City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

City Council Agenda

Tuesday, May 22, 2012

6:30 PM

Municipal Building Council Chambers

City Council

Mayor Cindy Rosenthal
Council Member Roger Gallagher
Council Member Tom Kovach
Council Member Hal Ezzell
Council Member Carol Dillingham
Council Member Dave Spaulding
Council Member Jim Griffith
Council Member Linda Lockett
Council Member Dan Quinn

City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority Agenda

1 Roll Call

2 Pledge of Allegiance

3 Consent Docket

Consent Docket

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 4 through Item 21 be placed on the consent docket.

ACTION NEEDED: Motion to place Item through Item on the Consent Docket by unanimous vote.

ACTION TAKEN:

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or acknowledge all items on the Consent Docket subject to any conditions included in the individual action needed by item.

ACTION TAKEN:

4 GID-1112-88 CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL PUBLIC FORUM MINUTES OF MARCH 15, 2012
CITY COUNCIL STUDY SESSION MINUTES OF APRIL 17, 2012
CITY COUNCIL PUBLIC FORUM MINUTES OF APRIL 17, 2012
CITY COUNCIL FINANCE COMMITTEE MINUTES OF APRIL 25, 2012
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF APRIL 25, 2012
CITY COUNCIL STUDY SESSION MINUTES OF MAY 1, 2012
JOINT OVERSIGHT COMMITTEE/NORMAN ELECTION COMMISSION MINUTES OF MAY 2, 2012
CITY COUNCIL MINUTES OF MAY 8, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 8, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 8, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 8, 2012
CITY COUNCIL STUDY SESSION MINUTES OF MAY 15, 2012

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or reject the minutes; and, if approved, direct the filing thereof.

ACTION TAKEN: _____

Attachments: March 15 Public Forum Minutes
April 17 SS Minutes
April 17 Public Forum Minutes
April 25 Finance Committee minutes
April 25 CPT Minutes
May 1 Study Session Minutes
May 2 Joint Oversight Election Commission
May 8 CC Minutes
May 15 SS Minutes

5 **O-1112-31** ORDINANCE NO. O-1112-31 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A RECREATIONAL CAMP ON PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, SO AS AND PROVIDING FOR THE SEVERABILITY THEREOF. (4606 EAST ROCK CREEK ROAD)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-31 upon First Reading by title

ACTION TAKEN: _____

Attachments: Text File O-1112-31
O-1112-31 Rock Creek Camp
CampRockCreek Location Map
Rock Creek Camp Plat
Rock Creek Youth Camp Staff Report
Rock Creek Camp Letter
Rock Creek Camp Description
4-12-12 PC Minutes - Rock Creek Camp

6 **AP-1112-21** CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE
TERM: 05-22-12 TO 02-13-14: LEE KRUMHOLZ, 832 SOUTH LAHOMA AVENUE
TERM: 05-22-12 TO 02-13-13: STEVEN VASILOFF, 1200 BEVERLY HILLS STREET

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. TWO
TERM: 05-22-12 TO 04-10-15: JANESE COX, 2720 CIMARRON DRIVE
TERM: 04-10-12 TO 04-10-15: GAIL POOLE, 705 TIFFIN AVENUE
TERM: 04-10-12 TO 04-10-15: JOE SIANO, 131 SOUTH FLOOD AVENUE

LIBRARY BOARD
TERM: 05-22-12 TO 05-01-15: TOM COOPER, 1316 CHERRY LAUREL DRIVE
TERM: 05-22-12 TO 05-01-15: BRENT SYKES, 3209 RIVERWALK DRIVE
TERM: 05-22-12 TO 05-01-15: LINDA FORD, 3514 SHADOW STREET

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 05-22-12 TO 10-31-14: ELIZABETH GUNN, 1007 LINCOLN GREEN

TREE BOARD
TERM: 05-14-12 TO 05-14-15: DON MENZIE, 4202 BRIARCREST DRIVE
TERM: 05-14-12 TO 05-14-15: SONJA PULVINO, 2720 POPLAR LANE
TERM: 05-22-12 TO 05-14-15: SUSAN GRISSO, 607 MORNINGSIDE DRIVE

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Lee Krumholz will replace Sarah Reichardt; Steven Vasiloff will fill the unexpired term of Alicia Boscarelli who has resigned; Janese Cox will replace Kelley Grace who is no longer eligible to serve; Tom Cooper will replace Jeffrey Wilhite; Brent Sykes will replace Karen Rieger; Linda Ford will replace Glynis Edgar; Elizabeth Gunn will fill the unexpired term of MaryAnne Maletz who has resigned; Susan Grisso will replace Sarah Denton who is no longer eligible to serve; and Gail Poole, Joe Siano, Don Menzie, and Sonja Pulvino are reappointments.

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

7 **RPT-1112-36** SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF APRIL 30, 2012, AND DIRECTING THE FILING THEREOF.

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

Attachments: Finance Director's Report

8 **RPT-1112-37** SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF APRIL, 2012, AND DIRECTING THE FILING THEREOF.

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

9 **EN-1112-2** CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 1112-9 IN LOT 1, BLOCK 2, BROCE INDUSTRIAL PARK, SECTION 3 (3405 AND 3213 BART CONNOR DRIVE) AND ACCEPTANCE OF EASEMENT NO. E-1112-50.

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1112-9; and, if approved, accept Easement No. E-1112-50 and direct the filing of the consent to encroachment and the easement with the Cleveland County Clerk.

ACTION TAKEN: _____

Attachments: Text File Encroachment
EN-1112-09
E-1112-50
Memo from City Clerk
Letter of Request - Encroachment
Utility Memo
PW Memo
Utilities Approvals

10 GID-1112-90 CONSIDERATION OF ALLOWING THE REVITALIZATION DIVISION TO PROCESS APPLICATIONS FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM, THE RENAMED AND AMENDED EMERGENCY SHELTER GRANT PROGRAM, FOR THE HOMELESS FROM QUALIFYING AGENCIES TO BE SUBMITTED TO THE OKLAHOMA DEPARTMENT OF COMMERCE.

ACTION NEEDED: Motion to approve or reject the processing of applications by the Revitalization Division for the Emergency Solutions Grant Program, the renamed and amended Emergency Shelter Grant Program, for the Homeless from qualifying agencies; and, if approved, direct the submission of the City of Norman Applications for the Emergency Solutions Grant Program for the Homeless to ODOC and upon approval from ODOC, authorize the Mayor to sign any documentation related to the grant application process contingent upon the City Attorney's approval.

ACTION TAKEN: _____

11 LL-1112-14 LIMITED LICENSE NO. LL-1112-14: LIMITED LICENSE TO PLACE NINE (9) "DESIGNATE NORMAN" GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-14 to place nine (9) "DESIGNATE NORMAN" ground banners within the public rights-of-way pursuant to a request from the United Way of Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Attachments: Text File Limited License
Letter from United Way
Application from United Way
List of Location United Way Designate
United Way - Commuter Banners

12 **K-0405-131 Amend #4**

AMENDMENT NO. FOUR TO CONTRACT NO. K-0405-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND POE AND ASSOCIATES, INC., INCREASING THE CONTRACT AMOUNT BY $30,000 TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR THE EAST LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN BOULEVARD TO THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY (BNSF) RAILROAD TRACKS.

ACTION NEEDED: Motion to approve or reject Amendment No. Four to Contract No, K-0405-131 with Poe and Associates, Inc., increasing the contract amount by $30,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Attachments: Text File K-0405-131 Amend #4
Amd 4 K-0405-131
Requisition

13 **K-0910-134 Final**

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-0910-134 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PINNACLE MAPPING TECHNOLOGIES, INC. AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) FOR AERIAL PHOTOGRAPHY AND PLANIMETRIC MAPPING.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $14,962.50 to Pinnacle Mapping Technologies, Inc.

ACTION TAKEN: _____

Attachments: Text File K-0910-134 Final
Final Invoice

14 **K-1011-149 Final**

CONSIDERATION OF FINAL ACCEPTANCE AND PAYMENT OF CONTRACT NO. K-1011-149 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND WEATHERPROOFING TECHNOLOGIES, INC., (WTI) FOR THE MECHANICAL RENOVATION PROJECT AT THE NORMAN PUBLIC LIBRARY AND MUNICIPAL BUILDING B A/K/A POLICE DEPARTMENT AND MUNICIPAL COURT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct payment in the amount of $437,500 to Weatherproofing Technologies, Inc.

ACTION TAKEN: _____

Attachments: Text File K-1011-149 Final
Purchase order

15 **K-1112-56 Chg #1**

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1112-56: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RON WALTERS CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY $37,383.80 FOR THE FIREHOUSE ART CENTER IMPROVEMENTS PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract No. K-1112-56 with Ron Walters Construction Company; and, if approved, authorize the execution thereof, accept the project, and direct final payment in the amount of $22,148.43 to Ron Walters Construction Company.

ACTION TAKEN: _____

Attachments: Text File Firehouse Change Order
Chg Order K-1112-56
Final Payment Docs Firehouse Art.pdf

16 **K-1112-130** CONTRACT NO. K-1112-130: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND C.H. GUERNSEY AND COMPANY IN THE AMOUNT OF $40,000 FOR A SIGNAGE AND WAYFINDING PLAN FOR THE CITY OF NORMAN AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-130 with C.H. Guernsey and Company in the amount of $40,000; and, if approved, authorize the execution thereof and appropriate $40,000 from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0244, Wayfinding Project, Design (050-9688-431.62-01).

ACTION TAKEN: _____

Attachments: Text File K-1112-130
K-1112-130
Contract No. K-1112-105 Memo of Understanding

17 **K-1112-131** CONTRACT NO. K-1112-131: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. STPG-114F(303)AG, STATE JOB NO. 29011(04) FOR THE FLASHING YELLOW ARROW UPGRADES AT 57 INTERSECTIONS AND ADOPTION OF RESOLUTION NO. R-1112-136.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-131 with the Oklahoma Department of Transportation; and, if approved, adopt Resolution No. R-1112-136 and authorize the execution of the contract and resolution.

ACTION TAKEN: _____

Attachments: Text File K-1112-131
Contract K-1112-131
Resolution R-1112-136
Location Map

18 **R-1112-137** RESOLUTION NO. R-1112-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING $17,625 FROM THE RISK MANAGEMENT FUND REIMBURSEMENT/REFUND MISCELLANEOUS ACCOUNT TO BE USED TO REPLACE A DAMAGED FOOTING, LIGHT POLE, AND LUMINAIRE ON INTERSTATE 35 NEAR TECUMSEH ROAD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-137.

ACTION TAKEN: _____

Attachments: Text File R-1112-137
R-1112-137
Photographs of Damage
08162011 Collision Report
I-35 Street Light Estimates

19 **GID-1112-87** CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $27,646.01 REGARDING HUGH L. CRAWFORD VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-11740 K.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of $27,646.01 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Attachments: Text File Crawford
Payment Table
Court Order
Requisitions

20 GID-1112-89 CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $38,432.19 REGARDING DARRYL RAY WINES VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC 2011-05553 X.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of $38,432.19 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Attachments: Text File Wines
Payment Schedule
Court Order
Requisitions

21 GID-1112-91 CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $58,363.12 REGARDING BILLY C. MCCAWLEY VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-13900J.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of $58,363.12 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Attachments: Text File WCC McCawley
Payment Schedule
Court Award
Requisitions

Non-Consent Items

22 GID-1112-63

PUBLIC HEARING REGARDING THE FYE 2013 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS AND THE NORMAN CONVENTION AND VISITORS BUREAU, INC., BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

INFORMATION: The above-described item appears on City Council's agenda in order that the citizens of Norman might be afforded the opportunity for input concerning the proposed Fiscal Year Ending June 30, 2013, (FYE 2013) Operating and Capital Budgets and the Norman Convention and Visitors Bureau Budget. Council discussion and debate will take place at the June 12, 2013, City Council meeting. City Council held one retreat, three study sessions, and one special session on the FYE 2013 budget documents. A copy of the public notice and the budget summary for FYE 2013 is included in the Agenda Book and a copy of the proposed FYE 2013 budget has been previously distributed. A copy of the Norman Convention and Visitors Bureau FYE 13 Budget and Annual Management Plan is also included in the Agenda Book.

ACTION NEEDED: Motion to conduct a public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to close a public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to schedule an agenda item on June 12, 2013, to adopt the FYE 2013 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work.

ACTION TAKEN: _____

Attachments: FY13 Legal Publication
Memo re FYE 2013 Destination Management Plan and Budget
Media Buy Calendar
Sales Department 2012 Action Plan Summary

23 GID-1112-69 CONSIDERATION OF AN AMENDMENT TO THE APPROVED SITE PLAN SO AS TO ALLOW A SEASONAL SNOW CONE STAND FOR HAROLD NAEGELI TO BE LOCATED AT 10808 EAST ALAMEDA STREET.

ACTION NEEDED: Motion to approve or reject the site plan amendment for 10808 East Alameda Street.

ACTION TAKEN: _____

Attachments: Text File Snow Cone Alameda
Naegeli Snow Cone Location Map
Naegeli Site Plan
Naegeli Plat
Naegeli Snow Cone Staff Report
Naegeli Restroom Letter
Photos Naegeli
4-12-12 PC Minutes - Naegeli Snow Cone

24 K-1112-124 CONTRACT NO. K-1112-124: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CAROLLO ENGINEERS IN THE AMOUNT OF $1,546,600 TO PROVIDE DESIGN SERVICES FOR THE PHASE II WATER TREATMENT PLANT IMPROVEMENT PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-133 TRANSFERRING FUNDS FOR THE PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1112-124 with Carollo Engineers in the amount of $1,546,600 and, if approved, authorize the execution thereof and adopt Resolution No. R-1112-133 transferring funds for the project..

ACTION NEEDED: _____

Attachments: Text File K-1112-124
Phase II Deisgn Table for Contract
K-1112-124
Purchase Req Carollo

25 O-1112-25 ORDINANCE NO. O-1112-25: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-25 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-25 upon Final Reading as a whole.

ACTION TAKEN: _____

Attachments: Text File O-1112-25
O-1112-25 Wal-Mart
Site Plan - Wal Mart
Wal-Mart Location Map
Staff Report - Walmart
NHA Letter
4-12-12 PC Minutes - Wal-Mart

26 PP-1112-11 CONSIDERATION OF A PRELIMINARY PLAT FOR S & S FAMILY PROPERTIES ADDITION AND A VARIANCE IN THE SPACING OF THE DRIVE APPROACHES SERVING THE SUPERMARKET AND FUELING STATION FOR 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

ACTION NEEDED: Motion to approve or reject a preliminary plat for S & S Family Properties Addition and a variance in the spacing of the drive approaches serving the supermarket and fueling station for 36th Avenue N.W. and West Rock Creek Road

ACTION TAKEN: _____

Attachments: Text File Preliminary Plat
Attachment A
S&S Location Map
S&S Prelim Plat
S&S Site Plan
S&S Properties Staff Report
S&S Transportation Impacts
S&S Driveway Variance
4-12-12 PC Minutes - Wal-Mart

27 R-1112-118 RESOLUTION NO. R-1112-118: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-5, SO AS TO PLACE BLOCK 3 OF STATE UNIVERSITY ADDITION, NORMAN CLEVELAND COUNTY, OKLAHOMA, IN SPECIAL PLANNING AREA 9 AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED BETWEEN BOYD STREET AND MCCULLOUGH STREET AND BETWEEN MONNETT AVENUE AND THE BNSF RAILROAD RIGHT-OF-WAY)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-118, Land Use Plan Amendment No. LUP-1112-5, and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Attachments: Text File R-1112-118
R-1112-118 Elsey
ElseyPartners 2025 Location Map
Special Planning Area 9 MEMO
Elsey 2025 Exhibit A
Elsey 2025 Exhibit B
4-12-12 PC Minutes - Elsey

28 **Miscellaneous Discussion**
This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited to five minutes or less.

29 **Adjournment**

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-88

File ID:	GID-1112-88	**Type:**	Minutes	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	05/22/2012
File Name:	Minutes			**Final Action:**	

Title: CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL PUBLIC FORUM MINUTES OF MARCH 15, 2012
CITY COUNCIL STUDY SESSION MINUTES OF APRIL 17, 2012
CITY COUNCIL PUBLIC FORUM MINUTES OF APRIL 17, 2012
CITY COUNCIL FINANCE COMMITTEE MINUTES OF APRIL 25, 2012
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF APRIL 25, 2012
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CITY COUNCIL MINUTES OF MAY 8, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 8, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 8, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 8, 2012
CITY COUNCIL STUDY SESSION MINUTES OF MAY 15, 2012

ACTION NEEDED: Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, motion to approve or reject the minutes; and, if approved, direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 4

Attachments: March 15 Public Forum Minutes, April 17 SS Minutes, April 17 Public Forum Minutes, April 25 Finance Committee minutes, April 25 CPT Minutes, May 1 Study Session Minutes, May 2 Joint Oversight Election Commission, May 8 CC Minutes, May 15 SS Minutes

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

West Lindsey Street Widening (Berry Road to I-35)
March 15, 2012 Public Forum Minutes
6:00 PM at Sooner Legends Inn & Suites

A Public Forum for the West Lindsey Street (Berry Road to I-35) Proposed Transportation/Storm Water Improvements was held on Thursday, March 15, 2012, at 6:00 p.m. The meeting was held at Sooner Legends Inn & Suites in the Sooner Room located at 1200 24th Avenue S.W. Notice and Agenda of the meeting were posted in the Municipal Building at 201 West Gray and on the City of Norman website 48 hours prior to the beginning of the meeting.

PRESENT:	Mayor Rosenthal Councilmember James Griffith Councilmember Roger Gallagher Councilmember Linda Lockett Councilmember Tom Kovach Councilmember Hal Ezzell
ABSENT:	Councilmember Carol Dillingham Councilmember Dan Quinn Councilmember Dave Spaulding
OTHERS PRESENT:	Shawn O'Leary, Director of Public Works Angelo Lombardo, Traffic Engineer David Riesland, Assistant Traffic Engineer John Clink, Capital Project Engineer Bob Hanger, Storm Water Engineer Bret Cabbiness, Cabbiness Engineering, LLC Nicci Tiner, Garver Engineering Shane Smith, Garver Engineering

Mayor Rosenthal opened the forum by welcoming all present and thanking them for their participation in the process. Shawn O'Leary, Public Works Director, gave a brief overview of the project and the progress up to the Public Forum.

Bret Cabbiness (Cabbiness Engineering, LLC, and head of the design team) presented a PowerPoint presentation of the conceptual plan prepared with assistance of participants in a design charrette and individual citizen comments heard outside the charrette. The presentation focused on drainage issues; traffic considerations; crash history; crash locations; options for partial access control; conceptual roadway cross sections; optional roadway cross sections; conceptual roadway footprint; aesthetics and amenities; construction sequencing; and an anticipated project timeline. The presentation also featured a 3-dimensional animation of what the corridor could look like following completion of construction activities.

Questions and comments were received during the meeting. These covered a number of areas including:

- The need for ADA compliant sidewalks and crosswalks
- Drainage issues
- The need to have bicycle lanes
- A concept to dispense with bicycle lanes in favor of more trees and landscaping
- Treating and/or re-use of captured storm water
- Whether or not University of Oklahoma students would be involved in the design process
- Sidewalk continuity
- The width of the proposed bridge on Lindsey Street over Imhoff Creek
- The amount of storm water conveyed to Imhoff Creek by the project
- How special events at the University (i.e., football games) would impact the design
- The termination of the project on the east end
- How this project will complement the University's Bicycle Master Plan

Written comments were also received during and following the meeting. These comments were summarized for use in refinement of the conceptual plan and covered a number of areas including:

- Support for five-lane cross section
- Support for wider easements for landscaping
- Support for utility duct bank
- Support for bicycle lanes
- Support for continuous sidewalks
- No support for landscaped median
- Issues with trash and littering
- Use of decorative stamped concrete can be hazardous to bicyclists
- Use of narrower vehicular lanes to widen bicycle lanes
- Support for decreased storm water conveyance to Imhoff Creek
- Need for accessibility for all users
- The current street design encourages bicyclists to ride on the sidewalk which is statistically more dangerous that on-road cycling
- Landscaping and bicyclists can co-exist
- Imhoff Creek Bridge should include bicycle lanes and sidewalks when reconstructed
- Need more landscaping
- Vote on this project separately from the other potential bond projects
- Support for potential public art
- A suggestion to utilize far-side bus turn-outs to reduce delay at traffic signals

Items submitted for the record

1. Sign in sheet to indicate citizens who attended the meeting. Please note that some may have chosen not to sign the sheet, which may not give a complete account of attendees.

The meeting concluded at 7:30 p.m.

ATTEST:

Mayor

City Clerk

CITY COUNCIL STUDY SESSION MINUTES

April 17, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:34 p.m. in the Municipal Building Council Chambers on the 17th day of April, 2011, 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 Dillingham, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	Councilmember Ezzell

DISCUSSION REGARDING THE FYE 2013 BUDGET – OVERVIEW OF GENERAL AND SPECIAL REVENUE FUNDS.

Mr. Anthony Francisco, Director of Finance, presented the City Manager's proposed budget for fiscal year beginning July 1, 2012, and ending June 30, 2013 (FYE 2013 Budget). He said this presentation was the culmination of approximately ten months and expressed appreciation to City Council and the Finance Committee who had spent many hours providing input. He also thanked Ms. Mary Anne Kirkland, his assistant; Ms. Kris Wiard and Mr. James Johnson in the Office Services and Print Shop Division who copied, collated, and bound all of the budget books; and Ms. Suzanne Krohmer, Budget Manager.

Mr. Francisco said the process began with Finance Committee meetings on April 17 and November 16, 2011, and January 18, 2012. City Council met in conference to discuss the Capital Budget on November 22, 2011, and for a Mid-Year Budget Review on February 14, 2012. He said today's study session is the first of three discussing the FYE 2013 Budget with this session covering the General and Special Revenue Funds. City Council Study Sessions will be held to discuss Enterprise Funds on April 24, 2012, and on May 3, 2012, to discuss Capital Funds. A Public Hearing on the FYE 2013 Budget is scheduled for May 22, 2012, and Council will consider the FYE 2013 Budget for adoption on June 12, 2012.

The format of budget documents for the proposed FYE 2013 Budget include the City Manager's letter to Council; Community Profile/Demographic and Socioeconomic Information and Benchmark Comparisons; Overview/Statistical Aggregated Data; Financial Policies/Municipal Budget Act; Financial Summaries and Budget Highlights; Fund/Departmental Detail, Mission Statements, Organizational Charts, Goals and Objectives by Division; and Capital Summary/Capital Project Budget.

Mr. Francisco said an economic overview is included in the Budget statement and Staff has summarized the considered opinion of several economists who have opined that the United States economy is slowly advancing and has recovered from the economic recession; however, it is has not been a quick comeback. The Oklahoma City metropolitan area's economy is doing relatively well as it compares to the United States' economy as a whole and Norman is part of the Oklahoma City metropolitan area. He said Norman benefits from the growth in the petrochemical employment base which has been ongoing for several years. The world economy is extremely volatile, particularly in Europe, Greece, Spain, Italy, and the Middle East. He the cutbacks in military and defense spending could have a negative impact on Norman and central Oklahoma economy. He said the aging of our workforce is a concern both nationally, regionally, and for the City of Norman.

Mr. Francisco said there is a historical growth trend in sales tax of approximately 4.4% per year which goes back approximately 30 years. He said the recession of 2009-2010 interrupted this growth trend. The City has recovered and the recovery is reflected in sales tax growth and it is projected it will continue to increase but at a slower pace. He said the growth or decline in the building sectors has had a major effect on the economy and sales tax base. The City of Norman experienced a building boom period in the early to mid-2000s that declined, but not as severe as the national trend. He said there has been a slow growth from that decline in the last few years which he hopes will continue.
Mr. Francisco provided FYE 2012 projected total revenues in the amount of $204,926,959 which reflect all of the operations of the City and said it is a fairly low amount for a city our size and population. Sales tax is one of the major revenue drivers of the overall budget; however, 20% of the budget comes from fees and charges, primarily by utility customers. He said total expenditures for FYE 2013 were in the amount of $204,163,417. He said the utility

expenditure side as it relates to the Water Reclamation Fund (formerly the Sewer Utility or the Wastewater Utility) has increased to 22% because the City is budgeting for the multi-million dollar expansion of the Water Reclamation Facility scheduled to start construction this year.

Mr. Francisco highlighted the General Fund revenues by source and said sales/use tax dominates the General Fund at 59%. He said the City is very dependent upon what goes on with our retail and local economy. He said the second area of revenue is franchise fees charged to our private utilities, Oklahoma Gas and Electric Company, Oklahoma Electric Cooperative, AT&T, etc., for their use of the public rights-of-way. He provided information for the FYE 2012-2013 General Fund expenditures by department and stated direct services to the citizens provided by Police, Fire, Parks and Recreation, and Public Works are the major areas of expenditures within the General Fund.

Mr. Francisco listed several General Fund revenue assumptions as follows:

- Sales tax projection of 4.25% growth from projected FYE 2011-2012 levels, based on the historic growth patterns and deterministic methods;
- Sales tax projections account for estimated apportionments to the University North Park TIF;
- Use Tax, Franchise Fee, and Other Tax revenue projected to grow by 3% from FYE 2012 levels;
- Fine and Forfeitures revenue projected to grow by 1% from estimated FYE 2012 collections;
- Licenses and Permit revenues are projected to grow by 1% from FYE 2012 estimates with an added growth factor based on industry estimates;
- Transfers from Water and Wastewater Utilities of 5% of their revenue (based on what private utilities pay for the use of public rights-of way and property taxes);
- Transfers from Capital Fund for costs of capital outlay items budgeted in General Fund but paid from capital sales tax, and for Street Maintenance Division labor used for capital projects; and
- Cost allocation charges based on costs of central services (legal, financial, etc.) provided to utilities.

Mayor Rosenthal said in the statistical overview, the General Fund revenues are shown as a ten year comparison and a full recovery to the previous revenue high was not shown. Mr. Francisco said this was correct, and although the City was getting back on trend, it was still trying to recover from FYE 2010.

Councilmember Gallagher asked how the projected growth in industry standards was figured. Mr. Francisco said the projections are based on what the building industry intends to do in the coming year. Councilmember Gallagher asked where the additional people were coming from when growth in Norman is only approximately 1,500 people per year. Mr. Francisco said this projection only relates to license and permit revenues. He said if the population does not increase to fill the houses that were built, the General Fund is no better or worse.

Mr. Francisco provided major General Fund budget expenditure assumptions:

- Salary and benefit category expenses budgeted for each position in FYE 2013 based on negotiated costs, assuming merit and longevity cost increases and related costs;
- No cost-of-living adjustment budgeted in FYE 2013;
- Salary and benefit category costs assumed to grow overall by 5% in FYE 2014 - FYE 2017;
- Expenditures in Services and Maintenance and Supply and Materials categories reduced by 1.5% in FYE 2013 levels and assumed to grow by 1% in FYE 2014 – FYE 2017;
- Expenditures in Internal Services category based on budgeted costs in Internal Service functions and assumed to grow 2% per year in FYE 2014 -FYE 2017;
- *2% Emergency Reserve assumed to remain unspent in FYE 2012* and included in FYE 2013 Budget. This is new and in previous years, we had assumed this would be spent. It is possible some will be spent due to the recent tornado; and
- *$1,000,000 Employee Turnover Savings estimate built into FYE 2012 Salary and Benefit category and included in the FYE 2013 Budget.*

Mayor Rosenthal asked what was assumed in terms of health care costs. Mr. Francisco said in the current year there was no growth assumption and in the out years, an assumption is that health care cost inflation will be collected into that 5% overall category of expenditures. Mayor Rosenthal said there have been major steps taken with the Wellness Program and asked what the real growth was. Mr. Francisco said historically health care costs have grown approximately 11.5% per year. We have made some reductions in the current year that we hope will continue and some changes to cause the rate of growth to moderate somewhat. He said there have actually been no savings in the health care plan, the City of Norman is growing less, but costs for health care are still going up.

Councilmember Gallagher asked if Staff was looking at trends over the past 20 years. Mr. Francisco said the emergency reserve allocation within the General Fund was only started five to six years ago, so before that, funds would have been appropriated in emergency situations. Council directed Staff to reduce the amount of targeted fund balance from 8% to 6% and include an allocation within the budget for an 2% Emergency Reserve. He said going forward, yes, it is hoped that the money is not spent but in the case that it does have to be used, it is there. He said this fund was not created until an ice storm created a very large expenditure.

Mr. Francisco said there is one position that is recommended to be added in the General Fund, the Development Coordinator, which has been filled during FYE 2012 but will be budgeted for in FYE 2013. He said in past years there were several positions listed in the deleted position category and there were none this year.

Mr. Francisco highlighted major issues for the FYE 2013 Budget and beyond to include:

- Projected ongoing shortfall in General Fund net revenue;
- Health insurance program changes;
- Retirement and pension costs;
- Implementation of GASB post employment benefit standards;
- University North Park TIF apportionment;
- Social Service Agency Support;
- Public Safety Sales Tax (PSST) fund "surplus";
- Implementation of Stormwater/Drainage Utility;
- Utility Enterprise Capital Improvements Projects (CIP) and Operations funding; and
- Long term realignment of resources and program priorities.

Mayor Rosenthal asked what impact current pending legislation would have on Police and Fire retirement. Mr. Francisco said there was a proposal before the legislature for an approximate 1% increase in the City's contribution to the Fire Pension Plan with an approximate cost to the City of $95,000 per year. If there is a similar mandate for the Police Pension Plan that would be an additional $100,000 per year and a total of $200,000 per year for both contributions.

Mr. Francisco said new accounting standards will require the City to include in our balance sheet, a liability for our long-term obligations for unfunded liabilities for pension and health care. Norman had the foresight to change its retirement plan and not provide a post retirement health care plan; however, for the costs of the City's health care plan not covered by the contributions from employees, a liability has to be booked on the balance sheet which will be a significant number.

Mr. Francisco provided a chart reflecting General Fund balances for FYE 2008 to FYE 2013 and said the City should have a General Fund balance of approximately $14 million and the City has been spending more than it's taking in and drawing down the savings account to pay ongoing expenditures. Mr. Francisco said this is not a healthy thing to do. He said expenditure and/or revenue trends need to be changed. Assumptions are being made within our expenditures for FYE 2012 Actual Budget and FYE 2013 Budget going forward that are much less conservative than they have been in past years. He said in past years, it was assumed that the emergency reserve would be spent and it was hoped that we would not. He said cost of living adjustments were not budgeted in FYE 2012; however, they have been granted which makes for a worse picture. He said this is the first time that the assumption was not made that we would spend

all of our money but instead, we reduced our projected expenditures by 2.5% in the current fiscal year and project a reduction of 1.5% in the next fiscal year.

Mr. Francisco provided the following Net Revenue Stabilization Fund requirements:

- "Rainy Day" Fund deposit of $1,500,000 made in FYE 2012;
- 2% Emergency Reserve Assumed to be Unspent in FYE 2012 in estimating FYE 2013 beginning General Fund Balance;
- Actual Emergency Reserve expenditures estimated at $500,000 in FYE 2012;
- 2% Emergency Reserve ($1,359,357) Budgeted in FYE 2012; and
- Total (combined) reserve requirement = 8% - 11.5% of General Fund expenditures.

The ""Rainy Day" Fund ordinance adopted by Council last year required the City by law to have this fund. Council mandated 2% in the Emergency Reserve be included in the budget along with 3% Operating Reserve to be included in the actual expenditures going forward to allow a 3% deposit to the "Rainy Day" Fund over a three year period. Those assumptions are not in the FYE 2013 Budget because the operational reserve is short and there is a $1.5 million requirement to make deposits to the "Rainy Day" Fund over the next two fiscal years.

Mr. Francisco said the largest of the Special Revenue Funds is the Public Safety Sales Tax (PSST) Fund with a projected beginning fund balance for FYE 2013 of $8,704,568. There are two positions that have been added to the PSST Fund, two detectives in the Police Department, bringing the number of positions up to 67 added to the Public Safety workforce with a total of 71 positions to be added during the life of the PSST. He said the personnel staffing plan is right on schedule, Fire Station No. 8 has been built, and bids will be accepted for construction of Fire Station No. 9 on April 24, 2012. The FYE 2013 Budget includes some one-time priority expenditures from the PSST identified by the Police and Fire Chiefs as follows:

Replace Dispatch and Records Systems	$2,330,000
Renovate Smalley Operations Center	$1,127,450
Replace 1995 Fire Boom Truck	$ 591,275
Replace 1993 Fire Pumper	$ 451,275
TOTAL	$4,500,000

Mr. Francisco said after these projects are done, there would be $6,940,831 remaining in the PSST Fund. He said City Council has discussed a mandate of setting aside six months of Public Safety expenditures for the personnel at the close of the authorized PSST period at a cost of $6.5 million per year and the amount set aside going forward would be approximately $3.4 million

Other Special Revenue Funds include the Special Grants Fund; Room Tax Fund that includes Arts and Humanities, Convention and Tourism, and Park Capital Projects and this fund has no growth assumption; Seizures and Restitution Fund; Council on Law Enforcement Education and Training (CLEET) Fund; Art in Public Places Fund; and Westwood Fund.

Councilmember Gallagher asked why there had been an assumption made that the Room Tax Fund would experience zero growth with the growth experience in University North Park. Mr. Francisco said this was based on what has been done this year. He said City Council can vote to make a change to that projection. He said there is one hotel in University North Park but several more hotels through the City and the experience has been in this fiscal year that room tax revenues are flat. Councilmember Kovach asked if there was no increase year to date on the Room Tax revenues from last year. Mr. Francisco said as of last month, it is down a little bit.

Mr. Francisco said the Study Session about the Enterprise Fund on April 24, 2012, will provide discussion about the Water Treatment Plant, the Water Reclamation Facility, the proposed Stormwater Utility and related projects; and capital projects for Sanitation, He said the Capital Budget would be discussed on May 8.

Councilmember Kovach said the City Manager's executive summary said that investment income was down 78% below budget. He asked if there would be a budget assumption more in line with the reality of what we can expect to get back. Mr. Francisco said yes, we did reduce our revenue assumption from interest income somewhat and depending on market conditions, it is unknown if this will be met.

Councilmember Kovach said the estimate for the Smalley Center was higher than anticipated and asked for an explanation of the increase. Ms. Linda Price, Revitalization Manager, said the cost estimates were several years old and due to the delay in getting the Smalley Center, the architect determined that there would be an increase. She also said there were items not incorporated into the original design, primarily related to security. Councilmember Kovach said the parking lot was completely under water during the last major rain event and that the bond issue, if approved, would not alleviate the flooding issues until 2016. He said if the City plans to utilize the building, what provision in the budget would help make the parking lot usable. Ms. Price said the parking lot was not included in the FYE 2013 Budget but in the FYE 2014 Budget.

Councilmember Kovach said he thought Council had decided that the projects were not to be done with PSST surplus funds until the ribbon cutting of Fire Station No. 9 and asked if Fire Station No. 9 would be completed in FYE 2013. Mr. Francisco said yes and the fire trucks to be replaced would not be needed until the Fire Station is completed.

Councilmember Kovach said the cost of vehicles and other equipment is inflating at a much higher rate and is that because some of the vehicles to be replaced are Compressed Natural Gas (CNG) vehicles. Mr. Francisco said the cost for individual vehicles is going up, some are CNG which is more expensive, and it is more expensive to equip the vehicles because technology in vehicles is expensive.

Councilmember Kovach said there are two organizational charts that are not the same and if this would affect the audit. Mr. Francisco said they are just presented differently but say the same thing.

Councilmember Kovach asked if the 5% from utilities is referred to in General Fund Revenues by Source, Cost Allocations. Mr. Francisco said no, the 5% from utilities is included in the 6% transfer item. Mr. Francisco said cost allocation are charges for services provided by the General Fund to other city operations external to the General Fund, primarily the utilities. He said where the 5% transfer is being made in lieu of a franchise fee, the cost allocation charges are being made for direct services being provided by the General Fund to the utilities, for example, legal services. Councilmember Kovach asked how this was different than the internal charge. Mr. Francisco said it is a different service, the internal service charge is for areas of the city separately set up to provide services to external agencies. He said, for example, a lot of what he does is serve the General Fund but all of what the Print Shop does is serve customers of the Print Shop, so the Print Shop charges out for all of its services and that is taken up in those internal service charges.

Councilmember Kovach said short-term debt is discussed as well as the idea of funding the parking meters for the downtown parking lot through short-term debt and he wondered how this works under the Municipal Budget Act. He asked if a City was allowed to budget beyond the fiscal year or does the debt have to paid off in one year. Mr. Francisco said under the Municipal Budget Act, expenditures that are considered immaterial can be budgeted beyond a fiscal year. He said he is not familiar enough with the proposed expenditures for the parking meters, but to the extent that it is a short-term expenditure, less than two years by definition under the Municipal Budget Act is an immaterial act, it could be done without a vote of the people.

Councilmember Kovach asked if the "Smart Hiring Freeze" would be continued. Mr. Francisco said yes. Councilmember Kovach said there is a $1 million assumption built into the current fiscal year budget and was it being tracked to see if it would be higher or lower. Mr. Francisco said we are tracking right on that number with some trepidation for some recent retirements with pretty big payouts.

Councilmember Kovach asked why there was a 12% increase in services and maintenance costs from the FY 2012 Budget. Mr. Francisco said he would look into that and get back with him.

Councilmember Kovach asked if the money in the "Rainy Day" Fund is invested and does the interest go back into that fund. Mr. Francisco said it goes back into the General Fund.

Councilmember Kovach asked if the insurance money be part of the budget under the new accounting system. Mr. Francisco said a separate Risk Management Fund was started in FYE 2012 and that is ongoing.

Councilmember Kovach asked why there was an approximate 19% increase in service and maintenance in the General Fund. Mr. Francisco said he would investigate this and get back with him.

Councilmember Kovach asked why there was a large increase in the subsidy to Westwood. Mr. Francisco said this relates to personnel cost increases for Westwood and the unbudgeted cost of living adjustment done this fiscal year will be budgeted next fiscal year.

Councilmember Kovach said the beginning fund balance projected for the General Fund for 2013 is approximately $3.5 million with an increase to the beginning fund balance for FYE 2012 from $4.79 million to $8.04 million. He asked why this difference was not reflected in the beginning budget for FYE 2012. Mr. Francisco said some of it would have been used during the course of the last fiscal year. When these projections are made, there are still outstanding expenditures yet to be booked. Councilmember Kovach asked if all of these expenditures were approved by Council in a previous budget and just had not appeared in that budget yet. Mr. Francisco said these are items that were encumbered but not actually paid out and would have carried over in the fund balance increasing that figure. Mayor Rosenthal asked if one of the differences was the appropriation made mid-year to the "Rainy Day" Fund. Mr. Francisco said that would not make a difference in the beginning fund balance, but would impact operations during the course of FYE 2012.

Mayor Rosenthal said this is a perilously thin fund balance that Council should think about between now and final adoption.

Items submitted for the record

1. PowerPoint Presentation entitled, "City Council Fiscal Year 2012-2013 Budget Study Session dated April 17, 2012"

The meeting adjourned at 6:30 p.m.

ATTEST:

City Clerk

Mayor

MINUTES
CITY COUNCIL PUBLIC FORUM

April 17, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, attended a Public Forum at 6:43 p.m. in the Municipal Building Council Chambers on the 17th day of April, 2012, and notice of the meeting was posted at the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting. The City of Norman is hosting a Public Forum to discuss and receive public input regarding a cultural facility to be located in University North Park Tax Increment Finance District (UNPTIF). Although this forum is not a regularly scheduled meeting of Council, a quorum of Council was present; therefore, a summary of the forum is hereby recorded as required by the Open Meeting Act.

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

COUNCIL DISCUSSION AND PUBLIC INPUT REGARDING A CULTURAL FACILITY TO BE LOCATED IN UNIVERSITY NORTH PARK TAX INCREMENT FINANCE DISTRICT.

Mayor Rosenthal emphasized that this was not a decision-making meeting and not all potential projects were represented this evening. She said it is hoped that some ideas will come out of tonight's meeting that Council can evaluate in terms of partnerships, return on investment and value to the community, and fulfilling expectations of the UNPTIF.

Ms. Kathryn Walker, Assistant City Attorney, provided background information about the UNPTIF and Project Plan outlining how the TIF is to operate, specifically, as to cultural facilities. The major goals of the UNP were two-fold; the development of UNP was to support a development attracting visitors from across the state and region to this unique retail, restaurant, and lifestyle center destination spot and be a significant economic development component in the northern portion of the projected area. She said the project plan adopted in 2006 set forth the following objectives:

- Construct a conference center and accompanying museums and other cultural facilities;
- To stimulate private commitments to invest in the Project Area;
- To serve as a catalyst for expanding employment, and to attract major investment in the area; and
- To preserve and enhance the tax base and make possible investment, development, and economic growth.

She said $16.5 million was allocated in the original Project Plan to be used specifically for a Conference Center and Cultural Facility. She said in 2007 the City of Norman contracted with John Q. Hammons who operates Embassy Suites to build a hotel with a conference center attached with plans for the City to purchase that conference center for $15 million. She said in 2008, the City had the opportunity to build the Rock Creek Overpass which had been proposed but not approved by the Oklahoma Department of Transportation. When that opportunity became available, the City was released from the obligation to purchase the conference center and there was a Project Plan amendment allowing a portion of those funds, $7.75 million, to be reallocated for the Rock Creek Overpass Project leaving a balance of $8.75 million for the Cultural Facility component. She said it was important to note that this did not mean there was money in the bank, it is part of the Project Plan and any funds spent would have to be supported by revenues created in the TIF. She said the Project Plan does not provide a lot of guidance in what a cultural facility can be. Funding is generated within the Tax Increment District and a portion of the sales tax and ad valorem tax growth generated in the District is set aside for public improvements within the TIF Project

Area. The Project Area eligible for public improvements extends north from Robinson Street to Tecumseh Road and extends east from the west side of I-35 to Highway 77.

Mr. Chuck Thompson, 4519 Chukkar Court, said he was on the original 15 member Community TIF Committee appointed to formulate the Project Plan and after that a Statutory TIF Oversight Committee was organized that included representatives from Norman Public Schools, Cleveland County, and Moore-Norman Technology Center, and two at-large members and he was appointed as an at-large member. He said when the City was released from the obligation to purchase the conference center from John Q. Hammons, the Statutory TIF Committee considered this a great opportunity to have the Rock Creek Overpass constructed. The intent of the TIF District was to provide opportunities to bring visitors to Norman that would not have come here otherwise and create revenue, ad valorem taxes, economic development, and jobs that otherwise would not have existed. He said the suggested cultural amenities at that time were an International Gymnastics Hall of Fame, the National Weather Museum, and the Pisces Project. He said speaking for the committee, they wanted the City Council to take whatever steps appropriate to evaluate the proposed opportunities with a special view towards what kinds of unique and new revenues could come. He said one of the key elements of the Committee's decision to agree with the release of the funds to pay for the overpass was looking at the number of room nights, incremental sales tax increases, and allow any project that would to come forward to take advantage of the funding with Council and the Statutory Committee measuring those projects using this criteria.

Councilmember Kovach said since some of the criteria was bringing in new jobs, he asked what the Norman Economic Development Coalition felt would be the kind of cultural facility that might help sell Norman to a potential employer. Mr. Don Wood, Executive Director of Norman Economic Development Coalition, said the economic development side of this is taken care of with the TIF Element in the Project Plan and there are adequate funds to be able to do what needs to be done to develop the north side of the business park. He said he has also been involved in several projects and recently had been contacted by the National Cheerleading Association about a Cheerleading venue and the number of room nights generated by this type of event is staggering.

