tax and 1/8% temporary tax. He said the City asked for the PSST tax to add police positions and those positions have been added so the City is basically asking to renew this tax so they can keep the added positions. He said if that is the reason for renewing the PSST the City should make the tax permanent. Mayor Rosenthal said the scenario of using a

3/8 % tax places the City half a million dollars in the hole in the first year. Councilmember Jungman felt a permanent tax would not have the review and transparency of a temporary tax. Councilmember Kovach said he would not favor a temporary tax unless it is for a ten year period to allow revenue bonds to be issued to cover more capital needs. Councilmember Castleberry said if capital needs are funded through G.O. Bonds, he cannot support a tax that would basically only fund salaries.

Ms. Joy Hampton, The Norman Transcript, asked if a permanent tax would lock the City into a percentage that may not be adequate in future years. Councilmember Kovach said if the General Fund continues to grow, personnel positions can be added through the General Fund.

E911 Function and Rainy Day Fund

Mayor Rosenthal asked if Council wanted to continue to use a portion of the PSST funds for the pro-rata share of the Emergency 911 (E911) function and Rainy Day Fund. Councilmember Castleberry said the reason Council is funding portions of the E911 and Rainy Day Fund is because there are temporary salaries coming out of the PSST and if the tax were permanent, the revenues could be deposited into the General Fund and there would be no need for PSST pro-rata shares. Mayor Rosenthal asked Councilmember Castleberry if he is suggesting a permanent tax would go into the General Fund instead of a separate PSST account and he said yes. Mayor Rosenthal said the PSOC feels strongly that separate accounting has been a very appropriate way to ensure accountability funds are being used for public safety needs. There was a consensus of Council to continue funding the PSST pro-rata share of the E911 and Rainy Day Fund.

SCHOOL RESOURCE OFFICERS

Mayor Rosenthal asked Council to provide input on providing SRO's for a greater integration between the schools and law enforcement. Councilmember Kovach said after the recent shooting event at a school in Colorado he supports police officers at the schools on a regular basis. He felt it would also help teach future generations that police officers should not be feared. Councilmember Miller said she would like to see the City move toward the program because although the schools have really good people working security, they are not police officers and do not have that expertise. She asked if the schools approached the City regarding the program and Chief Humphrey said it was collaborative discussions between the schools and the City to allow continual police presence at the schools. Councilmember Miller felt the SRO Program would be well received by the public.

Councilmember Williams said he would support the full program of twelve officers and one supervisor. Mr. Keith Allen, 1605 Pickard Avenue, PSOC member, said Council should ask Norman Public Schools if they would be willing to install the proper security systems on doors and windows. He asked if the school system would also be willing to fund more of the costs for the program in the beginning, such as 80/20, to help the City save money. Mayor Rosenthal said part of the school's bond issue was to secure the remaining vestibules in schools that do not already have the security systems. She said the school system's willingness to fund a portion of costs is clear. She said the goal should be school security, not saving money for the City.

Mayor Rosenthal said consensus seems to be to move forward with the program.

ADDITIONAL STAFFING

Mayor Rosenthal asked Council's thoughts on proposed support staff that includes four Communication Officers, two mechanics, and a full-time kennel attendant. Councilmember Kovach asked for more information regarding the Communications Officer positions since they have high stress, high turnover, and lots of overtime. Chief Humphrey said calls for service have continued to increase and the Police Department is understaffed. He said in the past five years, only one full-time dispatcher has been added. He said the City should have ten additional personnel working in communications whether they are dispatchers or call takers. He said police officers are working as dispatchers to help with the calls for service, which leads to a lot of overtime. Councilmember Kovach felt Communication Officers are a legitimate public safety function since police and fire personnel depend on communications, but he could not support PSST funding for the other personnel categories. Chief Humphrey said additional police and fire vehicles place a strain on the Fleet Maintenance Division and mechanics dedicated to the maintenance of police and fire vehicles is needed. Mr. James Fullingim, Fire Chief, said emergency vehicles are different than other vehicles and require specialized maintenance. He said certified emergency vehicle technicians specialize in the maintenance of emergency vehicles and Staff is specifically requesting two certified emergency vehicle technicians whose priority will be to keep emergency vehicles running. Councilmember Williams asked if the City currently has certified emergency vehicle technicians and Chief Fullingim said some of the Fleet Maintenance personnel have been through portions of the program, but also work on sanitation trucks, backhoes, etc., and are not focusing their full time and attention on an emergency vehicle technician career path. Councilmember Williams asked if the proposed salaries included benefits and Mr. Francisco said yes. Councilmembers Jungman and Miller supported the mechanics positions and Councilmember Kovach suggested rebranding the name so their purpose is clear.

