

CITY COUNCIL CONFERENCE MINUTES

February 9, 2016

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:35 p.m. in the Municipal Building Conference Room on the 9th day of February, 2016, 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.

YEAS: Councilmembers Allison, Castleberry, Heiple, Holman, Jungman, Lang, Miller, Williams, Mayor Rosenthal

NAYES: None

Item 1, being:

CHANGE ORDER NO. ONE TO CONTRACT K-1415-103: WITH MCKEE UTILITY CONTRACTORS, INC., INCREASING THE CONTRACT AMOUNT BY \$146,015.90 FOR A REVISED CONTRACT AMOUNT OF \$2,276,900.90 FOR THE LINDSEY STREET WATERLINE IMPROVEMENTS, SECTION B.

Mr. Mark Daniels, Capital Projects Engineer, said on March 10, 2015, the Norman Utilities Authority approved Contract K-1415-103 with McKee Utility Contractors, Inc., (McKee) for the Lindsey Street Waterline Improvements, Section B. He said Change Order No. One will address the following:

- In order to minimize the duration of closures affecting Lindsey Street, McKee agreed to repair five open trench crossings overnight with fast track concrete allowing Lindsey Street to open to traffic the following morning for an additional cost of \$8,789
- To reduce damages to extensive landscaping and trees at 1300 West Berry Road, McKee agreed to directionally drill approximately 150 feet of 24-inch piping in lieu of open trench construction for an additional cost of \$30,000
- Two abandoned underground storage tanks not shown on plans were damaged during construction and the project was delayed one day causing McKee to lose \$8,000
- Reconciliation of "as-bid" quantities to "as-built" quantities in the amount of \$99,226.90

Mr. Daniels said the net effect of Change Order No. One is an increase of \$146,015.90 or slightly less than 6.9% of the original contract amount. The project is now complete and acceptable to the Utilities Department. The contract is included on Council's regular meeting agenda later this evening.

Items submitted for the record

1. File No. K-1415-103, Change Order No. One, dated November 24, 2015, Mark Daniels, Capital Projects Engineer
2. Change Order No. One to Contract K-1415-103 in the amount of \$146,015.90 for a total revised contact amount of \$2,276,900.90

\* \* \* \* \*

Item 2, being:

PRESENTATION BY ERINN GAVAGHAN, EXECUTIVE DIRECTOR OF THE NORMAN ARTS COUNCIL, REGARDING A POSSIBLE PROGRAM TO ADMINISTER THE PUBLIC ART INCLUDED IN THE NORMAN FORWARD PROJECTS.

Ms. Erinn Gavaghan, Executive Director of the Norman Arts Council, said public art distinguishes part of our public history and evolving culture; reflects and reveals our society; adds meaning to our cities and uniqueness; humanizes the built environments; invigorates public spaces; provides an intersection between past, present, future and between disciplines and ideas; and is freely accessible. She displayed examples of public art in other communities.

Ms. Gavaghan said the Norman Public Arts Board (PAB) was established in 2007, with public art being funded through utility bill donations, Norman Arts Council (NAC), and private donations. Public art funding is administered through NAC. She said the sculpture on the round-about on East Main Street, known as Indian Grass, was the first project. Other projects include downtown sculpture series, Blake Baldwin Skate Park, Norman Park ducks, and artist designed bicycle racks.

The Norman Forward Ordinance states the City of Norman will use Norman Forward Sales Tax (NFST) funds “to acquire, construct, maintain, and display Public Art at locations approved by the City Council in an aggregate amount to exceed one percent (1%) of construction costs of major facilities and improvements costs at community parks.” Ms. Gavaghan said the NAC and PAB would like to suggest the City of Norman enter into a contract with the NAC to administer the NFST 1% for Art Programs similar to the contract the NAC has with the City of Norman for Transient Guest Room Tax.

Ms. Gavaghan said 1% of NFST funds would be derived from the following projects:

- Central Library
- East Library
- Indoor Multi-Sport Facility
- Indoor Aquatic Center
- Westwood Pool/Tennis Complex
- Improvements to Ruby Grant, Andrews, Saxon, Reaves, and Griffin Parks
- *Additional projects could be accommodated at a later time if desired*

The Art Program Delivery will consist of four phases 1) Project Development, 2) Artist/Proposal Selection, 3) Fabrication/Installation, and 4) Public Engagement/Education.

Ms. Gavaghan highlighted project development as follows:

- Research similar public art projects
- Project Team
  - NAC, Architect/Designer, Ad Hoc Committee representative PAB
  - Evaluate public art opportunities
  - Define job/role for artwork
  - Develop budget
    - 90% for art selection, artist fees, fabrication, installation and maintenance
    - 10% NAC Administration

Item 2, continued:

Project Development, continued:

- Identify appropriate selection panel members
  - PAB Board Members
  - Arts Professional
  - Stakeholder
  - Design Professional
  - City Manager Designee
  - One or two at-large members from each project ad hoc committee
- Establish timeline

The selection process will include the following:

- Project announcement and advertising
- Review of submissions as a blind jury
- Short list finalists and issue invitations
- Mandatory on-site visit
- Final proposal presentations and selection
- Multi-phased review of recommended selections
  - PAB Board
  - NAC Board
  - Norman Forward Financial Oversight Committee
- Contract negotiation
  - City Attorney
  - City Council final approval of contract

Execution and installation process will consist of the following:

- NAC Administration will continue throughout the phase to coordinate
  - with design team, project manager, and general contractor
  - artist's fabrication
  - with City for permitting/approval of installation plans
  - with artist for transportation
  - with artist and City for installation

Ms. Gavaghan said public engagement and education will be provided through design and installation of appropriate markers, archival/audio/video/photographs, activity/curriculum development, and care/maintenance.

As part of the selection process, the artist would be required to set aside two years of maintenance funds within their budget as well as develop a maintenance plan. Any remaining funds for the public art project would roll into the maintenance plan. Councilmember Lang said he was glad the amount of maintenance would weigh into the selection process and Ms. Gavaghan said the maintenance plan was added at the request of one of the PAB members in order to have a budget to address maintenance moving forward. Mr. Larry Walker, PAB Chair, said maintenance is something that has not been addressed in current installations, but is an important piece that needs to be addressed with the Art Program at its inception.

Item 2, continued:

Mayor Rosenthal said the NAC/PAB process is a mechanism that is already in place and believes the City would be foolish to look at another alternative. She appreciates the fact the maintenance issue is being addressed. She said the library projects are in the design process and, at this point, the City would want to move forward quickly.

Councilmember Castleberry asked how the City's Project Manager would work in this process.

Councilmember Allison asked if there is an estimated amount that would be designated for public art and Ms. Gavaghan said an allocation process would need to be outlined.

Councilmember Allison would like the process to consider who owns the art and has the rights for reproduction or marketing.

Ms. Joy Hampton, *The Norman Transcript*, asked if the 10% administration fee requested by NAC is comparable with other cities.

Mayor Rosenthal said there seems to be Council consensus to work with NAC to develop a contract and establish an allocation process for the Citizens Financial Oversight Committee.

Items submitted for the record

1. PowerPoint presentation entitled, "Norman Forward 1% for ART: Contract with Norman Arts Council and Overview of Program Delivery"
2. Summary of Other Cities Percentages for Public Art
3. Comparable Cities with Public Art Programs

\* \* \* \* \*

The meeting adjourned at 6:20 p.m.

ATTEST:

---

City Clerk

---

Mayor