Councilmember Gallagher asked what employers were looking for when moving to a location and Mr. Wood said executives are looking for a quality of life, a uniqueness that does not exist in other communities. He said those who live here are looking for what benefits them. He said he wished funding was available to do more than one project because several projects would contribute to the lifestyle of those who lived here and others would attract tourists.

The Mayor opened the podium to anyone who wanted to speak or make a suggestion.

Items submitted for the record

1. PowerPoint presentation entitled, "University Norman Park Tax Increment Financing District, Cultural Facility Component, Public Forum, dated April 17, 2012
2. Brochure entitled "Norman Swim Center and Water Park, a Proposal of the Pisces Project"
3. Flyer entitled "The National Weather Museum and Science Center Looking for a Home!"
4. Brochure entitled "National Weather Museum and Science Center Sponsorship Opportunities"

Participants in discussion

1. Ms. Nancy Yoch, 617 Okmulgee Street, in support of an Aquatic Center
2. Ms. Ann Schroeder, 1128 Pinehurst Drive, in support of an Aquatic Center
3. Mr. Edward Schrems, 945 Mockingbird Lane, in support of an Aquatic Center
4. Ms. Diane Moershel, 31228 Western Avenue, in support of an Aquatic Center
5. Ms. Ana Gonzales, 302 Willow Branch Road, in support of an Aquatic Center
6. Mr. Sam McAdams, 4216 Brownwood Lane, in support of an Aquatic Center
7. Mr. Don Wood, Executive Director of the Norman Economic Development Coalition
8. Ms. Sue Schrems, 945 Mockingbird Lane, in support of an Aquatic Center
9. Mr. Mark Campbell, Post Office Box 3053, in support of an Aquatic Center
10. Mr. David Hopper, 1620 Oriole Drive, in support of a Weather Museum
11. Ms. Alva Brockus, 1228 Leslie Lane, in support of an Aquatic Center
12. Mr. Korey Nunno, 212 Waterfront Drive, in support of an Aquatic Center
13. Mr. Mark McCurdy, 4601 Greystone Court, in support of an Aquatic Center
14. Mr. John Dyer, 4101 Colchester Court, in support of an Aquatic Center
15. Mr. Steven Tyler Holman, in support of an Aquatic Center and suggested an aquarium
16. Mr. Stephen Koranda, Executive Director of the Norman Convention and Visitors Bureau, 2424 Springer Drive, Suite 170, in support of an Exhibition Hall
17. Ms. Jeanette Coker, 620 East Main Street, asked questions
18. Mr. Kent Nicholson, 2643 South Pickard Avenue, in support of an Aquatic Center

The meeting adjourned at 8:10 p.m.

ATTEST:

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City Clerk Mayor

FINANCE COMMITTEE MINUTES
April 25, 2012

The City Council Finance Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 4:30 p.m. in the Municipal Building Study Session Room on the 25th day of April, 2012, 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:	Members Dillingham, Gallagher, Griffith, and Chair Quinn
ABSENT:	Member Ezzell
OTHERS PRESENT:	Cindy Rosenthal, Mayor Linda Lockett, Council Member Dave Spaulding, Council Member Suzanne Krohmer, Budget Manager Jud Foster, Parks & Rec Director David Lisle, Golf Pro Cheryl Lisle, interested party Leah Messner, Assistant City Attorney II

DISCUSSION REGARDING AN INCREASE IN GREEN FEES FOR WESTWOOD GOLF COURSE

Jud Foster, Parks & Rec Director, made presentation.

- Current regular green fee is $21.50 per round.
- Department is proposing a $1.50 per round increase to be effective May 1, 2012.
- Edmond and Oklahoma City golf courses have increased their fees.
- Westwood historically tries to be at the same or a little below rates for these courses.
- Not good to be higher than these courses.
- Oklahoma City implemented an increase of $2 and plans an additional increase of $1.50 in April 2013.
- Westwood will be below OU Jimmie Austin and Kickingbird and will be higher than Purcell, Broadmoore in Moore and Conrad in Midwest City.
- Westwood needs an increase in other fees as well.
- Will also revisit next spring and propose a $1 to $1.50 increase next year.
- Would like to stay at or just below Oklahoma City fee structure.
- Fees have been increased administratively, through Finance Committee.
- Conrad and Purcell are looking at increases in late summer to fall.
- Has number of rounds of golf been affected due to very temperate weather we've had?
- Griffith – would like information on Oklahoma City rounds with fee increase – has it been affected? No
- Lockett – when was last increase in fees for Westwood?
- Foster – Increase in 2010 – none in 2011.

- Quinn – We feel good about increase in number of rounds, greens are in good shape. Committee is in agreement with increase in fees at Westwood.
- Foster – will follow up with memo to City Manager and plan on fee increase as of May 1, 2012.
- Quinn – keep committee updated with round trends and comparison to Oklahoma City.
- Griffith – Westwood's biggest competition – Earlywine, Purcell, and Broadmoore.

Items submitted for the record

1. Memo to City Council Finance Committee from Jud Foster, Parks & Rec Director, dated April 12, 2012, Westwood Golf Course Green Fees
2. Westwood Golf Division Progress Report, March 2012, prepared by the Parks & Rec Department

SUBMISSION OF THE REVENUE/EXPENDITURE REPORT AS OF March 31, 2012

No discussion.

Items submitted for the record

1. Summary of Major Funds-General; Capital; Westwood; Water; Water Reclamation; Sewer Maintenance; New Development Excise; Sewer Sales Tax; and Sanitation Fund Revenue Sources vs. Budget, Financial Report as of March 31, 2012.

SUBMISSION OF THE REPORT ON OPEN POSITIONS

No discussion.

Items submitted for the record

1. City of Norman/Human Resources Department Recruitment and Selection Report dated March 9, 2012

MISCELLANEOUS DISCUSSION

No discussion.

The meeting adjourned at 4:54 p.m. The next meeting will be on Wednesday, May 23, 2012 at 4:30 pm in the Council Study Session Room.

ATTEST:

City Clerk

Mayor

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

April 25, 2012

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Conference Room on the 25th day of April, 2012, 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 Gallagher, Kovach, Lockett, and Chairman Dillingham
ABSENT:	None
OTHERS PRESENT:	Mayor Cindy Rosenthal Councilmember Jim Griffith, Ward Six Councilmember Dave Spaulding, Ward Five Ms. Susan Connors, Planning and Community Development Director Mr. Terry Floyd, Development Coordinator Mr. Angelo Lombardo, Traffic Engineer Ms. Leah Messner, Assistant City Attorney Mr. Shawn O'Leary, Director of Public Works Mr. Mike Rayburn, Staff Engineer Mr. David Riesland, Traffic Engineer Ms. Karla Chapman, Administrative Technician
OTHER GUESTS PRESENT:	Ms. Jeanette Coker, Concerned Citizen Mr. Doug Meyers, OU Parking and Transportation Administrator Ms. Veronica Mills, OU Grad Student Ms. Chris Nanny, Chair, CART Disability Advisory Committee Ms. Janice Oak, Progressive Independence Mr. Walt Strong, Westheimer Airport

FOLLOW-UP REPORT ON RADAR SPEED FEEDBACK SIGNS.

Mr. Angelo Lombardo, Traffic Engineer, provided a summary of the City's Traffic Calming Program (TCP) as follows:

- FYE 2003: Pilot TCP began in Cambridge Addition with trying several types of calming devices to include three traffic circles;
- FYE 2004: TCP projects started on a "first come, first serve" basis; five traffic circles were built;
- FYE 2005: Prototype speed tables built near Truman School on Parkside Road;
- FYE 2006: 30 speed tables and four traffic circles were constructed;
- FYE 2007: Rapid build-up of project requests; TCP projects had to be prioritized; 24 speed tables and one traffic circle built;
- FYE 2008: 22 valid petitions from neighborhoods throughout Norman; Council increased the TCP budget to $400,000; 100 speed table built;
- FYE 2009: Complaints of "too rough" and "too many" speed tables; qualifying criteria change made by Council; three radar speed feedback trailers purchased and deployed for short-term speed fixes. 10 "rough" tables modified and 41 new speed tables built;
- FYE 2010: Council directs less physical traffic calming; Traffic Division studies the effectiveness of a speed feedback signs;
- FYE 2011: Council chooses not to fund Traffic Calming Capital Improvements; six permanent solar-powered Radar Speed Feedback Signs were permanently installed on Walnut Road, Cherry Creek – Western View, and Northcliff Avenue using balance of funds for FYE 2010; and two Radar Speed Feedback Signs integrated with school beacons installed on Gray Street as part of Jefferson-Longfellow Safe Routes to School proje

Mr. Lombardo said in 2009 Council made qualifying changes to the TCP to include the increase of petition eligible area; increase the 85th percentile speed – changed from seven (7) to eight (8) miles per hour (mph) over the posted speed limit; and the Average Daily Traffic (ADT) changed from 500 vehicles per day to 600 vehicles per day. He said the criteria regarding the number of reported speed-related accidents on road in three-year period is greater than five accidents can be used as a substitute criterion in lieu of either the speed or volume requirements did not change.

Mr. Lombardo said obtaining any traffic calming measure begins with traffic data collection and if a requested neighborhood streets meets the qualifying criteria a Speed Feedback Trailer is deployed to the location for about one week. He said in order to evaluate the lasting effects of the SFT, the City will conduct a second traffic data collection and follow-up study, as well as engage the neighborhood. If the neighborhood street still qualifies after the second study, Staff will meet with the residents to discuss traffic calming options and eligible residents must pass 60% minimum support petition to get traffic calming project when funding becomes available.

A Speed Feedback Sign Study (SFSS) was conducted in December 2009 to explore the effect of speed trailers over time, i.e., will citizens disregard the speed trailers after they have been deployed at a particular location for a period of time. A Radar Speed Feedback Sign was deployed to Northcliff Avenue for a four week period because the street was long and straight, had a vacant area to place the unit, and it was being considered for a TCP project. Two major objectives were to determine the influence of the feedback trailer in regard to 1) the distance from the trailer and 2) time of deployment. Determining effects of speeds downstream of the trailer were also analyzed, i.e., to what speeds do drivers speed up at 400 feet and 800 feet distances from the speed trailer. Traffic and trailer data was gathered weekly including statistics whether drivers speed up in a shorter distance from the trailer over time and how will long term speed feedback installation continue to slow down drivers. The conclusion found that speed feedback trailers are excellent in reducing speeds, but like other calming devices, drivers speed up after passing the device. The SFSS also determined that in order to "calm" a corridor, feedback signs should be spaced 300 feet to 400 feet apart.

Mr. Lombardo said speed feedback signs would need a power source to keep them operating; therefore, more maintenance costs are a possibility. However, he said the City purchased six radar sign permanent solar powered speed feedback units which are maintenance free with the FYE 2010 balance from the Traffic Calming Project funds. Mr. Lombardo said the speed feedback units were installed on three neighborhood collector streets that had qualified for the TCP in February 2011, but these neighborhoods were <u>not</u> able to get the 60% required signatures on support petitions and include Walnut Road, Cherry Creek/Western View Corridor, and Northcliff Avenue. Mr. Lombardo said speed hump(s) cost approximately $3,000 to install while the speed feedback units cost approximately $6,700 each. He said each unit displays the vehicles speed and also collects daily traffic data which can be used as a tool in notifying the Norman Police Department about problem areas that may need to be patrolled. The Traffic Division evaluated the data to determine the longtime effectiveness of the units to reduce speeding and comparable reports from Minneapolis and Bellvue, Washington, indicated a minimum 4% speed reduction was still apparent after three (3) years.

Mr. Lombardo said the conclusions of the six speed feedback trailers on Walnut Road, Cherry Creek/Western View Corridor, and Northcliff Avenue are as follows:

- ✓ Radar Speed Feedback Units seem to have some sustaining presence in slowing traffic;
- ✓ 85th percentile speeds and number of excessive speeders driving greater than 35 mph have dropped at all sites – and have stayed down for 11 months;
- ✓ As expected, numbers tend to increase downstream of the units and would need to be placed in series to "calm" streets;
- ✓ Data suggests that units can be a valuable addition to the traffic calming toolbox; and
- ✓ Manufacturers also integrate feedback units into traditional school zone beacons which is another good safety application of the units.

Chairman Dillingham asked Staff how many neighborhoods requests are pending the City and Mr. Lombardo said the requests have slowed down considerably, but there are currently six requests waiting for assistance. Councilmember Kovach asked what Staff time goes into deploying a speed feedback unit and Mr. Lombardo said Staff deploys the unit on Mondays, monitoring the unit all week; Staff will turn the unit around in the middle of the week, and remove the unit on Fridays. Mr. Lombardo said Staff has done a very good job of working the speed feedback unit deployment process into

their daily work schedule. Councilmember Kovach said he would like to see funding in the budget for speed feedback trailers and Chairman Dillingham asked what would be a reasonable amount for FYE 2013-2014. Mayor Rosenthal said this is encouraging data, but felt Staff should continue monitoring the speed feedback units since the trend does show the speeds/speeders eventually start "creeping" back up and Mr. Lombardo felt the speed feedback trailers should be utilized as the first traffic calming device for neighborhoods that qualify for the calming program; with the option of utilizing more physical methods, i.e., speed humps etc., if needed and/or necessary. He said the speed feedback trailers would be a good intervention if Council did not feel comfortable opening the floodgates of the traffic calming program at this time, but should the trend change; the option would still be available. Mayor Rosenthal asked Staff to bring back cost figures for speed feedback trailers for the six neighborhoods who requested traffic calming assistance.

Items submitted for the record

1. PowerPoint presentation entitled "*City of Norman, Effect of Radar Speed Feedback Signs,*" Council Community Planning and Transportation Committee, dated April 25, 2012

DISCUSSION REGARDING THE INTERSECTION EVALUATION AT PORTER AVENUE AND ACRES STREET.

Mr. Shawn O'Leary, Director of Public Works, said Staff evaluated the Porter Avenue and Acres Street intersection which has a high volume of pedestrian traffic, to include children who attend Jefferson and Longfellow Schools. He said the comprehensive review found some interesting challenges and a number of options that Council can consider. Mr. O'Leary said if any of the options are acceptable, they can be incorporated into the Capital Improvement Program (CIP) discussion in a couple of weeks.

Mr. David Riesland, Assistant Traffic Engineer, said an in-pavement lighted crosswalk system was installed across Porter Avenue at Acres Street in the early 2000's, but the system is prone to water entering the light cans and shorting out the system. He said because of persistent maintenance issues, Staff began to look at other solutions and a SmartStud system was installed in 2011, which is better. He said these types of systems still are problematic and Staff continues to look at new and improved systems.

Mr. Riesland said the Porter Avenue at Acres Street Safe Route to School Project increased motorist awareness of school zones by locating the school flashers overhead on mast arms. He said the increased awareness tends to lower speeds of vehicles at the in-pavement lighted crosswalk; however, the scope of the project could/did not address the maintenance and security issues with the crosswalk. Mr. Riesland said one of the primary uses of the crosswalk at Porter Avenue and Acres Street is for students traveling to and from Jefferson and/or Longfellow Schools. He said attendance zones for these schools do not extend very far west of Porter Avenue and Staff requested information from Norman Public Schools (NPS) regarding where the existing students lived in order to help determine where they cross Porter Avenue. Mr. Riesland said traffic signals exist at Gray Street and Johnson Street along Porter Avenue and give more protection to pedestrians crossing Porter Avenue.

Mr. Riesland said an intersection evaluation was conducted in September 2011, and both vehicles and pedestrians were counted between 7:00 a.m. and 6:00 p.m. Mr. Angelo Lombardo, Traffic Engineer, said Norman must show a Signal Warrant has been met in order to receive federal funding and a Signal Warrant 5 for School Crossing was satisfied by the existing conditions. He said Signal Warrant 1B for Interruption of Continuous Traffic would likely be met when Daws Street is closed to install future traffic signals. Mr. Riesland said to satisfy Signal Warrant 5 for School Crossings there must be at least 20 children crossing during the busiest hour. He said 20 children crossed Porter Avenue at Acres Street from 8:00 a.m. to 9:00 a.m. and this portion of the warrant was met. Mr. Riesland said to satisfy Warrant 5 for School Crossings there must also be inadequate gaps for the children/students to cross safely and a Gap Study was conducted on Porter Avenue. He said the Gap Study determined the average walking time across Porter Avenue is 17 seconds; therefore, to satisfy Warrant 5, there must be fewer than 60 gaps in traffic at least 17 seconds in length. Mr. Riesland said during the 8:00 a.m. hour on November 29, 2011, there were only four (4) gaps that measured longer than 17 seconds and Warrant 5 met the gap criteria.

Mr. Riesland highlighted five (5) options to Improve Porter Avenue at Acres Street crossing to include:

- **Option 1: Utilizing a NPS Crossing Guard - $3,000 annually paid by NPS**
  - positions have been very difficult to keep staffed in the past;
  - provides no protection for pedestrians crossing during "non-school" hours; and
  - NPS would pay $3,000 annually;
- **Option 2: Encourage Crossing at Other Locations – Approximate cost $30,000**
  - encourage school children to cross Porter Avenue at improved intersections located at Johnson Street to the north or Gray Street to the south;
  - if this option chosen, improvements to curb ramps, driveway ramps, and sidewalks along Gray Street and Johnson Street will need to be made;
- **Option 3: Install Mid-Block Signal – Approximate cost $60,000**
  - A suitable location must be created and could be problematic if a future traffic signal is installed at Porter Avenue and Acres Street because of vehicular traffic volumes;
  - Midblock signal should be no closer than 100 feet from intersecting street or driveway, according to MUTCD, therefore a mid-block crosswalk would be installed 100 feet north of the alley to the north of Tonhawa Street;
  - there are no locations with 200 feet of frontage along Porter Avenue between Gray Street and Johnson Street;
  - Requires closing Daws Street on both sides of Porter Avenue;
  - Requires cubing in front of Van's Pig Stand;
  - Driveway would need to be eliminated for Dave's Pharmacy (formerly Ardella's Flowers), the business would have an Acres Street access driveway;
  - Install upright with mast arm on each side of Porter for vehicular signals; and
  - Pedestrians would push buttons on each pole
- **Option 4: Signalize Porter/Acres – Approximate cost $1,000,000**
  - Intersection currently meets school warrant and will likely meet a vehicular warrant once Daws Street is closed;
  - For safety reasons, the Daws intersection with Porter is problematic, the portion east of Porter should be eliminated and a cul-de-sac should be constructed on the portion to the west;
  - For safety, resulting from the misalignment of the north and south legs of Porter, some widening will be needed to provide exclusive left turn lanes for movements onto Acres;
  - Full pedestrian access possible with this solution; and
  - 70% to 80% would be right-of-way (ROW) acquisitions
- **Option 5: Roundabout at Porter/Acres – Approximate cost $1,850,000**
  - The east leg of Daws Street will need to be closed to construct the roundabout;
  - 150-foot diameter is considered the minimum for two-lane roundabout;
  - ROW acquisitions include Posh Pets Grooming Salon and Grand Bargains, with impact to Phillips 66 Station;
  - Daws Street could also be cul-de-saced to the west for a four-legged roundabout, but more ROW would need to be acquired; and
  - Center of island roundabout could be used for landscaping or art

Chairman Dillingham said a lot of the concern is pedestrians, mostly children, crossing the intersection in order to go to school and also with the City's goals for Safe Routes to Schools program; children should be able to cross the street safely. Councilmember Kovach asked Staff how effective Option 3 would be and Mr. Riesland said Option 3 would be effective but only a short-term solution. Mr. Riesland said at the current/continued growth rate Porter Avenue and Acres Street could be signalized in four to five years and Mr. O'Leary said the signalization may likely qualify for federal funding. Councilmember Griffith said Option 3 would serve as an interim until a signal was installed at Acres Street and Staff said yes. Mayor Rosenthal felt Option 2 needed to be done regardless because the sidewalks and gaps needed to be repaired for accessibility purposes and said the City would need input from the area business regarding Option 3. She said she is concerned that Option 3 meant spending money that the City may not be able to recoup at a later time and Mr. O'Leary said the ROW acquisitions could go up as well. Councilmember Kovach agreed about the need for sidewalk improvements and also felt some discussion with the property/business owners concerning Option 3 would be needed. Chairman Dillingham also agreed the corridor needed improved sidewalks and would also like to explore with the area business owners to determine their take on Option 3.

Mayor Rosenthal asked if Option 3 was chosen, where would Dave's Pharmacy, formerly Ardella's Flowers, access if both Daws Street and their entrance on Porter Avenue were closed and Mr. Riesland said the business can currently be accessed from Acres Street. Councilmember Lockett asked how many parking spots would Van's Pig Stand lose and Staff said approximately six (6), but Van's has recently built a sizeable parking lot behind their business. Mr. Riesland said Option 3 is not perfect but there are not any other existing locations within reason to install a mid-block signal. Van's Pig Stand and Dave's Pharmacy is the only location that has the most existing curb; therefore, this particular location made most sense. Councilmember Griffith felt it was also the closest location for school children to cross and Staff agreed.

Ms. Jeanette Coker, concerned citizen, felt Option 3 is not too expensive and/or outrageous and she, as well as other property owners in the area, have been asking for signalization on Porter Avenue for 10 years. Ms. Chris Nanny, concerned citizen, agreed and said sidewalk and ramps are desperately needed along the Porter corridor.

Mr. O'Leary said Staff will include Option 3 in the CIP and determine the impacts for both Option 2 and Option 3. He felt the $60,000 figure for Option 3 is fairly low, assuming full cooperation from the business owners for ROW acquisition. Chairman Dillingham asked Staff to determine the costs to improve the sidewalks and curbing along Porter Avenue as well as a close estimate for ROW acquisitions and bring back to Council.

Items submitted for the record

1. PowerPoint Presentation entitled *"Intersection Evaluation: Porter Avenue at Acres Street,"* City Council Community Planning and Transportation Committee, dated April 25, 2012

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE.

Chairman Dillingham said Mayor Rosenthal, Mr. Doug Meyers, OU Parking and Transportation Administrator, and herself met with Norman Regional Hospital (NRH) Board on Monday, April 23, 2012, to discuss and request NRH provide $50,000 funding to the Cleveland Area Rapid Transit (CART), which will assist the City in restoring the original funding level to CART. She said there seemed to be a lot of misunderstanding about the available CART services and there was a lot of assumption about duplication of services, i.e., Full Circle and Kiwanis vehicles, etc. Mayor Rosenthal said CART provided a breakdown of rides to and from Norman Regional Health System facilities and Mr. Doug Meyers, OU Parking and Transportation Administrator, said in 2011, 2,962 citizens relied on CART services for transportation to NRH facilities at Tecumseh Road, Porter Campus, as well as the various doctors that are affiliated with NRH. Mr. Meyers said CART ridership increased 10% and over the past quarter the CART ridership has increased up to 15%, so the need continues to grow. Mr. Meyers said if the requested funding is received, CART's plans are to resume Saturday service, as well as extend current hours for the West Norman Link. He said CART will place brochures advertising CART transportation services at Embassy Hotel located at University North Park and both hospital campuses. Chairman Dillingham said she is hopeful that NRH will support CART and felt $50,000 is an appropriate request. She suggested the Committee and/or anyone who supports CART to contact and encourage NRH to assist.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of March 2012

MISCELLANEOUS DISCUSSION.

None.

The meeting adjourned at 6:48 p.m.

City Clerk

Mayor

CITY COUNCIL STUDY SESSION

May 1, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Council Chambers on the 1st day of May, 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 Dillingham, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	Councilmember Ezzell

Item 1, being:

GENERAL DISCUSSION AND OVERVIEW OF HIGH DENSITY RESIDENTIAL DEVELOPMENT.

Mayor Rosenthal said the Planning Commission requested Council discuss the topic of high-density residential development and said the City has recently received two applications for high-density development that are not currently covered in the Norman 2025 Land Use and Transportation Plan (LUP) and/or addressed in any current zoning ordinances. She said Staff will give a preliminary briefing to Council on high-density development and reminded Council that this is not the time to discuss the details of the two high-density applications/projects since the two applications are active and currently going through the process.

Ms. Susan Connors, Director of Planning and Community Development, said the City has recently received two applications for very high-density housing in older Norman neighborhoods and although Norman has many multi-family housing complexes, these two projects are requesting very high densities which are not now common in Norman. She said to date the highest density multi-family complex in Norman is 26 dwelling units per acre and the new applications currently in the process are requesting 100 to 165 dwelling units per acre. One key question is "how much density" is appropriate without the projects overwhelming the remaining neighbors, as well as additional parameters that help mitigate that density, i.e., design, landscaping, amenities, parking, traffic improvements, etc.

Norman 2025 Land Use and Transportation Plan (LUP)
Ms. Connors said the Norman 2025 LUP does not speak directly to what composes "high density" and there is no number of units per acre that is dictated. She said there is one mention of residential density in "Mixed-Use Development", stating..."Residential density should be sufficiently high in order to support a level of pedestrian activity, and should typically be not less than six (6) dwelling units per acre. A mix of two or more different housing types should be included, at varying densities. Residential dwellings located above first-floor retail, offices and services are encouraged..." However, this does not give much guidance in discussing high-density residential developments, except for the idea of pedestrian activity in close proximity to services or destinations that would encourage pedestrian movements or take advantage of the availability of mass transit, rather than a historic reliance on automobiles as the primary means of movement.

Ms. Connors said the best mechanism in the Norman 2025 LUP which will allow a very high-density development is by creating a Special Planning Area (SPA) and the process allows the City to develop criteria and regulations addressing the unique nature of an area or type of development. Since very high-density development does not currently exist in Norman and may need a framework of guidelines to "fit in" the current development pattern of the City, the following list identifies potential criteria that might be included in a SPA for high density to include:

- Density of approximately 100 units per acre;
- Private open spaces that focus on courtyards and amenities rather than large park-like areas common in more suburban location;
- Six story buildings;

- Adequate, but limited, parking to encourage walking rather than using automobiles;
- Reduced setbacks that insist that new buildings come forward to the property line but with pedestrian amenities so as to encourage a sense of "public place";
- High quality design, with the inclusion of human-scale elements such as awnings, balconies, and plazas, accompanied by much wider sidewalks with enhanced landscaping;
- Stepping back the façade of the building to allow more height; and
- Requiring articulation of the façade to add interest and avoid large blank walls.

What is Density?
Ms. Connors said density needed to be defined and said density refers to any increase in the number of units not only to high-rise buildings, the definition depends on the context, and density can mean development that is higher than what typically is found in the community. She said high density can be located in rural, suburban, urban, downtown, and interstate interchange areas. The City calculates density using units per acre, persons per square mile, floor area ratio, and "net" and "gross" density.

Some positive views of density:
- Compact Development
- Availability of services near-by
- Shorter commutes
- Walkability
- Variety of housing types
- Cost of public service
- Can be a focus for transit service
- Attractive to employers

Some negative views of density:
- Does not fit in the neighborhood
- Causes traffic and parking problems
- Lowers property values
- Only attracts transient clients
- Increase crime in an area
- High density development is unattractive

Ms. Connors suggested the City also have discussions about how to design for density to include:

- Streets – gridiron, curvilinear, cul-de-sac
- Buildings – single-family, duplexes, town homes, apartments
- Open Space – balconies, formal promenades, squares, parks, wooded stream corridors

Ms. Connors said high quality architecture and careful site planning can maintain the best quality of low-density living in more compact neighborhoods and plazas and squares can be created, as well as, places for people to walk and/or see into a development so that it does not seem to be crowded all while maintaining the ability to have high-density. She said placing houses closer together is important, but building vertically is really essential when designing for high-density, i.e., a two-story house provides the same living space with half of the footprint, thus preserving land. Ms. Connors said building up, rather than out, not only allows higher densities but also offers opportunities to create significant green space. She said one way to provide open space in high-density living or apartment complexes is *not* always at ground level and an important aspect of creating a livable high-density development are balconies. Ms. Connors said if balconies are created and designed well they can provide a way to allow sunlight into the units, provide open space, and allow people to have a view of the street and surrounding areas; thus becoming an extension of the living space. She said another option would be roof-top gardens in places where people can feel as though they are away from the hustle and bustle of the street.

Ms. Connors said locations that are determined to be too dense usually have an overall characteristic of a settlement pattern, such as very little variation of development from one corner of town to the other or if the same block, shape, and/or building type is repeated relentlessly it will make it feel crowded even if having a low-density. She said contrast and diversity at the neighborhood level can be a vital component of successful density and designs will be the determining factor of citizens who are willing to live in higher density residential communities.

Norman Zoning Ordinance
Ms. Connors said Norman's current zoning ordinance does not have an existing category that allows extremely high residential densities with coverage factors that leave little private open space. Under the current regulations, applications which request very high density development, can only be accommodated either as a Mixed Used zoning, a Special Use within several commercial categories, or under the Planned Unit Development process.

Current High Density Applications
Ms. Connors said the Planning Commission unanimously denied an application on their April 12, 2012, agenda requesting a Norman 2025 LUP amendment to allow very high-density housing on a city block bordered by Boyd Street on the south, Monnett Avenue on the west, McCullough Street on the north, and the railroad track on the east. She said the applicant and Staff had prepared different criteria for the SPA; however, Staff was recommending postponement of the item and requesting a broader discussion on the issue of high density with Council, Planning Commission, and the public to better identify what high-density residential should be in Norman. The Planning Commission also recommended that Council take up the discussion of high-density housing in order to determine where it should be, how it should be approved, and what it should look like; and Planning Commission be involved in the discussion(s).

Ms. Connors said a second application for high-density housing is scheduled on the May Planning Commission agenda and the property is located on Asp Avenue, just north of White Street.

Ms. Connors said currently in the zoning ordinance there is the ability for C-1, C-2, and C-3 commercial zonings to have mixed-use buildings, therefore if a developer wanted to mix uses in a high-density building there is an accommodation that would allow them to do so. She said one of the applications the City received did not wish to do this because they wanted living units only, therefore this mechanism could not be utilized.

Councilmember Kovach asked Staff what density is allowable in the current code and Ms. Connors said it is not addressed in the current Zoning Code. Ms. Connors said there is no limitation on the number of units, but the density has been controlled because of setbacks and landscaping requirements and typically 25 to 30 units would be the maximum that would be allowable. Councilmember Kovach asked what the density is for the current building project "The Loft" located on Boyd Street and Staff said they did not currently have that information, but would get the information to Council.

Councilmember Gallagher asked Staff to explain the terminology "net" and "gross" density and Ms. Connor said "net" density takes the parcel and subtracts all the public right-of-way (ROW), i.e., streets, alleys, etc., and "gross" density includes all the public ROWs. Councilmember Gallagher said he is concerned about the current size and image for Norman and wonders why all of a sudden the City is starting to see a lot of high-density development requests without a population growth. He asked how many requests for high-density developments have been received over the past 10-15 years and Ms. Connors said the City has not had any such requests. Ms. Connors said multi-family development typically goes through a 10 year cycle, stating when apartments are plentiful to rent the economy is saturated therefore developers stop building for a time and when vacancy is low the building ramps up again. She felt the economy, timing, and what is currently prevalent in the industry are the reasons for the recent high-density applications. Councilmember Gallagher asked the vacancy rate for apartments in Norman and Ms. Connors said it is approximately 8% vacancy with 92% occupancy.

Councilmember Gallagher felt Staff's presentation is more favorable than unfavorable and asked if it was Staff's goal to simply offer or pursue high-density development. He felt Staff has a dual purpose to present information both the pros and the cons of high-density development. Ms. Connors said the way Norman has developed reflects the lower-density development side and felt there was not a need to show what is currently prevalent in Norman. She said Staff's presentation was merely illustrating what high-density development(s) might mean and *could* look like if pursued in Norman, as well as how an increase of density could be handled or not handled in the community. Ms. Connors said

Staff does not favor or oppose high-density development and is simply presenting information to Council, looking to obtain Council direction regarding where density should and/or should not go in Norman. Councilmember Gallagher said high-density developments on college campuses are necessary, but invading Norman residential areas with high-density development will change neighborhood atmospheres and felt the outcome would be negative.

Councilmember Griffith said he understood that vacancy rates can encourage high-density and asked what other issues could trigger the interest for high-density development in the community. Ms. Connors said she has never lived in a university community before but felt the University of Oklahoma (OU) is a great impetus for high-vacancy development to come forward. She said the City's current vacancy rate is such that it can be very appealing economically and suggested obtaining information from apartment developers as to what other circumstances must be present in order to encourage high-density development.

Mayor Rosenthal asked what other limitations of mixed-use development do not fit with high-density development. Ms. Connors said the high-density development applications reflect two types of housing with a mix of non-residential development on one to two acres of land and not applicable to mixed-use development. She said typically 10 to 20 acres is used for mixed-use development rather than on a building by building basis; therefore, the two high-density applications received for single infill building projects are not applicable to mixed-use development. Mayor Rosenthal said her recollection of the Special Planning Area (SPA) designations in the Norman 2025 LUP are for areas that had an uncertain future and the SPA is not *really* a zoning category. She said the SPA is only a mechanism or placeholder that would designate a future area or location that the City should study and develop an appropriate plan. She asked Staff how the SPA could be used in order to deal with high-density projects and Ms. Connors said the Norman 2025 LUP describes an area or location must have unique characteristics that force the SPA designation to that location and she said if the City were interested in high-density development then a SPA could be used to create those unique characteristics. Mayor Rosenthal said she is concerned with using a SPA to craft a policy for high-density development and felt Council should consider creating a specific zoning category for high-density development, similar to how the mixed-use development district was crafted. She said the Council Planning and Community Development Committee, now the Council Community Planning and Transportation Committee (CPTC), handled the mixed-use zoning designation by looking at several different ordinances from other communities and periodically received briefings and input from the Planning Commission. Mayor Rosenthal suggested this process was an appropriate method to proceed regarding the high-density development and asked Council how they wished to proceed.

Mayor Rosenthal asked where existing infrastructure capacity fit into the calculations, i.e., water, sewer, streets, etc., which are huge pieces of high-density development and Ms. Connors said the development would have to provide the infrastructure(s) necessary to make it work. Ms. Connors said water and sewer lines can be installed and/or upgraded and streets can include improvements such as create acceleration/deceleration lanes. Mayor Rosenthal said Staff's presentation indicated that visual design is very important for high-density development and said she was only aware that mixed-use development districts included design criteria. She is concerned how design would be regulated without the design criteria guidance and Ms. Connors felt some design criteria could be created for very high-density to include façades, balconies, entrances, wider sidewalks, step-back buildings, and create variety as construction goes up so that the magnitude of the building project is not at the street line.

Councilmember Dillingham asked if it would be beneficial to identify the in-fill/open space areas that might be targeted for high-density development and identify any commonalities for using these special planning districts in the in-fill/open space areas. Ms. Connors said yes and felt it should be a long-range goal for the City. Councilmember Dillingham said when looking at trying to use high-density, how a policy be created that can be applied uniformly but at the same time be unique and offer variety and Ms. Connors said the criteria and framework could be created as a form/outline, then create "help" criteria to assist with the variety of high-density types. Councilmember Dillingham asked if criteria for the basic architecture designs such as size, shape, height, and spacing could be crafted, but then the individual artistic design criteria could be more flexible to match the architecture elements of the proposed area and Ms. Connors said yes, stating the City would not try to dictate architecture but rather form and function.

Councilmember Kovach said he would support the idea of having more discussion in regards to how criteria can be crafted for high-density development to include adequate pedestrian traffic, i.e., wider sidewalks, etc. He said he supported high-density development in general because it saves on infrastructure for the City and it can help reduce some of the traffic issues. Councilmember Kovach felt the mixed-use aspect can also work for high-density development such as living units above businesses. He said he agreed with Councilmember Dillingham that open areas should be identified which the City would either encourage or allow the use of special planning districts and felt the appropriate time for such discussions would be during the future Norman 2030 LUP update. Councilmember Kovach also felt that along with placement or design of the building, the City should also consider the privacy aspect, i.e., most citizens would not like a six-story building looking down onto their property. He agreed that Council should move forward requesting the CPTC begin discussions regarding high-density development and said a liaison with the Planning Commission regularly attended the CPTC, which was very helpful.

Councilmember Dillingham did not want the process of crafting high-density designation(s) be a "piece-mill" practice as projects come forward and felt the CPTC should begin discussions, working with the Planning Commission, the development community, and neighborhood representatives. Councilmember Quinn agreed that neighborhood representatives should be involved in the process of creating a high-density development because involving the public will make a better product. Mayor Rosenthal suggested requesting representative(s) from the neighborhood(s) where the two proposed high-density development applications have derived to set with the CPTC and participate as the applications go through the process.

Mayor Rosenthal said although this is not a public hearing, asked if anyone in the audience would like an opportunity to ask questions or give input to the issue of high-density development.

Ms. Joy Hampton, *Norman Transcript*, said as Councilmember Gallagher pointed out, Norman is not New York City and there is a certain cultural way of thinking about how citizens live in Oklahoma. She felt Oklahoma is not very pedestrian friendly and asked if there are ways to identify places that the City could create the supporting infrastructure so that citizens could walk to the corner store. Ms. Hampton said maybe the locations could be blighted areas in the City that need revitalization and possible federal funding could be retrieved to renew/revamp them. Ms. Connors agreed that areas in Norman needed to be identified and the issue of how to define and identify these areas, to include what components the areas will have, will need further discussion.

Mr. Jim Stanley, 3922 Pine Tree Circle, said several years ago the University tore down a lot of buildings on campus and asked Staff if OU would be considered when discussing high-density development or will the City continue to allow the University to go its way, hoping that everything else will fit. Ms. Connors said the City does not have the ability to manage OU or to make OU conform to Norman's regulations, therefore whatever OU chooses to do/not do on their campus is outside the City's regulatory authority.

Ms. Jayne Crumpley, 623 Elm Avenue, asked whether the high-density projects already received by Staff will be put on hold while the CPTC is developing guidelines for Council to approval. She said her concern is *if* the applications go forward and are approved, only later to be determined that they are not the best and/or right projects for the area, what happens when other high-density applications come forward stating that a previous high-density application was approved; therefore, this subsequent high-density application should be approved as well. Ms. Crumpley said she is very concerned about what could potentially happen to Norman neighborhoods.

Ms. Cheryl Clayton, 503 Tulsa Street, said one of the proposed high-density application projects is *extreme* high-density, proposing 175 per acre, not only for the community of Norman but for other large cities as well. She felt the project would look like a prison and wondered if Staff would look at public safety issues such as how fire vehicles and/or firemen would gain entrance, etc., while considering the proposal or future proposals. Mayor Rosenthal reminded everyone this is not a public hearing on any specific high-density proposal and no public notice has been given to high-density applicants or to the neighborhoods. She said she does take the question of "how does high-density deal with issues of public safety," as a legitimate question and concern. Ms. Connors said she noted this as an item going forward with high-density discussions.

Mr. Ty Hardiman, 630 Miller Avenue, asked Staff whether a Planned Unit Development (PUD) process has ever approved an application for density exceeding 20 to 30 dwelling units per acre in the core area or anywhere in Norman and if not, he felt this would be a appropriate boundary to draw regarding future high-density applications and for further review and/or high-density studies. Ms. Connors said Norman has not ever received or approved any developments that have come in under the zoning category to include PUD's that resemble the recent proposed high-density applications. She said the PUD can not handle high-density development because there is a criterion requiring open space and other items that some of the proposed high-density applications do not fit under. Ms. Connors said the PUD ordinance could be amended or a zoning category could be created allowing differences so that the proposed high-density developments can occur.

Mr. Bobby Stevens, P.O. Box 6226, felt high-density developments would be an eye sore for Norman and wondered whether The Links located on Cedar Lane is considered high-density. He said he agreed that planning and public safety issues are crucial to high-density development. Mayor Rosenthal said that The Links did conform to densities that are currently in Norman's City Code and Ms. Connors said The Links are what is currently what Norman considers high-density. Ms. Connors said The Links is an apartment complex and meets the pattern that most of the complexes in Norman follow, so the application was not out of the ordinary.

Mayor Rosenthal noted that any high-density application that has currently been filed/received has every right to proceed through the process. She said Council will use judgment and take into consideration any advice from the Planning Commission, as those applications are researched, looked at, and discussed. Mayor Rosenthal asked Staff to schedule this item on the Community Planning and Transportation Committee (CPTC) agenda and to proceed quickly in order to begin developing policy guidelines for the City regarding high-density development.

Items submitted for the record

1. Memorandum dated May 1, 2012, from Ms. Susan Connors, AICP, Director, Planning and Community Development to Mayor and Council Members
2. Catalog of aerial photos from the Lincoln Institute of Land Policy project entitled "Visualizing Density"
3. PowerPoint presentation entitled "High Density Residential Development," dated May 1, 2012

The meeting adjourned at 6:37 p.m.

ATTEST:

City Clerk

Mayor

JOINT CITY COUNCIL OVERSIGHT COMMITTEE/NORMAN ELECTION COMMISSION MINUTES

May 2, 2012

The City Council Oversight Committee and Norman Election Commission of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the City Council Conference Room on the 2nd day of May, 2012, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Kovach, Spaulding and Chairman Griffith
ABSENT:	None
NORMAN ELECTION COMMISSION:	Members Allen, Flannery, Hilbert, Windes, Chairman Hardiman
OTHERS PRESENT:	Councilmember Roger Gallagher, Ward One Mayor Cindy Rosenthal Ms. Jeanette Coker, interested citizen Ms. Mary Francis, interested citizen Ms. Joy Hampton, The Norman Transcript Mr. Bobby Stevens, interested citizen
STAFF PRESENT:	Mr. Jeff Bryant, City Attorney Ms. Brenda Hall, City Clerk Ms. Syndi Runyon, Administrative Assistant IV

Item 1, being:

DISCUSSION REGARDING CAMPAIGN CONTRIBUTION REGULATIONS FOR MAYORAL ELECTIONS.

Ms. Brenda Hall, City Clerk, she said had misinterpreted new State language regarding the maximum campaign contributions for mayoral elections. She said new regulations are determined by population. She said State statute limits contributions to $1,000 per person and/or per family per candidate for municipal candidates in counties with less than 250,000 and $5,000 per person and/or family per candidate in counties exceeding 250,000 population limits. She said the Ethics Commission has several booklets they distribute to notify candidates of changes in contribution language and the booklet she garnered the information from stated that contribution limits would be $5,000 for counties with 250,000 population limits; however, the statute states counties or cities with over 250,000 population limits. She said Cleveland County has a population of more than 250,000 so she previously believed that would affect Norman's campaign limits. She said just before the meeting, it was brought to her attention by the Legal Department that the statute states municipalities would have to have a population of 250,000 as well as counties before being affected by the new regulations.

She apologized to the Oversight Committee and Norman Election Commission (NEC) members for the misinterpretation.

Item 1, continued:

Items submitted for the record

1. Memorandum dated April 26, 2012, from Brenda Hall, City Clerk, to City Council Oversight Committee and Norman Election Commission
2. Section 7.5-23, Campaign statement contents and preservation of records.
3. Pertinent excerpts from the Political Subdivisions Ethics Act

* * * * *

Item 2, being:

MISCELLANEOUS DISCUSSION.

Councilmember Kovach said, in the past, there had been discussion regarding public financing of Council elections and he would like the City of Norman to consider that and have the NEC to review public financing. He said a lot of discussion about campaign contribution limits is about leveling the playing field. He said, for not much money, the City could fund candidates to have a minimal campaign so they can get their platform out to the public so the public can make informed decisions. Councilmember Dillingham agreed and said the NEC has brought that to Council's attention in the past. Ms. Hall asked if that is something the Committee would like the NEC to review this year and make recommendations and Chairman Griffith said yes. Chairman Griffith said he would like to know what funding options might be possible, i.e, where would the money come from and how would the money be regulated. Mayor Rosenthal said she did not believe public financing has worked well, but she would be happy to have the NEC review the subject. She said, in a lot of cases, candidates opt out more often than not.