Councilmember Jungman felt the Animal Welfare Facility should be eligible for PSST funds. He said it is impractical for that option not to be on the table if the resources are available. Councilmember Holman felt there could be a few scenarios where animal issues could be considered a public safety issue. Mayor Rosenthal said it is very much a public safety issue when there is an animal on the loose and children end up getting bitten. She asked why the Staff wants to appoint a part-time kennel attendant to full-time instead of hiring a full-time Animal Control Officer and Chief Humphrey said the City is having a difficult time filling the part-time kennel position because of the low level of hours. He said that position has a lot of responsibilities as far as maintaining and cleaning the kennels seven days a week. He said Staff would love to have an additional Animal Welfare Officer and that could also be a necessity because of the size of the City. Councilmember Kovach asked why one was picked over the other and Chief Humphrey said the City has volunteers that help keep the kennels clean and Staff is holding up well, but the kennel attendant needs to be a full-time position since it is difficult to find someone to do the work part-time. He said Animal Welfare Officers have to do some of the work to pick up the slack. Councilmember Kovach suggested the Finance Committee discuss expanding the part-time position to full-time to be funded out of the General Fund. He said an Animal Welfare Officer would be easier to justify to the public as a public safety position than a kennel attendant. He would support changing the position from part-time to full-time for the kennel attendant, but did not feel it was appropriate to use PSST funds for the position.

Councilmember Jungman felt the public would be willing to fund that position and said it is logical to include that in the overall package since it is a relatively small piece. Councilmember Miller said the Animal Welfare Facility was able to get a bond issue passed and felt there are people that would be willing to fund needs for the Animal Welfare Facility and the Chief is recommending it. Mayor Rosenthal said the Chief is saying the Animal Welfare Officers can be deployed more efficiently and effectively in their public safety duties if there is a full-time kennel attendant. Chief Humphrey said if the City can fill the position full-time it will allow the Animal Welfare Officers to focus on their main duties. Councilmember Castleberry asked if the full-time

kennel attendant is the only part of the Animal Welfare Facility that will be funded by PSST and Chief Humphrey said that would be up to Council. Councilmember Castleberry asked if language could be broader to encompass animal welfare needs and fund the position if the money is available instead of listing the position specifically because five to seven years from now there could be a need for additional personnel. Mayor Rosenthal suggested criteria for enhanced public safety services include police, fire, and animal welfare.

CAPITAL NEEDS

Council discussed the priority of the following public safety capital needs:

• Radio System Replacement	$12,000,000
• Emergency Operator/Dispatch Center	$ 6,500,000
• Fire Station 5 Relocation	$ 3,500,000
• Police Firing Range Renovation	$ 5,600,000
• Fire Apparatus Replacement	$ 6,800,000
• Fire Station Land Acquisition	$ 1,000,000
• **TOTAL**	**$35,400,000**

Councilmember Kovach felt the top three public safety needs are the Emergency Operator/Dispatch Center (EODC), radio system replacement, and Fire Station No. 5 relocation.

Councilmember Castleberry said the projected new PSST revenue collections of $6 million would pay a large portion of the fire apparatus replacement. He said a ten year bond in the Table 2 scenario would garner $24 million which would pay for the first three projects. Mr. Francisco said the projections assume the renewed tax is effective October 1, 2015, and the assumptions include the carry-over fund balance of $4,729,617 plus the assumption of the new PSST revenues of $5,167,418 to fund some high priority one-time public safety capital needs.

Mayor Rosenthal felt the radio system is critical and clearly the number one priority. Councilmember Holman asked if the radio system and EODC need to be done together and Chief Humphrey said yes, the current facility will not meet the City's needs. He said if the radio system is done first and the EODC later, the City is looking at a very hefty amount of money to move the radio system to the new facility and it would be better for them to be done at the same time. Mayor Rosenthal asked how many days out of the year the City would use an Emergency Operations Center (EOC). Chief Fullingim said it is important to remember the EODC needs to be a "hardened" facility that includes space *and* technology for radio system hardware, communications personnel, municipal data storage, and an EOC. He felt to not include the EOC with the EODC would be remiss because it would be a minimal expense for the facility to function at maximum capacity. Mayor Rosenthal asked how much money would be saved if the EOC was not included and Chief Humphrey said his best guess is $1 million to $1.5 million. Chief Humphrey said the price of the EODC facility includes land.

Councilmember Holman asked how critical it is to relocate Fire Station No. 5 and Chief Fullingim said it is not as critical as the radio system or fire apparatus replacement. Chief Fullingim said he would place fire apparatus replacement as the number three priority.

Councilmember Castleberry asked if the City could possibly partner with Cleveland County on the EOC. He said if the EODC/EOC was in operation and there was a tornado like the one that hit Moore in May, he assumes Cleveland County would be involved in the emergency operations portion of such a chaotic event.