* * * * *

ADJOURNMENT.

The meeting adjourned at 5:37 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL MINUTES
NORMAN UTILITIES AUTHORITY MINUTES
NORMAN MUNICIPAL AUTHORITY MINUTES
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

May 8, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 8th day of May, 2012, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL STUDY SESSION MINUTES OF APRIL 3, 2012
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF APRIL 5, 2012
CITY COUNCIL CONFERENCE MINUTES OF APRIL 10, 2012
CITY COUNCIL SPECIAL SESSION MINUTES OF APRIL 24, 2012
CITY COUNCIL MINUTES OF APRIL 24, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF APRIL 24, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF APRIL 24, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF APRIL 24, 2012

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record

1. Text File No. GID-1112-86 dated May 2, 2012, by Brenda Hall, City Clerk
2. City Council Study Session minutes of April 3, 2012
3. City Council Business and Community Affairs Committee minutes of April 5, 2012
4. City Council Conference minutes of April 10, 2012
5. City Council Special Session minutes of April 24, 2012
6. City Council minutes of April 24, 2012
7. Norman Utilities Authority minutes of April 24, 2012
8. Norman Municipal Authority minutes of April 24, 2012
9. Norman Tax Increment Finance Authority minutes of April 24, 2012

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

* * * * *

Item 4, being:

PRESENTATION BY THE 2011-2012 NORMAN YOUTH COUNCIL.

Councilmember Kovach moved to allow the presentation by 2011-2012 Norman Youth Council, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. GID-112-84 dated April 20, 2012, by Carol Coles, Administrative Assistant

Participants in discussion
1. Ms. Ann Estes, 2011-2012 Norman Youth Council member
2. Ms. Jordan Franks, 2011-2012 Norman Youth Council member

and the question being upon allowing the presentation by 2011-2012 Norman Youth Council, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried the presentation by 2011-2012 Norman Youth Council was allowed.

* * * * *

Item 5, being:

APPROVAL OF CONFIRMATION OF NOMINEES TO THE NORMAN YOUTH COUNCIL.

Councilmember Dillingham moved to that the nominees to the Norman Youth Council be confirmed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. AP-1112-2 dated Aprill 17, 2012, by Carol Coles, Administrative Assistant

and the question being upon confirming the nominees to the Norman Youth Council, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the nominees to the Norman Youth Council were confirmed.

* * * * *

Item 6, being:

PROCLAMATION NO. P-1112-20: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING TUESDAY, MAY 15, 2012, AS PEACE OFFICERS MEMORIAL DAY AND THE WEEK OF MAY 13 THROUGH 19, 2012, AS NATIONAL POLICE WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-20 proclaiming Tuesday, May 15, 2012, as Peace Officers Memorial Day and the week of May 13 through 19, 2012, as National Police Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Griffith;

Item 6, continued:

Items submitted for the record
1. Text File No. P-1112-20 dated April 20, 2012, by Major J.D. Younger, Staff Services
2. Proclamation No. P-1112-20

Participants in discussion
1. Mr. Keith Humphrey, Police Chief, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-20 proclaiming Tuesday, May 15, 2012, as Peace Officers Memorial Day and the week of May 13 through 19, 2012, as National Police Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-20 proclaiming Tuesday, May 15, 2012, as Peace Officers Memorial Day and the week of May 13 through 19, 2012, as National Police Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 7, being:

PROCLAMATION NO. P-1112-22: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF MAY 20 THROUGH 26, 2012, AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-22 proclaiming the week of May 20 through 26, 2012, as Emergency Medical Services Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Quinn;

Items submitted for the record
1. Text File No. P-1112-22 dated April 20, 2012, by Brenda Hall, City Clerk
2. Proclamation No. P-1112-22

Participants in discussion
1. Mr. Eddie Simms, Chief Manager, EMSTAT Services, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-22 proclaiming the week of May 20 through 26, 2012, as Emergency Medical Services Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-22 proclaiming the week of May 20 through 26, 2012, as Emergency Medical Services Week in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 8, being:

PROCLAMATION NO. P-1112-23: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING FRIDAY AND SATURDAY, MAY 11 AND 12, 2012, AS WELCOME HOME WEEKEND IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-23 proclaiming Friday and Saturday, May 11 and 12, 2012, as Welcome Home Weekend in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. P-1112-23 dated April 20, 2012, by Brenda Hall, City Clerk
2. Proclamation No. P-1112-23

Participants in discussion
1. Ms. Aimee Rook, Norman Groovefest Coordinator, Colonel Kinchin, and Ms. Beverly Hood, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-23 proclaiming Friday and Saturday, May 11 and 12, 2012, as Welcome Home Weekend in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-23 proclaiming Friday and Saturday, May 11 and 12, 2012, as Welcome Home Weekend in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 9, being:

PROCLAMATION NO. P-1112-24: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING FRIDAY, MAY 18, 2012, AS BIKE TO WORK DAY IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1112-24 proclaiming Friday, May 18, 2012, as Bike to Work Day in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. P-1112-24 dated April 23, 2012, by James Briggs, Parks Planner
2. Proclamation No. P-1112-24

Participants in discussion
1. Mr. John Sharp, Association of Central Oklahoma Governments, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1112-24 proclaiming Friday, May 18, 2012, as Bike to Work Day in the City of Norman in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1112-24 proclaiming Friday, May 18, 2012, as Bike to Work Day in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 10, being:

CONSENT DOCKET

Councilmember Kovach that Item 11 through Item 25 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Quinn; and the question being upon the placement on the consent docket by unanimous vote of Item 11 through Item 25, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 11 through Item 25 were placed on the consent docket by unanimous vote.

* * * * *

Item 11, being:

CONSIDERATION OF ORDINANCE NO. O-1112-25 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

Councilmember Kovach moved that Ordinance No. O-1112-25 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. O-1112-25 dated March 30, 2012, by Jane Hudson, Current Planning Manager
2. Ordinance No. O-1112-25 with Exhibit A, site plan
3. Location map
4. Staff report dated April 12, 2012, recommending approval
5. Letter dated April 2, 2012, from Karen Canavan, Executive Director, Norman Housing Authority, to Mr. Doug Koscinski, Planning Manager
6. Pertinent excerpts from Planning Commission minutes of April 12, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1112-25 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-25 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 12, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS TO THE STRATEGIC WATER SUPPLY CITIZENS COMMITTEE AS FOLLOWS:

AL ATKINS
ROGER FRECH
SANDY BAHAN
JIM GASAWAY
STEPHEN TYLER HOLMAN
SAMANTHA KAHOE
CHRIS LOHNE
JOE LOVE
CURTIS MCCARTY
LYNNE MILLER
AMANDA NAIRN
MIKE PULLIN
DAVID SABATINI
ANDY SHERRER
JUDITH WILKINS

Councilmember Kovach moved that the appointments be confirmed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. AP-1112-20 dated May 3, 2012

and the question being upon confirming the appointments, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the appointments were confirmed.

* * * * *

Item 13, being:

SUBMISSION OF THE MUNICIPAL ELECTION REPORT FROM THE NORMAN ELECTION COMMISSION.

Councilmember Kovach moved that receipt of the report be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. RPT-1112-33 dated March 13, 2012, by Brenda Hall, City Clerk
2. General Election Report, the Norman Election Commission, April 23, 2012, with Appendix A, Elections and Norman Election Commission; Appendix B, Norman Election Commission Complaint Form filed April 2, 2012, by John Woods; Appendix C, Campaign mailer Paid for by the People for the Ethical Treatment of Taxpayers; Appendix D, letter dated April 20, 2012, from Brenda Hall, City Clerk, to Mr. John Woods; Appendix E, Summary of Investigation Regarding Complaint Filed by John Woods; Appendix F, Norman Election Commission minutes of January 4, January 17, March 26, April 2, April 9, and April 23, 2012.

and the question being upon acknowledging receipt of the report and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of the report acknowledged; and the filing thereof was directed.

* * * * *

Item 14, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1112-51, CONTRACT NO. K-1112-121 WITH SHAWNEE LIGHTING SYSTEMS, INC., IN THE AMOUNT OF $68,759, PERFORMANCE BOND NO. B-1112-45, STATUTORY BOND NO. B-1112-46, MAINTENANCE BOND NO. MB-1112-40, AND RESOLUTION NO. R-1112-121 FOR THE ROTARY PARK SPORTS FIELD LIGHTING UPGRADE PROJECT.

Councilmember Kovach moved that Request for Proposal No. RFP-1112-51 from Shawnee Lighting Systems, Inc., for the Rotary Park Sports Field Lighting Upgrade Project be accepted; Contract No. K-1112-121 in the amount of $68,759 and the performance, statutory, and maintenance bonds be approved; execution of the contract be authorized; the filing of the bonds be directed; and Resolution No. R-1112-121 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-121 dated April 19, 2012, by Mitch Miles, Park Planner
2. Tabulation of Request for Proposals dated March 26, 2012
3. Contract No. K-1112-121
4. Performance Bond No. B-1112-45
5. Statutory Bond No. B-1112-46
6. Maintenance Bond No. MB-1112-40
7. Resolution No. R-1112-121
8. Purchase Requisition No. 0000200483 dated April 30, 2012, in the amount of $68,769 to Shawnee Lighting Systems, Inc.

and the question being upon accepting the Request for Proposal and upon the subsequent approval; authorization; directive; and adoption, a vote was taken with the following result;

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Request for Proposal No. RFP-1112-51 from Shawnee Lighting Systems, Inc., for the Rotary Park Sports Field Lighting Upgrade Project accepted; Contract No. K-1112-121 in the amount of $68,759 and the performance, statutory, and maintenance bonds were approved; execution of the contract was authorized; the filing of the bonds was directed; and Resolution No. R-1112-121 was adopted.

* * * * *

Item 15, being:

CONSIDERATION OF EASEMENT NO. E-1112-48, A PERMANENT SANITARY SEWER EASEMENT, DONATED BY SAM FULKERSON AND SUZANNE MITCHELL IN CONNECTION WITH AN ALLEY VACATION AT 325 EAST KEITH STREET AS AGREED UPON UNDER ORDINANCE NO. O-1112-22.

Councilmember Kovach moved that Easement No. E-1112-48 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;.

Items submitted for the record

1. Text File No. E-1112-48 dated April 24, 2012, by Mark Daniels, Utilities Engineer
2. Easement No. E-1112-48
3. Location map

and the question being upon accepting Easement No. E-1112-48 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Easement No. E-1112-48 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 16, being:

CONSIDERATION OF EASEMENT NO. E-1112-49, A PERMANENT SANITARY SEWER EASEMENT, DONATED BY JIM AND GLORIA LONG IN CONNECTION WITH AN ALLEY VACATION AT 325 EAST KEITH STREET AS AGREED UPON UNDER ORDINANCE NO. O-1112-22.

Councilmember Kovach moved that Easement No. E-1112-49 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. E-1112-49 dated April 24, 2012, by Mark Daniels, Utilities Engineer
2. Easement No. E-1112-49
3. Location map

and the question being upon accepting Easement No. E-1112-49 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Easement No. E-1112-49 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 17, being:

CONSIDERATION OF THE RELEASE OF CASH SURETY FOR DEFERRED CONSTRUCTION OF PAVING IMPROVEMENTS FOR EAST ROCK CREEK ROAD IN CONNECTION WITH MOUNTAIN ASH ADDITION. (LOCATED ON THE NORTH SIDE OF EAST ROCK CREEK ROAD WEST OF 12TH AVENUE N.E.)

Councilmember Kovach moved that the release of the owner's obligation for deferred construction of paving improvements be approved and the return of the certificate of deposit in the amount of $43,844.50 be directed to the owner, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-83 dated April 20, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Letter of request dated March 6, 2012, from Zack Roach, Director of Development, Ideal Homes, to Mr. Ken Danner, Subdivision Coordinator
4. Certificate of Deposit dated August 15, 2000, in the amount of $43,845.50
5. Pertinent excerpts from City Council meeting minutes of March 28 and August 8, 2000

and the question being upon approving the release of the owner's obligation for deferred construction of paving improvements and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the release of the owner's obligation for deferred construction of paving improvements approved; and the return of the certificate of deposit in the amount of $43,844.50 to the owner was directed.

* * * * *

Item 18, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1112-5 FOR ZABAWA WILDERNESS. (GENERALLY LOCATED AT THE END OF TRACY CIRCLE EAST OF 108TH AVENUE N.E. ON THE NORTH SIDE OF EAST ROCK CREEK ROAD)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1112-5 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. COS-1112-5 dated March 20, 2012, from Ken Danner, Subdivision Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1112-5
4. Staff Report dated April 12, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of April 12, 2012

and the question being upon approving Norman Rural Certificate of Survey No. COS-1112-5 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Norman Rural Certificate of Survey No. COS-1112-5 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 19, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR CAMPUS CREST ADDITION, A PLANNED UNIT DEVELOPMENT, (A REPLAT OF LOT 1, BLOCK 1, SHAKLEE ADDITION, FORMERLY VICTORY PARK ADDITION, A PLANNED UNIT DEVELOPMENT) AND APPROVAL OF DEFERRED CONSTRUCTION OF PAVING, DRAINAGE, AND SIDEWALK IMPROVEMENTS ADJACENT TO 12TH AVENUE S.E. (GENERALLY LOCATED ONE-QUARTER MILE NORTH OF CEDAR LANE ROAD ON THE EAST SIDE OF 12TH AVENUE S.E.)

Councilmember Kovach moved that the final site development plan and final plat for Campus Crest Addition, a Planned Unit Development, and deferred construction for paving, drainage, and sidewalk improvements adjacent to 12th Avenue S.E., be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision bond subject to receipt of a certificate of deposit in the amount of $90,132.60 for deferral of paving, drainage and sidewalks adjacent to 12th Avenue S.E. within 10 days after approval; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. FP-1112-4 dated August 15, 2011, by Ken Danner, Subdivision Manager
2. Location map
3. Final plat
4. Memorandum dated August 31, 2011, from Shawn O'Leary, Director of Public Works, to Jim Gasaway, Chairman, Planning Commission
5. Final site development plan
6. Preliminary plat
7. Staff Report dated September 8, 2011
8. Pertinent excerpts from Planning Commission minutes of September 8, 2011
9. Final plat

and the question being upon approving the final site development plan and final plat for Campus Crest Addition, a Planned Unit Development, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

Item 19, continued:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the final site development plan and final plat for Campus Crest Addition, a Planned Unit Development, and deferred construction for paving, drainage, and sidewalk improvements adjacent to 12th Avenue S.E. approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision bond subject to receipt of certificate of deposit in the amount of $90,132.60 for deferral of paving, drainage and sidewalks adjacent to 12th Avenue S.E. within 10 days after approval, and the filing of the final site development plan and final plat was directed.

* * * * *

Item 20, being:

CONSIDERATION OF ACCEPTANCE OF DONATIONS FROM THE CHAMBER OF COMMERCE IN THE AMOUNT OF $250, FROM CHESAPEAKE ENERGY IN THE AMOUNT OF $1,500, AND FROM REPUBLIC BANK AND TRUST IN THE AMOUNT OF $1,500 TO BE USED FOR THE GRAND OPENING CEREMONY OF THE CITY'S COMPRESSED NATURAL GAS FUELING FACILITY.

Councilmember Kovach moved that donations from the Chamber of Commerce in the amount of $250, from Chesapeake Energy in the amount of $1,500, and from Republic Bank and Trust in the amount of $1,500 to be used for the Grand Opening Ceremony of the City's Compressed Natural Gas Fueling Facility be accepted; General Fund, Organization Contributions (010-0000-365.13-73) be increased by $3,250; and $3,250 be appropriated to Other Rentals – Tent Rental (010-5070-435.45-99), which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-85 dated April 24, 2012, by Shawn O'Leary, Director of Public Works
2. Invoice for Donation dated April 18, 2012, from City of Norman Public Works Department to Chesapeake Energy in the amount of $1,500
3. Invoice for Donation dated April 18, 2012, from City of Norman Public Works Department to Chamber of Commerce in the amount of $250
4. Invoice for Donation dated April 20, 2012, from City of Norman Public Works Department to Republic Bank in the amount of $1,500

and the question being upon accepting donations from the Chamber of Commerce in the amount of $250, from Chesapeake Energy in the amount of $1,500, and from Republic Bank and Trust in the amount of $1,500 to be used for the Grand Opening Ceremony of the City's Compressed Natural Gas Fueling Facility and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and donations from the Chamber of Commerce in the amount of $250, from Chesapeake Energy in the amount of $1,500, and from Republic Bank and Trust in the amount of $1,500 to be used for the Grand Opening Ceremony of the City's Compressed Natural Gas Fueling Facility accepted; General Fund, Organization Contributions (010-0000-365.13-73) was increased by $3,250 and $3,250 was appropriated to Other Rentals – Tent Rental (010-5070-435.45-99).

* * * * *

Item 21, being:

CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF $1,515.70 FROM THE FIRE MUTUAL AID ASSISTANCE GRANT PROGRAM FOR THE NORMAN FIRE DEPARTMENT'S RESPONSE TO A MUTUAL AID CALL FOR A WILD FIRE IN TALOGA, OKLAHOMA.

Councilmember Kovach moved that reimbursement of funds in the amount of $1,515.70 from the Mutual Aid Assistance Grant Program for response to a mutual aid call for a wild fire in Taloga, Oklahoma, be accepted and Other Agency Reimbursements (010-0000-366.12-39) be increased by $1,515.70, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. GID-1112-80 dated April 12, 2012, by James Fullingim, Fire Chief
2. Oklahoma Department of Emergency Management Public Assistance Request for Advance or Reimbursement Payment dated August 9, 2011, from the Norman Fire Department in the amount of $1,515.70

and the question being upon accepting reimbursement of funds in the amount of $1,515.70 from the Mutual Aid Assistance Grant Program for response to a mutual aid call for a wild fire in Taloga, Oklahoma, and upon the subsequent increase, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and reimbursement of funds in the amount of $1,515.70 from the Mutual Aid Assistance Grant Program for response to a mutual aid call for a wild fire in Taloga, Oklahoma, accepted; and Other Agency Reimbursements (010-0000-366.12-39) was increased by $1,515.70.

* * * * *

Item 22, being:

CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $72,000 FROM THE STATE OF OKLAHOMA OFFICE OF HOMELAND SECURITY FOR THE POLICE DEPARTMENT, APPROVAL OF CONTRACT NO. K-1112-128, AND ADOPTION OF RESOLUTION NO. R-1112-134 APPROPRIATING FUNDS.

Councilmember Kovach moved to that a grant in the amount of $72,000 from the State of Oklahoma Office of Homeland Security for the Police Department be accepted; Contract No. K-1112-128 be approved; execution of the contract be authorized; and Resolution No. R-1112-134 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-128 dated April 17, 2012, by Jim Spearman, Grants Manager
2. Contract No. K-1112-128
3. Resolution No. R-1112-134

and the question being upon accepting a grant in the amount of $72,000 from the State of Oklahoma Office of Homeland Security for the Police Department and upon the subsequent approval, authorization, and adoption, a vote was taken with the following result;

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a grant in the amount of $72,000 from the State of Oklahoma Office of Homeland Security for the Police Department accepted; Contract No. K-1112-128 was approved, execution of the contract was authorized, and Resolution No. R-1112-134 was adopted.

* * * * *

Item 23, being:

LIMITED LICENSE NO. LL-1112-13: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER FOR "LUNCHEON ON THE GRASS" TO BE HELD AT LIONS PARK ON MAY 20, 2012.

Councilmember Kovach moved that Limited License No. LL-1112-13 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center for "Luncheon on the Grass" to be held at Lions Park on May 20, 2012, be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. LL-1112-13 dated May 2, 2012, by Wayne Stenis, Planner II
2. Application for Limited License for four ground banners dated May 2, 2012, from the Firehouse Art Center
3. Limited License No. LL-1112-13

and the question being upon approving Limited License No. LL-1112-13 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center for "Luncheon on the Grass" to be held at Lions Park on May 20, 2012, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1112-13 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center for "Luncheon on the Grass" to be held at Lions Park on May 20, 2012, approved; and the issuance thereof was authorized.

* * * * *

Item 24, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-1112-04: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CENTER FOR CHILDREN AND FAMILIES, INC. INCREASING THE CONTRACT AMOUNT BY $10,000 FOR THE EXPANSION OF SERVICES.

Councilmember Kovach moved that Amendment No. One to Contract No. K-1112-04 with the Center for Children and Families, Inc., increasing the contract amount by $10,000 with existing appropriated funds be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record
1. Text File No. K-1112-04, Amendment No. One, dated April 26, 2012, by Jeanne Snider, Assistant City Attorney
2. Amendment No. One to Contract No. K-1112-04
3. Contract No. K-1112-04
4. Pertinent excepts from Finance Committee meeting of February 15, 2012
5. City of Norman – Neighborhood Centers Annual Report
6. Purchase Requisition No. 0000200444 dated April 27, 2012, in the amount of $10,000 to Center for Children and Families, Inc.

and the question being upon approving Amendment No. One to Contract No. K-1112-04 with the Center for Children and Families, Inc., increasing the contract amount by $10,000 with existing appropriated funds and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Chairman Rosenthal
NAYES:	None

The Mayor declared the motion carried and Amendment No. One to Contract No. K-1112-04 with the Center for Children and Families, Inc., increasing the contract amount by $10,000 with existing appropriated funds approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

RESOLUTION NO. R-1112-135: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $15,000 FROM THE ROOM TAX FUND BALANCE TO BE USED BY THE NORMAN ARTS COUNCIL FOR THE PUBLIC PARKS DUCK PROJECT AND FOR PUBLIC ART WORK TO BE PLACED IN DOWNTOWN NORMAN.

Councilmember Kovach moved that Resolution No. R-1112-135 be adopted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. R-1112-135 dated April 25, 2012, by Anthony Francisco, Director of Finance
2. Resolution No. R-1112-135
3. Letter dated April 20, 2012, from Erinn Gavaghan, Executive Director, Norman Arts Council, to Mr. Anthony Francisco, Director of Finance
4. Photograph of proposed public art

Participants in discussion

1. Mr. Larry Walker, Chairman of the Public Arts Board

and the question being upon adopting Resolution No. R-1112-135, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-135 was adopted.

* * * * *

Item 26, being:

RESOLUTION NO. R-1112-112: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CONFIRMING THE AUTHORITY OF THE CITY MANAGER TO MANAGE THE DOWNTOWN PARKING LOT LOCATED BETWEEN CRAWFORD AVENUE AND JONES STREET SOUTH OF GRAY STREET (121 NORTH PETERS AVENUE) BY MAKING AT LEAST SEVENTY-EIGHT (78) SPACES AVAILABLE FOR SPECIFIED TIME PERIODS FOR USE BY THE GENERAL PUBLIC THAT MIGHT BE PATRONIZING DOWNTOWN RETAIL BUSINESSES IN ACCORDANCE WITH A DEED RESTRICTION AGREED UPON WHEN THE CITY PURCHASED THE DOWNTOWN PARKING LOT PROPERTY, AND BY ENTERING INTO LEASE AGREEMENTS FOR UP TO TWENTY-SIX (26) SPACES WITH BUSINESSES OR INDIVIDUALS WHO DESIRE TO RESERVE A SPACE OR SPACES FOR EXTENDED TIME PERIODS.

Councilmember Dillingham having moved in City Council's meeting of April 10, 2012, that Resolution No. R-1112-112 be postponed to no later than May 8, 2012, which motion having been duly seconded by Councilmember Kovach, Councilmember Dillingham moved that an amended Resolution No. R-1112-112 be substituted, which title has been amended to read as follows:

RESOLUTION NO. R-1112-112: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, RECOGNIZING THE EFFORTS OF THE NORMAN DOWNTOWNER'S ASSOCIATION TO IMPROVE PARKING IN THE DOWNTOWN AREA AND CONFIRMING THE AUTHORITY OF THE CITY MANAGER TO MANAGE THE PARKING LOT LOCATED BETWEEN CRAWFORD AND JONES SOUTH OF GRAY STREET.

Items submitted for the record

1. Text File No. R-1112-112 dated February 16, 2012, by Shawn O'Leary, Director of Public Works
2. Resolution No. R-1112-112 (Amended)
3. Goals and Objectives from the Downtowners Association regarding the Gray Street Parking
4. Letter dated May 2, 2012, from Chuck R. Thompson, President and Chief Executive Officer, Republic Bank and Trust, to Mr. Stephen Koranda, President, The Norman Downtowners Association

Item 26, continued:

and the question being upon substituting an amended Resolution No. R-1112-112, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	Councilmember Spaulding

The Mayor declared the motion carried and Resolution No. R-1112-112 was substituted as amended.

and the question being upon adopting Resolution No. R-1112-135, as amended, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Mayor Rosenthal
NAYES:	Councilmember Spaulding

The Mayor declared the motion carried and Resolution No. R-1112-135, as amended, was adopted.

* * * * *

Item 27, being:

ORDINANCE NO. O-1112-19: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1; AND ARTICLE II, SECTION 5-212 OF CHAPTER 5; AND ARTICLE XIV, SECTION 13-1402 OF CHAPTER 13 OF THE CODE OF THE CITY OF NORMAN SO AS TO ADOPT AND AMEND THE 2009 INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS AS AMENDED AND MODIFIED BY THE UNIFORM BUILDING CODE COMMISSION PURSUANT TO 59 O.S. § 1000.23; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1112-19 having been Introduced and adopted upon First Reading by title in City Council's meeting of April 24, 2012, Councilmember Kovach moved that Ordinance No. O-1112-19 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1112-19 dated March 26, 2012, by Leah Messner, Assistant City Attorney
2. Ordinance No. O-1112-19
3. Legislatively notated copy of Ordinance No. O-1112-19
4. Pertinent excerpts from Study Session minutes of April 3, 2012

Participation in discussion
1. Ms. Susan Connors, Director and Planning and Community Development
2. Mr. Bob Christian, Permit Manager
3. Ms. Wanda Frost, 210 36th Avenue S.W., made comments
4. Mr. Jim Harvey, 321 84th Avenue N.E., made comments

and the question being upon adopting Ordinance No. O-1112-19 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-19 was adopted upon Second Reading section by section.

Item 27, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1112-19 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Quinn; and the question being upon adopting Ordinance No. O-1112-19 upon Final Reading as a whole, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1112-19 was adopted upon Final Reading as a whole.

* * * * *

Item 28, being:

CONTRACT NO. K-1112-125: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, THE NORMAN TAX INCREMENT FINANCE AUTHORITY, UNIVERSITY NORTH PARK, L.L.C., UNIVERSITY TOWN CENTER, L.L.C., AND UNP REALTY INVESTORS, L.L.C., SETTING FORTH OBLIGATIONS RELATED TO DEVELOPMENT OF THE NORMAN UNIVERSITY NORTH PARK PROJECT.

Acting as the City Council and the Norman Tax Increment Finance Authority, Councilmember Quinn moved that Contract No. K-1112-125 with University North Park, L.L.C., University Town Center, L.L.C., and UNP Realty Investors, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

1. Text File No. K-1112-125 dated May 1, 2012, by Kathryn Walker, Assistant City Attorney
2. Contract No. K-1112-125 with Exhibit A, Development Agreements; Exhibit B, Norman Tax Increment Finance Authority Schedule of Road Improvements and Estimated Costs; Exhibit C, Essential Terms of First Amendment to Supplemental Indenture; Exhibit D, Legacy Park Parking; and Exhibit E, Lifestyle Center and Cultural Facility Land with attached Site Marketing Plan
3. City Council Conference meeting minutes of April 10, 2012
4. University North Park Position Statement from the Norman Convention and Visitors Bureau

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney
2. Mr. Jeff Bryant, City Attorney
3. Mr. Stephen Tyler Holman, 1030 South College, made comments
4. Mr. Mark Campbell, Post Office Box 3053, protestant
5. Mr. Jim Stanley, 3922 Pine Tree Circle, protestant
6. Mr. Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau, made comments
7. Mr. Michael Vance, General Manager, Embassy Suites, proponent
8. Ms. Jeanette Coker, 620 East Main Street, made comments
9. Ms. Ann Gallagher, 1520 East Boyd Avenue, made comments
10. Mr. Bobby Stevens, Post Office Box 6556, made comments

Thereupon Councilmember Kovach moved that Contract No. K-1112-125 with University North Park, L.L.C., University Town Center, L.L.C., and UNP Realty Investors, L.L.C., be postponed until June 26, 2012, which motion was duly seconded by Councilmember Dillingham;

Participants in discussion

1. Ms. Kathryn Walker, Assistant City Attorney
2. Mr. Jeff Bryant, City Attorney

Item 28, continued:

and the question being upon postponing Contract No. K-1112-125 University North Park, L.L.C., University Town Center, L.L.C., and UNP Realty Investors, L.L.C., to June 26, 2012, a vote was taken with the following result:

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

The Mayor declared the motion failed and Contract No. K-1112-125 with University North Park, L.L.C., University Town Center, L.L.C., and UNP Realty Investors, L.L.C., was not postponed until June 26, 2012.

and the question being upon approving Contract No. K-1112-125 with University North Park, L.L.C., University Town Center, L.L.C., and UNP Realty Investors, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1112-125 with University North Park, L.L.C., University Town Center, L.L.C., and UNP Realty Investors, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 29, being:

RESOLUTION NO. R-1112-138: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, SUPPORTING THE INCLUSION OF FUNDING FOR A TEMPORARY EAST SIDE BRANCH LIBRARY IN THE 2013 BUDGET.

Councilmember Gallagher moved that Resolution No. R-1112-138 be adopted, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record
1. Text File No. R-1112-138 dated May 3, 2012, by the Rule of Three
2. Resolution No. R-1112-138
3. Draft Rule of Three Resolution No. R-1112-138

Participants in discussion
1. Ms. Anne Masters, Director of Pioneer Library System
2. Mr. Bobby Stevens, Post Office Box 6556, made comments
3. Mr. Derrick Jensen, 2032 Eastview Drive, made comments
4. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, made comments
5. Ms. Terry Bell, 1025 McNamee Street, made comments
6. Mr. Mark Campbell, Post Office Box 3503, made comments
7. Mr. Steven Tyler Holman, 1030 South College Avenue, made comments
8. Mr. Simon Rudnick, 403 Briarcrest Drive, made comments
9. Ms. Lynne Miller, 801 48th Avenue S.E., made comments
10. Mr. Chad Williams, 1912 Pendleton Drive, made comments

Item 29, continued:

Thereupon Councilmember Dillingham moved that Section 4 of Resolution No. R-1112-138 be amended as follows:

§ 6. That the City Manager ~~be directed to investigate a location, lease agreement, and price that will officer Council an opportunity to establish a temporary East Side Brand Library and give citizens of East Norman a viable option and report back to City Council within thirty (30) days to allow inclusion of funding in the Fiscal Year 2013 City of Norman Budget~~ with the Pioneer Library System Staff and the City of Norman Library Board is directed to investigate the cost and viability of providing an additional east side service point or points to augment existing library services in Norman and provide a status report to City Council on or before June 12, 2012.

Item No. 29, continued:

which motion was duly seconded by Councilmember Kovach; and the question being upon amending Resolution No. R-1112-138 as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-138 was amended as stated above.

and the question being upon adopting Resolution No. R-1112-138, as amended, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-138, as amended, was adopted,.

* * * * *

Item 30, being:

RESOLUTION NO. R-1112-139: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AFFIRMING THE INTENT OF THE COUNCIL TO APPROVE AND ACCEPT A BENEFICIAL INTEREST IN THE TRUST INDENTURE CREATING THE NORMAN ECONOMIC DEVELOPMENT AUTHORITY ("NEDA"), AND REQUESTING THE MAYOR OF THE CITY OF NORMAN, THE BOARD OF DIRECTORS OF THE NORMAN ECONOMIC DEVELOPMENT COALITION AND THE EXECUTIVE COMMITTEE OF THE NORMAN CHAMBER OF COMMERCE TO SUBMIT THEIR NOMINATIONS FOR TRUSTEES IN ACCORDANCE WITH SAID PROPOSED TRUST INDENTURE.

Councilmember Ezzell moved that Resolution No. R-1112-139 be postponed until June 12, 2012, and a public meeting be held on May 29, 2012, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1112-139 dated May 3, 2012, by Rule of Three
2. E-mail dated May 1, 2012, from Hal Ezzell to Steve Lewis
3. Resolution No. R-1112-139
4. Trust Indenture Creating the Norman Economic Development Authority
5. City Council Business and Community Affairs Committee minutes of August 4, September 15, October 6, and November 3, 2011; and January 5, February 2, and March 1, 2012
6. City Council Special Session minutes of March 27, 2012
7. Letter dated May 7, 2012, from Robin Wiens Campbell, Norman Regional Hospital Authority Chair, with attached Chapter 13 of the City of Norman Code of Ordinances, Licenses and Occupations

and the question being upon postponing Resolution No. R-1112-139 until June 12, 2012, and holding a public meeting on May 29, 2012, a vote was taken with the following result:

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-139 was postponed until June 12, 2012, and a public meeting will be held on May 29, 2012.

* * * * *

MISCELLANEOUS DISCUSSION

Tornado Warning System. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, said when the tornado came into Norman on April 13th, the sirens did not alert citizens in a timely manner and the tornado was visible before the sirens were sounded. She said the City spent $3 million to upgrade the siren system and asked how this could happen and if there was a backup plan. She asked if someone would investigate this and put the information on the website.

*

Rule of Three. Ms. Donna Taffe, 3205 Regal Run Drive, expressed concerns about the Rule of Three and the kind of actions that the Rule of Three can bring before Council without proper notice to citizens. She said some actions are so serious they take away due process and the rights of citizens to have input about serious decisions. She said the Rule of Three has the potential to do a lot more harm than good and should be reconsidered.

Mr. Bobby Stevens, Post Office Box 6556, said he believed unconditionally in the Rule of Three and thanked those who brought these items forward. He said some items would never be considered without the Rule of Three and these items were only brought forward for discussion by the citizens.

Mr. Mark Campbell, Post Office Box 6556, said he was opposed to the Norman Economic Authority being brought forward by the Rule of Three and Business, Community Affairs Committee meetings discussing the authority have not been posted on the website, and citizens were not properly informed. He said at the meetings he has attended, he questioned how the meeting was publicized and recorded and did not feel adequate information was provided to the public.

Mr. Ben Alpers, 208 Chautauqua Avenue, said it seems there are actually some grounds for compromise. He said fans of the Rule of Three see it as a way of getting business before Council in a timely manner and those who have problems with the Rule of Three seem to think it does not provide adequate input to the public and does not proceed in a way that allows things to happen in a measured fashion. He challenged Council to find ways to tweak the Rule of Three to address the pros and cons. He said if this is done, the focus would be about making sure that the Council functions in the best possible way to have quality, representative government that does not shut out anyone.

Mr. Steven Tyler Holman, 1030 South College Avenue, said he agreed with Mr. Alpers and hoped there could be compromise.

Councilmember Kovach thanked Mr. Alpers for suggesting a compromise because it is too often ignored. He said there would be a problem if an item was put on the agenda that did not receive previous committee work and Council Study Sessions and agreed that would not be a good idea. He asked the City Clerk to address the issues of posting committee meetings because Council had asked that all committee meetings whether Council or Citizens Committee, be posted. He said the intent of Council is to listen to their constituents and he appreciated on everyone working on that.

Ms. Brenda Hall, City Clerk, said all agendas and minutes of meetings of Council committees and committees created by Council are posted. She said she looked on the website during Mr. Campbell's comments and all of the minutes and agendas for the Business and Community Affairs Committee which was created in July, 2011, are on the website from their first meeting in August forward. She said a change was made on the website by creating a subfolder for each committee. She said she would be glad to show Mr. Campbell how to access that.

Councilmember Spaulding said the Rule of Three is all about transparency and the effort to bring items before Council that may not otherwise come forward. He said regarding the two items brought forward tonight by the Rule of Three, one was postponed in an effort to get more input and the other was given a 30-day cap for investigation. He said the Rule of Three was not created to push something through Council, but to allow it to be debated.

Councilmember Lockett thanked Mr. Alpers and others who recognize the need for the Rule of Three. She said most of Council recognizes that there needs to be some adjustments and it is important for citizens to provide input to Council.

Mayor Rosenthal said a number of opinions have been expressed this evening about the Rule of Three. She said it had been suggested that tentative agendas be posted on the website and she felt the same standard of advance notice should be appropriate for the Rule of Three. She said if tentative agendas are posted two weeks prior then that would be an improvement upon Rule of Three items because it has been problematic for not only citizens but for Staff. She said Council asks Staff to jump from one topic to the next every week and a more deliberative process would benefit everyone.

*

Miscellaneous Discussion, Continued:

Study Session on High Density Development. Ms. Donna Taffe, 3205 Regal Run Drive, said high density development is an issue with a large impact on the rest of the surrounding areas and citizens should have more input about whether these types of developments should be allowed to occur and where they should be. She said she knew it was proposed to have a citizen advisory committee and felt this was insufficient for the kind of impact that high density development would have.

Mr. David McClurkin, 2000 Swan Hollow Drive, said in the near future City Council would be presented with a zoning request that would have a major commercial impact on the nearby residential area. He said the developers will make the same type of promises which cannot be substantiated with no guarantees that those promises will be kept. He said he hoped Council would remember all that has gone wrong with University North Park before they approve this upcoming zoning request.

Mr. Stephen Tyler Holman, 1030 South College Avenue, said he is looking forward to a conversation about high density development because he has witnessed numerous plats approved for subdivisions on the edge of town and then the citizens have to approve bond issues to widen the streets to service single family residential and low density commercial properties. He said sprawl does affect everyone, it costs money to update infrastructure to serve these areas.

*

Norman Music Festival. Mr. Bobby Stevens, Post Office Box 6556, said he hoped everyone attended the Norman Music Festival because it was great to see and brought in a lot of revenue for Norman. He said the event was very clean with orderly behavior and he commended the police officers for doing an excellent job.

Mr. Steven Tyler Holman, 1030 South College Avenue, said the Norman Music Festival was a very successful event and thanked Mayor Rosenthal for coming and reading a proclamation on the Main Stage and introducing the headliner. He said he had received many positive comments about this.

Councilmember Dillingham said the Norman Music Festival is getting better every year. She appreciates the downtown businesses, the organizers, and the City all working together in a very real and personal way to make this good for everyone. She commended the first responders and the Police Department for providing excellent service. She said the organization of the stages and the traffic flow was much better this year. She said she did not get a single complaint about trash on Sunday morning and thanked everyone who worked on it.

*

Car Crushing. Mr. Bobby Stevens, Post Office Box 6556, clarified that he had asked in City Council's meeting of April 24, 2012, what the City Code was regarding car crushing and did not ask what the State Statute was because he already knew.

*

Library on the East Side. Mr. Bobby Stevens, Post Office Box 6556, said he is very passionate about getting a library on the east side of Norman and that there is no comparison between the west side and the east side regarding improvements that have been received. He said he thought the idea to lease space was a good temporary fix until the fire station is completed and a library could be built. He said this is not a question about East Side and West Side but what is best and fair for all people.

Mayor Rosenthal said she is a library supporter and the discussion about the library was a good thing. She said ultimately this is a budget issue and there are opportunities to address the issue without asking the Pioneer Library System to research sites and provide detailed information during a three-day turnaround period.

*

Code Violations at 330 East Main Street. Mr. Steven Tyler Holman, 1030 South College Avenue, said there is a building at 330 East Main Street that has been vacant for many years and is in very poor condition. He said the roof is severely damaged and one of the windows is broken and boarded up. He said bricks are falling off of the building onto the sidewalk. He asked at what point a property owner is responsible for a property that is a safety hazard and a blight to businesses downtown.

Mayor Rosenthal said this issue has been noted and will be turned over to Code Enforcement.

*

Miscellaneous Discussion, continued:

National Day of Prayer. Mr. Chad Williams, 1912 Pendleton Drive, thanked everyone who attended the National Day of Prayer on Thursday, May 3rd at City Hall. He said he was honored to be the minister that led that day and several Councilmembers and dignitaries attended the event.

Councilmember Spaulding said he appreciated his colleagues who attended. He said the leaders of our country are prayed for every day to have wisdom and discernment. He said many people get political from time to time and do not support a particular leader, but they are the leaders of our country, state, county, and city and they need wisdom in the jobs they do. He said there is a group of people who make it a point to remember them in their prayers. He said God Bless Norman.

*

Information to the Public. Councilmember Kovach said Council receives a tentative agenda for an upcoming City Council meeting in their City Council packets and suggested as a way to provide information to the public by posting these tentative agendas on the website. He emphasized the word "tentative" because items can be added or subtracted from an agenda for different reasons. He said Study Sessions had recently been moved to the Council Chambers and Council has started the practice of allowing the public to ask questions which gives Council citizen input and answers questions. He thanked all who stayed tonight to ask questions, express their support, and voice their concerns.

Development Agreement No. Five. Councilmember Dillingham said one of the best compromises this evening was approval of Development Agreement No. Five. She thanked Staff for working to get this accomplished. She said she had never been in favor of the TIF District and her feelings about it now are that it is here and Council has to do the best they can with what they have. She said she hates waste and to try to go back and risk losing what progress has been made would waste so much more money on legal issues. She said she wants to move forward and control what will happen with the park, which is the crown jewel of the development. She thanked citizens for contacting her and coming to the meeting this evening.

Convention and Visitors Bureau Luncheon (NCVB). Councilmember Lockett said she attended the NCVB Luncheon today and heard a superb talk about what tax dollars mean, why it is important that they be spent, and what those dollars do for the City. She thanked the NCVB for providing who presented history and facts.

Councilmember Quinn said the NCVB luncheon was very nice and thanked Mr. Stephen Koranda, Director of NCVB.

*

Item 30, Postponed. Councilmember Quinn thanked Councilmember Ezzell for postponing the Norman Economic Development Trust item this evening to allow for a shorter meeting.

Mayor Rosenthal asked Councilmembers to think about the importance of patience. She said the Economic Development Trust was discussed on March 27th and there was discussion during that meeting to have a public forum. She said during that time, Council has discussed the budget, the bond issue, high density development, the International Building Code, several other issues, and attended the Chamber of Commerce banquet. She said City Councilmembers have a crowded and full set of meetings. She asked everyone to keep in mind that as Council and Staff try to respond to issues, it sometimes takes more than four weeks and the public is well served for Council to be deliberative.

*

Norman Youth Council. Councilmember Quinn said the Norman Youth Council's presentation this evening was an example of student involvement. He said these high school students want to find out how city government works and he applauded their efforts. He said he appreciates the City providing these students with a leadership opportunity.

*

Compressed Natural Gas (CNG) Fueling Facility Grand Opening. Councilmember Quinn said he attended the CNG Fueling Facility Grant Opening event and thanked the Public Works Department for a job well done. He said this is a unique facility because although it was built by the City, it is a public facility and anyone with a CNG vehicle can purchase their fuel there. He said the City of Norman is the first city in Oklahoma to achieve this and it shows that the City's dedications to a "green" environment is ongoing.

*

Shop Norman. Councilmember Quinn urged citizens to "Shop Norman."

*

Miscellaneous Discussion, continued:

Videoing Committee Meetings. Councilmember Spaulding asked the City Manager what progress had been made about videoing Committee meetings. Mr. Steve Lewis, City Manager, said there had been concerns about trying to improve the audio quality and money will be set aside in next year's budget to address this, but no video improvements have been discussed.

*

Sales Tax. Mr. Steve Lewis, City Manager, said the general purpose tax remittance was received today for the month of May which reflected sales for the month of March and it has increased by one percent over a year ago. He said levels have increased approximately 5.2% from last year.