Chief Fullingim said if the facility becomes multi-jurisdictional, it would cost more money and the City would be looking at their partner to offset the difference. He said he has discussed a partnership with the Cleveland County Emergency Manager but not the Cleveland County Commissioners. Councilmember Castleberry asked if Cleveland County was receptive to the idea and Chief Fullingim said the Cleveland County Emergency Manager would like that, but it does not mean the policy makers would see that as a value.

Councilmember Kovach asked if revenue bonds would be more feasible in terms of cost than G.O. Bonds and Mr. Francisco said the proposals before Council would not be considered a classic revenue bond package and would need to be a combination of funding sources.

Mayor Rosenthal said there may be an opportunity for a land exchange going forward. She said there has been discussion of relocating the 12th Avenue Recreation Center and if that is done, the City could use that location for an EOC to save money since the City owns the land. She felt the City's PSST renewal proposal could include the EODC, radio system, and fire apparatus (decreasing the amount to $5.8 million) and stay within $24 million on a ten year 1/2 % plan. Councilmember Kovach agreed as long as there is language clarifying that if there are excess funds, the first project that gets done is relocation of Fire Station No. 5. Mayor Rosenthal felt there was enough existing City property to accomplish the top priorities that have been identified. Mayor Rosenthal felt there was Council consensus to move forward with 1/2% tax for ten years.

Councilmember Kovach asked Staff to read the current ordinance language regarding excess funds and Mr. Francisco said language states, "In the excess or such other public needs as may be identified and budgeted by Council after evaluation considering at least one of the following criteria: 1) projects or expenditures that enhance public safety services; 2) projects or expenditures that enhance emergency management capabilities; 3) projects or expenditures that provide direct services to citizens; 4) projects or expenditures that help ensure long term financial stability of the City; 5) and/or projects or expenditures that provide for the continuity of existing City services."

Councilmember Williams asked if the proposals include adding additional police officers over the next ten years and Mayor Rosenthal said only the SRO's will be in the proposal.

Mr. Jeff Bloomgarden, Friends of the Animals, said the animals need to be taken on daily walks and suggested Animal Welfare Officers who are not out on call walk the dogs like the City of Moore does. He said when the public voted on a new animal facility they assumed the facility would be an Animal Control Facility *and* an Animal Welfare Facility. He said Friends of the Animals was created specifically to assist the facility with the welfare part. He felt it is important to have two full-time kennel attendants because the kennels are frequently soiled and the dogs do not get walked regularly because there are not enough volunteers or Staff to help with that. He said clean kennels and being walked regularly keeps the animals healthier and makes the environment better for the animals and anytime the environment of the animals is improved, it improves the likelihood the animals will get adopted, which is the goal. He would also like Council to consider whether a veterinarian is needed based on the number of animals that get euthanized because they are ill and look into how frequently spaying and neutering is taking place currently and how that affects how long animals have to stay at the facility.

Mr. John Woods, Executive Director, Norman Chamber of Commerce, asked if the $24 million included the carry over and new PSST funds or if that was additional money and Mayor Rosenthal said it did not include the carry over and new funds, but the intent is to use those funds on top of the $24 million.

Mr. Woods asked if the Rainy Day Fund PSST pro-rata payments are mandatory by law and if not, could funds be better utilized up front on capital needs. He asked if the Rainy Day pro-rata shares are locked into potential rainy day needs for public safety only and Councilmember Castleberry believed they are. Mr. Francisco said appropriations from the Rainy Day Fund can only be made under certain conditions that Council deems appropriate and Council can deem those funds for public safety, but it is not a legal requirement. Councilmember Castleberry said he would like language in the ordinance to make it clear that Council's intent for the PSST's pro-rata share to the Rainy Day Fund is to be used for emergency public safety needs.

Ms. Joy Hampton, The Norman Transcript, asked for clarification on the City's holding of public meetings versus public hearings regarding the tax renewal. She said public meetings are educational and public hearings are requesting citizen input. Mayor Rosenthal said a public meeting will be held where Staff will present the ordinance and seek public input and a public hearing for questions and comments will be held when Council considers the ordinance during a Council meeting on Second Reading.

Items submitted for the record

1. Memorandum dated December 12, 2013, from Anthony Francisco, Finance Director, to Honorable Mayor and City Councilmembers, with updated tables
2. Memorandum dated December 12, 2013, from Keith L. Humphrey, Chief of Police, to Steve Lewis, City Manager
3. Memorandum dated December 13, 2013, from Keith L. Humphrey, Chief of Police, to Steve Lewis, City Manager
4. Memorandum dated Auagust 18, 2013, from Keith L. Humphrey, Chief of Police, to Steve Lewis, City Manager
5. Draft Ordinance

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The meeting adjourned at 7:16 p.m.

ATTEST:

Brenda Hall
City Clerk

Cindy S Rosenthal
Mayor

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