*

Debris Removal Program. Mr. Steve Lewis, City Manager, said the Debris Removal Program has been completed with the outside contractor and approximately 29,500 cubic yards of material has been picked up since April 13th. He said he is very proud of the work that Staff and the contractor have done. He said Staff is beginning to haul and grind that material and it will go to local farms. He said the price tag for cleanup of debris is approximately $408,000. He recommended to citizens who are still cleaning up to use the weekly yard waste program, trash collection, the compost facility, and the transfer station.

Oklahoma Department of Environmental Quality (ODEQ) Public Meeting. Mr. Steve Lewis, City Manager, announced that ODEQ will be holding a public meeting on Thursday, May 24, 2012, from 6:30-8:30 p.m. in the Lowry Room of the Norman Public Library located at 225 North Webster Avenue. He said the public meeting will allow ODEQ to present results of the Total Maximum Daily Load (TMDL) Model, a Watershed Modeling Program for Lake Thunderbird.

* * * * *

ADJOURNMENT

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

YEAS:	Councilmembers Dillingham, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 11:53 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL STUDY SESSION

May 15, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:35 p.m. in the Municipal Building Council Chambers on the 15th day of May, 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 Dillingham, Gallagher, Kovach, Lockett, Mayor Rosenthal
ABSENT:	Councilmembers Ezzell, Griffith, Quinn, Spaulding

Item 1, being:

DISCUSSION REGARDING PROPOSED REGULATIONS FOR CHICKENS IN URBAN AREAS.

Ms. Susan Connors, Director of Planning and Community Development, said the City Council Oversight Committee discussed proposed regulations for allowing chickens in urban areas on April 4, 2012. She said the Oversight Committee reviewed regulations of several communities that allow chickens in urban areas and Staff drafted a potential ordinance. The Oversight Committee had asked Staff to make a few amendments to the draft ordinance for presentation to the entire City Council in a Study Session.

Ms. Connors said under the proposed ordinance, the regulations are as follows:

- Chickens or laying hens may be kept and maintained in R-1, Residential Zoning Districts, as long as they comply to zoning regulations
- Chickens or laying hens are maintained on land upon which the owner or occupant resides
- Only four chickens or laying hens can be kept unless additional setback conditions can be achieved
- Roosters are not allowed
- Chickens must be kept in an enclosure, which at its nearest point is no closer then five feet from any property's lot line or 25 feet from any dwelling other than the owners
- Enclosure floors shall be easily-cleanable and maintained in sanitary condition not offensive or dangerous to public health by routinely cleaning an properly disposing of droppings
- Outside opening of the enclosure must be screened to prevent the spread of disease by flies and vermin (and will also protect the chickens from predatory animals and keep them from getting out of the yard)
- The minimum size for a chicken enclosure or coop must be four square feet per animal
- Outdoor slaughter of chickens will be prohibited

Councilmember Kovach said there has been citizen requests to allow keeping pygmy goats in urban areas and he would like to include pygmy goats in Section 3-501(b). Ms. Connors said pygmy goats are allowed under Section 3-501(a), which states that all animals commonly known as domesticated farm animals may be kept and maintained in any of the City's zoning districts as long as they meet zoning setback requirements. She said Section 3-501(b) pertains to chickens being allowed in R-1, Residential Zoning Districts. Councilmember Kovach said smaller urban lots cannot meet the setback requirements in Section 3-501(a) and that is why he suggested language be placed in Section 3-501(b), which has smaller setback requirements. Mayor Rosenthal said the premise of the proposed ordinance is for keeping chickens to acquire eggs and she was not sure the same premise exists for pygmy goats.

Mayor Rosenthal said a gray water ordinance was recently adopted, which had specific guidelines in respect to discharge of gray water from systems close to waterways and creeks. She said there had been discussion regarding the value of fertilizer and asked if there had been any thought about locating chicken enclosures close to waterways. Ms. Connors said there had been some discussion and the Oversight Committee felt that could be addressed by limiting the number of chickens to four inside an enclosure where droppings could be contained and disposed of properly. She said the concern had been about nitrates contained in chicken droppings, but the ordinance does not require any specific type of disposal method. Mayor Rosenthal said she was more concerned about the proximity of the enclosure to a floodway or a creek. She said she would like Staff to review the gray water ordinance in terms of what requirements of setbacks from floodways.

Mayor Rosenthal said there had also been discussion by the Oversight Committee regarding animal control issues and animals getting out of their yards. She asked how the ordinance deals with that issue. Ms. Connors said the final decision was to require chickens be kept in coops as opposed to clipping their wings and allowing them to roam freely.

Councilmember Gallagher asked if screening for enclosures would be fine screens that keep out mosquitoes, flies, and gnats and Ms. Connors said yes.

Councilmember Gallagher said he had not seen information on how many people keep chickens that have well water. He said chicken droppings can penetrate the soil and get into the well water spreading disease and asked if that had been considered. Ms. Connors said the ordinance would not affect many people with well water because of the R-1 zoning restriction. She said chickens are already allowed in agriculturally zoned properties where most of the personal water wells are located.

Mayor Rosenthal asked if there would be a permitting process so that if someone complained it would require an inspection to see whether or not they were in compliance. Ms. Connors said there would not be a permit required unless the coop was 120 square feet, which would meet accessory structure requirements. She said violations would be handled on a complaint basis.

Councilmember Lockett asked if a run outside the coop would be allowed and Ms. Connors said that is not addressed in the ordinance.

Councilmember Dillingham said there have been several requests to allow pygmy goats in urban areas and she would like the Oversight Committee to review that. Councilmember Kovach said the Oversight Committee could also review gray water setbacks at the same time. Mayor Rosenthal asked Staff to take the ordinance back to the Oversight Committee to review these issues as well as location of the enclosure in respect to waterways or creeks.

Ms. Joy Hampton, The Norman Transcript, said when people talk about chickens and pygmy goats they are usually talking about more than eggs or pets. She said they are talking about environmental issues. She said chickens eat bugs which is better than a pesticide, but if they are in a coop they cannot eat bugs in the entire yard. She said the goats could be considered a lawn mowing mechanism. She asked if the City had done any studies on environmental impacts of allowing chickens or goats in urban areas and Mayor Rosenthal said no, but the Oversight Committee had discussed those issues. Ms. Hampton asked if the City was planning on providing an environmental study and Mayor Rosenthal felt there would be discussion on that subject at the Oversight Committee meeting.

Mr. Marc Jenson, 1525 High Trail Road, said he would like the ordinance to define a coop. He envisions a coop as an interior and exterior place for chickens to run around. He said the ordinance seems to describe the coop as a building with walls where the chickens are either inside or outside of it. Mayor Rosenthal said defining the coop was a great suggestion.

Items submitted for the record

1. Memorandum dated May 15, 2012, from Ms. Susan Connors, AICP, Director, Planning and Community Development, to Honorable Mayor and Members of City Council, with Attachment A, Petition to allow for backyard/urban chickens in Norman and Attachment B, Annotated Section 3-501. – Keeping of animals other than dogs and cats
2. Residential Urban Chicken Keeping: An Examination of 25 Cities by KT LaBadie, University of New Mexico, with Appendix A, 25 Ordinances Analyzed, Appendix B, Sources for 25 Ordinances, and Appendix C, Example ordinance from Rogers, Arkansas
3. City Council Oversight Committee Meeting minutes of April 4, 2012

The meeting adjourned at 5:55 p.m.

ATTEST:

City Clerk

Mayor

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1112-31

File ID:	O-1112-31	**Type:**	Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 5	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	02/08/2012
File Name:	O-1112-31 Rock Creek Youth Camp Special Use			**Final Action:**	

Title: ORDINANCE NO. O-1112-31 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A RECREATIONAL CAMP ON PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, SO AS AND PROVIDING FOR THE SEVERABILITY THEREOF. (4606 EAST ROCK CREEK ROAD)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-31 upon First Reading by title

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 5

Attachments: Text File O-1112-31, O-1112-31 Rock Creek Camp, CampRockCreek Location Map, Rock Creek Camp Plat, Rock Creek Youth Camp Staff Report, Rock Creek Camp Letter, Rock Creek Camp Description, 4-12-12 PC Minutes - Rock Creek Camp

Project Manager: Susan Connors, Director of Planning and Community Devel

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	03/08/2012					

Text of Legislative File O-1112-31

Body

BACKGROUND: The applicant, Camp Rock Creek, Inc., owns an eighty acre tract located at the southwest corner of 48th Avenue NE and Rock Creek Road. The camp has been in existence since 1958, prior to its annexation by the City of Norman in the mid 1960's. Therefore, the camp is considered a legal "non-conforming use" under the current Zoning Ordinance. The camp is rented by various Christian and secular groups for weekend retreats, week long summer camp sessions, day activities and at times weddings. The applicant would like to expand the operation slightly, which triggered a need to authorize a Special Use. Most of the Camp facilities already exist with six cabins for the men and seven cabins for the women, a director's house, and an open air chapel. A resident manager lives on the site.

This portion of Norman still contains numerous large agricultural lots that are sufficient in size to minimize any current or future off-site impacts from this establishment. This request is for "Special Use" to allow for the remodel of the existing 13 cabins and to add one new cabin on the men's side in the near future. The current zoning for this site is A-2 Rural Agricultural District. The agricultural zoning district currently identifies "recreation camp" as a permitted Special Use within this zoning district.

RECOMMENDATION: The minimal changes the applicant has requested will not create any additional impact on adjacent neighbors or increase traffic loads. This site is very large and has the capability to accommodate all of the proposed expansions. Staff received a letter of support from one neighbor. Staff recommends approval of this Special Use request for Camp Rock Creek. The Planning Commission, at their meeting of April 12, 2012, voted 7-0 to recommended approval of Ordinance No. O-1112-31.

O-1112-31

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A RECREATIONAL CAMP ON PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY, LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (4606 EAST ROCK CREEK ROAD)

§ 1. WHEREAS, Rock Creek Youth Camp, Inc., the owner of the hereinafter described property, have made application for Special Use for a Recreational Camp in the A-2, Rural Agricultural District; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such Special Use; and

§ 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such Special Use.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to grant Special Use for a Recreational Camp, for property currently zoned A-2, Rural Agricultural District, to wit:

The North Half of the Northeast Quarter of Section 23, Township 9 North, Range 2 West, of the Indian Meridian, Cleveland County, Oklahoma

Said tract containing 80 acres, more or less

§ 5. Severability: If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____day of

_____, 2012.

_____
Mayor

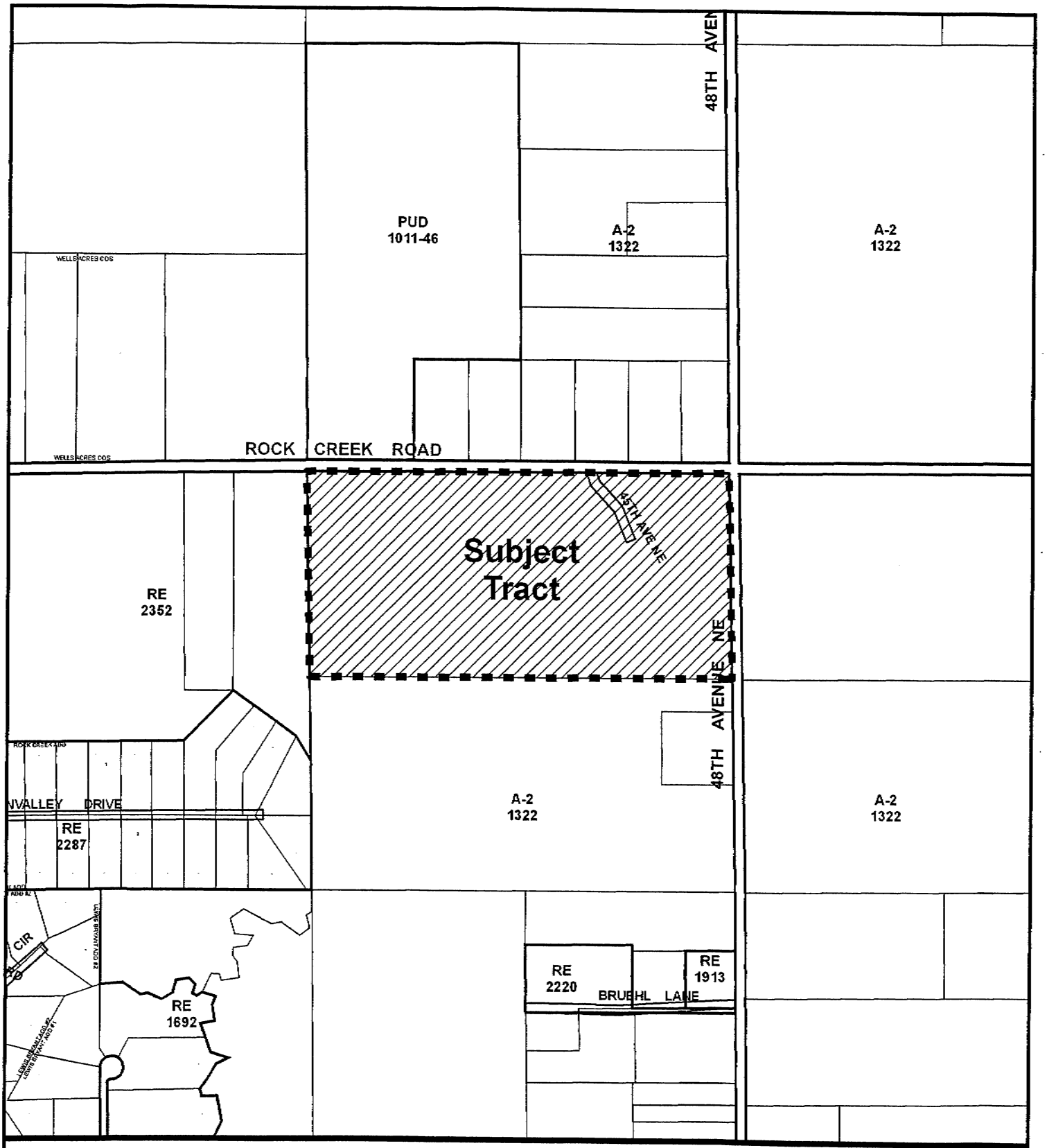
NOT ADOPTED this _____day of

_____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk



Location Map

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

N
W E
S

November 2, 2011

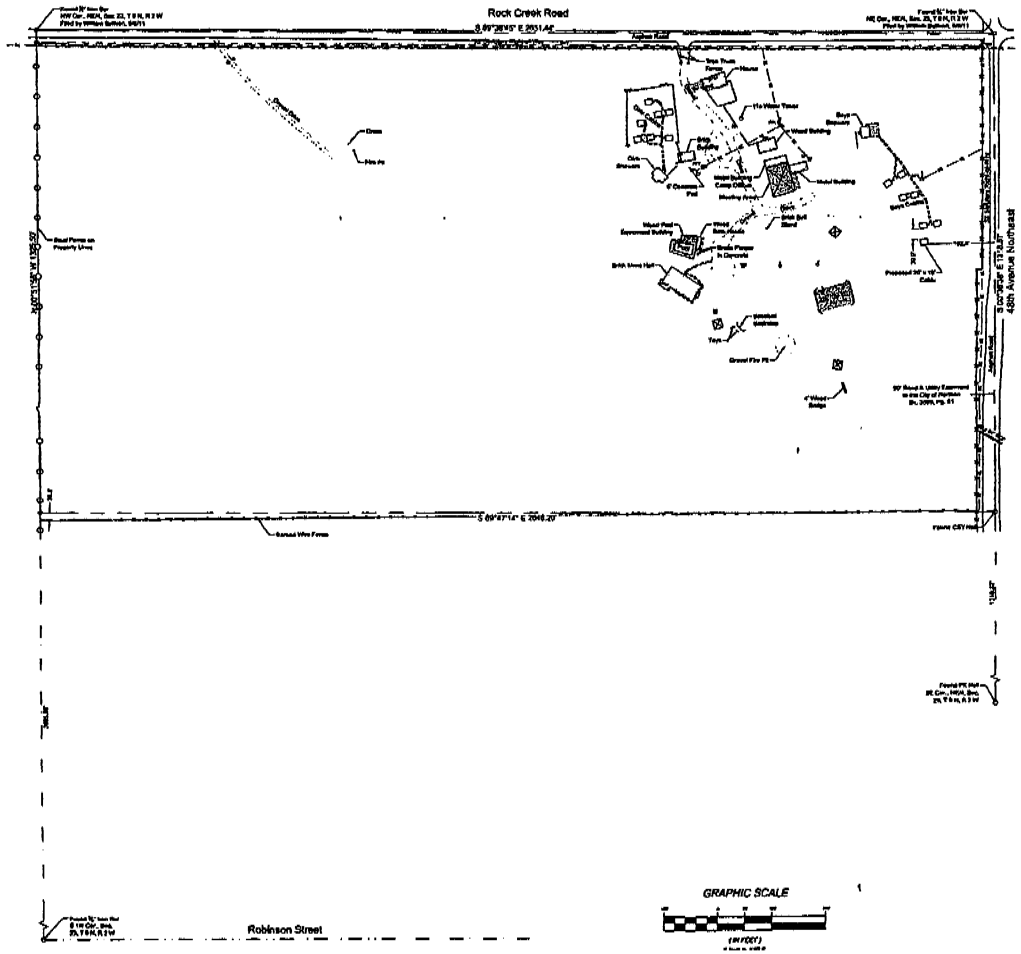
0 400 800 Ft.

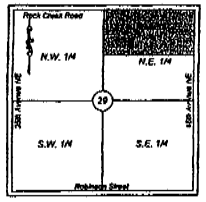
Subject Tract

Zoning

PLAT OF SURVEY

The North Half of the Northeast Quarter of Section 23, Township 9 North, Range 2 West





Vicinity Map
Section 29, Township 9N, Range 2W
Not To Scale

Basis of Bearings:
S 89°38'45" E, along the North line of the NE/4 Sec. 29, T 9 N, R 2 W.

LEGEND

- SUBJECT PROPERTY
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- OVERHEAD ELECTRIC LINES
- BARBED WIRE FENCE
- STOCKADE FENCE
- STEEL FENCE
- FOUND MONUMENT
- SET MONUMENT 1/2" IRON BAR W/CAP "HALE & McKINLEY CA 2439" UNLESS OTHERWISE NOTED
- POWER POLE
- POWER POLE W/TRANSFORMER
- UTILITY POLE
- LIGHT POLE
- GUY ANCHOR

SURVEYORS NOTES

1. This Survey meets the requirements of the Oklahoma Minimum Standards for the Practice of Land Surveying which was adopted by the Board of Registration for Professional Engineers and Land Surveyors May 17, 2010.
2. Date of Field Work: January 27 & 31, 2012
3. This Survey was performed without the benefit of a Title Commitment.

LEGAL DESCRIPTION

The North Half of the Northeast Quarter of Section Twenty-three (23), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma.

SURVEYOR'S CERTIFICATE

I, Curtis Lee Hale, a Licensed Land Surveyor, do hereby certify that a careful survey has been made under my supervision on the above described property as shown on the annexed plat hereto and there are no encroachments except if shown hereon. This Survey was made for the above stated purpose only and no other responsibility is hereby assumed. Dated at Oklahoma City, Oklahoma on this 1st day of February, 2012.

Curtis Lee Hale, L.S. No. 1994 — Date

GRAPHIC SCALE (IN FEET)

OKLAHOMA ONECALL SYSTEM, INC.

CLIENT	Rock Creek Youth Camp c/o Devonne Carter P. O. Box 7307 Moore, Oklahoma 73153
	Hale & McKinley Company Land Surveying and Planning Oklahoma City, Oklahoma 73139 C.A. 2439 - Exp. Date 06/30/2013
PROJECT TITLE	Rock Creek Youth Camp 4606 East Rock Creek Road Norman, Cleveland County, Oklahoma Plat of Survey
PROJECT NO.	5331.1
FILE	5331P1 Bound.dwg
DATE	2-1-2012
DRAWN BY	JMG
CHECKED BY	CLH
FIELD CREW	AS, JB, JS
SHEET	1

NO.	REVISION/ISSUE	DATE

ORDINANCE NO. O-1112-31 ITEM NO. 6

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Rock Creek Youth Camp, Inc.
REQUESTED ACTION	Special Use for a Recreational Camp
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: PUD and A-2 East: A-2 South: A-2 West: RE
LOCATION	4606 E. Rock Creek Road
SIZE	80 acres, more or less
PURPOSE	Recreational Camp (Improvements)
EXISTING LAND USE	Recreational Camp
SURROUNDING LAND USE	North: Residential East: Vacant South: Residential West: Residential
LAND USE PLAN DESIGNATION	Country Residential
GROWTH AREA DESIGNATION	Country Residential Area

SYNOPSIS: The applicant, Camp Rock Creek, Inc., owns an eighty acre tract located at the southwest corner of 48th Avenue NE and Rock Creek Road. The camp has been in existence since 1958, prior to its annexation by the City of Norman in the mid 1960's. Therefore, the camp is considered a legal "non-conforming use" under the current Zoning Ordinance. The camp is rented by various Christian and secular groups for weekend retreats, week long summer camp sessions, day activities and at times weddings. The applicant would like to expand the operation slightly, which triggered a need to authorize a Special Use. Most of the Camp facilities already exist with six cabins for the men and seven cabins for the women, a director's house, and an open air chapel. A resident manager lives on the site.

ANALYSIS: This portion of Norman still contains numerous large agricultural lots that are sufficient in size to minimize any current or future off-site impacts from this establishment. This request is for "Special Use" to allow for the remodel of the existing 13 cabins and to add one new cabin on the men's side in the near future. The current zoning for this site is A-2 Rural Agricultural District. The agricultural zoning district currently identifies "recreation camp" as a permitted Special Use within this zoning district.

ALTERNATIVES/ISSUES:

- **IMPACTS** This tract in its current use has not created any impact on adjacent property owners. There are no additional impacts expected with the proposed expansion.

- **ACCESS** There is one existing access to this site off Rock Creek Road. No changes or expansion to create additional access has been requested.

OTHER AGENCY COMMENTS:

- **PARK BOARD** No parkland dedication is required with this request.

- **PUBLIC WORKS** Platting is not required for this Special Use zoning designation due to the size of the property.

STAFF RECOMMENDATION: The minimal changes the applicant has requested will not create any additional impact on adjacent neighbors or increase traffic loads. This site is very large and has the capability to accommodate any of the proposed expansions. Staff received a letter of support from a neighbor. Staff recommends approval of this Special Use request for Camp Rock Creek.

SEAN PAUL RIEGER
ATTORNEY AT LAW • ARCHITECT
S.P. RIEGER PLLC
136 THOMPSON DRIVE
NORMAN, OKLAHOMA 73069-5245
E-MAIL: SP@RIEGERLLC.COM

TELEPHONE: 405.329.6070 FACSIMILE: 405.329.7103

6 February 2012

City of Norman
Planning Department
201 West Gray
Norman, OK 73069

RE: Submittal of Special Use Application
Rock Creek Youth Camp

Dear City of Norman,

Please find the attached Application and payment for the proposed Special Use Permit for Rock Creek Youth Camp, at 48th Ave NE and Rock Creek. This is an application that is more of a housekeeping application in that this camp has operated on this site since 1958 and this application does not seek to change the use or existing operations of the facility. The only added feature being sought at this time is the addition of one more cabin, to be of approximately 20' x 16' in size, and the remodel of the other thirteen existing cabins. Otherwise, no other changes are planned on the property.

The site is a rural tract of roughly 80 acres in area, and is currently zoned Rural Agricultural. A site plan is attached, which shows the site as it currently exists and the one proposed cabin to be added to the east of the existing facilities. Also attached is supporting information and the required items of submittal for this Special Use permit. No other zoning or land use changes are sought. No part of the property resides in any flood plain to our knowledge.

We respectfully request the City's approval for this request, and we look forward to answering any questions that you may have.

Very Truly Yours,
S. P. RIEGER PLLC

By: Sean Paul Rieger
For the firm

Rock Creek Youth Camp

4606 E. Rock Creek Road, Norman, OK 73026

Facilities:

Camp Rock Creek, hereafter known as CRC, has a total of 13 cabins in two separate areas. There are 7 cabins on the women's side which also includes a bath house. There are 6 cabins on the men's side, and that also includes a bath house. There is an existing open air chapel on site. The chapel also contains private quarters that sleep up to 10 people. There are two bathrooms in this little apartment. There is also a canteen area and an art room attached to the chapel. There is also an existing mess hall building with an eating area, a kitchen and sleeping quarters that can accommodate 15 people. The camp has a pool, a pool house and a shed next to the pool.

CRC has a house on the property where the Camp Manager and his family reside. There are two sheds on the campgrounds as well, which house maintenance equipment.

Non Profit:

CRC is recognized by the IRS as a non-profit entity. It is governed by a Board of Trustees made up of men and one woman who are members of the churches of Christ in the metro Oklahoma City area. The budget is met by renting the camp out, as well as, donations made to the camp.

History:

Around 1955 a minister at the University church of Christ in Norman, T. Roy Finley, promoted the idea of a Christian Camp in Norman. A six man committee from University and Central churches of Christ both in Norman, began looking for land suitable for a camp. After Vernon Fry, found an old gravel pit area NE of Norman at NE 48th and Rock Creek Road, the grass lands and timber area of 80 acres was purchased for $5000 through a realtor, Wilbur Smith. The camp was incorporated and has been operating as a Christian camp since 1958.

Various Christian and secular groups rent out the camp for weekend retreats, week long summer camp sessions, day activities and at times, weddings.

The camp is maintained by the Camp Manager and Board of Trustees. Boy Scouts and Girl Scouts volunteer at the camp, as well as, Christians in the area come to work days at CRC.

Fundraisers have been held at the campgrounds to raise money for operations and upkeep of the camp. Church activities are frequent at CRC.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 12, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of April 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Andy Sherrer
MEMBERS ABSENT	Cynthia Gordon Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Jane Hudson, Planner II Wayne Stenis, Planner II Leah Messner, Asst. City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator

* * *

Item No. 6, being:
O-1112-31 – ROCK CREEK YOUTH CAMP, INC. REQUESTS SPECIAL USE FOR A RECREATIONAL CAMP FOR PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, LOCATED AT 4606 E. ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Plat of the Survey
4. Letter from Sean Rieger
5. Description of Property

PRESENTATION BY STAFF:
1. Ms. Hudson reported that the application is for a Special Use for a Recreational Camp for Rock Creek Youth Camp. The camp has been in existence since 1958, and they are requesting to add an additional cabin on the site, and that has kicked in the need to get a Special Use for the A-2 zoning. It is located at the southwest corner of 48th Avenue N.E. and Rock Creek Road. There is a single-family home across Rock Creek Road to the north. On site they have a water tank, an open meeting area, basketball courts, a pool, and cabins. There is a home on the site which staff believes is for the camp caretaker. They will be adding an additional cabin on the men's side of the site. There are minimal changes proposed to the site, and staff does not believe there will be any impact on adjacent neighbors. Staff supports the request for Special Use.

PRESENTATION BY THE APPLICANT:
1. Sean Rieger, representing the applicant – This is a 16' by 20' cabin on an 80-acre site for a facility that has been in existence since 1958. This request just makes the use legal by obtaining a Special Use Permit.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend approval of Ordinance No. O-1112-31 to the City Council. Roberta Pailes seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Jim Gasaway, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Andy Sherrer
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-31 to the City Council passed by a vote of 7-0.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: AP-1112-21

File ID:	AP-1112-21	**Type:**	Appointment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 6	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	05/14/2012
File Name:	Appointments			**Final Action:**	

Title: CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE
TERM: 05-22-12 TO 02-13-14: LEE KRUMHOLZ, 832 SOUTH LAHOMA AVENUE
TERM: 05-22-12 TO 02-13-13: STEVEN VASILOFF, 1200 BEVERLY HILLS STREET

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. TWO
TERM: 05-22-12 TO 04-10-15: JANESE COX, 2720 CIMARRON DRIVE
TERM: 04-10-12 TO 04-10-15: GAIL POOLE, 705 TIFFIN AVENUE
TERM: 04-10-12 TO 04-10-15: JOE SIANO, 131 SOUTH FLOOD AVENUE

LIBRARY BOARD
TERM: 05-22-12 TO 05-01-15: TOM COOPER, 1316 CHERRY LAUREL DRIVE
TERM: 05-22-12 TO 05-01-15: BRENT SYKES, 3209 RIVERWALK DRIVE
TERM: 05-22-12 TO 05-01-15: LINDA FORD, 3514 SHADOW STREET

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 05-22-12 TO 10-31-14: ELIZABETH GUNN, 1007 LINCOLN GREEN

TREE BOARD
TERM: 05-14-12 TO 05-14-15: DON MENZIE, 4202 BRIARCREST DRIVE
TERM: 05-14-12 TO 05-14-15: SONJA PULVINO, 2720 POPLAR LANE
TERM: 05-22-12 TO 05-14-15: SUSAN GRISSO, 607 MORNINGSIDE DRIVE

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Lee Krumholz will replace Sarah Reichardt; Steven Vasiloff will fill the unexpired term of Alicia Boscarelli who has resigned; Janese Cox will replace Kelley Grace who is no longer eligible to serve; Tom Cooper will replace Jeffrey Wilhite; Brent Sykes will replace Karen Rieger; Linda Ford will replace Glynis Edgar; Elizabeth Gunn will fill the unexpired term of MaryAnne Maletz who has resigned; Susan Grisso will replace Sarah Denton who is no longer eligible to serve; and Gail Poole, Joe Siano, Don Menzie, and Sonja Pulvino are reappointments.

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: RPT-1112-36

File ID:	RPT-1112-36	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 7	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	05/07/2012
File Name:	Finance Director's Report April 30, 2012			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF APRIL 30, 2012, AND DIRECTING THE FILING THEREOF.

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 7

Attachments: Finance Director's Report

Project Manager: Anthohy Francisco, Director of Finance

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RPT-1112-36

DATE: 03-Apr-12

TO: City Council

FROM: Anthony Francisco, Director of Finance
REVIEWED BY: Clint Mercer, Chief Accountant
PREPARED BY: Debbie Whitaker, Municipal Accountant III

SUBJECT: Breakdown of Interest Earnings by Fund

	MONTHLY COMPARISON				ANNUAL COMPARISON			
FUND	MONTHLY BUDGETED INTEREST EARNINGS FYE12	MONTHLY INTEREST EARNINGS April 2012	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE12-YTD	INTEREST EARNINGS YTD FYE12	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	$8,333	$3,512	-57.86%	6.62%	$83,333	$52,045	-37.55%	6.27%
PUBLIC SAFETY SALES TAX FUND	N/A	$5,022	100.00%	9.47%	N/A	$60,076	100.00%	7.23%
ROOM TAX FUND	$250	$95	-62.17%	0.18%	$2,500	$1,325	-46.99%	0.16%
CAPITAL PROJECTS FUND	$12,500	$10,630	-14.96%	20.04%	$125,000	$326,715	161.37%	39.34%
SINKING FUND	$2,083	$4,384	110.44%	8.26%	$20,833	$31,504	51.22%	3.79%
G.O. BOND FUND	$167	$113	-32.21%	0.21%	$1,667	$1,272	-23.66%	0.15%
WESTWOOD FUND	$625	$64	-89.77%	0.12%	$6,250	$5,901	-5.59%	0.71%
WATER FUND	$10,000	$10,214	2.14%	19.25%	$100,000	$112,994	12.99%	13.61%
WASTEWATER FUND	$8,333	$4,372	-47.53%	8.24%	$83,333	$60,595	-27.29%	7.30%
HALLPARK FUND	N/A	$0	100.00%	0.00%	N/A		100.00%	0.00%
DEVELOPMENT EXCISE	$16,667	$6,953	-58.28%	13.11%	$166,667	$86,432	-48.14%	10.41%
SEWER SALES TAX	$6,250	$4,372	-30.04%	8.24%	$62,500	$55,607	-11.03%	6.70%
SANITATION FUND	$2,500	$774	-69.03%	1.46%	$25,000	$5,648	-77.41%	0.68%
PARKLAND FUND	$1,250	$746	-40.32%	1.41%	$12,500	$9,693	-22.46%	1.17%
TRUST & AGENCY FUNDS	N/A	$3	100.00%	0.01%	N/A	$41	100.00%	0.00%
TAX INCREMENT DISTRICT	$1,458	$643	100.00%	1.21%	$14,583	$7,231	100.00%	0.87%
SPECIAL GRANTS FUND	N/A	$579	100.00%	1.09%	N/A	$5,500	100.00%	0.66%
CLEET FUND	N/A	$16	100.00%	0.03%	N/A	$175	100.00%	0.02%
HOUSING	N/A	$0	100.00%	0.00%	N/A		100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	$26	100.00%	0.05%	N/A	$328	100.00%	0.04%
ARTERIAL ROAD FUND	N/A	$269	100.00%	0.51%	N/A	$3,835	100.00%	0.46%
SEIZURES	$42	$266	538.86%	0.50%	$417	$3,534	748.13%	0.43%
	$70,458	$53,055	-24.70%	100.00%	$704,583	830,452	17.86%	100.00%

City funds are invested in interest bearing accounts and investment securities, as directed by the City's Investment Policy. Rates of return on these investments relate directly to current Treasury and Money Market rates. Total funds on deposit of $ 137.84 million as of 04/30/12 are represented by working capital cash balances of all City funds of approximately $ 80.55 million, outstanding encumbrances of $15.11 million, General Obligation Bond proceeds of $22.92, NUA revenue bond proceeds of $8.91 million, NMA bond proceeds of $4.08 million, and UNP TIF reserve amounts of $6.27 million.

INVESTMENT BY TYPE

April 30, 2012

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	NUA REV. FD.				$0.00	$0.00	$0.00
BANK OF AMERICA	GEN'L DEP.			0.25%	$3,729.54	$20,244,618.51	$20,244,618.51
BANK OF AMERICA	WARRANTS PAYABLE				$0.00	($1,885,299.38)	($1,885,299.38)
BANK OF AMERICA	PAYROLL				$0.00	($2,373,341.27)	($2,373,341.27)
BANK OF AMERICA	COURT BOND REFUNDS				$0.00	$260,161.71	$260,161.71
BANK OF AMERICA	INSURANCE CLAIMS				$0.00	($21,965.59)	($21,965.59)
BANK OF AMERICA	HALLPARK			0.01%	$0.86	$106,134.04	$106,134.04
**Subtotal					$3,730.40	$16,330,308.02	$16,330,308.02
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$1.77	$626,365.98	$626,365.98
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$28.96	$3,723,406.88	$3,723,406.88
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	$0.51	$361,556.25	$361,556.25
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$40.85	$8,282,253.58	$8,282,253.58
Bank of Oklahoma UNP TIF	MONEY MKT.			0.01%	$10.48	$5,681,984.33	$5,681,984.33
REPUBLIC BANK UNP TIF	MONEY MKT.			0.50%	$223.75	$583,569.13	$583,569.13
FIRST FIDELITY	MONEY MKT.			0.30%	$63.40	$0.00	$0.00
BANK OF AMERICA	MONEY MKT.			0.25%	$3.75	$416,512.36	$416,512.36
BANK OF AMERICA	MONEY MKT.			0.09%	$35.23	$581,203.00	$581,203.00
BANK OF AMERICA - Clean Wat	MONEY MKT.			0.25%	$153.68	$750,157.51	$750,157.51
BANK OF AMERICA-2008A	MONEY MKT.			0.01%	$7.16	$738,006.52	$738,006.52
BANK OF AMERICA-2008B	MONEY MKT.			0.01%	$16.32	$1,659,956.62	$1,659,956.62
BANK OF AMERICA-2010	MONEY MKT.			0.01%	$20.91	$2,119,746.91	$2,119,746.91
BANK OF AMERICA-2012A	MONEY MKT.			0.01%	$2.66	$278,761.05	$278,761.05
BANK OF AMERICA-2012B	MONEY MKT.			0.01%	$144.15	$15,086,531.62	$15,086,531.62
BANK OF AMERICA-2012C	MONEY MKT.			0.01%	$28.98	$3,033,454.85	$3,033,454.85
**Subtotal					$782.56	$43,923,466.59	$43,923,466.59
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$5,057,574.55	$5,057,574.55
**Certificate of Deposit							
FIRST FIDELITY BANK	CD	09/30/11	09/30/12	0.30%	$62.50	$250,000.00	$250,000.00
GREAT NATIONS BANK	CD	09/30/11	09/30/12	0.65%	$135.42	$250,000.00	$250,000.00
**Subtotal					$197.92	$500,000.00	$500,000.00
**U.S. Treasury Securities/Agency Securities							
US T-Note	912828KP4	12/31/09	05/15/12	1.31%	6,550.23	6,000,000.00	$5,995,076.78
US T-Note	912828KP4	12/31/09	05/15/12	1.31%	7,369.60	6,750,000.00	$6,760,405.73
FHLB	3133XTS49	03/31/10	06/20/12	1.30%	109.55	100,000.00	$100,231.00
FNMA	313359MNU3	11/30/10	08/01/12	0.73%	5,208.52	8,000,000.00	$8,097,600.00
FFCB	31331G2R9	03/31/10	12/07/12	1.58%	132.38	100,000.00	$100,945.00
US T-Note	912828MN7	05/20/11	02/15/13	0.48%	3,019.52	7,500,000.00	$7,569,450.00
FFCB	31331JBV4	06/30/11	02/21/13	0.49%	831.62	2,000,000.00	$2,021,780.00
FHLMC	312SX1EJ2	12/31/09	05/22/13	2.08%	3,649.08	2,000,000.00	$2,084,120.00
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	3,547.07	4,000,000.00	$4,060,280.00
FFCB	31331KET3	05/20/11	09/23/13	0.80%	3,339.46	5,000,000.00	$5,045,650.00
FHLB	313376UFO	03/30/12	01/29/14	0.38%	2,111.69	7,500,000.00	$7,505,250.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	951.79	2,000,000.00	$2,042,180.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,299.34	3,500,000.00	$3,641,645.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,345.11	3,000,000.00	$3,064,770.00
FNMA	3136FPEW3	03/30/12	12/16/14	1.50%	476.67	1,000,000.00	$1,023,900.00
FNMA	3136FPAB3	11/30/11	08/18/15	0.96%	2,077.50	2,500,000.00	$2,609,075.00
FNMA	31398A3T7	11/30/11	09/21/15	1.00%	1,729.16	2,000,000.00	$2,085,000.00
FHLB	3133796P9	04/30/12	10/30/15	0.60%	60.76	3,500,000.00	$3,497,095.00
FFCB	3133KS92	11/30/11	11/16/15	1.17%	2,436.99	2,500,000.00	$2,507,525.00
FHLB	3133724Y7	04/27/12	12/23/15	1.90%	666.67	3,000,000.00	$3,141,690.00
U.S. STRIPS (Hallpark)	912833KC3	06/09/04	05/15/14	5.12%	431.27	79,860.00	$131,156.52
**Subtotal					48,343.98	72,029,860.00	$73,084,825.02
TOTAL					53,054.86	137,841,209.16	$138,896,174.18

The Governmental Accounting Standards Board requires the reporting of market values of investment securities. These market values represent the amount of money the security would sell for on the open market, if cash flow demands were such that the security had to be sold. The City of Norman purchases investment securities with the intent of holding them to maturity, as stated in the City's Investment Policy. Only in exceptional circumstances would securities be sold before their maturity, due to cash flow demands or favorable market conditions.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: RPT-1112-37

File ID:	RPT-1112-37	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	05/07/2012
File Name:	Monthly Dept Report April, 2012			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF APRIL, 2012, AND DIRECTING THE FILING THEREOF.

ACTION NEEDED: Motion to acknowledge receipt of the report and direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 8

Attachments:

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RPT-1112-37

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: EN-1112-2

File ID:	EN-1112-2	**Type:**	Encroachment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	05/08/2012
File Name:	Encroachment 3405 & 3213 Bart Connor Drive			**Final Action:**	

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT NO. 1112-9 IN LOT 1, BLOCK 2, BROCE INDUSTRIAL PARK, SECTION 3 (3405 AND 3213 BART CONNOR DRIVE) AND ACCEPTANCE OF EASEMENT NO. E-1112-50.

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1112-9; and, if approved, accept Easement No. E-1112-50 and direct the filing of the consent to encroachment and the easement with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 9

Attachments: Text File Encroachment, EN-1112-9, E-1112-50, Memo from City Clerk, Letter of Request - Encroachment, Utility Memo, PW Memo, Utilities Approvals

Project Manager: Leah Messner, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File EN-1112-2

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by Mr. Richard Marcus, Manager of WS Self Storage Associates, LLC, owner, requesting a Consent to Encroach upon City of Norman utility and waterline easements for a portion of mini-storage buildings located at the referenced address.

DISCUSSION: The application for the consent to encroach concerns the encroachment upon City of Norman utility and waterline easements for a portion of mini-storage buildings. The encroachments

are 3.0+/- and 0.5+/- feet into the utility and/or waterline easements.

Because a fire hydrant is located outside the utility easement, an additional easement is required. This issue is addressed in the Grant of Easement, E-1112-50, attached to Consent to Encroach as Exhibit "A" and made a part thereof.

Staff has reviewed the application and the "hold harmless" clause. From a legal perspective, it protects the City's concerns with respect to damage to the property owner's property should the City or other authorized entity be required to perform work within its easements.

The benefit to having a consent to encroach on file is that it is evidence of the property owners' understanding that, while the City is allowing them to encroach upon the easements, the City is not liable and will not be responsible for damage to the property owners' property in the event such maintenance has to be performed within the easements.

STAFF RECOMMENDATION: Based upon the above and foregoing, the City Attorney's office is forwarding the above Consent to Encroach No. 1112-9 and Grant of Easement E-1112-50 for Council consideration.

CONSENT

Consent to Encroachment No. 1112-9

WHEREAS, the City of Norman, Cleveland County, is in possession of utility and waterline easements on the land described as follows, to-wit:

Lot 1, Block 2, Broce Industrial Park Section 4 and Lots 3 and 4, Block 1, Broce Industrial Park Section 3 to the City of Norman, Cleveland County, Oklahoma, a/k/a 3405 and 3213 Bart Conner Drive

AND WHEREAS, the owner of the above-described property requests that a portion of mini-storage buildings be allowed to encroach upon the existing utility and waterline easements;

AND WHEREAS, the City has been requested to consent in writing for a portion of mini-storage buildings to encroach upon existing utility and waterline easements on the property being located at the requested location;

NOW, THEREFORE, the City of Norman does hereby consent to said portion of mini-storage buildings being allowed to encroach on the property being within and upon the utility and waterline easements with the following conditions:

1. The property owner be responsible for the cost of repairs for any damages to the City's utility and/or waterline easements caused by any excavation or other construction activities conducted on their behalf;
2. The property owner will be responsible for the cost the City incurs to remove any or all of the mini-storage buildings, if needed, to facilitate maintenance or repair of the City's utilities or waterline;
3. The property owner will be responsible for the cost to repair or replace any or all of the mini-storage buildings for such repairs;
4. The property owner waives and releases any claims against the City for any damages to any or all of the mini-storage buildings and related improvements caused by any excavation by the City for purposes of maintaining or replacing the City's utility or waterline facilities within the easement areas;
5. By encroaching on said easement, the property owner releases Oklahoma Electric Cooperative, Oklahoma Gas & Electric, Oklahoma Natural Gas, AT&T Southwest, and/or Cox Communications, Inc. of responsibility to repair, rebuild, or maintain any portion of the mini-storage buildings in the easement.
6. Damages to Oklahoma Electric Cooperative, Oklahoma Gas & Electric, Oklahoma Natural Gas, AT&T Southwest, or Cox Communications, Inc. facilities resultant from any current/future construction may carry possible financial charges to the property owner.
7. The property owner provide a Grant of Easement to the City of Norman which encompasses the fire hydrant located in the SW/4 of Section 14, more particularly described on Exhibit "A" Grant of Easement E-1112-50, attached hereto and made a part hereof.

The consent is limited to a portion of mini-storage buildings as indicated in the application, being located within the utility and waterline easements, and the City does not authorize or consent to the construction or location of any other structure(s) of a permanent nature within the easements. Further, this Consent is given with the understanding that the property owner is responsible for any and all direct and consequential damages resulting from the granting of this consent with entry to or upon the existing utility and waterline easements as required at any time in the future.

The City, or any other entity so authorized, shall not be held responsible for any and all direct or consequential damages to encroaching improvements resulting from entry, by the City or any other entity so authorized, upon said utility and/or waterline easements, for any purpose associated with the maintenance, construction, relocation, etc. of any utility and/or waterline located within the said easement.

P3

IN WITNESS WHEREOF, the undersigned has executed this consent this ____ day of March, 2012.

THE CITY OF NORMAN, OKLAHOMA

_____

Mayor

ATTEST:

_____

City Clerk

On this _____ day of March, 2012, before me personally appeared _____ and _____, to me to be known to be the identical persons who executed the same as their free and voluntary act and deed of such municipal corporation, for the uses and purposes therein set forth.

Witness my hand and official seal the day and year last above written.

_____

Notary Public

My Commission Expires:

_____

OWNER:
WS Self Storage Associates, LLC

By: _____
Richard Marcus, Manager

On this ____ day of March, 2012, before me personally appeared Richard Marcus, Manager of WS Self Storage Associates, LLC, to me to be known to be the identical person(s) who executed the same as his/her free and voluntary act and deed for the uses and purposes therein set forth.

Witness my hand and official seal the day and year last above written.

_____

Notary Public

My Commission Expires: _____

The City of Norman
Post Office Box 370
Norman, OK 73070

Exhibit "A" to Consent to Encroach No. 1112-9

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, WS Self Storage Associates, LLC in consideration of the sum of One Dollar ($1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman, a municipal corporation, a public water line easement and right-of-way over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

See attached Exhibit "A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public utility(ies) as indicated below:

Water Line

To have and to hold the same unto the said City, its successors, and assigns forever.

SIGNED and delivered this 24 day of April, 2012.

WS Self Storage Associates, LLC

BY: Richard Marcus, Manager

BY:_____

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF COLORADO, COUNTY OF ARAPAHOE, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 24 day of April, 2012, personally appeared Richard Marcus, Manager of WS Self Storage Associates, LLC, to me known to be the identical person who executed the foregoing grant of easement and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

CYNTHIA A CURTIS
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires

Cynthia A Curtis
Notary Public

My Commission Expires: 02-07-2016

Approved as to form and legality this 8th day of May, 2012.

City Attorney

Approved and accepted by the Council of the City of Norman, this ____ day of_____, 20__.

Mayor

ATTEST:

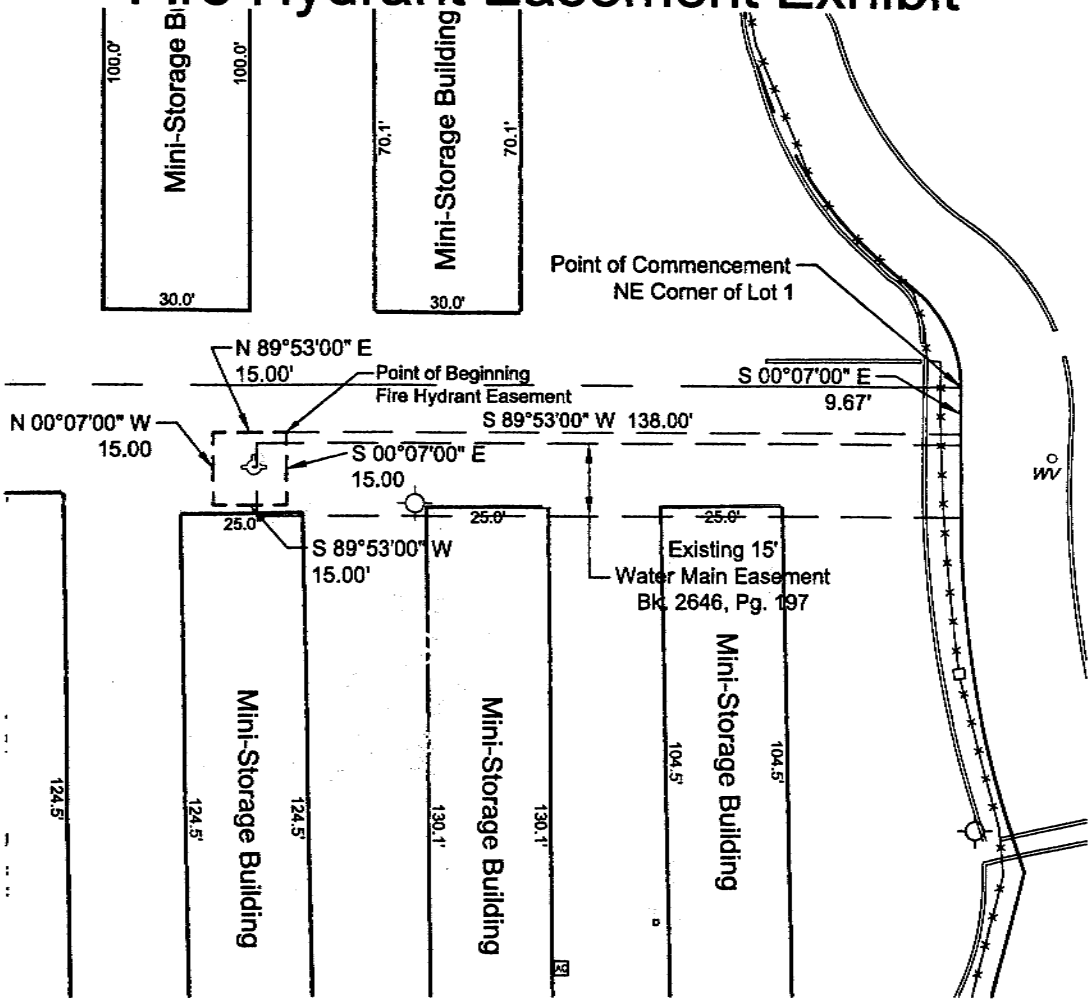
City Clerk

SEAL:

Exhibit "A"

Exhibit "A" to Consent to Encroachment E-1112-

Fire Hydrant Easement Exhibit

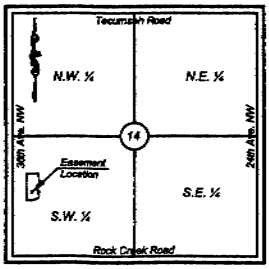


LEGAL DESCRIPTION

A 15 foot by 15 foot Fire Hydrant Easement lying in the Southwest Quarter of Section Fourteen (14), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, and also being a part of Lot One (1) in Block Two (2) of Broce Industrial Park, Section 4; being more particularly described as follows:

Commencing at the Northeast corner of said Lot 1; Thence South 00°07'00" East as the basis of bearing on the East line of said Lot 1 a distance of 9.67 feet; Thence South 89°53'00" West a distance of 138.00 feet to the Point of Beginning;

Thence South 00°07'00" East a distance of 15.00 feet; Thence South 89°53'00" West a distance of 15.00 feet; Thence North 00°07'00" West a distance of 15.00 feet; Thence North 89°53'00" East a distance of 15.00 feet to the Point of Beginning.



Vicinity Map
Section 14, Township 9N, Range 3W
Not To Scale

Date: 04-23-2012

CERTIFICATE OF AUTHORIZATION CA-819
EXPIRATION DATE: 6/30/2013
HALE & BUCKLEY SURVEY COMPANY INC.

Scale: 1"=30'

BASIS OF BEARINGS: S 00°07'00" E, on the East line of Lot 1, Block 2, Broce Industrial Park, Section 4.

Hale & Buckley Survey Company
Land Surveying and Planning
1601 S.W. 89th Street, Building C, Suite 200
Oklahoma City, Oklahoma 73159
Tel.: (405) 686-0174 - Fax: (405) 681-6881
C. A.: 819 - Exp.: June 30, 2013
www.halesurvey.com

Survey No. 5303.1

office memorandum

DATE: January 31, 2012

TO: Jeff Bryant, City Attorney
Doug Koscinski, Current Planning Manager
Ken Danner, Subdivision Manager
Ken Komiske, Director of Utilities

FROM: Brenda Hall, City Clerk BH

SUBJECT: Request for Consent to Encroachment No. 1112-9

I am in receipt of an encroachment request for permission to encroach on utility easements located in Lot 1, Block 2, Broce Industrial Park, Section 4, and Lots 3 and 4, Block 1, Broce Industrial Park, Section 3, a/k/a 3405 through 3213 Bart Connor Drive, to build mini-storage buildings. I am forwarding the letter of request and lot surveys. The application fee has been paid. After the information has been received from the Planning Department, Public Works Department, and Utilities Department and a determination has been made on whether to recommend approval or denial, please forward your recommendation and Consent to Encroachment Form, if needed, to my office in order that it may be scheduled as an agenda item.

This item will be scheduled as an agenda item on March 27, 2012, and the information must be received in my office by March 12, 2012. If there is a problem in meeting that timeframe, please advise.

smr
attachments

Western Skies

January 25, 2012

Ken Danner
City of Norman
201 West Gray, Building A
Norman, OK 73069

Re: Utility Easement Encroachments at 3405 and 3213 Bart Conner Drive, Norman, Oklahoma

Dear Mr. Danner:

It has been brought to our attention that an accurate survey discovered encroachments of Mini-Storage buildings on utility easements and water main easements in accordance with the attached two surveys. WS Self Storage Associates, LLC owner of the property, would like to request a letter recognizing these encroachments. Enclosed is our check to the City of Norman in the amount of $400.00.

The legal description of the two parcels is outlined below along with the statement of encroachments. See the attached surveys for more detail:

Legal Description:
Lot One (1), In Block Two (2), of Broce Industrial Park Section 4, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

Statement of Encroachments:
A) Mini-Storage buildings encroach into the Water Main Easement.
C) Mini-Storage building encroaches on the Utility Easement by 3.0+/-

Legal Description:
Lots Three (3) and Four (4), In Block (1), of Broce Industrial Park Section 3, to Norman, Cleveland County, Oklahoma, According to the recorded plat thereof.

Statement of Encroachments:
A) Mini-Storage building encroaches on the Utility Easement by 0.5+/-

By issuance of this letter, WS Self Storage Associates, LLC holds the City and its contractors harmless for any damage to the Mini-Storage buildings that may accrue in the event that the City must maintain or repair any utility that may be located within these easements.

Respectfully,

WS Self Storage Associates, LLC

Richard Marcus
Manager

FILED IN THE OFFICE
OF THE CITY CLERK
ON 1-31-12

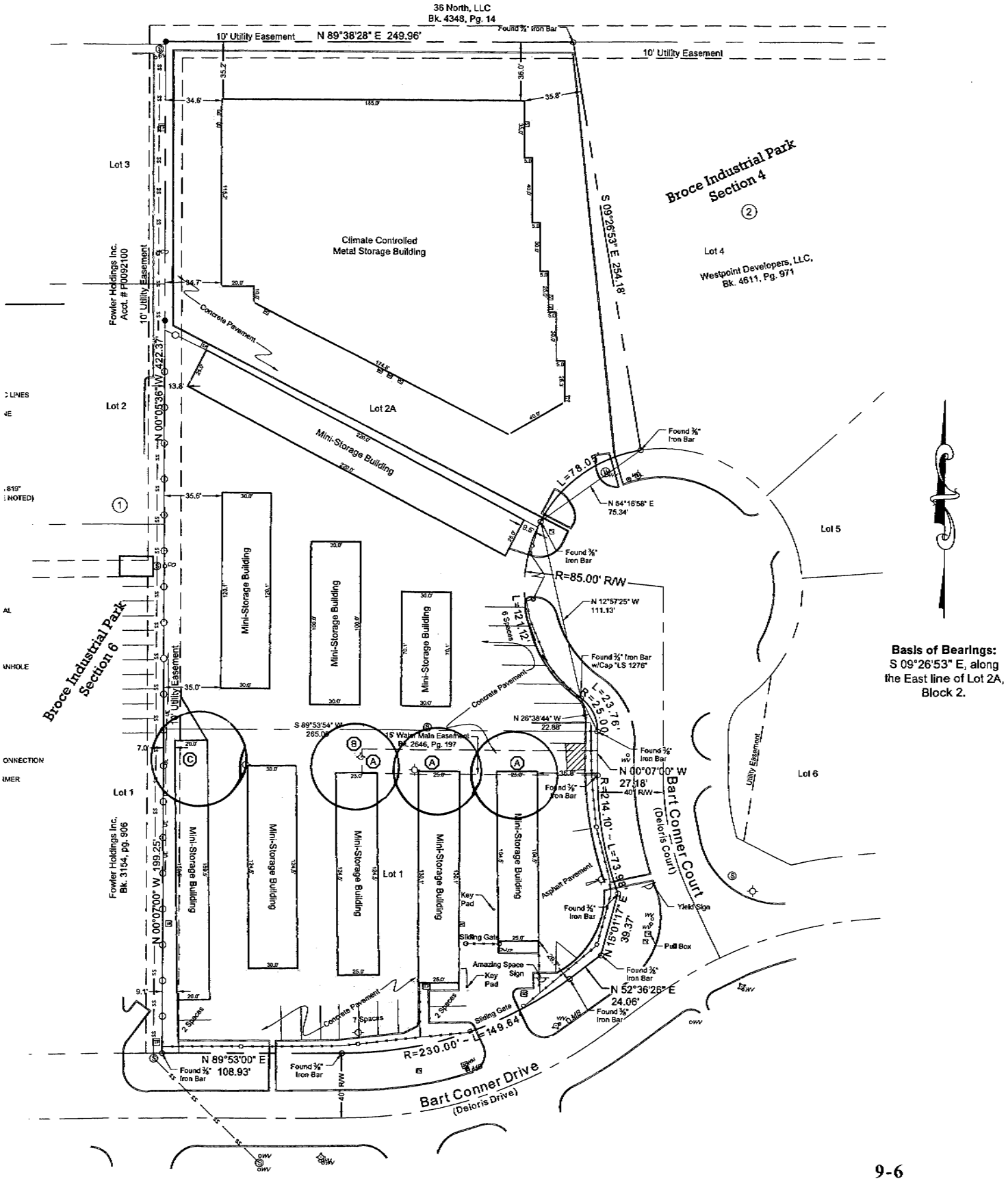
RECEIVED
JAN 30 2012
PW/Engineering

Cc: Ben Vestal
Carlos Gonzalez

Real Estate Investment and Development
5460 S. Quebec Street • Suite ~~300~~ 390 • Englewood, CO 80111 • 303-689-7000 • Facsimile 303-290-9114

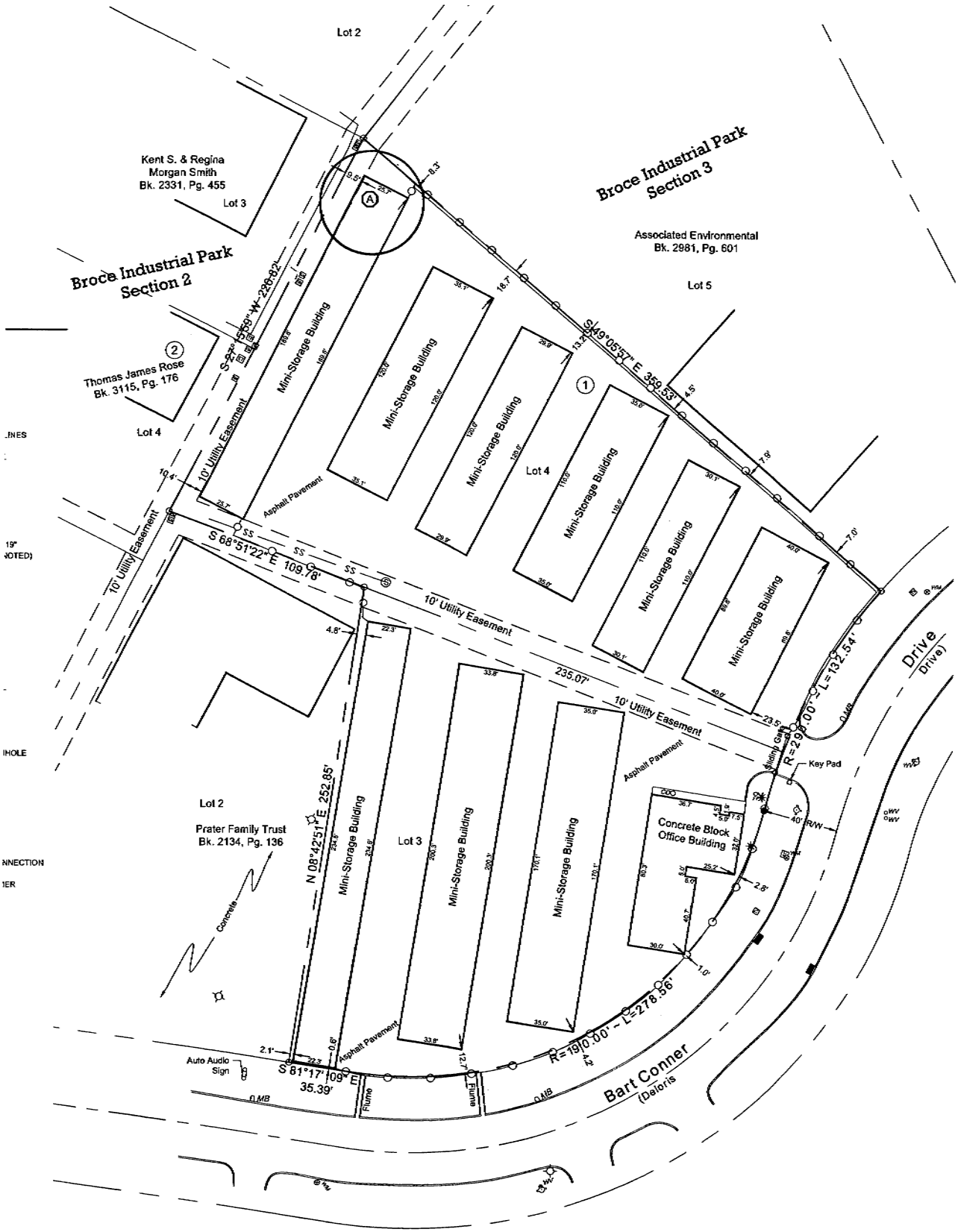
ALTA/ACSM LAND TITLE SURVEY

Part of the Southwest Quarter of Section 14, Township 9 North, Range 3 West Norman, Cleveland County, Oklahoma



ALTA/ACSM LAND TITLE SURVEY

Part of the Southwest Quarter of Section 14, Township 9 North, Range 3 West Norman, Cleveland County, Oklahoma



Basis of Bearings:
S 09°26'53" E, along the East line of Lot 2A, Block 2.

office memorandum

Date: February 28, 2012

To: Brenda Hall, City Clerk

From: Jim Speck, Capital Projects Engineer JS

Re: Consent to Encroach 1112-9
Lot 1, Block 2, Broce Industrial Park, Section 4 (3405 Bart Conner Drive)
Lots 3 & 4, Block 1, Broce Industrial Park, Section 3 (3213 Bart Conner Drive)

Lot 1, Block 2, Broce Industrial Park, Section 4 (3405 Bart Connor Drive) has a 10 foot Utility Easement (U/E) located along the western boundary. Currently, there is a building encroaching into the easement. The U/E on the west boundary has a building encroaching 3 feet into the easement. However, the sewer main is located in the easement on the adjoining property to the west. Therefore, the building has in excess of a 7 foot clearance from the sewer main.

The lot also has a 15" Water Main Easement on the northern portion of the lot. Currently, there are three building encroaching into the U/E on the south. The encroachments are approximately 3 feet or less. The water main is located within the northern portion of the easement. Therefore, there is approximately 5 feet or more clearance from the water main. Also, there appears to be a fire hydrant located outside the U/E. to the west. Additional easement is required.

Lots 3 & 4, Block 1, Broce Industrial Park, Section 3 (3213 Bart Conner Drive) has a 10 foot U/E located along the western boundary. Currently, there is a building encroaching into the easement. The U/E on the west boundary has a building encroaching 0.5 feet into the easement. However, the sewer main is located in the easement on the adjoining property to the west. Therefore, the building has in excess of a 9 foot clearance from the sewer main.

The Utilities Department objects to all encroachments on utility easements unless the applicant agrees to certain requirements being filed of record on the consent document. A recommendation to approve is forwarded only when the applicant agrees to the following:

1. The property owner will provide additional easement extending 7.5 feet past the fire hydrant to the east adjoining the Water Main Easement on Lot 1, Block 2, Broce Industrial Park, Section 4.
2. The property owner will be responsible for the cost to repair any damages to the City's utilities caused by any excavation, piering or other construction activities conducted by the property owner or his agents.
3. The property owner will be responsible for the cost the City incurs to remove any fence, curb, landscaping, building, and any other structure if needed to facilitate maintenance or repair of the City's utilities.
4. The property owner will be responsible for the cost to repair or replace any fence, curb, landscaping, building, or any other structure after such repairs.
5. The property owner will waive and release any claims against the City for any damages to the building/s and related improvements caused by a failure or repair and maintenance of the City's utilities within the easement area.

The Utilities Department can approve the encroachment application if the above requirements are filed of record on the consent document. Please advise if you have any questions.

Cc: Jeff Bryant
Ken Danner
Ken Komiske
Mark Daniels
David Hager

office memorandum

Date: February 29, 2012

To: Leah Messner, Assistant City Attorney

From: Ken Danner, Subdivision Development Manager KD.

Subject: Consent to Encroach
Lots 3 and 4, Block 1, Broce Industrial Park Addition, Section 3
Lot 1, Block 2 Broce Industrial Park Addition, Section 4

This office has been notified that easements have been encroached by storage facilities within subject additions a/k/a 3213 Bart Conner Drive and 3405 Bart Conner Drive as a result of surveys.

Public Works/Engineering has no objection to the consent to encroach for subject lots. There are no facilities maintained by Public Works Department within the easements. However, I do yield to the Utilities Department for any sanitary sewer or water lines that may be impacted by the encroachments.

Utility companies were notified and did not object to the encroachments.

If you have any further questions, please feel free to contact me.

KD/pj

Reviewed by: Shawn O'Leary, Director of Public Works

cc: Brenda Hall, City Clerk
Ken Komiske, Director of Utilities

Drew Norlin

From: HAYES, TERRI L [tn0418@att.com]

Sent: Monday, February 06, 2012 11:32 AM

To: Drew Norlin

Subject: RE: Lot 1, Block 2, Broce Industrial Park, Sec 5 (a/k/a 3205 Bart Conner Dr.) and Lots 3 & 4, Block 1, Broce Industrial Park (a/k/a/ 3213 Bart Conner Dr.)--Consent to Encroach No. 1112-9

Hello Drew,
I have no objections to this request.
Thank you,
Terri

From: Drew Norlin [mailto:Drew.Norlin@normanok.gov]
Sent: Monday, February 06, 2012 11:28 AM
To: baileytj@oge.com; HAYES, TERRI L; Jim Speck; jodie.finney@cox.com; jsullivan@oneok.com; Randy F. Harrell; Thad Peterson
Cc: Ken Danner
Subject: Lot 1, Block 2, Broce Industrial Park, Sec 5 (a/k/a 3205 Bart Conner Dr.) and Lots 3 & 4, Block 1, Broce Industrial Park (a/k/a/ 3213 Bart Conner Dr.)--Consent to Encroach No. 1112-9

To All

Please contact Ken Danner regarding this consent to encroach a 15' water line easement and a 10' U/E for 3205 Bart Conner Drive and a 10' U/E for 3213 Bart Conner Drive with existing mini-storage buildings per the attached drawings with your approval or disapproval. His email address is ken.danner@NormanOK.gov or call him at 366-5458. Please carbon copy me with your email responses too.

Thanks
Drew Norlin, Assistant Development Coordinator
City of Norman Engineering /Public Works
(405) 366-5459 phone
(405) 366-5418 fax
Drew.norlin@ci.norman.ok.us

OG&E

PO Box 321
Oklahoma City, Oklahoma 73101-0321

FEBRUARY 9, 2012

KEN DANNER, DEVELOPMENT COORDINATOR
NORMAN PLANNING COMMISSION
P. O. BOX 370
NORMAN, OK. 73070

RE: **Applicant: Argus Self Storage Sales Network, Inc.**
Consent to encroach in utility easements
Lot 1, Block 2, Broce Industrial Park, Section 4 AND
Lots 3 and 4, Block 1, Broce Industrial Park Section 3
3405 and 3213 Bart Conner Drive
Encroachment No. 1112-9

Mr. Danner;

Available records show OG&E Electric Services has underground facilities in the utility easements covering the above mentioned lots. OG&E does not object to the three encroachments, with the understanding no additional work will be performed in the utility easement areas. If you should have any other questions, please contact me at 553-5174.

Sincerely,

Timothy J. Bailey
Right-Of-Way Agent

Drew Norlin

From: Thad Peterson [TPeterson@okcoop.org]
Sent: Tuesday, February 14, 2012 2:34 PM
To: Ken Danner
Cc: Drew Norlin
Subject: FW: Lot 1, Block 2, Broce Industrial Park, Sec 5 (a/k/a 3205 Bart Conner Dr.) and Lots 3 & 4, Block 1, Broce Industrial Park (a/k/a/ 3213 Bart Conner Dr.)--Consent to Encroach No. 1112-9

OEC has no objection to this request.

Thad

242 24th Ave NW
PO Box 1208
Norman OK 73070
Ph. [405] 321-2024

OEC
OKLAHOMA ELECTRIC COOPERATIVE

Thad Peterson
Supervisor of Engineering Services

Office: 405-217-6625
Mobile: 405-641-7372
Fax: 405-217-6933
tpeterson@okcoop.org

Your Touchstone Energy Cooperative

www.okcoop.org

From: Thad Peterson
Sent: Monday, February 13, 2012 4:50 PM
To: Thad Peterson
Subject: Fwd: Lot 1, Block 2, Broce Industrial Park, Sec 5 (a/k/a 3205 Bart Conner Dr.) and Lots 3 & 4, Block 1, Broce Industrial Park (a/k/a/ 3213 Bart Conner Dr.)--Consent to Encroach No. 1112-9

Thad Peterson
Supervisor of Eng. Services
Oklahoma Electric Cooperative
(405)217-6625

Begin forwarded message:

> **From:** "Drew Norlin" <Drew.Norlin@NormanOK.gov>
> **To:** "baileytj@oge.com" <baileytj@oge.com>, "tn0418@att.com" <tn0418@att.com>, "Jim Speck" <Jim.Speck@NormanOK.gov>, "jodie.finney@cox.com" <jodie.finney@cox.com>, "jsullivan@oneok.com" <jsullivan@oneok.com>, "Randy F. Harrell" <Randy.Harrell@oneok.com>, "Thad Peterson" <TPeterson@okcoop.org>
> **Cc:** "Ken Danner" <kdanner@NormanOK.gov>
> **Subject: Lot 1, Block 2, Broce Industrial Park, Sec 5 (a/k/a 3205 Bart Conner Dr.) and Lots 3 & 4, Block 1, Broce Industrial Park (a/k/a/ 3213 Bart Conner**

February 27, 2012

City of Norman
201 West Gray, Building A
Norman, Oklahoma 73069

Attn: Ken Danner, Drew Norlin

Re: Application for a Revocable Permit to erect, construct and maintain new Mini-Storage buildings on utility easement , Lot 1, Block 2, Broce Industrial Park, Sec 5 (a/k/a 3205 Bart Conner Dr.) and Lots 3 & 4, Block 1, Broce Industrial Park (a/k/a/ 3213 Bart Conner Dr.)--Consent to Encroach No. 1112-9

To Whom It May Concern:

Cox Communications, has no objection to the City of Norman granting revocable permit erect, construct and maintain new Mini-Storage buildings on utility easement , Lot 1, Block 2, Broce Industrial Park, Sec 5 (a/k/a 3205 Bart Conner Dr.) and Lots 3 & 4, Block 1, Broce Industrial Park (a/k/a/ 3213 Bart Conner Dr.)--Consent to Encroach No. 1112-9 on, over, under, or on a portion of the public right of way or utility easements.

Prior to beginning any digging and/ or trenching activities, please call OKIE–ONE 1-800-522-6543 for exact location of our facilities. Cost to repair ANY Cox Communications facility damage caused during construction of this project will be the responsibility of the damaging party. If any future repairs are necessary Cox Communications is not responsible for any damages to any structures placed on or in the utility easements.

If you have any question or concerns, please feel free to contact our office at (405) 600-6336 or email jodie.finney@cox.com.

Sincerely,

Jodie Finney

Jodie Finney
Right-of-Way
#

Dr.)--Consent to Encroach No. 1112-9

To All

Please contact Ken Danner regarding this consent to encroach a 15' water line easement and a 10' U/E for 3205 Bart Conner Drive and a 10' U/E for 3213 Bart Conner Drive with existing mini-storage buildings per the attached drawings with your approval or disapproval. His email address is ken.danner@NormanOK.gov or call him at 366-5458. Please carbon copy me with your email responses too.

Thanks
Drew Norlin, Assistant Development Coordinator
City of Norman Engineering /Public Works
(405) 366-5459 phone
(405) 366-5418 fax
Drew.norlin@ci.norman.ok.us

<4236_001.pdf>

City of Norman
201 West Gray, Bldg A
Norman 73069

Dear Mr. Norlin or Mr. Danner

A LETTER OF NO OBJECTION FOR A REVOCABLE PERMIT TO ALLOW THE EXISTING BUILDINGS AND THE CONSENT TO ENCROACH THE 10' REAR UTILITY EASEMENTS, AT 3405 AND 3213 BART CONNER DRIVE, NORMAN, OKLAHOMA.
T09N/R03W/S14/SW1/4

Oklahoma Natural Gas Company does not object to the city of Norman issuing a permit for the purpose described above.

We do have 2" poly, natural gas distribution main and service risers ON THE PROPERTY of these addresses. Because of this we recommend that OKIE ONE CALL SYSTEM (1-800-522-6543) be contacted (48) hours prior to any excavation being done.

Should our facilities be damaged as a result of their installation, owner and/or contractor will be liable for any cost of repairs. These cost could include a cost calculation for gas loss should any occur.

If we can be of any further assistance, you can contact Shannon Davis at, 366-2451
2-16-2012

Sincerely,

Shannon Davis

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-90

File ID:	GID-1112-90	**Type:**	Grant	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/11/2012
File Name:	Emergency Shelter Grant Program Grant			**Final Action:**	

Title: CONSIDERATION OF ALLOWING THE REVITALIZATION DIVISION TO PROCESS APPLICATIONS FOR THE EMERGENCY SOLUTIONS GRANT PROGRAM, THE RENAMED AND AMENDED EMERGENCY SHELTER GRANT PROGRAM, FOR THE HOMELESS FROM QUALIFYING AGENCIES TO BE SUBMITTED TO THE OKLAHOMA DEPARTMENT OF COMMERCE.

ACTION NEEDED: Motion to approve or reject the processing of applications by the Revitalization Division for the Emergency Solutions Grant Program, the renamed and amended Emergency Shelter Grant Program, for the Homeless from qualifying agencies; and, if approved, direct the submission of the City of Norman Applications for the Emergency Solutions Grant Program for the Homeless to ODOC and upon approval from ODOC, authorize the Mayor to sign any documentation related to the grant application process contingent upon the City Attorney's approval.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 10

Attachments:

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1112-90

Body

BACKGROUND: Beginning in 1987 the City of Norman sponsored local homeless agencies for funding from the U.S. Department of Housing and Urban Development (HUD) that was provided to the Oklahoma Department of Commerce (ODOC) for distribution. On May 3, 2012 ODOC announced two separate Requests for Applications (RFA) for Funding for the Emergency Solutions Grant (ESG) Program. The RFA's are for 2011 and 2012 funds. The postponement in releasing the 2011 funds was incurred due to the delay by the HUD in finalizing the programmatic requirements for this new program.

ODOC has designated $522,830 of available funding statewide for the 2011 allocation. Eligible activities for this allocation are being restricted to housing relocation and stabilization services only with no funds for general operations or administration included. The total amount available has been evenly divided between the six non-entitlement Continuums of Care (CoC) within the state. The Cleveland County Continuum of Care has been awarded a total of $76,730 to be available to eligible agencies located within the Cleveland County Continuum of Care through an application process. Applications will be scored by ODOC with the highest scoring application from each Continuum receiving the funding. One application will be sponsored by the City of Norman on behalf of Food and Shelter for the full amount available, because Food and Shelter is the only agency with capacity to administer the program that was based on the Homeless Prevention and Rapid Rehousing Program (HPRP) regulations. The Cleveland County Continuum of Care designated Food and Shelter as the recipient of both the HPRP funds and the 2011 ESG funds, which will allow for the continuation of some of the services that were provided by HPRP. Applications for these funds are due at ODOC on June 8, 2012. Funding will be available from approximately July 1, 2012 thru June 30, 2013.

The 2012 allocation of funding is $1,604,890 statewide. These funds will be a statewide competition with scoring done by ODOC. There are two tiers of funding available per application depending on the services that are applied for, with each tier having the amount of $50,000 each with a maximum award of $100,000 per agency. Applications for these funds are due at ODOC on June 15, 2012. Funding will be available from approximately October 1, 2012 thru September 30, 2013.

Eligible Components for 2012 Allocation

1. *General Administration Activities* - 3.75% max

2. *Street Outreach*

Subject to the expenditure limits, ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility.

3. *Emergency Shelter Operations*

Subject to the expenditure limit in § 576.100(b), ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, renovating buildings to be used as emergency shelter for homeless families and individuals, and operating emergency shelters.

4. *Homeless Prevention*

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the "homeless" definition in § 576.2.

5. Rapid Rehousing Assistance
ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing.

The City of Norman has sponsored 42 grants in past years for agencies serving the homeless. In the past the only eligible applicants were units of local government and community action agencies not individual service providers. The current funding does allow for the submittal of applications by individual service providers that meet certain criteria but given the critical timeline for application submittal, not all providers can currently meet the criteria. Distribution of funding to a nonprofit is permitted only when the unit of general local government, in which the assisted project is to be located, certifies that it approves the proposed project. This certification must be submitted to ODOC with the application. Eligible applicants in Norman include East Main Place, Inc.; Food and Shelter, Inc.; The Salvation Army; Thunderbird Clubhouse; Transition House; Bridges, Inc.; Central Oklahoma Community Action, Inc.; and the Women's Resource Center. Applications are due to the City by June 11, 2012.

The applications are prepared by the agencies in consultation with the Continuum of Care and City of Norman staff. These applications are then sponsored by the City of Norman and submitted to the Oklahoma Department of Commerce for funding consideration. The release of the Request for Applications was issued by ODOC on May 3, 2012, with a deadline for submittal for these applications by June 15, 2012. This item is before the City Council to authorize the submittal of the applications to ODOC. If funding is awarded, the associated contracts between the State of Oklahoma and the City of Norman are executed in addition to a Sponsor/Shelter Agreement that allows for the funds to be passed thru to the service provider.

DISCUSSION: The Homeless Assistance Grants were originally established by the Homeless Housing Act of 1986, in response to the growing issue of homelessness among men, women, and children in the United States. In 1987, the Emergency Shelter Grant Program was incorporated into subtitle B of title IV of the Stewart B. McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378). In May 2009 the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act was signed; establishing the newly reauthorized Emergency Solutions Grant Program and the Elimination of the Emergency Shelter Grant Program.

The HEARTH Act amends and reauthorizes the McKinney-Vento Homeless Assistance Act with substantial changes, including:

- A consolidation of HUD's Continuum of Care competitive grant programs;
- A change in HUD's definition of homelessness and chronic homelessness;
- A transformation of the Emergency Shelter Grant Program into the Emergency Solutions Grant Program; and,
- An increase in the emphasis on performance.

Strategies outlined by the Governor's Interagency Council on Homelessness' (GICH) 10-year Plan adopted by the Oklahoma Department of Commerce/ Community Development (ODOC/CD) as well as the ECHO 2015 Plan adopted by the Norman City Council, continue to advance and energize Cleveland County and specifically the City of Norman's efforts to identify and combat the issues that result in homelessness. The Emergency Solutions Grant (ESG) Program is a vital component of the efforts to alleviate homelessness in Cleveland County and in Oklahoma. When used in conjunction with other local resources the ESG program provides the foundation for homeless people to move toward and maintain independence.

Continuum of Care

The Continuum of Care (CoC) model is based on the understanding that homelessness is not caused by simply a lack of shelter, but involves a variety of underlying needs. HUD believes that the best approach for alleviating homelessness is through a community-based process that provides a comprehensive response to the diverse needs of homeless persons. Each applicant must obtain verification from their Continuum of Care that they are involved in the CoC organization and service delivery process as well as participate in the Homeless Management Information System (HMIS) data collecting and Point-In-Time Count Survey. Since the inception of the Continuum of Care model, the City of Norman has served as the lead agency for the Cleveland County Continuum of Care. As the designated Lead Agency, the City of Norman is responsible for the coordination of activities including the Annual Point in Time Count of Homelessness, the Annual Shelter Inventory, and evaluation and monitoring of the provision of services within the County to identify gaps and duplications of services by provider agencies.

The fundamental components of a Continuum of Care system are:
Outreach and assessment to identify a homeless person's needs.
Immediate (emergency) shelter as a safe, decent alternative to the streets.
Transitional housing with appropriate supportive services to help people reach independent living.
Permanent housing or permanent supportive housing for the disabled homeless.

RECOMMENDATION: Staff recommends authorizing the submission of the Emergency Solutions Grant applications to the Oklahoma Department of Commerce on behalf of the agencies, and authorizing the Mayor to execute the required paperwork for the submittals. The applications will be reviewed for completeness, accuracy, and compliance with regulations before submittal to the Oklahoma Department of Commerce, and contracts with the agencies that are awarded grants will be reviewed by City Council after the award notifications.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: LL-1112-14

File ID:	LL-1112-14	**Type:**	Limited License	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/14/2012
File Name:	Limited License United Way Designate Norman			**Final Action:**	

Title: LIMITED LICENSE NO. LL-1112-14: LIMITED LICENSE TO PLACE NINE (9) "DESIGNATE NORMAN" GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1112-14 to place nine (9) "DESIGNATE NORMAN" ground banners within the public rights-of-way pursuant to a request from the United Way of Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 11

Attachments: Text File Limited LIcense, Letter from United Way, Application from United Way, List of Location United Way Designate, United Way - Commuter Banners

Project Manager: Wayne Stenis, Planner II

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File LL-1112-14

Body

BACKGROUND: Section 18-308 states:

Festival or Public Event Banners.

Signs announcing specific events or promotions that are of a legitimate public benefit to the

community at large may be erected within the public right-of-way when authorized by a limited license granted by the City Council. The size, number, type, and wording of such signs must be specified in the license, as well as their location and duration of use. Because of their unique location within the public right-of-way, such banners may not be placed so as to interfere with legitimate traffic and safety concerns.

DISCUSSION: The United Way of Norman, a 501 (c)(3) organization, will host their annual community fund drive. Funds support community social service agencies. They have requested permission to place nine banners at various locations around the community to inform the public of this event. The signs are 5 x 7 in size, and are vinyl material attached to aluminum frames. They will be in place for approximately four months, before and during the event, and will be removed right after the event (June 1, 2012 to October 26, 2012). Text on the banner will be: Designate Norman (7100), Give Where You Live [logo].

They have been advised that banners should not be located to obstruct any sight triangle and the proposed locations do not create any obstruction, which is at least twelve feet from any curb. A copy of the letter of request, application, and sign locations are attached for reference.

RECOMMENDATION: Staff has prepared the license in accordance with their request, and presents it to the Council for consideration. Conditions may be attached, if the Council desires. Staff supports granting this Limited License, for the specified time period.

United Way of Norman
2424 Springer Drive, Suite 304
Norman, OK 73069
Phone (405) 329-2025
www.unitedwaynorman.org

Ellen Usry
P.O. Box 370
Norman, Oklahoma 73070

May 8, 2012

Dear Ellen:

We are already in the preparation stages for this year's United Way of Norman annual community fund drive. Our Pacesetter companies will begin in June and we will officially kick off the community-wide portion of the campaign mid-September. Attached are two Limited License applications for our annual Designate Norman banners and United Way Campaign Goal-o-meters.

It's important to let our Norman commuters know that they have the ability to designate their donations back to our community, even if they are working in Oklahoma City. We would like to place nine "Designate Norman" banners on city streets near Highway and Interstate exits. It's a wonderful avenue to inform a large number of people that they may direct their efforts to help keep our community a great place to work and live.

We would like to put the nine "Designate 7100" banners in place by June 1st and remove them by October 26th due to the fact that metro area campaigns will begin at the end of June and take place through the end of October.

In order to communicate our progress to the community, we would like to put up twenty two "Goal-o-meters" on various Norman streets. Once again, we would really appreciate your help with this endeavor. With so many factions of the community participating, we have found that this is an effective way of letting them know where we stand. We would like to put up the Goal-o-meters on September 21th and leave them in place until December 14th.

A list of locations for each type of sign is attached. Please note that these are the same locations approved for our 2011 campaign.

Thank you so much for your assistance and consideration. Please feel free to contact me with any questions.

Sincerely,

Candice Jones

Candice Jones
VP, Resource Development

APPLICATION FOR LIMITED LICENSE FOR FESTIVAL OR PUBLIC EVENT BANNER

Date May 8, 2012

Name of Applicant United Way Of Norman

Address 2424 Springer dr. Ste. 304 Telephone Number 329-2025

Number of Banners Nine (9)

Location of Banners (If list is lengthy you may attach separate sheet or map)

Please see attachment

Banner Size 5' x 7'

Type of Banner Vinyl banner with aluminum frame

Wording of Banner Designate Norman (7100) Give where you live - United Way Logo

Duration of Use 10-1-2012 - Oct. 26 2012

United Way of Norman Designate Norman Banners
06/01/12 – 10/26/12

1. Robinson & Interstate Drive intersection
   (West of bus stop, targeted for traffic heading towards north I-35)

2. 36th Avenue NW and Indian Hills Road
   (NW Corner, targeted for traffic heading North and West)

3. 36th NW & Tecumseh Road
   (NE corner, targeted for traffic heading towards north I-35)

4. 48th Avenue NW and Robinson
   (NW Corner, targeted for traffic heading North & West to Oklahoma City)

5. Main and 24th Ave NW
   (NW Corner by IBC Bank)

6. Lindsey & 24th Avenue S.W. intersection
   (SW corner, targeted for traffic heading towards north I-35)

7. 12th Avenue N.E.
   (Recreation Center, near Rec sign)

8. Flood & Rock Creek intersection
   (NE corner, 30' back from each curb... northbound traffic)

9. 12th Avenue NE and Rock Creek Road
   (NE Corner, targeted for traffic taking Sooner Road to Oklahoma City)

Candice Jones
(405) 329-2025

LIMITED LICENSE NO. 1112-14

LIMITED LICENSE TO PLACE NINE (9) "DESIGNATE NORMAN" GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

An Application has been filed by the United Way of Norman for a Limited License to place nine (9) "Designate Norman" ground banners within the public rights-of-way pursuant to Section 18-308 of Chapter 18 of the Code of Ordinances, which Application is hereby granted pursuant to the conditions and limitations as set forth in said Application.

Special conditions for the granting of this limited license by the City Council are as follows:

Strict compliance with all the conditions set forth in the application filed herein with regard to description, location, duration, and wording as specified in the application which is incorporated herein and made a part hereof

License limited for a one hundred twenty-seven (127) day period from June 1 through October 26, 2012.

Any special conditions which may be outlined in the Staff memorandum or imposed by the City Council.

Further, any breach of the conditions as above set forth shall be grounds for immediate revocation of this license and further that the City Council may revoke this limited license at will and for any cause whatsoever upon the giving of thirty (30) days notice authorized by the City Council to the application.

Approved this 22nd day of May, 2012.

CITY OF NORMAN

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-0405-131 Amend #4

File ID:	K-0405-131 Amend #4	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$30,000.00	**File Created:**	05/09/2012
File Name:	Amd #4 K-0405-131 Poe & Associates			**Final Action:**	

Title: AMENDMENT NO. FOUR TO CONTRACT NO. K-0405-131: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND POE AND ASSOCIATES, INC., INCREASING THE CONTRACT AMOUNT BY $30,000 TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR THE EAST LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN BOULEVARD TO THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY (BNSF) RAILROAD TRACKS.

ACTION NEEDED: Motion to approve or reject Amendment No. Four to Contract No, K-0405-131 with Poe and Associates, Inc., increasing the contract amount by $30,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 12

Attachments: Text File K-0405-131 Amend #4, Amd 4 K-0405-131, Requisition

Project Manager: Scott Sturtz, Capital Projects Engineer

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-0405-131 Amend #4

body

BACKGROUND: The Lindsey Street Widening Project, from Lincoln Boulevard east to the Burlington Northern Santa Fe (BNSF) Railroad tracks, involves the construction of a new four-lane roadway with 10-foot-wide bike/hike trails on both sides of the road. This project is a General Obligation Bond Project that was approved by the voters in March 2005 and it is the last of the 2005

bond projects to be bid for construction.

On April 12, 2005 Council approved Contract No. K-0405-131 with Poe and Associates, Inc. of Oklahoma City for the design of the roadway construction. On July 24, 2007 Council approved Amendment No. 1 for design services to change the scope of work to a "divided parkway" and to accommodate landscaping in coordination with the University of Oklahoma (OU) for the project. On September 23, 2008 Council approved Amendment No. 2 to complete a drainage study and evaluate alternatives to the drainage problems at Lindsey Street and Elm Avenue via this project. On November 24, 2009 Council approved Amendment No. 3 to complete the City water and sewer line relocations associated with this project to achieve federal funding.

DISCUSSION: The complexity of this project resulted in additional services being required by Poe and Associates to complete the final design and construction.

Poe and Associates recently submitted a request for Amendment No. 4 including $30,000 in additional compensation for these supplemental services. City staff has carefully reviewed and negotiated this amendment. Below is a timeline showing significant milestones and additional services:

July 2007: Amendment No. 1, added utility relocation coordination to the contract.

December 2007: Preliminary meetings with each of the utility owners, including the OU, were conducted to verify all known utilities were surveyed and shown correctly.

September 2008: Amendment No. 2 was added to the contract. This amendment was to develop landscaping options into the roadway design in order to accommodate the concerns of OU over the roadway project. The overall project was delayed significantly until an agreement with OU was finalized.

January 2009: Preliminary roadway plans with proposed utility relocation locations depicted were sent to each of the utility owners. Formal relocation plans were requested from each utility owner.

February 2009: Coordination meetings with each utility owner were held.

May 2009: A new Norman fiber optic line was installed along Lindsey Street.

June 2009: Right-of-way plans were completed and submitted.

July 2009: The relocation plans from each public utility including Norman water and sewer lines, OG&E, AT&T, ONG and Cox were completed and submitted to the City of Norman and the Oklahoma Department of Transportation (ODOT). The University's known utilities had also been included in this process, but they had no plans to relocate any of their facilities. They were, instead, removing one of their buildings in the corridor and would remove OG&E power and AT&T phone service. This would normally be the conclusion of the normal relocation planning process, but with some periodic involvement from the engineer, as required during the physical relocation of each utility.

November 2009: OU's plan to construct a new power steam tunnel was introduced. The main tunnel of this project was located along Jenkins. However, the construction of the steam tunnel required reconstruction of the main 6'x6' drainage box along Lindsey Street as part of the OU project. As a result of the relocation of the box, the drainage and utilities along Lindsey Street had to be redesigned.

January 2010: OU requested that the above ground OG&E power lines along Lindsey Street be relocated underground. In order to accommodate this request, the remaining utility locations had to be re-evaluated and redesigned. The right of way plans were also revised to accommodate the request.

February 2010: First revised plans from Norman water & sewer division, ONG, AT& T and OG&E were completed. In addition, the right-of -way plans were revised and resubmitted for the second time.

March 2010: During the construction of the OU steam tunnel, the University uncovered additional unknown utilities and storm sewers that appeared to belong to them. Due to construction conflicts, the roadway drainage design and AT&T relocation plan were required to be revised a second time.

April of 2010: An extension of the Norman fiber optic cable was added to the roadway plan contract. The University requested the right-of-way on their properties be revised. The project right-of-way plans and OU's right-of-way acquisition documents were revised and resubmitted for a third time.

May 2010: Norman water and sewer relocation project went to bid. OU added a large electrical duct run to their construction along Lindsey Street. Two previously undocumented storm sewer pipes were discovered. The storm sewer system for the proposed roadway was redesigned and the proposed utility relocations reviewed.

December 2010: Drainage for Garfield Avenue was added to the roadway contract. The Norman water line relocation plans were revised for the second time to accommodate this change.

February 2011: Final Roadway Construction Plans completed and submitted.

The construction project is funded 80 percent by ODOT and 20 percent by local funds. ODOT has billed the City for the local matching share. Based on the latest engineer's estimate, the total construction cost is $2,900,000. ODOT's share is $2,320,000 and the local match is $580,000. Funds are available in the Lindsey Street Widening, Construction (Account No. 050-9552-431.61-01) Project Numbers. BP0235, TR0234.

The total project cost is estimated to be $4,114,000 with the estimated City share of $1,794,000 (44%). The City's share has been paid using mostly bond funds; less than $200,000 has been paid from the Capital Fund. Completion of the project is anticipated in Summer 2012.

If Amendment No. 4 is approved, the City's total project share will increase to $1,824,000 or 2% increase over current costs. If approved, the City's total project share will increase to 45%.

RECOMMENDATION: Staff recommends approval of Amendment No. 4 to Contract No.

K-0405-131 with Poe and Associates Engineers for the additional engineering services for Lindsey Street from Lincoln Boulevard east to the Burlington Northern Santa Fe (BNSF) Railroad tracks.

AMENDMENT NO. 4 TO CONTRACT NO. K-0405-131
BETWEEN CITY OF NORMAN AND ENGINEER
FOR PROFESSIONAL SERVICES

LINDSEY STREET WIDENING PROJECT
Jenkins to BNSF Railroad

This is an agreement made as of the 23rd day of April, 2012 between the City of Norman (OWNER) and POE & ASSOCIATES, INC. (ENGINEER) amending the Original Contract No. K-0405-131 dated April 12, 2005 between the said parties. OWNER intends to expand the roadway design work beyond the scope of work included in the above said Original Contract. The following shall be considered as the additional work beyond the original scope.

> The ENGINEER shall coordinate additional utility relocation items. Additional utility relocations are related to the introduction of the University of Oklahoma power steam tunnel project with associated utility conflicts and conversion of overhead to underground power line installation.

OWNER and ENGINEER, in consideration of the mutual covenants herein, agree to the following, in respect to the performance of Professional Engineering Services and the payment for those services by OWNER as set forth below for the above described additional scope of work.

1. ENGINEER shall perform professional services as stated in this Amendment or the original Contract for the additional scope of work described above.

2. For services performed for the additional scope of work in accordance with this amendment, the OWNER shall pay ENGINEER additional lump sum fee not to exceed Thirty Thousand and 00/100 dollars ($30,000.00), as specified on the attached schedule of project costs (Attachment 1A).

3. All other requirements of the ENGINEER included in the Original Contract shall remain in effect for the purposes of this agreement.

This Amendment No. 4 is subject to all terms, covenants, and conditions not inconsistent herewith contained in the Original Contract No. K-0405-131 dated April 12, 2005 which terms, covenants, and conditions are hereby reaffirmed and ratified.

IN WITNESS WHEREOF, Owner and Engineer have executed this Agreement.

DATED this _____ day of _____ 2012.

CITY OF NORMAN	**POE & ASSOCIATES, INC.**
Owner	Engineer
By: _____	By: _____
Title: _____	Title: VP
Date: _____	Date: 4/23/12

(Corporate Seal)

ATTEST	**ATTEST**
_____	_____
City Clerk	Secretary

APPROVED as to form and legality this 15th day of May, 2012.

_____
City Attorney

ATTACHMENT 1A

Compensation for Amendment 4 To
Lindsey Street Widening Project
Jenkins Ave. to BNSF Railroad
City of Norman
Contract K-0405-131

Prepared by Poe & Associates
April 23, 2012

TASK:

A. Additional Utility Relocation Coordination	$	30,000
TOTAL AMENDMENT 4	**$**	**30,000**

PURCHASE REQUISITION NBR: 0000200819

STATUS: DIVISION APPROVAL

REQUISITION BY: SSTURTZ

REASON: PAYMENT FOR ADDITIONAL ENGINEERING SERVICES

DATE: 5/07/12

SHIP TO LOCATION: PUB WKS- ENGINEERING

SUGGESTED VENDOR: 1643 POE AND ASSOCIATES INC

DELIVER BY DATE: 5/07/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	PAYMENT FOR ADDITIONAL ENGINEERING SERVICES COMMODITY: CONSULTING SERVICES SUBCOMMOD: ENGINEERING CONSULTING	1.00	EA	30000.0000	30000.00	

REQUISITION TOTAL: 30000.00

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05095524316201	Capital Projects Design	TR0234 Lndsy Wden:Jnkns-Duck Pd	100.00	30000.00
					30000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

INSUFFICIENT FUNDS TO BE COVERED BY LINE ITEM TRAN
SFER FROM 050-9552-431.67.01 PROJECT TR0234 TO 050
-9552-431-62-01 PROJECT TR0234

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-0910-134 Final

File ID:	K-0910-134 Final	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/02/2012
File Name:	Final Acceptance K-0910-130 Pinnacle Mapping Tech			**Final Action:**	

Title: CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-0910-134 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PINNACLE MAPPING TECHNOLOGIES, INC. AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) FOR AERIAL PHOTOGRAPHY AND PLANIMETRIC MAPPING.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $14,962.50 to Pinnacle Mapping Technologies, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 13

Attachments: Text File K-0910-134 Final, Final Invoice

Project Manager: Joyce Green, GIS Services Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-0910-134 Final

Body

BACKGROUND: City Council, in its meeting of January 26, 2010, approved Contract No. K-0910-134 with Pinnacle Mapping Technologies, Inc. and the Association of Central Oklahoma Governments (ACOG) in the amount of $110,958.40 for aerial photography and planimetric mapping. The deliverable products were color digital orthophotography at 3 inch pixel resolution for the urban area and at 6 inch pixel resolution for the rural areas. Planimetric mapping was collected at 1 inch =

100 feet for the entire city. Planimetric mapping converts features visible on the aerial photography to a format that can be used in mathematical calculations.

DISCUSSION: The digital orthophotography portion of the project was completed by the fall of 2010 and the majority of the planimetric mapping was completed by August 2011. The last delivery of some missing data in the rural portion of the planimetric mapping was delivered on April 11, 2012. Staff reviewed the data and found it satisfactory.

This project was a joint effort of several regional governments coordinated by ACOG to develop an aerial photography base map for central Oklahoma. It also enabled the participating governments to acquire additional mapping products they require to conduct their daily business. By combining our purchasing power, the participating governments received better pricing for the project as it is more cost effective for mapping contractors to collect aerial photography for large areas. In addition to the City of Norman, the participating governments included: City of Oklahoma City, City of Edmond, City of Moore, City of Midwest City, City of Yukon, and Oklahoma County. The United States Geological Survey (USGS) participated in parts of the aerial photos project. The City of Norman received a payment of $5,116 in July 2011 from the ACOG, which was the City of Norman's share of the funds that the United States Geological Service (USGS) paid to ACOG to acquire some of the data developed by this project.

STAFF RECOMMENDATION: Staff recommends that aerial photography and planimetric mapping project be accepted and the final payment of $14,962.50 be authorized.

INVOICE

Pinnacle Mapping Technologies

Invoice Number:	25718
Invoice Date:	8/31/2011
Job Number:	P1002301
Customer Number:	NORM
Terms:	n/30

Invoice To:
City of Norman
Attn: Joyce Green, GIS Services Division
201-A West Gray Street
Norman, OK 73069

DESCRIPTION			AMOUNT	
City of Norman				
	% complete	**Total**	**SUBTOTAL:**	59,850.00
Planimetric Mapping (191 sq miles with 200' buffer)	100%	59,850.00		
			NET INVOICE:	59,850.00
			Previously Invoiced	44,887.50
			INVOICE TOTAL:	**14,962.50**

Task Order Value $59,850.00

Make checks payable to:
Pinnacle Mapping Technologies, Inc.
9084 Technology Drive, Suite 800
Fishers, IN 46038
V - (317) 585-2011
F - (317) 585-2014

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1011-149 Final

File ID:	K-1011-149 Final	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 14	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	05/16/2012
File Name:	Final Accpt K-1011-52 Standard Roofing			**Final Action:**	

Title: CONSIDERATION OF FINAL ACCEPTANCE AND PAYMENT OF CONTRACT NO. K-1011-149 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND WEATHERPROOFING TECHNOLOGIES, INC., (WTI) FOR THE MECHANICAL RENOVATION PROJECT AT THE NORMAN PUBLIC LIBRARY AND MUNICIPAL BUILDING B A/K/A POLICE DEPARTMENT AND MUNICIPAL COURT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct payment in the amount of $437,500 to Weatherproofing Technologies, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 14

Attachments: Text File K-1011-149 Final, Purchase order

Project Manager: Matthew Smith, Facility Maintenance Superintendent

Entered by: brenda.hall@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1011-149 Final

Body

BACKGROUND: City Council, in its meeting of May 31, 2011, approved Contract No. K-1011-149 with Weatherproofing Technologies, Inc., in the amount of $1,750,000 for the replacement of the mechanical system in the Norman Public Library and Building B a/k/a Police Department and Municipal Court.

The scope of project for the Library included the replacement of the entire mechanical system with the exception of the ductwork. The scope of the project for Building B included replacement of most of the existing system with the exception of two rooftop units and the boiler, which had been replaced

recently and the existing ductwork. The project also included cleaning and disinfecting the existing ductwork and the installation of an ultra violet disinfection system which sterilizes the air on an ongoing basis.

The system in both buildings have been added to the same control system which also controls other buildings in the Municipal Complex. This provides for ease of maintenance and allows staff to control the systems from a remote site if needed.

DISCUSSION: The project was substantially complete in April, final commissioning was completed in May, and final inspections were completed on May 15, 2012. All work meets all bid specifications.

Funds were budgeted in the FYE 2012, Capital Budget - Project No. EF1003, Building Maintenance Needs-Mechanical, Construction (050-9540-419.61-01).

STAFF RECOMMENDATION: Staff recommends that the mechanical renovation project for the Norman Public Library and Building B be accepted and final payment in the total amount of $437,500 be authorized.

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
BUILDING MAINTENANCE
121 N PETERS
NORMAN, OK 73069

P.O. #: 201970
DATE: 05/25/11

VENDOR #
10741

WEATHERPROOFING TECHNOLOGIES I
8102 BRIGHTON PLACE
HOUSTON, TX 77095

SHIP TO:
City of Norman
BUILDING MAINTENANCE
121 N PETERS
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
04/27/11	BEST WAY	DESTINATION	NET

CONFIRM BY
TERRY MORTON

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
05095404196101	SRUNYON	185487	04/20/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	CONTRACT NO. K-1011-149 FOR THE NORMAN PUBLIC LIBRARY AND MUINICIPAL BUILDING B/POLICE DEPT/ MUNICIPAL COURT MECHANICAL RENOVATION PROJECT CONTINGENT UPON CITY COUNCIL APPROVAL ON ~~5/24/11~~ 5/31/11	1750000.0000	1750000.00
				SUB-TOTAL	1750000.00
				TOTAL	1750000.00

11/4/11 partial pmt chk. # 92643532 437,500.00
Balance 1,312,500.00

1/11/12 partial pmt chk # 92671244 437,500.00
Balance 875,000.00

2/20/12 partial pmt Chk# 92686006 $437,500.00
Balance — $437,500.00

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-56 Chg #1

File ID:	K-1112-56 Chg #1	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 15	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	04/24/2012
File Name:	Final Acceptance Firehouse Art Center Improvements			**Final Action:**	

Title: CHANGE ORDER NO. ONE TO CONTRACT NO. K-1112-56: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RON WALTERS CONSTRUCTION COMPANY INCREASING THE CONTRACT AMOUNT BY $37,383.80 FOR THE FIREHOUSE ART CENTER IMPROVEMENTS PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract No. K-1112-56 with Ron Walters Construction Company; and, if approved, authorize the execution thereof, accept the project, and direct final payment in the amount of $22,148.43 to Ron Walters Construction Company.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 15

Attachments: Text File Firehouse Change Order, Chg Order K-1112-56, Final Payment Docs Firehouse Art.pdf

Project Manager: Jud Foster, Director of Parks and Recreation

Entered by: suzanne.terry@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-56 Chg #1

Body

Background: During the FYE 2010 and FYE 2011 Capital Budget processes, City Council approved funding for several facility maintenance projects for the Parks and Recreation Department. One such project was the Firehouse Art Center Repairs Project. That project included replacing the store-front entry on the west side of the building, re-roofing the entire building and replacing the existing exterior vinyl siding with new Hardie System cement fiber board siding. Based on previous projects, staff expected to find water damage, but could

not know the extent of this damage.

In preparing the specifications for removal of the existing siding and installation of the new siding system portion of the project, an add-alternate was included which called for a per-square-foot price to repair any water damage to the building framing, sheathing and/or interior surfaces. Using an add-alternate allowed the flexibility it required to make the necessary repairs based on the agreed-upon change in the scope of work with the contractor.

The contractor began the project on the east side of the building, continued on to the south end and then on to the north; and has now finished the west side of the building. As anticipated water damage was found on all sides of the building. As the contractor progressed through the project, staff was notified of the damage, which was inspected and verified and then repaired. It was agreed upon by staff and the contractor to continue on with the project and wait until all of the damage had been uncovered before requesting a single payment for additional work according to the add-alternate item in the bid. Stopping the project was not feasible as it would leave sides of the building exposed, leading to further damage. This allowed the contractor to keep the project going and thus, minimized the disruption to the Firehouse Art Center's class and operating schedule.

The original budget for the project was $139,000. The roofing and entry door replacement work was completed by others for $34,577 which left a balance of $104,423 for the remainder of the project. Contract No. 1112-56 for Exterior Repairs was awarded for the amount of $84,942 - leaving a balance of $19,481 for unknown water damage to be awarded as it was encountered according to the pricing supplied in the bid proposal add-alternate sections. Upon completion of the siding work, the total cost of additional repairs was $37,383, which left the project short by $17,902.

DISCUSSION: On 18 April 2012, the Firehouse Art Center project was inspected by Parks and Recreation staff and found to be complete per specifications. Total work under this contract was $122,326.40. Partial payments were made throughout the project leaving a balance due of $22,148.43. A transfer of $17,902.00 from other Existing Facility Maintenance Capital Projects was completed on 6 April 2012, to provide sufficient funding to complete this contract.

RECOMMENDATION: It is recommended that City Council approve change order No. 1 to contract K1112-56, accept this project as complete and authorize final payment as follows:

FYE 2012

CONTRACT NUMBER K-1112-56

FIREHOUSE ART CENTER EXTERIOR REPAIRS PROJECT

Awarded to: Ron Walters Construction
Award amount: $84,942.60
Account: Maintenance of Existing Facilities;
Firehouse Art Center
(#050-9677-419.61-01)
Project Number: EF0122
Estimated Budget: $139,000.00
Final Payment: $ 22,148.43

CHANGE ORDER SUMMARY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO. 1 DATE: 5-7-12

CONTRACT NO.: K-1112-56 SUBMITTED BY: Mitch Miles

PROJECT: FIREHOUSE ART CENTER EXTERIOR REPAIR PROJECT

CONTRACTOR: Ron Walters Construction Services, Inc.
8501 South Walker
Oklahoma City, Oklahoma 73139
Original Completion Date 3-12-12

Previous Completion Date N/A ORIGINAL CONTRACT AMOUNT $84,942.60

(Increase) this change order 25 Calendar days

New Completion Date 4-18-12 PRESENT CONTRACT AMOUNT $122,326.40

DESCRIPTION	DECREASE	INCREASE
See change order detail.		$37,383.80

Note: This change order is based completely on the unit prices from the original contract. There are no new items.

NET CHANGE $84,942.60 $37,383.80

REVISED CONTRACT AMOUNT $122,326.40

CONTRACTOR: DATE: 5-7-12

ARCH./ENGINEER: DATE: 5-7-12

CITY ATTORNEY: DATE: 5/17/12

ACCEPTED BY: DATE:
(Mayor)

CHANGE ORDER DETAIL
CHANGE ORDER NO. 1
City of Norman
Cleveland Co., Oklahoma

Project Name Firehouse Art Center Exterior Repairs

Design Engineer_____
Address/Phone:_____

Project Account Number 050-9677-419.6101-01
Project Number EF0122
Contract No. K-1112-56

A. Change Orders or addenda to public construction contracts of One Million Dollars ($1,000,000.00) or less shall not exceed a fifteen percent (15%) cumulative increase in the original contract amount.

B. Change orders or addenda to public construction contracts of over One Million Dollars ($1,000,000.00) shall not exceed the greater of One Hundred Fifty Thousand Dollars ($150,000.00) or a ten percent (10%) cumulative increase in the original contract amount.

C. Change orders or cumulative change orders which exceed the limits of subsection A or B of this section shall require a readvertising for bids on the incomplete portions of the contract.

D.

1. All materials with cost per item;
2. Itemization of all labor with number of hours per operation and cost per hour;
3. Itemization of all equipment with the type of equipment, number of each type, cost per hour for each type, and number of hours of actual operation for each type;
4. Itemization of insurance cost, bond cost, social security, taxes, workers' compensation, employee fringe benefits and overhead cost; and
5. Profit for the contractor.

E. 1. If a construction contract contains unit pricing, and the change order pertains to the unit price, the change order will not be subject to subsection A or B of this section.

2. When the unit price change does not exceed Ten Thousand Dollars ($10,000.00), the unit price change order computation may be based on an acceptable unit price basis in lieu of cost itemization as required in paragraphs 1,2,3,4 and 5 of subsection G of this section.

F. Alternates or add items bid with the original bid and contained in the awarded contract as options of the awarding public agency shall not be construed as change orders under the provisions of the Public Competitive Bidding Act of 1974.

REQUEST FOR CHANGE ORDER-
Number: 1

Date: 12/15/2011

From: Ron Walters Construction Services Inc.
8501 S. Walker Ave.
Oklahoma City, OK 73139
(405) 692-1903, FAX: (405) 636-1811

Owner: City of Norman
Parks and Recreation Department
201 W. Gray, Building C
Norman, OK

Attn: Mitch or James - City of Norman
Project Identification- **Firehouse Art Center Exterior Repairs**

Ron Walters Construction, City of Norman, & Owner agree on the following changes in the above referenced project:

Item #	Misc. Changes/Additions	Amount per Item:
EXTERIOR WORK		
1	Remove and replace damaged sheathing located at northeast entrance wall- (106 Sq. Ft. @ $2.50 per Sq. Ft.)	$265.00
2	Remove and replace damaged frame work located at northeast entrance wall- (106 Sq. Ft. @ $3.00 per Sq. Ft.)	$318.00
3	add layer of blue foam board located on far east wall at Northeast entrance- (330 Sq. Ft. @ $1.30 per Sq. Ft.)	$429.00
4	Remove and replace damaged sheathing located at East Gift Shop wall- (360 Sq. Ft. @ $2.50 per Sq. Ft.)	$900.00
5	Remove and replace damaged frame work in wall located at East Gift Shop wall- (360 Sq. Ft. @ $3.00 per Sq. Ft.)	$1,080.00

6	Remove & reset 14 windows on east side of building; required to replace all sheathing- (14 windows @ $30.00 per window)	$420.00
7	Remove and replace damaged sheathing located at southeast entrance wall- (76 Sq. Ft. @ $2.50 per Sq. Ft.)	$190.00
8	Remove and replace damaged frame work in wall located at southeast entrance wall- (76 Sq. Ft. @ $3.00 per Sq. Ft.)	$228.00
9	Misc. replacement of wall insulation in east walls-	$250.00

INTERIOR WORK

10	Misc. replacement of interior window sills & trim at windows to be removed and reinstalled on east walls-	$560.00
11	Misc. interior drywall & paint repair in east walls-	$565.00
12	Insurance & Bonding-	$156.15
13	Contractors Supervisory, Overhead & Profit-	$624.60
	This Change Order- 1	**$5,985.75**
	ORIGINAL CONTRACT AMOUNT-	**$84,942.60**
	REVISED CONTRACT AMOUNT-	**$90,928.35**

NOTE: Change Order #1 does not include Southeast 2nd floor wall; to be evaluated at a later date.

ADDITIONAL TIME REQUIRED TO PERFORM THIS WORK- **5 Days**

Note: Acceptance of the Change Order shall be as written approval to perform the above referenced work as noted.

Accepted: _____ Date:_____
City of Norman Representative

Submitted by: _____ Date: 12/16/2011
Ron Walters Construction Services, Inc.

REQUEST FOR CHANGE ORDER-
Number: **2**

Date: 1/3/2012

From: Ron Walters Construction Services Inc.
8501 S. Walker Ave.
Oklahoma City, OK 73139
(405) 692-1903, FAX: (405) 636-1811

Owner: City of Norman
Parks and Recreation Department
201 W. Gray, Building C
Norman, OK

Attn: Mitch or James - City of Norman

Project Identification- **Firehouse Art Center Exterior Repairs**

Ron Walters Construction, City of Norman, & Owner agree on the following changes in the above referenced project:

Item #	Misc. Changes/Additions	Amount per Item:
ALL EXTERIOR WORK		
1	Additional costs to remove all older masonite siding under existing vinyl siding to provide smooth surface for new hardi siding and to locate any further water damage to building- (All sides of building - 3034 Sq. Ft. @ $1.20 per Sq. Ft. to remove and trash)	~~$3,640.80~~
ADDITIONAL EXTERIOR WORK - 2ND FLOOR EAST SIDE		
2	Remove and replace damaged frame work/wall studs located under windows and designated areas in walls- (157 Sq. Ft. @ $3.00 per Sq. Ft.)	$471.00
3	Remove & reset 3 windows. Reframe studs and jambs around windows- (3 windows @ $165 per window)	$495.00
4	Remove and replace damaged sheathing at designated areas with 3/4" plywood- (405 Sq. Ft. @ $2.50 per Sq. Ft.)	$1,012.50
5	Remove and replace damaged 2x10 rim joists & mud sills in 2nd floor- (400 Sq. Ft. @ 2.85 per Sq. Ft.)	$1,140.00

ADDITIONAL INTERIOR WORK - 2ND FLOOR EAST SIDE

6	Remove 2nd floor existing built in cabinets and shelving in 2 rooms required to repair damaged flooring- **(Art Center Staff will need to remove equipment in shelves and cabinets)**	$420.00
7	Remove and replace subfloor decking in damaged areas on 2nd floor- (170 Sq. Ft. @ $3.60 per Sq. Ft.)	$612.00
8	Replace VCT flooring in repaired areas on 2nd floor- (Approx. 180 Sq. Ft. @ $2.50 per Sq. Ft.)	$450.00
9	Install new cabinets and shelving removed in 2 rooms on 2nd floor- (32 Ln Ft. of Cabinets in south room; 12 Ln. Ft. of shelving in dark room)	$2,860.00
10	Misc. interior drywall & paint repair in 2nd floor east walls-	$635.00
11	Insurance & Bonding-	$352.09
12	Contractors Supervisory, Overhead & Profit-	$1,408.36

This Change Order-	**2**	**$13,496.75**
Change Order-	**1**	**$5,985.75**
ORIGINAL CONTRACT AMOUNT-		**$84,942.60**
REVISED CONTRACT AMOUNT-		**$104,425.10**

ADDITIONAL TIME REQUIRED TO PERFORM THIS WORK- **7 days**

Note: Acceptance of the Change Order shall be as written approval to perform the above referenced work as noted.

Accepted: _____ Date: _____
City of Norman Representative

Submitted by: _____ Date: 1/4/2012
Ron Walters Construction Services, Inc.

REQUEST FOR CHANGE ORDER-
Number: **3**

Date: 1/20/2012

From: Ron Walters Construction Services Inc.
8501 S. Walker Ave.
Oklahoma City, OK 73139
(405) 692-1903, FAX: (405) 636-1811

Owner: City of Norman
Parks and Recreation Department
201 W. Gray, Building C
Norman, OK
Attn: Mitch or James - City of Norman
Project Identification- **Firehouse Art Center Exterior Repairs**

Ron Walters Construction, City of Norman, & Owner agree on the following changes in the above referenced project:

Item #	Misc. Changes/Additions	Amount per Item:
	ADDITIONAL EXTERIOR WORK - 2ND FLOOR SOUTH SIDE	
1	Remove and replace damaged frame work/wall studs located under windows and designated areas in walls- (210 Sq. Ft. @ $3.00 per Sq. Ft.)	$630.00
2	Remove & reset 3 windows. Reframe studs and jambs around windows- (3 windows @ $165 per window)	$495.00
3	Remove and replace damaged sheathing at designated areas with 3/4" plywood- (158 Sq. Ft. @ $2.50 per Sq. Ft.)	$395.00
4	Remove and replace damaged 2x10 rim joists & mud sills in 2nd floor- (32 Ln. Ft.)	$475.00
5	Additional labor and material to jack and support second floor structure for load bearing walls. Remove and reset outside staircase to replace rim joists-	$2,150.00

ADDITIONAL INTERIOR WORK - 2ND FLOOR SOUTH SIDE

6	Interior drywall, wall trim, and paint repairs on 2nd floor of south side due to window replacement and water damage-	$1,425.00

DEDUCTIONS

7	Partial deduction for Item 10 in Change Order #1. Not all Interior window sills and trim needs replacing-	$(250.00)
8	Partial deduction for Item 7 in Change Order #2. Not all 170 Sq. Ft. of subfloor decking needs replacing-	$(300.00)
9	Partial Deduction for Item 8 in Change Order #2. Not all 180 Sq. Ft. of VCT needs replacing-	$(250.00)
10	Insurance & Bonding-	$167.10
11	Contractors Supervisory, Overhead & Profit-	$668.40

This Change Order-	**3**	**$5,605.50**
Change Order-	2	$13,496.75
Change Order-	1	$5,985.75
ORIGINAL CONTRACT AMOUNT-		**$84,942.60**
REVISED CONTRACT AMOUNT-		**$110,030.60**

ADDITIONAL TIME REQUIRED TO PERFORM THIS WORK- **5 days**

Note: Acceptance of the Change Order shall be as written approval to perform the above referenced work as noted.

Accepted: _____ Date: _____
City of Norman Representative

Submitted by: _____ Date: 1/20/2012
Ron Walters Construction Services, Inc.

REQUEST FOR CHANGE ORDER-
Number: **4**

Date: 2/22/2012

From: Ron Walters Construction Services Inc.
8501 S. Walker Ave.
Oklahoma City, OK 73139
(405) 692-1903, FAX: (405) 636-1811

Owner: City of Norman
Parks and Recreation Department
201 W. Gray, Building C
Norman, OK
Attn: Mitch or James - City of Norman
Project Identification- **Firehouse Art Center Exterior Repairs**

Ron Walters Construction, City of Norman, & Owner agree on the following changes in the above referenced project:

Item #	Misc. Changes/Additions	Amount per Item:
ADDITIONAL EXTERIOR WORK - NORTH SIDE OF BUILDING		
1	Install 7/16" OSB after removing masonite siding- (Located on east part of north wall) (748 Sq. Ft. @ $2.00 per Sq. Ft.)	$1,496.00
2	Additional labor and material to jack and support north wall around stairs. Replace unforeseen damaged studs & OSB for north wall-	$1,975.00
3	Remove and replace stairwell landing on north side 2nd floor- (Jackhammer concrete and haul-off; Install new galvanized steel pan; re-pour concrete landing)	$2,125.00
4	Remove and install new handrail on landing to match stair railing-	$440.00
5	Remove and replace structural beams under stairwell- (Wall will need to be jacked up and supported to install new beams)	$725.00
ADDITIONAL INTERIOR WORK - EAST GALLERY ON FIRST FLOOR		
5	Interior drywall, texture, and paint repair on east gallery ceiling-	$1,430.00

6	Insurance & Bonding-		$245.73
7	Contractors Supervisory, Overhead & Profit-		$982.92
	This Change Order-	**4**	**$9,419.65**
	Change Order-	3	$5,605.50
	Change Order-	2	$13,496.75
	Change Order-	1	$5,985.75
	ORIGINAL CONTRACT AMOUNT-		**$84,942.60**
	REVISED CONTRACT AMOUNT-		**$119,450.25**

ADDITIONAL TIME REQUIRED TO PERFORM THIS WORK- **5 days**

Note: Acceptance of the Change Order shall be as written approval to perform the above referenced work as noted.

Accepted: _____ Date:_____
City of Norman Representative

Submitted by: _____ Date:_____
Ron Walters Construction Services, Inc.

REQUEST FOR CHANGE ORDER-
Number: **5**

Date: 3/28/2012

From: Ron Walters Construction Services Inc.
8501 S. Walker Ave.
Oklahoma City, OK 73139
(405) 692-1903, FAX: (405) 636-1811

Owner: City of Norman
Parks and Recreation Department
201 W. Gray, Building C
Norman, OK
Attn: Mitch or James - City of Norman
Project Identification- **Firehouse Art Center Exterior Repairs**

Ron Walters Construction, City of Norman, & Owner agree on the following changes in the above referenced project:

Item #	Misc. Changes/Additions	Amount per Item:
ADDITIONAL EXTERIOR WORK - WEST SIDE OF BUILDING		
1	Install 2 layers 7/16" OSB after removing masonite siding- (Located on NW part of west wall) (320 Sq. Ft. @ $4.00 per Sq. Ft.)	$1,280.00
2	Install 1 layer of 7/16" OSB after removing masonite siding- (Needed across the remaining portions of the west side) (608 Sq. Ft. @ $2.00 per Sq. Ft.)	$1,216.00
3	Remove and reset jewelry room window-	$165.00
4	Remove and replace framing, jambs, and trim inside jewelry room window-	$385.00
5	Interior drywall, texture, and paint repair inside jewelry room-around window-	$285.00
6	Repaint north and south ext. doors @ upstairs landing-	$170.00
7	Deduct item 4b on work write-up. Lower office window to remain-	$(1,150.00)

8	Insurance & Bonding-		$105.03
9	Contractors Supervisory, Overhead & Profit-		$420.12
	This Change Order-	**5**	**$2,876.15**
	Change Order-	4	$9,419.65
	Change Order-	3	$5,605.50
	Change Order-	2	$13,496.75
	Change Order-	1	$5,985.75
	ORIGINAL CONTRACT AMOUNT-		**$84,942.60**
	REVISED CONTRACT AMOUNT-		**$122,326.40**

ADDITIONAL TIME REQUIRED TO PERFORM THIS WORK- **5 days**

Note: Acceptance of the Change Order shall be as written approval to perform the above referenced work as noted.

Accepted: _____ Date:_____

City of Norman Representative

Submitted by: _____ Date: 3/28/2012

Ron Walters Construction Services, Inc.

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

P.O. #: 209249
DATE: 11/18/11

VENDOR #
9729

RON WALTERS CONSTRUCTION SERVI
INC
8501 S WALKER
OKLAHOMA CITY, OK 73139

SHIP TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/17/11	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
05096774196101	TERRY-FOSTER	194271	11/17/11

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	84942.60	EA	FIREHOUSE ART CENTER IMPROVEMENTS-COUNCIL 11/22/11 CITY COUNCIL AGENDA OF 11/22/2011 PER CONTRACT #K-1112-56 VENDOR ITEM NO.- CONTRACTK-1112-56	1.0000	84942.60

SUB-TOTAL	84942.60
TOTAL	84942.60

1.3.2012 Receipted Inv.#1635 — 22,732.09
2.1.2012 " Inv #1636 — 35,953.06
3.8.2012 " Inv. # 1641 — 22010.32

Balance & Retainage > 4,247.13

CONTRACTOR'S APPLICATION & CERTIFICATE FOR PAYMENT

From: Ron Walters Construction Services, Inc.
8501 South Walker
Oklahoma City, OK 73139
(405) 692-1903 Fax (405) 636-1811

Customer	Norman	Project:	City of Norman
Invoice #:	1536		Firehouse Art Center Ext Rep
Invoice Date:	4/18/2012		Norman OK
Period To:	4/18/2012		
Application	2		

APPLICATION FOR PAYMENT

Alternate	3 Alternate Misc Change Additions approved 01/20/12	$	5,605.50
Alternate	4 Alternate Misc Change Additions approved 02/27/12	$	9,419.65
Alternate	5 Alternate Misc Change Additions approved 03/28/12	$	2,876.15
	Total Due	**$**	**17,901.30**

S. JOREE WALTERS NOTARY # 99019124 EXP. 11/24/15 PUBLIC STATE OF OKLAHOMA

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certifciates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Ron Walters Construction Serv., Inc.

By: _____ Date: 4/18/12

State of OK County of Oklahoma
Subscribed and sworn to before me this 18th day of April 2012
Notary Public:
My commission expires:

CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the *AMOUNT CERTIFIED*

AMOUNT CERTIFIED **$17,901.30**

By: _____ Date: 4-23-12

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-130

File ID:	K-1112-130	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$40,000.00	**File Created:**	04/30/2012
File Name:	K-1112-130 Signage and Wayfinding Plan			**Final Action:**	

Title: CONTRACT NO. K-1112-130: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND C.H. GUERNSEY AND COMPANY IN THE AMOUNT OF $40,000 FOR A SIGNAGE AND WAYFINDING PLAN FOR THE CITY OF NORMAN AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-130 with C.H. Guernsey and Company in the amount of $40,000; and, if approved, authorize the execution thereof and appropriate $40,000 from the Capital Fund Balance (050-0000-253.20-00) to Project No. TR0244, Wayfinding Project, Design (050-9688-431.62-01).

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 16

Attachments: Text File K-1112-130, K-1112-130, Contract No, K-1112-105 Memo of Understanding

Project Manager: David Riesland, Assistant Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-130

Body

BACKGROUND: It is important to establish a sense of entry that indicates arrival in a special place. This applies to all of the gateways into the City of Norman including but not necessarily limited to Interstate Highway 35, US Highway 77, and State Highway 9. For Norman, wayfinding should also be a community-wide initiative that directs travelers to the downtown area as well as to many of the other amenities of the community. The concepts of attracting businesses, residents, and

visitors/tourists are closely linked to creating an aesthetically pleasing area from an architectural, streetscape and beautification standpoint.

Located within the Oklahoma City metropolitan area, Norman is actually the third largest city in the State of Oklahoma with over 110,000 residents. In addition, Norman is home to the University of Oklahoma. The size of the City, coupled with the location of the University make Norman a destination for many tourists, visitors, and commuters.

On January 10, 2012, City Council approved a Memorandum of Understanding with the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau (see Contract No. K-1112-105 in Attachment No. 1) to fund the development of a comprehensive, city-wide Wayfinding Plan. The Plan is intended such that all signing will be appropriate from a multi-modal standpoint accounting for motorists, bicyclists and pedestrians. Through the RFP process, the City of Norman sought a consultant team/firm with wayfinding/planning/branding expertise to develop an integrated strategy for improving wayfinding mechanisms with the city, including directional and parking signage, landmark and gateway signage and potentially district banners.

DISCUSSION: The Public Works Department received eight proposals for the Signage and Wayfinding project. A Selection Committee was formed consisting of Shawn O'Leary-Public Works Director, Angelo Lombardo-Traffic Engineer, David Riesland-Assistant Traffic Engineer, and two private citizens. Mr. John Woods serves as the President/CEO of the Norman Chamber of Commerce and Mr. Stephen Koranda serves as the Executive Director of the Norman Convention and Visitors Bureau. Each proposal was scored independently by each member on a point scale as defined in the Request for Proposal (RFP No. 1112-46). The proposals were reviewed, and the top three candidates, Merje (West Chester, PA)/Lee Engineering (Oklahoma City, OK), f2ds (Austin, TX), and Guernsey (Oklahoma City, OK)/Kolar (Cincinnati, OH)/Molloy (Norman, OK) (hereinafter referred to as the Guernsey team) were interviewed on March 12, 2012. At the end of the process, the committee selected the Guernsey team as the most qualified team because of their experience and approach to the project.

Staff negotiated a $40,000 contract fee with the Guernsey team to provide the previously- mentioned services. The $40,000 contract fee will be paid jointly by the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau in accordance with the aforementioned Memorandum of Understanding between the City of Norman, the Norman Chamber of Commerce, and the Norman Convention and Visitors Bureau. To fulfill the financial requirements of this contract (see Contract No. K-1112-130 in Attachment No. 2), an appropriation in the amount of $40,000 is requested from the Capital Fund Balance (050-0000-253.20-00) to Capital Project Number TR0244 (Acct. No. 050-9688-431.62-01). The City will then invoice both the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau for their half of the design fee in accordance with the terms of the Memorandum of Understanding.

Under contract with the City, the Guernsey team will develop a system that will provide, but will not be limited to, the following:

1) Design an easily understood, user-friendly, distinct navigational system that will guide visitors to and from destinations within the city

2) Promote tourist, historical, and cultural destinations, as well as support and assist the local retail market
3) Develop an identity for the city that can be reflected not only in the wayfinding components, but could also be incorporated into other elements of an overall Norman branding and marketing program
4) Identify potential funding sources to implement a wayfinding system for the City

The project will include significant community dialogue and collaboration. The ultimate goal of this project is to have a Wayfinding Plan adopted by the City Council as well as the Boards of Directors for both the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau. It is anticipated that this project will be completed by the end of December 2012.

RECOMMENDATION:

1. Staff recommends the appropriation of $40,000 from the Capital Fund Balance (050-0000-253.20-00) to Capital Project Number TR0244 (Acct. No. 050-9688-431.62-01). The Norman Chamber of Commerce and the Norman Convention and Visitors Bureau will both be invoiced $20,000 in accordance with the approved Memorandum of Understanding (Contract No. K-1112-105).

2. Staff recommends approval of Contract No. K-1112-130 with the Guernsey team in the amount of $40,000, for the development of a Signage and Wayfinding Plan for the City of Norman.

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is entered into between The City of Norman (OWNER) and C. H. Guernsey & Company (CONSULTANT) for the following reasons:

1. OWNER intends to construct a Signage and Wayfinding Plan (the Project); and,
2. OWNER requires certain professional survey, design, analysis and engineering services in connection with the Project (the Services); and,
3. CONSULTANT is prepared to provide the Services.

In consideration of the promises contained in this Agreement, OWNER and CONSULTANT agree as follows:

ARTICLE 1 - EFFECTIVE DATE
The effective date of this Agreement shall be ____ day of _____, 2012.

ARTICLE 2 - GOVERNING LAW
This Agreement shall be governed by the laws of the State of Oklahoma.

ARTICLE 3 - SCOPE OF SERVICES
CONSULTANT shall provide the Services described in Attachment A, Scope of Services.

ARTICLE 4 - SCHEDULE
CONSULTANT shall exercise its reasonable efforts to perform the Services described in Attachment A according to the Schedule set forth in Attachment B.

ARTICLE 5 -COMPENSATION
OWNER shall pay CONSULTANT in accordance with Attachment C, Compensation.
Invoices shall be due and payable upon receipt. OWNER shall give prompt written notice of any disputed amount and shall pay the remaining amount.

ARTICLE 6 - OWNER'S RESPONSIBILITIES
OWNER shall be responsible for all matters described in Attachment D, OWNER'S Responsibilities. OWNER hereby represents that it owns the intellectual property rights in any plans, documents or other materials provided by OWNER to CONSULTANT. If OWNER does not own the intellectual property rights in such plans, documents or other materials, prior to providing same to CONSULTANT, OWNER shall obtain a license or right to use, including the right to sublicense to CONSULTANT. OWNER hereby grants CONSULTANT the right to use the intellectual property associated with plans, documents or other materials it owns or has the right to use for the limited purpose of performing the Services. OWNER represents that CONSULTANT'S use of such documents will not infringe upon any third parties' rights.

ARTICLE 7 - STANDARD OF CARE

The same degree of care, skill, and diligence shall be exercised in the performance of the Services as is ordinarily possessed and exercised by a member of the same profession, currently practicing, under similar circumstances. No warranty, express or implied, is included in this Agreement or in any drawing, specification, report, opinion, or other instrument of service, in any form or media, produced in connection with the Services.

ARTICLE 8 -INDEMNIFICATION AND LIABILITY

Indemnification. The CONSULTANT and the OWNER each hereby agree to indemnify, and hold harmless the other party, its officers, servants, and employees, from and against any and all liability, loss, damage, cost, and expense (including attorneys' fees and accountants' fees recoverable under applicable law on account of negligence) caused by an error, omission, or negligent act of the indemnifying party in the performance of this Agreement. The CONSULTANT and the OWNER each agree to promptly serve notice on the other party of any claims arising hereunder, and shall cooperate in the defense of any such claims. In any and all claims asserted by any employee of the CONSULTANT against any indemnified party, the indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for the CONSULTANT or any of the CONSULTANT'S employees under workers' compensation acts, disability benefit acts, or other employee benefit acts. The acceptance by OWNER or its representatives of any certification of insurance providing for coverage other than as required in this Agreement to be furnished by the CONSULTANT shall in no event be deemed a waiver of any of the provisions of this indemnity provision. None of the foregoing provisions shall deprive the OWNER of any action, right, or remedy otherwise available to the OWNER at common law.

Survival. The terms and conditions of this Article shall survive completion of the Services, or any termination of this Agreement.

ARTICLE 9 - INSURANCE

During the performance of the Services under this Agreement, CONSULTANT shall maintain the following insurance:

(a) General Liability Insurance, with a limit of
$1,000,000 per occurrence and $2,000,000 annual aggregate.

(b) Automobile Liability Insurance, with a combined single limit of $1 ,000,000 for each person and $1,000,000 for each accident.

(c) Workers' Compensation Insurance in accordance with statutory requirements and Employers' Liability Insurance, with a limit of $500,000 for each occurrence.

(d) Professional Liability Insurance, with a limit of
$1,000,000 per claim and annual aggregate.

CONSULTANT shall, upon written request, furnish OWNER certificates of insurance which shall include a provision that such insurance shall not be canceled by the Insurer without at least thirty days' written notice to OWNER. If CONSULTANT cancels such insurance, CONSULTANT shall provide OWNER with a new, valid certificate of insurance that meets the above requirements within five days of cancellation. OWNER shall require all Project contractors to include OWNER, CONSULTANT, and its parent company, affiliated and subsidiary entities, directors, officers and employees, as additional insureds on their General and Automobile Liability insurance policies, and to indemnify both OWNER and CONSULTANT, each to the same extent

ARTICLE 10 - LIMITATIONS OF RESPONSIBILITY
CONSULTANT shall not be responsible for (a) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with the Project; (b) the failure of any contractor, subcontractor, vendor, or other Project participant, not under contract to CONSULTANT, to fulfill contractual responsibilities to OWNER or to comply with federal, state, or local laws, regulations, and codes; or (c) procuring permits, certificates, and licenses required for any construction unless such procurement responsibilities are specifically assigned to CONSULTANT in Attachment A, Scope of Services; or (d) for the discovery, identification, remediation or removal of hazardous materials or toxic substances on or around the Project.. In the event the OWNER requests CONSULTANT to execute any certificates or other documents, the proposed language of such certificates or documents shall be submitted to CONSULTANT for review at least 15 days prior to the requested date of execution. CONSULTANT shall not be required to execute any certificates or documents that in any way would, in CONSULTANT's sole judgment, (a) increase CONSULTANT'S legal or contractual obligations or risks; (b) require knowledge, services or responsibilities beyond the scope of this Agreement; or (c) result in CONSULTANT having to certify the existence of conditions whose existence CONSULTANT cannot ascertain.

ARTICLE 11 - OPINIONS OF COST AND SCHEDULE
Because CONSULTANT has no control over the cost of labor, materials, or equipment furnished by others, or over the resources provided by others to meet Project schedules, CONSULTANT's opinion of probable costs and of Project schedules shall be made on the basis of experience and qualifications as a practitioner of its profession. CONSULTANT does not guarantee that proposals, bids, or actual Project costs will not vary from CONSULTANT'S cost estimates or that actual schedules will not vary from CONSULTANT'S projected schedules.

ARTICLE 12 - REUSE OF DOCUMENTS
All documents, including, but not limited to, plans, drawings, and specifications prepared by CONSULTANT as deliverables pursuant to the Scope of Services are instruments of service in respect to the Project. They are not intended or represented to be suitable for reuse by OWNER or others on modifications or extensions of the Project or on any other project. Any reuse without prior written verification or adaptation by CONSULTANT for the specific purpose intended will be at OWNER'S sole risk and without liability or legal exposure to CONSULTANT. OWNER shall indemnify and hold harmless CONSULTANT and its subconsultants against all judgments, losses, damages, injuries, and expenses, including reasonable attorneys' fees, arising out of or resulting from such reuse. Any verification or adaptation of documents will entitle CONSULTANT to additional compensation at rates to be agreed upon by OWNER and CONSULTANT.

ARTICLE 13 - OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY
Except as otherwise provided herein, documents, drawings, and specifications prepared by CONSULTANT and furnished to OWNER as part of the Services shall become the property of OWNER; provided, however, that CONSULTANT shall have the unrestricted right to their use. CONSULTANT shall retain its copyright and Ownership rights in its design, drawing details, specifications, data bases, computer software, and other proprietary property. Intellectual property developed, utilized, or modified in the performance of the Services shall remain the property of CONSULTANT.

ARTICLE 14 - TERMINATION AND SUSPENSION
This Agreement may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement; provided, however, the nonperforming party shall have 14 calendar days from the receipt of the termination notice to cure or to submit a plan for cure acceptable to the other party. OWNER may terminate or suspend performance of this Agreement for OWNER'S convenience upon written notice to CONSULTANT. CONSULTANT shall terminate or suspend performance of the Services on a schedule acceptable to OWNER, and OWNER shall pay CONSULTANT for all the Services performed. Upon restart of suspended Services, an equitable adjustment shall be made to CONSULTANT'S compensation and the Project schedule.

ARTICLE 15 - DELAY IN PERFORMANCE
Neither OWNER nor CONSULTANT shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the nonperforming party. For purposes of this Agreement, such circumstances include, but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restraint; and delay in or inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either OWNER or CONSULTANT under this Agreement. CONSULTANT shall be granted a reasonable extension of time for any delay in its performance caused by any such circumstances.
Should such circumstances occur, the nonperforming party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

ARTICLE 16 - NOTICES
Any notice required by this Agreement shall be made in writing to the address specified below:
OWNER:

David R. Riesland, P.E.
Assistant City Traffic Engineer
City of Norman
P.O. Box 370
Norman, OK 73070

C. H. Guernsey & Company:

Kelly Coffman
Project Manager
5555 North Grand Boulevard
Oklahoma City, OK 73112

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of OWNER and CONSULTANT.

ARTICLE 17 - DISPUTES
In the event of a dispute between OWNER and CONSULTANT arising out of or related to this Agreement, the aggrieved party shall notify the other party of the dispute within a reasonable time after such dispute arises. If the parties cannot thereafter resolve the dispute, each party shall nominate a senior officer of its management to meet to resolve the dispute by direct negotiation or mediation.
In the event the parties are unable to reach agreement, under terms reasonably acceptable to both parties, either party may pursue resolution in the District Court of Cleveland County, Oklahoma pursuant to the laws of the State of Oklahoma. During the pendency of any dispute, the parties shall continue diligently to fulfill their respective obligations hereunder.

ARTICLE 18 - EQUAL EMPLOYMENT OPPORTUNITY
CONSULTANT hereby affirms its support of affirmative action and that it abides by the provisions of the "Equal Opportunity Clause" of Section 202 of Executive Order 11246 and other applicable laws and regulations. CONSULTANT affirms its policy to recruit and hire employees without regard to race, age, color, religion, sex, sexual preference/orientation, marital status, citizen status, national origin or ancestry, presence of a disability or status as a Veteran of the Vietnam era or any other legally protected status. It is CONSULTANT'S policy to treat employees equally with respect to compensation, advancement, promotions, transfers and all other terms and conditions of employment. CONSULTANT further affirms completion of applicable governmental employer information reports including the EEO-1 and VETS-1 00 reports, and maintenance of a current Affirmative Action Plan as required by Federal regulations.

ARTICLE 19 - WAIVER
A waiver by either OWNER or CONSULTANT of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

ARTICLE 20 - SEVERABILITY
The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if it did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

ARTICLE 21 - INTEGRATION
This Agreement, including Attachments A, B, C, and D incorporated by this reference, represents the entire and integrated agreement between OWNER and CONSULTANT. It supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this Agreement.

ARTICLE 22 - SUCCESSORS AND ASSIGNS
OWNER and CONSULTANT each binds itself and its successors, executors, administrators, permitted assigns, legal representatives and, in the case of a partnership, its partners, to the other party to this Agreement and to the successors, executors, administrators, permitted assigns, legal representatives, and partners of such other party in respect to all provisions of this Agreement.

ARTICLE 23 - ASSIGNMENT
Neither OWNER nor CONSULTANT shall assign any rights or duties under this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld; provided, however, CONSULTANT may assign its rights to payment without OWNER'S consent. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Article shall prevent CONSULTANT from engaging independent CONSULTANTS, associates, and subcontractors to assist in the performance of the Services.

ARTICLE 24 - NO THIRD PARTY RIGHTS
The Services provided for in this Agreement are for the sole use and benefit of OWNER and CONSULTANT. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than OWNER and CONSULTANT.

IN WITNESS WHEREOF, OWNER and C. H. Guernsey & Company have executed this Agreement.

DATED this ____ day of _____, 2012.

The City of Norman
(OWNER)

Signature _____

Name _____

Title _____

Date _____

Attest:

_____
City Clerk

C. H. Guernsey & Company

Signature Richard R. Hinkle

Name RICHARD R. HINKLE

Title SENIOR VICE President

Date 5-2-2012

Attest:

Assistant Secretary

Approved as to form and legality this 11th day of May 2012.

City Attorney

Attachment A

Scope of Work

1. **Project Vision and Branding**
    a. Interview 12 community leaders via telephone, with a request to complete an electronic survey form
    b. Hold a stakeholder charrette. Conduct a visioning exercise and develop goals. Discuss community identity and clarify the focus of the wayfinding effort.
    c. Participate in a Community Open House following the charrette to introduce the project and gather input.
    d. Confirm Norman's branding: colors, logo, font, and thematic elements

    Norman Staff Support– Develop stakeholder committee and provide contact information; identify key individuals to interview / provide contact info; arrange charette and Open House; develop project webpage; provide information about current logo and branding strategy for review

2. **Audit and Analysis**
    a. Receive and review results of the geocoded sign inventory (including sign categories) currently in progress for the City of Norman
    b. Receive and review master list of potential destinations
    c. Highlight gateways into the community and identify potential placemaking opportunities

    Norman Staff Support – Provide sign inventory in GIS and Word or Excel formats; provide master list of destinations; review and approve gateway designations

3. **Establish Criteria / Select Wayfinding Destinations**
    a. Review and finalize criteria for wayfinding destinations
    b. Finalize approach for gateways, placemaking efforts, and public art
    c. Provide plan for signage along I-35 corridor to mesh with ODOT's schedule

    Norman Staff Support – Provide draft criteria for inclusion as wayfinding destination; provide base maps; define approach for public art; review and approve I-35 proposed signage and conduct coordination with ODOT

4. **Develop Recommendations for Signage Types and Placement**
    a. Create a framework of typologies and mesh with priority destinations
    b. Provide general information for the city's coordination of transitions with key stakeholders such as OU, Norman Regional, and other destinations

Norman Staff Support – Review and provide input on sign family, proposed destinations, and locations; coordinate with community stakeholders about transitions

5. **Signage Design Elements**
    a. Develop a 'Kit of Parts' with standard elements for vehicular and pedestrian signage
    b. Provide standard manufacturer information and/or conceptual fabrication drawings
    c. Review with stakeholders and present at public Open House

Norman Staff Support – Review/approve standard signage elements; identify components that can be produced at City sign shop; arrange stakeholder meeting and Open House

6. **Identify Potential Funding Sources**
    a. Identify strategies for partnerships and sponsorships
    b. Draft criteria for City involvement and general implementation approach

Norman Staff Support – Research grant opportunities; meet with potential partners / discuss proposed partnership strategies / assist with implementation criteria

7. **Prepare Final Deliverable**
    a. Compile Signage and Wayfinding materials developed during project, including plans' submit three notebooks and ten discs.
    b. Present draft of all components to stakeholders and to Norman City Council
    c. Assist with final presentation to Norman City Council and official adoption of the plan

Norman Staff Support – Brief Council prior to meeting

Attachment B

Schedule

The Scope of Work will be completed within eight months of receipt of Notice to Proceed.

Attachment C

Compensation

Owner shall pay Engineer a Lump Sum fee of $40,000.

The portion of the compensation amount billed monthly for Engineer's services will be based upon Engineer's estimate of the percentage of the total services actually completed during the billing period.

Attachment D

Owner's Responsibilities

The City of Norman will carry out the following responsibilities in accordance with the Wayfinding and Signage Plan Memorandum of Understanding with the Norman Convention and Visitors Bureau and the Norman Chamber of Commerce. The MOU was approved by City Council and signed by Mayor Rosenthal in January, 2012:

1. Distribute the Request for Proposal for the Wayfinding Plan (complete)
2. Facilitate the Proposal Review Process and any applicable consultant interviews for the Wayfinding Plan (complete)
3. Award the Contract for the Wayfinding Plan
4. Participate in each element of the Wayfinding Plan
5. Implement the recommendations of the Wayfinding Plan pending approval of the annual project capital and operating budgets by the City Council
6. Maintain, repair, and replace Wayfinding signage and appurtenances in perpetuity

Contract No. K-1112-105

NORMAN CHAMBER OF COMMERCE
//
NORMAN CONVENTION AND VISITORS BUREAU
//
THE CITY OF NORMAN, OKLAHOMA

MEMORANDUM OF UNDERSTANDING

WAYFINDING AND SIGNAGE PLAN FOR THE CITY OF NORMAN DIRECTING VISITORS TO AMENITIES AND AREAS OF INTEREST WITHIN THE COMMUNITY

1) **Purpose**. This Memorandum of Understanding (MOU) sets forth the terms, conditions, processes, and communications that govern the development of a Wayfinding Plan as well as the installation and maintenance of new signage within the City of Norman. This MOU will outline the responsibilities for the Norman Chamber of Commerce, the Norman Convention and Visitors Bureau, and the City of Norman relative to completion of this project.

2) **Background**. It is important to establish a sense of entry that indicates arrival in a special place. This applies to all of the gateways into the City of Norman including but not necessarily limited to Interstate Highway 35, US Highway 77, and State Highway 9. For Norman, Wayfinding should also be a community-wide initiative that directs travelers to amenities and areas of interest within the community. The concepts of attracting businesses, residents, and visitors/tourists are closely linked to creating an aesthetically pleasing area from an architectural, streetscape and beautification standpoint.

   The objectives of this Wayfinding Plan are to 1) design an easily understood, user-friendly, distinct navigational system that will guide visitors to and from destinations within the city; 2) promote tourist, historical, and cultural destinations, as well as support and assist the local retail market; 3) develop an identity for the city that can be reflected not only in the wayfinding components, but could also be incorporated into other elements of an overall Norman branding and marketing program; and 4) identify potential funding sources to implement a wayfinding system for the City.

3) **Responsibilities of the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau.** The responsibilities of the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau are three-fold.
   a) Each will provide up to $20,000 in funding toward the cost of the Wayfinding Plan.
   b) Each will provide representation on the selection committee once the Request for Proposal has been issued.
   c) Each will provide representation on the project steering committee if the contract for the Wayfinding Plan is awarded by Council. This representation will allow for a voice during the Plan development.

4) **Responsibilities of the City of Norman.** The responsibilities of the City of Norman follow:
   a) Distribute the Request for Proposal for the Wayfinding Plan.
   b) Facilitate the Proposal Review Process and any applicable consultant interviews for the Wayfinding Plan.
   c) Award the Contract for the Wayfinding Plan.
   d) Participate in each element of the Wayfinding Plan.
   e) Implement the recommendations of the Wayfinding Plan pending approval of the annual project capital and operating budgets by the City Council.
   f) Maintain, repair, and replace Wayfinding signage and appurtenances in perpetuity.

5) **Understanding.** This MOU shall only be modified and/or terminated by in writing and by the mutual agreement of all parties.

6) **Funding.** Funding for the Wayfinding Plan will be provided by the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau. Funding for implementation and maintenance of the recommendations from the Wayfinding Plan will be secured by the City of Norman.

7) **Effective Date and Signature.** This MOU shall take effect as of the later date reflected under the signatures below, and shall remain in effect until terminated in writing by mutual agreement between all parties.

Norman Chamber of Commerce

12/27/11

John Woods — Date
President

Norman Convention and Visitors Bureau

12/27/11

Stephen Koranda — Date
Executive Director

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

ATTEST:

City of Norman

1/10/12

Cindy Rosenthal — Date
Mayor

City Clerk

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY: _____ DATE 12/30/11

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-131

File ID:	K-1112-131	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	04/30/2012
File Name:	K-1112-131 ODOT Maintenance Flashing Arrows			**Final Action:**	

Title: CONTRACT NO. K-1112-131: A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR FEDERAL-AID PROJECT NO. STPG-114F(303)AG, STATE JOB NO. 29011(04) FOR THE FLASHING YELLOW ARROW UPGRADES AT 57 INTERSECTIONS AND ADOPTION OF RESOLUTION NO. R-1112-136.

ACTION NEEDED: Motion to approve or reject Contract No. K-1112-131 with the Oklahoma Department of Transportation; and, if approved, adopt Resolution No. R-1112-136 and authorize the execution of the contract and resolution.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 17

Attachments: Text File K-1112-131, Contract K-1112-131, Resolution R-1112-136, Location Map

Project Manager: David Riesland, Assistant Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-131

Body

BACKGROUND: The 2005 - Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allocates approximately $15 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost. Traffic signal upgrades along federal functionally classified roads are eligible for 100% federal

funding.

Flashing yellow arrows as an alternative to traditional "green balls" for left-turn phasing was first utilized in Norman at the intersection of 12th Avenue SE and Lindsey Street. This change was implemented on January 27, 2011. Since that time, a total of fourteen (14) intersections have been upgraded with this new technology. The current edition of the *Manual on Uniform Traffic Control Devices* suggests that this type of left-turn signal head will become the preferred method for controlling left-turn movements at signalized intersections in the near future.

Plans were developed in-house to upgrade to flashing yellow arrows the remaining fifty-seven (57) intersections (see Attachment No. 1 for a Location Map) in the City of Norman where this technology is appropriate. Final plans have been completed and were submitted to ODOT with a request to include the project in their July 2012 bid opening. Construction is anticipated to begin in the fall of 2012 with completion of the work expected before the end of the calendar year. The estimated construction cost of $400,000 will be funded with 100% federal funds as a safety improvement project.

DESCRIPTION: The Oklahoma Department of Transportation requires the City to execute a project agreement and to adopt it by resolution before letting the project to contract. The agreement addresses the responsibilities of the City and the Department during and after the construction of the project. The execution of three original documents is required. Both the resolution and agreement have been reviewed by staff and approved by the City Attorney.

The City's responsibilities include:

- Maintain the project following construction
- Certify that the plans comply, and will comply once completed, with all applicable Americans with Disabilities Act provisions
- Comply with Environmental Protection Agency requirements for pollution prevention and storm water runoff
- No installation of non-standard signs, signals or markings on the project
- Compliance with Title VI of the Civil Rights Act of 1964, 78 O.S. 252.42, U.S.C. 2000d-et seq.
- Execution of the Agreement and resolution

The ODOT responsibilities include:

- Request Federal-aid Surface Transportation Program funds to cover 100% of the participating project costs
- Advertise and let the contract for the project in the usual and customary legal manner
- Construct the project in strict accordance with the plans furnished and approved by the City

RECOMMENDATION: Staff recommends approval of Contract No. K-1112-131 and Resolution R-1112-136 with ODOT for the Flashing Yellow Arrow Traffic Signal Upgrade Project.

STPG-114F(303)AG 29011(04)

PROJECT AGREEMENT

This Agreement made the day and year last written below, by and between the Oklahoma Department of Transportation, hereinafter referred to as the DEPARTMENT, and the City of Norman, hereinafter referred to as the CITY, which may be referred to collectively as the PARTIES for the following intents and purposes and subject to the following terms and conditions, to wit:

WITNESSETH:

Whereas, the DEPARTMENT is charged under the law of the State of Oklahoma with construction and maintenance of State Highways; and,

Whereas, the DEPARTMENT is by terms of agreements with the Federal Highway Administration responsible for the management and construction of certain federally funded projects within the corporate limits of cities within the State of Oklahoma; and,

Whereas, the CITY has been identified as the beneficiary of such a federally funded project; and,

Whereas, receipt of the benefits of this project will require that the CITY assume certain financial responsibilities; and,

Whereas, the CITY is a municipal corporation and a charter city created and existing under the constitution and laws of Oklahoma; and,

Whereas, the laws and constitution of the State of Oklahoma impose fiscal restrictions on the City and its ability to insure financial obligations; and,

Whereas, the PARTIES hereto recognized those financial limitations and agree that the financial obligations assumed by the City by the terms of this Agreement are enforceable only to the extent as may be allowed by law or as may be determined by a Court of competent jurisdiction.

Whereas, it is understood that, by virtue of the Oklahoma Constitution Article 10 section 26, the payment of CITY funds in the future will be limited to appropriations and available revenues in the then current CITY fiscal year.

Now therefore, subject to the limitations herein before described, the DEPARTMENT and the CITY do agree as follows:

1. The CITY requested that certain street improvements be approved by the Oklahoma Transportation Commission as were previously programmed by the CITY and designated as Federal-aid Project STPG-114F(303)AG, State Job Number 29011(04) and which consist of actual improvements as follows:

Traffic Signal Upgrades

Flashing Yellow Arrow Display at various signalized Intersections in the city of Norman.

2. The CITY has prepared or caused to be prepared plans for construction of this federal-aid project and agrees that all construction shall be in conformance with the furnished plans which are incorporated with and made a part of this Agreement.
3. The CITY agrees that the furnished plans are, as a minimum, in conformance with the Oklahoma Department of Transportation 1999 Standard Specification for Highway Construction.
4. The CITY agrees that the PARTIES have entered into a separate Right-of-Way, Public Utility and Encroachment Agreement@ which provides inter alia that the CITY is responsible for furnishing all right-of-way for this federal-aid project, free and clear of all obstructions and encroachments; that the CITY shall at its sole expense maintain the project after construction; and that nothing contained herein shall be construed as modifying, altering, rescind, or abridging any portion of that agreement.
5. The CITY agrees to the location of the subject project and acknowledge receipt of and adopts the plans for said project as the official plans of the CITY for the streets, boulevards, arterial highways and/or other improvements contained therein; and further the CITY affirmatively states that it has fully and completely examined these plans and does hereby warrant to the DEPARTMENT the CITY's

complete satisfaction with these plans, and the fitness of the plans to construct the aforesaid project.

6. The CITY certifies that the project design plans comply , and the project when completed will comply, with the applicable provisions of the Department of Justice implementation plan of Title III of the Americans with Disabilities Act, (42 U.S.C. 12101-12213) as outlined in 28 CFR Part 35.

7. The parties hereto agree to comply with all applicable laws and regulations meeting Environmental Protection Agency (EPA) requirements for pollution prevention including discharges from storm water runoff on this project. It is agreed that the project plans and specifications, required schedules for accomplishing the temporary and permanent erosion control work and the storm water pollution prevention plan sheet contained in the plans and the appropriate USGS topographic map constitute the storm water management plan for the project described previously in this document. The DEPARTMENT agrees to file jointly with the Contractor the Notice of Intent (NOI) for a general construction National Pollutant Discharge Elimination System (NPDES) permit with EPA which authorizes the storm water discharges associated with the industrial activity from the construction site identified in this document. Further, the CITY agrees as stipulated in Federal Register Vol. 57 No. 175 pg 41191, to co-permit with the DEPARTMENT when or if required to have daily operational control of those activities at the site necessary to ensure compliance with plan requirements and permit conditions.

8. The CITY agrees to prohibit parking on that portion of the project within the corporate limits of the CITY, except as may be indicated in the plans or hereafter approved by Agreement with the DEPARTMENT. The CITY further agrees not to install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and Manual on Uniform Traffic Control Devices (MUTCD).

9. The CITY further agrees and warrants to the DEPARTMENT that subsequent to the construction of said project, the CITY will:

A. Erect, maintain and operate traffic control devices, including signals, signs and pavement markings only in accordance with 47 O.S. 1991 Section 15-104, 15-105 and 15-106, and subject to the Agreement of the DEPARTMENT:

(1) In the event that any traffic signal installed hereunder is no longer needed for the purposes designated herein, then the traffic signal installed hereunder shall not be removed by the CITY to any point other than that which is approved by the DEPARTMENT prior to such removal.

(2) In the event there is no mutually agreed location for the reinstallation, the CITY will assume complete ownership of the equipment following removal, if the installation is ten (10) years old or older. If the installation is less than ten (10) years old, and:

(a) In the event the CITY desires total ownership of the equipment, the CITY shall reimburse the DEPARTMENT for the original Federal funding percentage share for the original equipment cost only, amortized for a ten (10) year service life, interest ignored, and assuming straight line depreciation.

(b) In the event the CITY does not desire total ownership of the equipment, the CITY shall sell the equipment at public auction to the highest bidder. The CITY shall reimburse the DEPARTMENT the original Federal funding percentage share of the proceeds of such sale.

B. Subject to Agreement with the DEPARTMENT, regulate and control traffic on said project, including but not limited to, the speed of vehicles, parking, stopping and turns and to make no changes in the provisions thereof without the approval of the DEPARTMENT. It shall be the responsibility of the CITY to notify the DEPARTMENT of any changes necessary to insure safety to the traveling public.

C. Maintain all drainage systems and facilities constructed, installed, modified or repaired in conjunction with this project or as may be otherwise necessary to insure proper drainage for road surfaces constructed under the terms of this Agreement.

D. Maintain all curbs and driveways abutting road surfaces constructed under the terms of this Agreement and all sidewalks adjacent thereto.

E. Maintain all right-of-way areas adjacent to road surfaces, including erosion control and periodic mowing of vegetation in a manner consistent with applicable codes, ordinances and regulations.

F. Make ample provision annually for proper maintenance of items heretofore delineated as the responsibility of the CITY, including the provision of competent personnel and adequate equipment, and specifically, to provide all required special maintenance of the project during the critical period immediately following construction.

G. Keep all permanent right-of-way shown on said plans free from any encroachment and take immediate action to effect the removal of any encroachments upon notification by the DEPARTMENT.

10. The CITY further agrees and warrants to the DEPARTMENT concerning sign and highway facility lighting:

A. The CITY will upon notice from the DEPARTMENT Engineer provide at its own expense all required electrical energy necessary for all preliminary and operational tests of the highway lighting facilities.

B. Upon completion of the construction of said project, and by the DEPARTMENT, the CITY will be responsible for the maintenance and cost of operation of these highway lighting facilities, including all appurtenances thereto and including the sign lighting facilities.

C. It is specifically understood and agreed that the highway lighting and sign lighting facilities specified herein shall be continuously operated during the hours of darkness between sunset and sunrise and shall not be altered,

removed or be allowed to cease operation without the mutual written consent of the DEPARTMENT and the CITY.

D. The CITY agrees to provide, on a periodic schedule, an inspection, cleaning and a re-lamping maintenance program to assure the maximum efficiency of the highway lighting facilities.

E. In the event that highway lighting facilities installed hereunder are no longer needed for the purposes designated herein, then the highway lighting facilities installed hereunder shall not be removed by the CITY to any point other than which is approved by the DEPARTMENT prior to such removal.

In the event there is no mutually agreed location for reinstallation, the CITY will assume complete ownership of the equipment following removal, if the installation is twenty (20) years old or older. If the installation is less than twenty (20) years old, and:

(1) In the event the CITY desires total ownership of the equipment, the CITY shall reimburse the DEPARTMENT the original Federal funding percentage share of the original equipment costs only, amortized for a twenty (20) year service life, interest ignored, and assuming straight line depreciation.

(2) In the event the CITY does not desire total ownership of the equipment, the CITY shall sell the equipment at public auction to the highest bidder. The CITY shall reimburse the DEPARTMENT the original Federal funding percentage share of the proceeds of such sale.

11. The CITY agrees, affirms and warrants to the DEPARTMENT that the CITY will be responsible, during the period of construction, for any repairs or maintenance to the approved detour route or any other street which may be required as a result of additional traffic.

12. The CITY agrees to comply with Title VI of the Civil Rights Act of 1964, 78 O.S. ' 252.42, U.S.C. '2000d-et seq., and all requirements imposed by or pursuant to

Title 49, Code of Federal Regulations, of Secretary of Transportation, Part 21 - "Nondiscrimination in federally assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act 1964."

13. The CITY agrees that it will, by resolution, duly authorize the execution of this Agreement by the proper officials, and attach copies of such resolution to this Agreement.

14. The DEPARTMENT and the CITY mutually recognize that each party is a governmental entity subject to the provisions of the Governmental Tort Claims Act (51 O.S. 1991 ' 151 et seq.). The DEPARTMENT and the CITY hereby mutually agree that each is and may be held severally liable for any and all claims, demands, and suits in law or equity, of any nature whatsoever, paying for damages or otherwise, arising from any negligent act or omission of any of their respective employees, agents or contractors which may occur during the prosecution or performance of this Agreement to the extent provided in the Governmental Tort Claims Act. Each party agrees to severally bear all costs of investigation and defense of claims arising under to Governmental Tort Claims Act and any judgements which may be rendered in such cause to the limits provided by law. Nothing in this section shall be interpreted or construed to waive any legal defense which may be available to a party or any exemption, limitation or exception which may be provided by the Governmental Tort Claims Act.

15. Based on an estimated total construction cost of $342,000.00 the DEPARTMENT agrees that Federal-aid Surface Transportation Program funds shall be requested to provide 100% of the participating project costs (estimated at $342,000.00). The City agrees that local funds shall be used to provide 0% of the participating project costs (estimated at $0.00) and 100% of the non-participating project costs (estimated currently at $0.00).

16. It is understood by the CITY and the DEPARTMENT that the funding participation stipulated herein may be altered due to bid prices, construction supervision costs, and non-participating costs incurred during construction.

Upon final acceptance of this project, the amount of Federal funds and the amount previously deposited by the CITY will be deducted from the total cost and a refund will be made by the DEPARTMENT to the CITY or additional funding will be requested from the CITY.

17. It is understood by the CITY that no State funds are to be utilized in any phase or aspect of this project. Only CITY and Federal funds are to be utilized.

18. Upon approval of this Agreement and the plans, specifications, and estimates by the DEPARTMENT and Federal Highway Administration, if applicable, the DEPARTMENT shall agree to advertise and let the contract for this project in the usual and customary legal manner. It is agreed that the project herein described is proposed to be financed as previously set forth, and that this Agreement, all plans, specifications, estimates of costs, acceptance of work, payments and procedures in general hereunder are subject in all things at all times to all Federal laws, regulations, orders and approvals as may be applicable hereto.

19. The DEPARTMENT agrees to construct said project in strict accordance with the plans furnished and approved by the CITY, provided that upon consultation with and Agreement by the CITY, the DEPARTMENT shall have the right to make such changes in the plans and specifications as are necessary for the proper construction of the project. The DEPARTMENT shall provide competent supervision at all times that the work is in progress. The CITY shall have inspectors on the project site as the CITY determines necessary to insure construction of the project to the satisfaction of the CITY and shall have representatives available for consultation with the DEPARTMENT representatives to cooperate fully to the end of obtaining work strictly in accordance with the CITY's approved plans and specifications.

20. The CITY agrees that the CITY will intervene as a party defendant in all actions where a contractor may allege delay due to failure of the CITY to accomplish timely utility relocations, site conditions which are not as represented on the plans, or plan errors which impact on project constructability, whether in the District Court or in an alternative dispute resolution forum, will defend all such

actions and will pay all damages relating to delay as may be assessed by such court or alternative dispute resolution forum against the CITY for its adjudged failure.

21. Failure by the CITY to fulfill its responsibilities under this Agreement will disqualify the CITY from future participation in any Federal-aid project. Federal funds are to be withheld until such time as the deficiencies in regulations have been corrected or the improvements to be constructed under this Agreement are brought to a satisfactory condition of maintenance.

22. It is further specifically agreed and understood between the CITY and the DEPARTMENT that the project will be built in accordance with the plans and specifications, and upon final acceptance by the CITY and the DEPARTMENT of this project, the CITY does hereby accept full, complete and total responsibility for the maintenance of this project as provided in this Agreement.. The CITY does not waive any rights against any contractor(s) with respect to defects, hidden or otherwise, in materials or workmanship. The CITY does not, pursuant to this provision or any other provision in this Agreement, waive its sovereign immunity or any exemption from, exception to or limitation of liability as provided in the Governmental Tort Claims Act.

23. The Secretary of the DEPARTMENT may terminate the contract in whole, or from time to time in part, whenever:

    A. The requisite federal funding becomes unavailable through failure of appropriation or otherwise.

    B. The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.

    C. The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily

caused by the acts or omissions of persons or agencies other than the contractor.

D. The Secretary determines that such termination is in the best interest of the State.

IN WITNESS WHEREOF, the Director of the Department of Transportation, pursuant to authority vested in him by the State Transportation Commission, has hereunto subscribed his name as Director of the Department of Transportation and the CITY has executed same pursuant to authority prescribed by law for the Department.

The CITY on this _____ day of _____, _____, and the DEPARTMENT on the _____ day of _____, _____.

APPROVED AS TO FORM
AND LEGALITY

_____
City Attorney

CITY OF NORMAN

_____
Mayor

ATTEST:

_____
City Clerk (Seal)

APPROVED AS TO FORM
AND LEGALITY

_____
General Counsel

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

_____
Deputy Director

Resolution

RESOLUTION NO. R-1112-136

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

THAT, WHEREAS it is in the best interest of the City of Norman, Oklahoma, to execute that certain Project Agreement for Federal-aid Project Number STPG-114F(303)AG, State Job Number 29011(04), by and between the City of Norman and the Oklahoma Department of Transportation;

NOW, THEREFORE, it is hereby resolved that the Mayor is hereby authorized and directed to execute the above described agreement on behalf of the City of Norman, and duly signed by the Mayor on this _____ day of _____, _____.

CITY OF NORMAN

_____

Mayor

ATTEST:

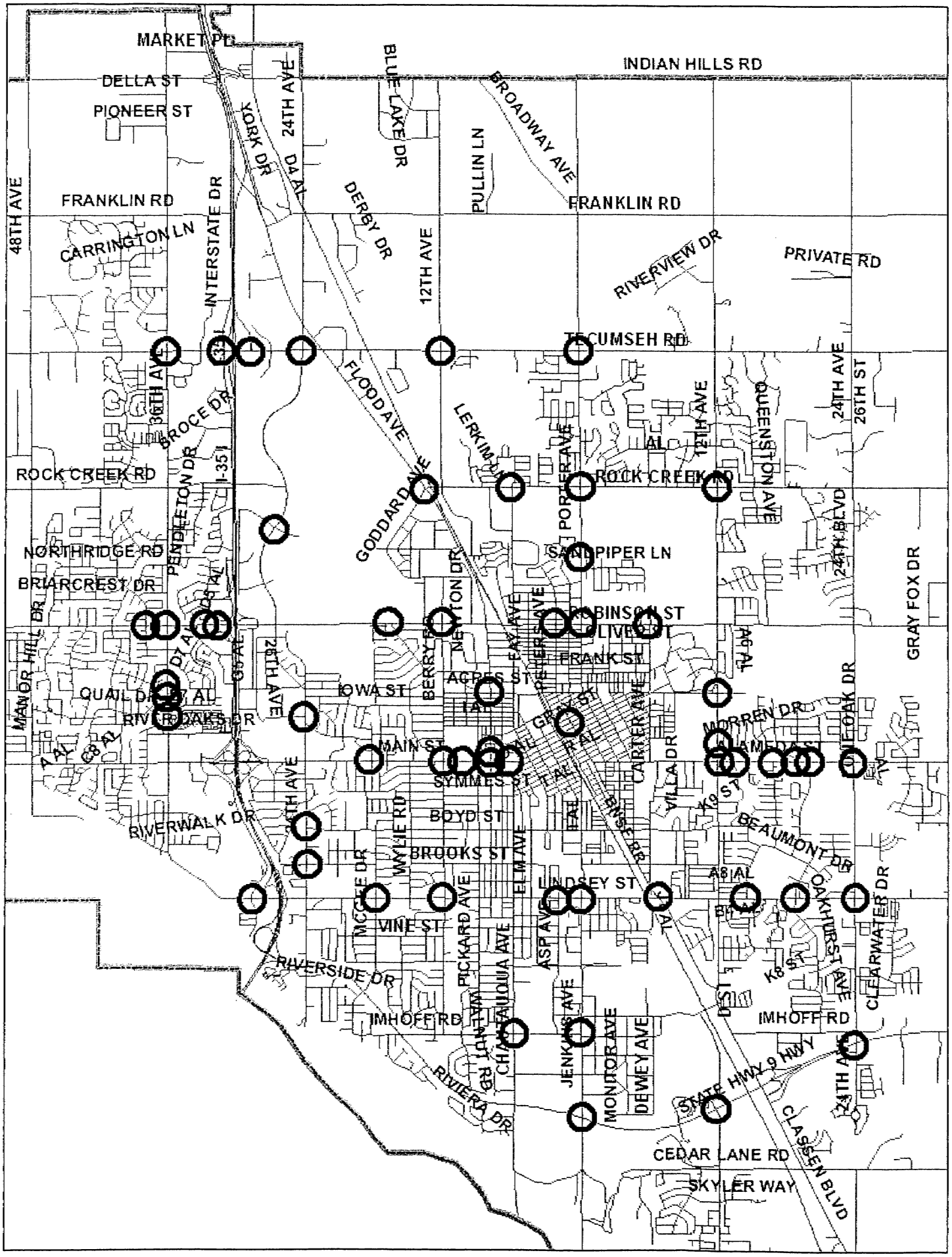
_____

City Clerk

Approved as to form and legality this 14 day of May, 2012

_____

City Attorney


MARKET PL
INDIAN HILLS RD
DELLA ST
PIONEER ST
YORK DR
24TH AVE
BLUE LAKE DR
BROADWAY AVE
PULLIN LN
D4 AL
48TH AVE
FRANKLIN RD
INTERSTATE DR
DERBY DR
FRANKLIN RD
CARRINGTON LN
12TH AVE
RIVERVIEW DR
PRIVATE RD
TECUMSEH RD
36TH AVE
BROCE DR
FLOOD AVE
LERKIM LN
12TH AVE
QUEENSTON AVE
24TH AVE
26TH ST
ROCK CREEK RD
PENDLETON DR
I-35
GODDARD AVE
PORTER AVE
ROCK CREEK RD
24TH BLVD
NORTHRIDGE RD
SANDPIPER LN
BRIARCREST DR
NEWTON DR
ROBINSON ST
OLIVER ST
GRAY FOX DR
MANOR HILL DR
D7 AL
D5 AL
26TH AVE
BERRY RD
FAY AVE
PETERS AVE
FRANK ST
A6 AL
QUAIL DR
IOWA ST
ACRES ST
RIVER OAKS DR
MORREN DR
A AL
C8 AL
MAIN ST
CARTER AVE
VILLA DR
SYMMES ST
K9 ST
RIVERWALK DR
24TH AVE
BOYD ST
BEAUMONT DR
WYLIE RD
BROOKS ST
ELM AVE
BNSF RR
A8 AL
LINDSEY ST
OAKHURST AVE
CLEARWATER DR
MCCEE DR
VINE ST
PICKARD AVE
ASP AVE
RIVERSIDE DR
K8 ST
IMHOFF RD
WALNUT RD
CHAUTAUQUA AVE
JENKINS AVE
MONITOR AVE
DEWEY AVE
IMHOFF RD
STATE HWY 9 HWY
24TH AVE
RIVIERA DR
CLASSEN BLVD
CEDAR LANE RD
SKYLER WAY

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: R-1112-137

File ID:	R-1112-137	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$17,625.00	**File Created:**	04/30/2012
File Name:	R-1112-137 Transfer for Luminaires			**Final Action:**	

Title: RESOLUTION NO. R-1112-137: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING $17,625 FROM THE RISK MANAGEMENT FUND REIMBURSEMENT/REFUND MISCELLANEOUS ACCOUNT TO BE USED TO REPLACE A DAMAGED FOOTING, LIGHT POLE, AND LUMINAIRE ON INTERSTATE 35 NEAR TECUMSEH ROAD.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-137.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 18

Attachments: Text File R-1112-137, R-1112-137, Photographs of Damage, 08162011 Collision Report, I-35 Street Light Estimates

Project Manager: David Riesland, Assistant Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File R-1112-137

Body

BACKGROUND: The City's Traffic Control Division maintains the roadway luminaires along Interstate 35 through Norman in accordance with Oklahoma State law and policy. Two City accounts have been set up to assist with payments related to streetlights. Electricity-Street Lights (Acct. No. 010-5023-429.43-11) is intended for use in paying electricity costs associated with keeping the streetlights operational. Street Lights (Acct No. 010-5023-429.42-30) is intended for routine maintenance associated with the streetlights that are the City's responsibility to maintain. While the funds in the Street Lights account are much smaller than those in the Electricity-Street Lights account,

the $7,000 in available funds is generally sufficient to respond to two or three knockdowns per year and the associated damage.

On August 16, 2011, a traffic collision on southbound Interstate Highway 35 just north of the Tecumseh Road interchange resulted in damages to an existing light pole mounted atop the existing concrete median barrier between the northbound and southbound lanes of Interstate Highway 35 (see Attachment 1 for a copy of the Collision Report). The force of the collision damaged the footing for the light pole that is integrated into the existing concrete median barrier. In addition, the light pole damaged a northbound vehicle as it fell as a result of the initial impact by southbound traffic. Pictures of the damage to the impacted area were obtained by Traffic Control Division personnel on November 9, 2011 (see Photographs of Damage in Attachment 2). The responsible driver was identified and the insurance company information obtained for collection purposes.

Bids were solicited from three area contractors to replace the pole and footing damage in the collision. Bids were received from two of the three (see I-35 Street Light Estimates in Attachment 3) with the deadline to submit bids set at December 9, 2011. The low bid was from Midstate Traffic Control, Inc., in the amount of $17,625.00. From the bid summary, it is evident that the funds necessary to repair damage of this type are far in excess of what is available annually in the Street Lights account.

On April 19, 2012, $17,625.00 was collected from the driver's insurance company for damage to the streetlight in question and was deposited into account 043-0000-367.12-64, Reimbursements/Refunds/Miscellaneous Risk Management.

DISCUSSION: The high cost associated with the damage to this streetlight on Interstate 35 has created a need to wait until the insurance funds were recovered in order to pay for the contractor cost to repair the damaged footing and replace the damaged pole. The Division does not have adequate funding in its operating budget to pay for the expenses related to the damaged footing as well as the damaged light pole and luminaire without the funds collected from the insurance company.

RECOMMENDATION: Staff recommends approval of a $17,625.00 appropriation of funds from Account No. 043-0000-367.12-64 (Reimbursements/Refunds/Miscellaneous Risk Management) to Account 010-5023-429.42-30 (Street Lights). These funds will be used to replace the damaged footing, light pole, and luminaire located in the median of Interstate Highway 35 north of Tecumseh Road.

Resolution

R-1112-137

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, TRANSFERRING $17,625 FROM THE RISK MANAGEMENT FUND REIMBURSEMENT/ REFUND MISCELLANEOUS ACCOUNT TO BE USED TO REPLACE A DAMAGED FOOTING, LIGHT POLE, AND LUMINAIRE ON INTERSTATE 35 NEAR TECUMSEH ROAD.

§ 1. WHEREAS, On August 16, 2011, a traffic collision on southbound Interstate 35 just north of the Tecumseh Road exit resulted in damages to an existing light pole mounted on top of the existing concrete median barrier between the northbound and southbound lanes of Interstate 35; and

§ 2. WHEREAS, the force of the collision damaged the footing for the light pole that is integrated into the existing concrete median barrier and when the pole fell, it damaged another vehicle; and

§ 3. WHEREAS, In April, 2012, $17,625 was collected from the insurance company of the person responsible for the accident and deposited into the Risk Management Fund Reimbursement/Refund Account; and

§ 4. WHEREAS, Staff is requesting a transfer to pay for replacement of the damaged footing, light pole, and luminaire.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 6. That the following transfer be made for the reason as stated above:

Account Name	Losing Account	Gaining Account	Amount
Maintenance and Repair Services – Street Lights	043-0000-367.12-64	010-5023-429.40-02	$17,625

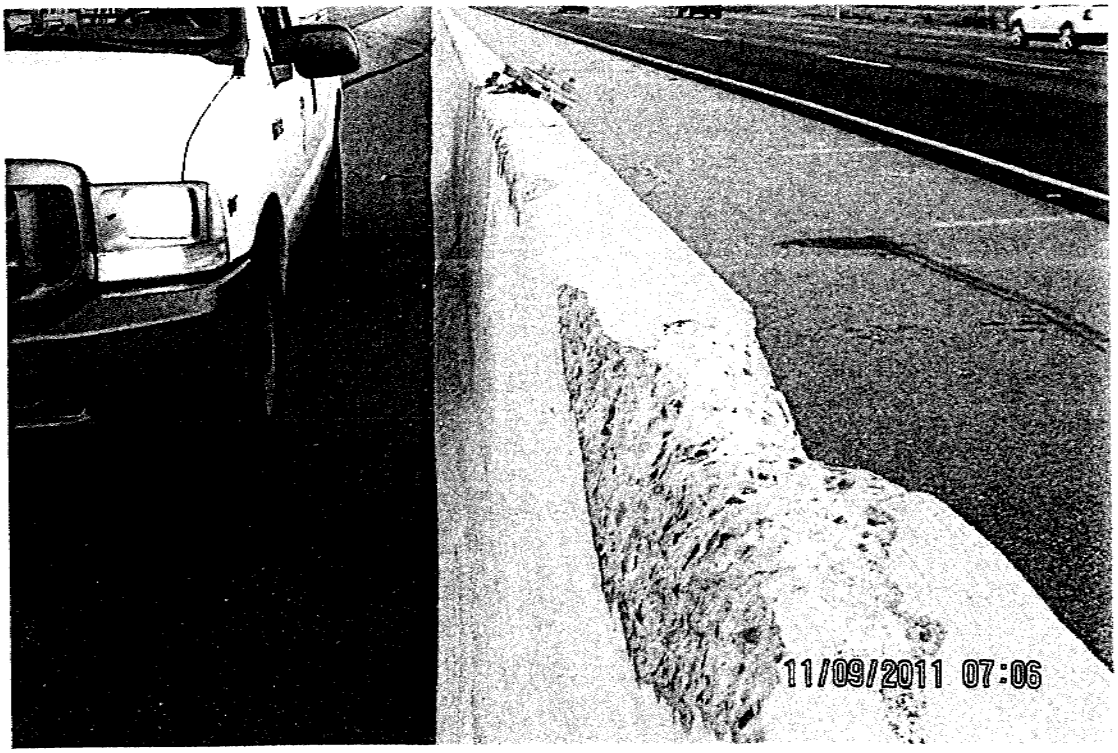
PASSED AND ADOPTED this 22nd day of May, 2012

_____
Mayor

ATTEST:

_____
City Clerk

11/09/2011 07:05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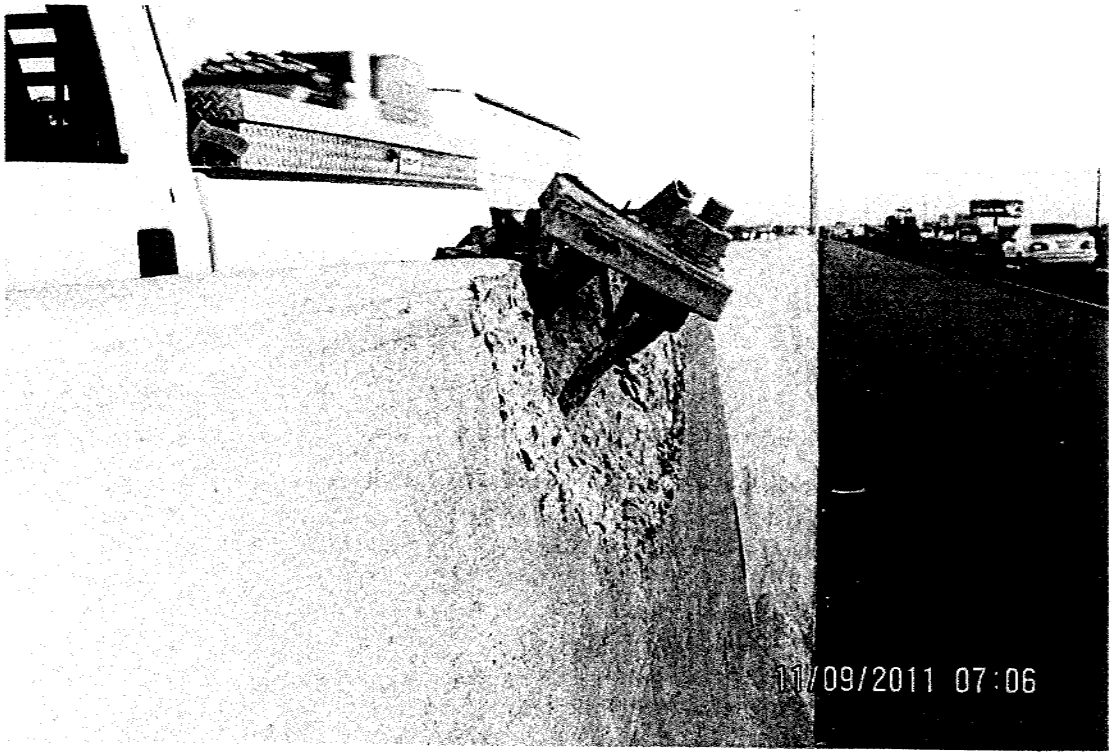
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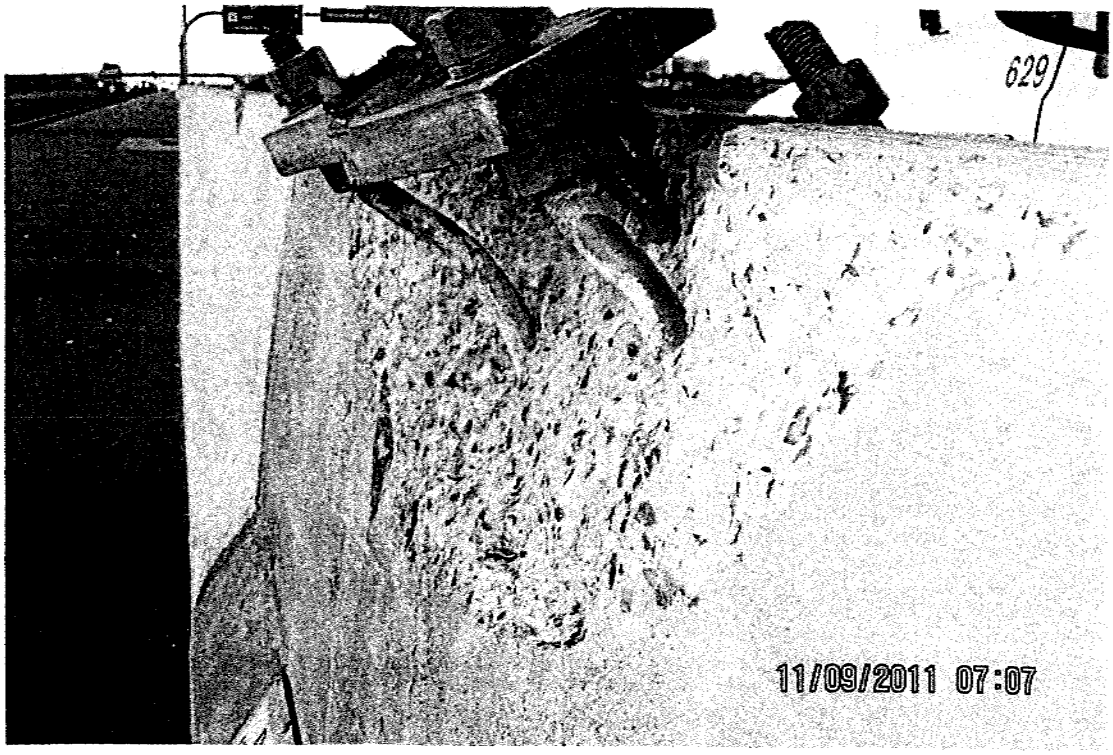
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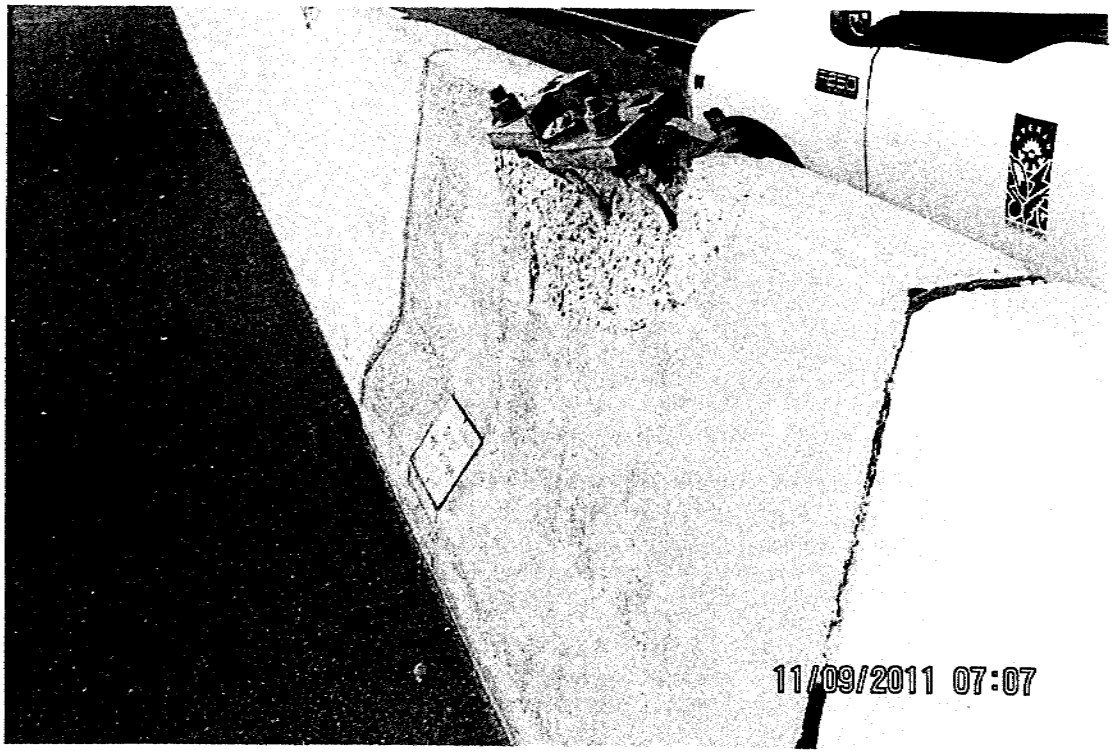
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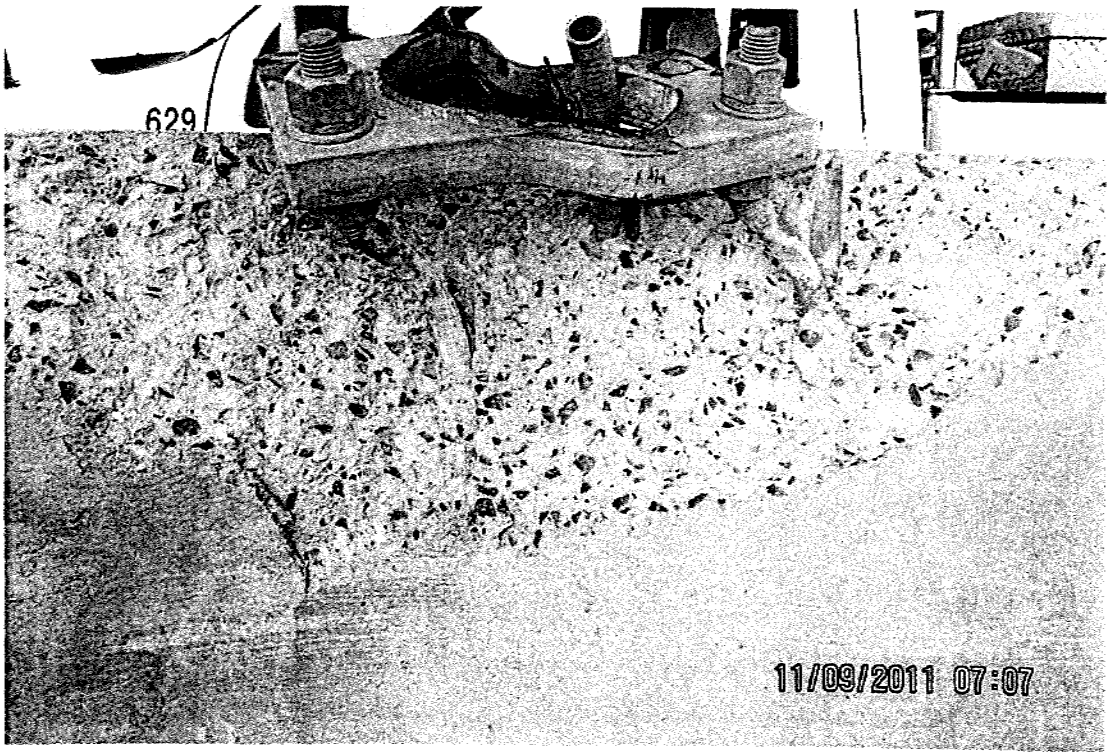
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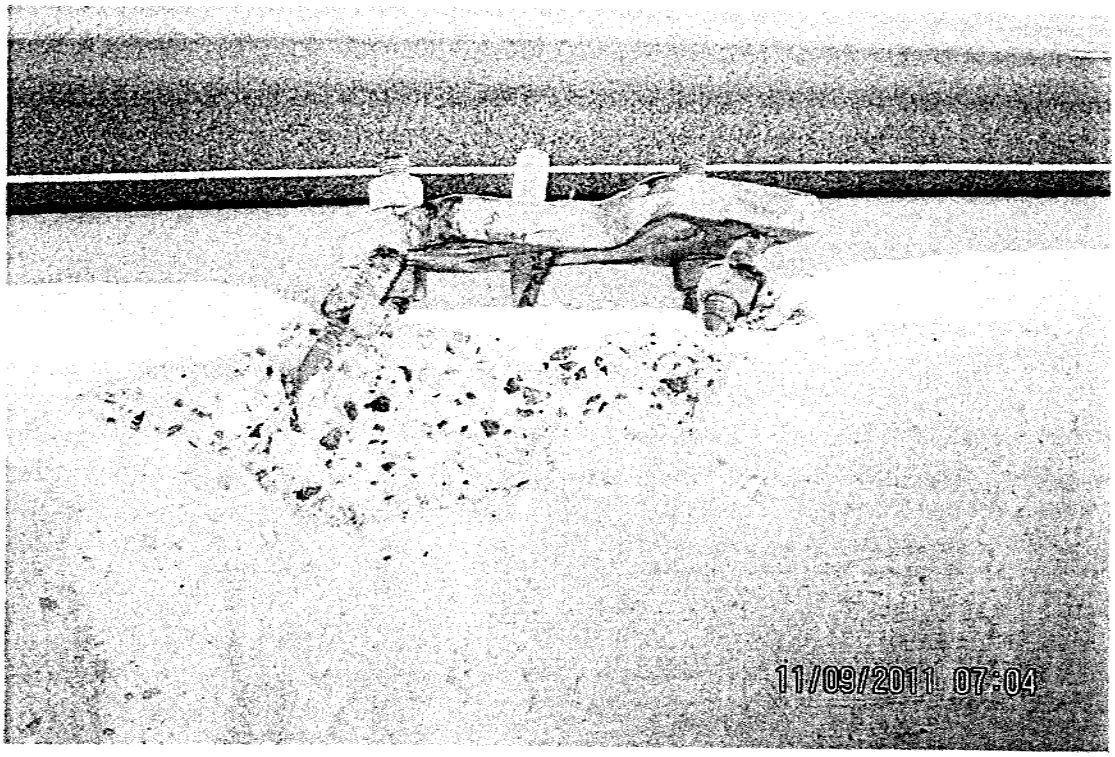
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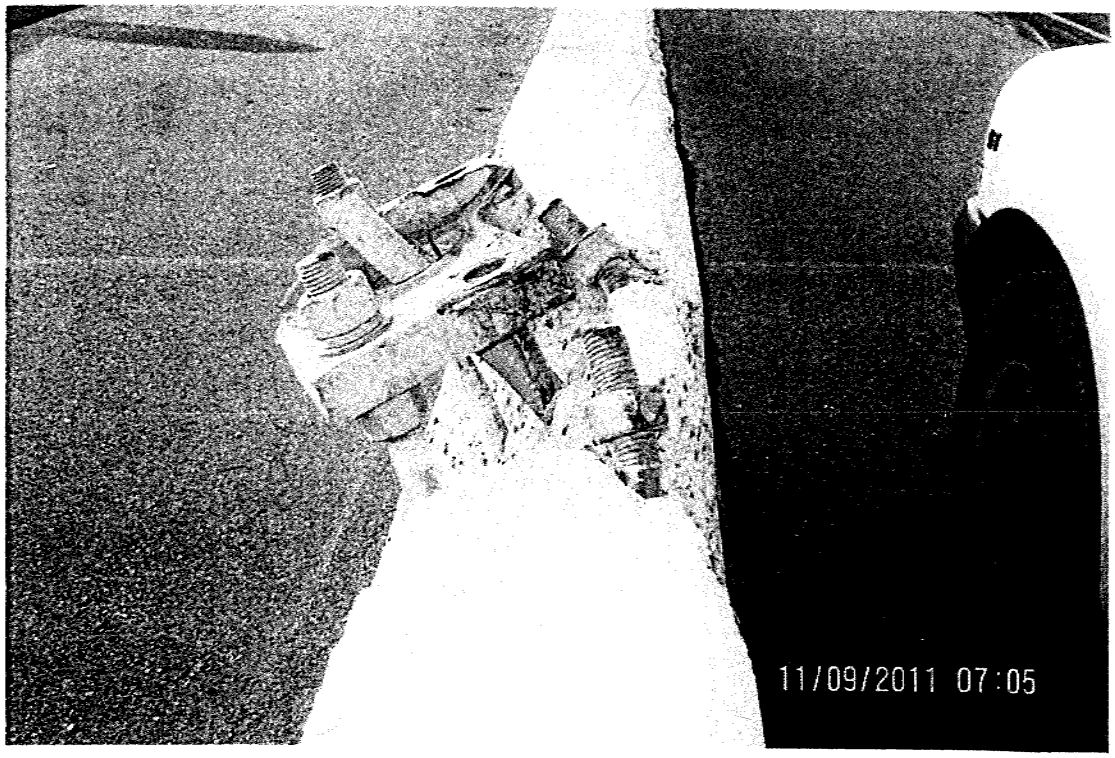
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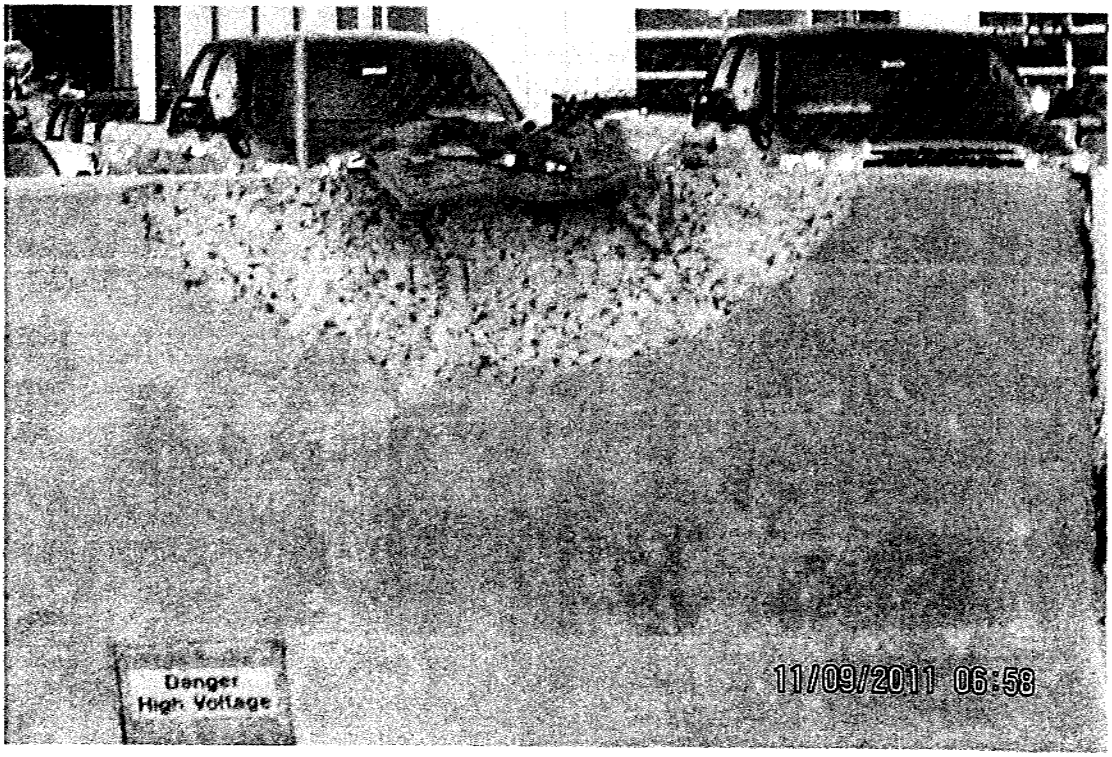
Danger
High Voltage
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Pg 1 of 14

DO NOT WRITE IN THIS SPACE

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Y	N		Y	N
Incident Report		X			
Investigation Completed	X		Revised		X
Investigation Made at Scene	X		Fatality		X
Photographs		X	Hit and Run		X

(1) Reporting Agency: OKLAHOMA HIGHWAY PATROL
Case Number (Agency Use): AR01298-11
Motor Vehicles Involved: 06 Number Injured: 02 Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 08162011 Time: 1556 County Number and Name: 14 CLEVELAND
Nearest City or Town Number and Name: In [X] Near [ ] 20 NORMAN

(3) Distance from Nearest City or Town Limits: Mi [ ] Fl [ ] N [ ] S [ ] Mi [ ] Fl [ ] E [ ] W
Control # 00 Int ID 00 Location 00 , 00 East Grid 019 + 5 North Grid 046 + 3 Administrative 300096477

(4) Street, Road or Highway: INTERSTATE 35
At [ ] Distance from 0003 Mi [X] Fl [ ] N [X] S [ ] E [ ] W of (Nearest) Intersecting Street, Road or Highway: TECUMSEH ROAD

(5) Unit 01 Occupants 01 Type D Hit & Run [ ] CMV [X] Last Name: SLIMP First: CODY Middle: RAY Suffix: Date of Birth (mm/dd/yyyy): Sex: M

(6) Address: 19700 84TH City: LEXINGTON State: OK Zip: 73051 Telephone (Use Area Code): 4056412708

(7) Driver License Number: State: OK Class: A Endorsement(s): MNT Restriction(s): Inj. Sev.: 1 Type of Injury: 0 Drv./Ped. Cond.: 01 OP Use: 04

(8) Air Bag: 0 Ejected: 1 Extricated: 1 Test: 5 (% BAC): 0. Transported by: To Medical Facility: License Plate Number: 4FP227 State: OK Month: 07 Year: 2011

(9) VIN: Vehicle Year: 1986 Color: GRN 2nd Color: 0 Make: FRHT Model: TT Veh. Conf.: 10 Extent of Damage: 4

(10) Insurance Verification: 3 Insurance Company Name: UNITED FNCL CAS CO Policy Number: 03640835-5 Insurance Telephone (Use Area Code): 9

(11) Vehicle Removed by: Driver [ ] A&A LARGE WRECKER Same as Driver [ ] Owner's Last Name: BOX First: WILLIAM Middle: C Suffix:

(12) Owner's Address: 1037 S MAIN AVE City: GOLDSBY State: OK Zip: 73093 Oversized Load: 0 Towed Veh. Type: 00 Rolled [X] Burned [ ] Phone present [X] Phone in use [ ]

(13) Citation Number: Statute/Ordinance Number: Citation Number: Statute/Ordinance Number:

(14) Unit 02 Occupants 02 Type D Hit & Run [ ] CMV [ ] Last Name: ORTIZ First: MORENA Middle: G Suffix: Date of Birth (mm/dd/yyyy): Sex: F

(15) Address: 512 MOHAK DRIVE City: PAULS VALLEY State: OK Zip: 73075 Telephone (Use Area Code):

(16) Driver License Number: State: OK Class: D Endorsement(s): Restriction(s): Inj. Sev.: 3 Type of Injury: 1,3 Drv./Ped. Cond.: 01 OP Use: 04

(17) Air Bag: 1 Ejected: 1 Extricated: 1 Test: 5 (% BAC): 0. Transported by: EMSTAT To Medical Facility: NORMAN REGIONAL License Plate Number: 686ARJ State: OK Month: 04 Year: 2012

(18) VIN: Vehicle Year: 2007 Color: GRY 2nd Color: 0 Make: NISS Model: ATS Veh. Conf.: 02 Extent of Damage: 4

(19) Insurance Verification: 3 Insurance Company Name: PROGRESSIVE NORTHERN INS CO Policy Number: 52559506-0 Insurance Telephone (Use Area Code): 4052387331

(20) Vehicle Removed by: Driver [ ] QUICK WRECKER Same as Driver [ ] Owner's Last Name: NESTOR First: GARCIA Middle: Suffix:

(21) Owner's Address: 512 MOHAWK DR City: PAULS VALLEY State: OK Zip: 73075 Oversized Load: 0 Towed Veh. Type: 00 Rolled [ ] Burned [ ] Phone present [ ] Phone in use [ ]

(22) Citation Number: Statute/Ordinance Number: Citation Number: Statute/Ordinance Number:

(23) Investigating Officer: MICHAEL MAX Badge Number: 772 Trp/Div. Assigned: A Trp/Div. Location: A Reviewer (Init.): SB Reviewer Badge Number: 170 Date of Report (mm/dd/yyyy): 08162011

Unit Type
0 Driver, P Pedestrian, X Pedestrian Conveyance, B Bicyclist, Z Other Cyclist, C Parked Car, A Animal, T Train

Injury Severity
0 N/A, 1 No Injury, 2 Possible, 3 Non-Incapacitating, 4 Incapacitating, 5 Fatal, 9 Unknown

Type of Injury
0 N/A, 1 Head, 2 Trunk - External, 3 Trunk - Internal, 4 Arms, 5 Legs, 9 Unknown

Driver/Pedestrian Condition
00 Not Applicable, 01 Apparently Normal, 02 Drinking - Ability Impaired, 03 Odor of Alcohol Beverage, 04 Illegal Drugs, 05 Under the Influence of Medications, 06 Very Tired, 07 Sleepy, 08 Ill (Sick), 09 Dizzy/Faint, 10 Emotional, 11 Other, 99 Unknown

Occupant Protection (OP) In Use
00 Not Applicable, 01 None Used, 02 Lap Belt Only, 03 Shoulder Belt Only, 04 Shoulder and Lap Belt, 05 Child Restraint Type Unknown, 06 Restraint Used - Type Unknown, 07 Helmet, 08 Child Restraint - Forward Facing, 09 Child Restraint - Rear Facing, 10 Booster Seat, 11 Other, 99 Unknown

Air Bag Deployed
0 Not Applicable, 1 Not Deployed, 2 Deployed - Front, 3 Deployed - Side, 4 Deployed - Other (knee, air belt, etc.), 5 Deployed - Combination, 9 Deployment Unknown

Ejected
0 Not Applicable, 1 Not Ejected, 2 Ejected Partially, 5 Ejected, Totally, 9 Unknown

Extricated
0 N/A, 1 No, 2 Yes

Chemical Test
0 N/A, 1 Blood, 2 Breath, 3 Blood Breath, 4 Test Refused, 5 None Given, 6 Other

Extent of Damage
0 N/A, 1 None, 2 Minor, 3 Functional, 4 Disabling, 9 Unknown

Insurance Verification
0 N/A, 1 No, 2 Owner, 3 Operator, 4 Exempt

Oversized Load
0 N/A, 1 Not Permitted, 2 Permitted

Towed Vehicle Type
00 N/A, 01 Boat Trailer, 02 House Trailer, 03 Farm Trailer, 04 Horse Trailer, 05 Another Vehicle, 06 Utility Trailer, 07 Homemade Trailer, 08 Pole Trailer, 09 Stock Trailer, 10 Camping Trailer, 11 Combination, 12 Other, 99 Unknown

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Case Number AR01298-11

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(24) Unit	Injured	Witness	Passenger	Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB(mm/dd/yyyy)	Sex
02	X		X		13	GARCIA	RACHEL	M		09231997	F

(25) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver X				

(26) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type
3 1	04	1	1	1	EMSTAT	NORMAN REGIONAL	

(27) Unit	Injured	Witness	Passenger	Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
00		X			00	WHEAT	MICHAEL	D		07151979	M

(28) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver 18450 CHAPEL LANE	NORMAN	OK	73026	

(29) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

(30) Unit	Injured	Witness	Passenger	Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
00				X	00	OG&E					

(31) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver 321 N HARVEY	OKLAHOMA CITY	OK	73165	4055538585

(32) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type
							LIGHT POLE

(33) Unit	Injured	Witness	Passenger	Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB(mm/dd/yyyy)	Sex

(34) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver				

(35) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit	Carrier Name	Address
01	BOX ENTERPRISES INC	1034 SOUTH MAIN

(37) City	State	Zip	GVWR	GCWR	Axle Qty.	Cargo Body	Vehicle Use
GOLDSBY	OK	73063	0-10K lbs. / 10,001-26K lbs. / 26K+ lbs.	X	03	07	Interstate Commerce: No; Intrastate Commerce: X; Other Non-Commercial: No; Government: No

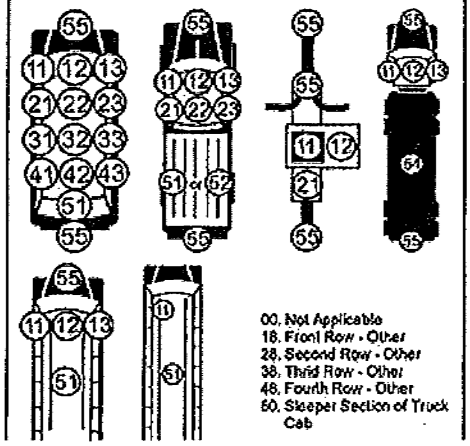
(38) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
929392	OK OK5080469			Yes / No X	Yes / No X

(39) Unit	Carrier Name	Address

(40) City	State	Zip	GVWR	GCWR	Axle Qty.	Cargo Body	Vehicle Use
			0-10K lbs / 10,001-26K lbs / 26K+ lbs.				Interstate Commerce: No; Intrastate Commerce: No; Other Non-Commercial: No; Government: No

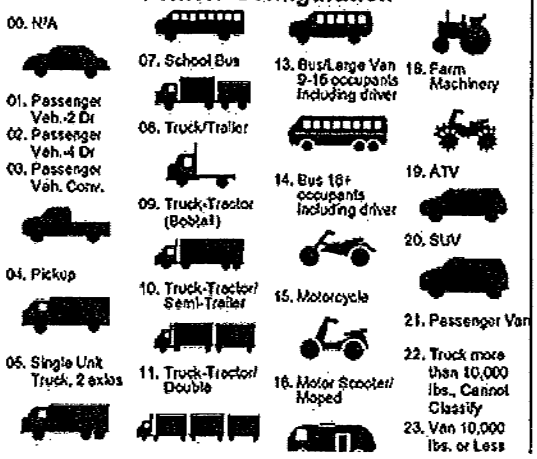
(41) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
	OK			Yes / No	Yes / No

Position in Vehicle



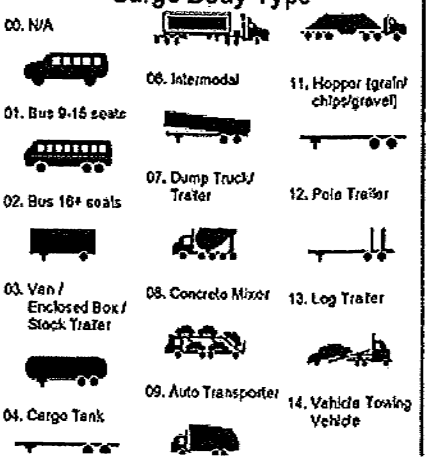
00. Not Applicable
18. Front Row - Other
28. Second Row - Other
38. Third Row - Other
48. Fourth Row - Other
50. Sleeper Section of Truck Cab

Vehicle Configuration



00. N/A
01. Passenger Veh.-2 Dr
02. Passenger Veh.-4 Dr
03. Passenger Veh. Conv.
04. Pickup
05. Single Unit Truck, 2 axles
07. School Bus
08. Truck/Trailer
09. Truck-Tractor (Bobtail)
10. Truck-Tractor/ Semi-Trailer
11. Truck-Tractor/ Double
13. Bus/Large Van 9-15 occupants including driver
14. Bus 16+ occupants including driver
15. Motorcycle
16. Motor Scooter/ Moped
18. Farm Machinery
19. ATV
20. SUV
21. Passenger Van
22. Truck more than 10,000 lbs., Cannot Classify
23. Van 10,000 lbs. or Less

Cargo Body Type



00. N/A
01. Bus 9-15 seats
02. Bus 16+ seats
03. Van / Enclosed Box / Stock Trailer
04. Cargo Tank
06. Intermodal
07. Dump Truck/ Trailer
08. Concrete Mixer
09. Auto Transporter
11. Hopper (grain/ chips/gravel)
12. Pole Trailer
13. Log Trailer
14. Vehicle Towing Vehicle

Case Number AR01298-11

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

Pg 3 of 14

	Unit	Total Lanes in Roadway	Legal Speed	Pedestrian / Pedalcyclist Only: Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking
This unit will correspond to 'Unit 1'	01	06	70				
This unit will correspond to 'Unit 2'	02	06	70				

Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section) Yes ☐ No ☒

Type of Work Zone
1 Lane Closure
2 Lane Shift/Crossover
3 Work on Shoulder or Median
4 Intermittent or Moving Work
9 Unknown

Location of the Work Zone Collision
1 Before the First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area
5 Termination Area
9 Unknown

Workers Present Yes ☐ No ☐ Unknown ☐

Light 1
1 Daylight
2 Dark-Not Lighted
3 Dark-Lighted
4 Dawn
5 Dusk
6 Dark-Unknown Lighting
7 Other
9 Unknown

Weather 01
01 Clear
02 Fog/Smog/Smoke
03 Cloudy
04 Rain
05 Snow
06 Sleet/Hail (Freezing Rain/Drizzle)
07 Severe Crosswind
08 Blowing Snow
09 Blowing Sand, Soil, Dirt
10 Other
99 Unknown

Locality 2
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection 0
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type 00
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event 01
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way

What Vehicle Was Going to Do Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Go Ahead
02 Turn Left
03 Turn Right
04 Make "U" Turn
05 Stop
06 Slow for Cause
07 Start from Park/Stop
08 Change Lanes
09 Overtake
10 Pass
11 Back
12 Remain Stopped
13 Remain Parked
14 Enter/Merge in Traffic
15 Negotiate a Curve
16 Park
17 Other
99 Unknown

What Vehicle Did Unit 1: 08 Unit 2: 16
00 Not Applicable
01 Went Ahead
02 Turned Left
03 Turned Right
04 Entered "U" Turn
05 Stopped
06 Slowed
07 Started From Park/Stop
08 Entered Other Lane
09 Overtaking
10 Passing
11 Backed
12 Remained Stopped
13 Remained Parked
14 Entered/Merged
15 Departed Rdwy-Right
16 Departed Rdwy-Left
17 Swerved Right
18 Swerved Left
19 Parked
20 Other
99 Unknown

Visibility Obscured by Unit 1: 00 Unit 2: 00
00 Not Applicable
01 Trees
02 Embankment
03 Building
04 Signs
05 Parked Vehicles
06 High Weeds
07 Fences
08 Shrubbery
09 Ice, Snow or Frost on Windows
10 Smoke
11 Fog
12 Dust
13 Rain
14 Sun
15 Other
99 Unknown

Driver Distracted by Unit 1: 0 Unit 2: 0
0 Not Applicable/None
1 Electronic Communication Devices
2 Other Electronic Device
3 Other Inside Vehicle

Underride/Override Unit 1: ☐ Unit 2: ☐
0 Not Applicable
1 No Underride or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle in Transport
6 Override, Other Motor Vehicle
9 Unknown

Traffic Control Unit 1: 00 Unit 2: 00
00 No Control
01 Stop Sign
02 Traffic Signal
03 Flashing Traffic Signal
04 School Zone Signs
05 Yield Sign
06 Warning Sign
07 Railroad Advance Warning Sign
08 Railroad Cross Bucks
09 Railroad Gates
10 Railroad Signal
11 No Passing Zone
12 Person (including flagger, law enforcement, crossing guard, etc.)
13 Abnormal Control
14 Other
99 Unknown

Road Surface Conditions Unit 1: 01 Unit 2: 01
01 Dry
02 Wet
03 Ice/Frost
04 Snow
05 Mud, Dirt, Gravel
06 Slush
07 Water (standing, moving)
08 Sand
09 Oil
10 Other
99 Unknown

Road Character

Grade Unit 1: 1 Unit 2: 1
1 Level
2 Hillcrest
3 Uphill
4 Downhill
5 Sag (bottom)

Road Alignment Unit 1: 1 Unit 2: 1
1 Straight
2 Curve - Left
3 Curve - Right

Road Surface Type Unit 1: 2 Unit 2: 2
1 Concrete
2 Asphalt
3 Gravel
4 Dirt
5 Brick

Trafficway Unit 1: 4 Unit 2: 4
0 Not Applicable
1 One Way
2 Two-Way - Not Divided
3 Two-Way - Divided
4 Two-Way - Divided - Positive Median Barrier
5 Turn Lane
6 Ramp / Loop
7 Driveway
8 Alley / Parking Lot
9 Unknown

Vehicle Removal Unit 1: 1 Unit 2: 1
0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition Unit 1: 07 Unit 2: 01
00 Not Applicable
01 Apparently Normal
02 Brakes
03 Headlights
04 Steering
05 Tail Lights
06 Brake Lights
07 Tires/Wheels
08 Suspension
09 Signal lights
10 Windows
11 Truck Coupling/Trailer Hitch/Safety Chains
12 Mirrors
13 Wipers
14 Power Train
15 Other
99 Unknown

Special Function of Vehicle Unit 1: 00 Unit 2: 00
00 Not Applicable
01 School Bus
02 Transit Bus
03 Intercity Bus
04 Charter Bus
05 Other Bus
06 Military
07 OHP
08 Other Police
09 Other Law Enforcement
10 Ambulance
11 Fire Truck
12 Public Owned Vehicle
13 Highway Equipment
14 Special Mobilized Machine
15 Other
99 Unknown

Emergency Vehicle Responding to an Emergency Unit 1: 0 Unit 2: 0

Unsafe / Unlawful Contributing Factors Unit 1: 49 Unit 2: 98

FAILED TO YIELD
01 From Stop Sign
02 From Yield Sign
03 Private Drive
04 County Road at Through Highway
05 From Signal Light
06 From Alley
07 To Pedestrian
08 To Vehicle on Right
09 To Vehicle in Intersection
10 To Emergency Vehicles
12 Other

FOLLOWED TOO CLOSELY
13 Human Element
14 Traffic Condition
15 Weather Condition

UNSAFE SPEED
16 Driver's Ability (Aged)
17 Inexperienced Driver - Young
18 Exceeding Legal Limit
19 For Traffic Conditions
20 For Type of Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
25 Vehicle Condition
26 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other

IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 CHANGED LANES UNSAFELY
39 STOPPED IN TRAFFIC LANE

FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other

UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects

LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other

IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other

IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other

INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other

WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other

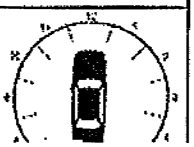
IMPROPER START FROM
78 Parked Position
79 Other
80 ALCOHOL-DUI/DWI
81 DRUG-DUI

OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown

UNKN/NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 NO IMPROPER ACTION BY DRIVER
99 PEDESTRIAN ACTION

Point of First Contact on Vehicle Unit 1: 10 Unit 2: 03

Most Damaged Area Unit 1: 09 Unit 2: 03



Case Number AR01298-11

Latitude | Longitude | Railroad Crossing Number | Roadway Orientation

N W

Unit Number 01 NE SW S

Unit Number 02 NE SW S

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Indicate North by Arrow

COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event (for the Entire Collision)
01	18	41	10	00	10	18
02	18	00	00	00	18	

00 Not Applicable
10 Overturn/Rollover
11 Fire/Explosion
12 Immersion
13 Jackknife
14 Cargo/Equipment Loss or Shift
15 Equipment Failure (Blown Tire, Brake Failure, etc.)
16 Separation of Units
17 Departed Road Right
18 Departed Road Left
19 Cross Median/Centerline
20 Downhill Runaway
21 Fell/Jumped From Motor Vehicle
22 Thrown Or Falling Object
23 Other Non-Collision

PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:

30 Pedestrian
31 Pedal Cycle
32 Railway Vehicle (train, engine)
33 Animal
34 Motor Vehicle In Transport
35 Parked Motor Vehicle
36 Struck by Falling, Shifting Cargo or Anything Set In Motion by Motor Vehicle
37 Work Zone/Maintenance Equipment
38 Other Non-Fixed Object

FIXED OBJECT:

40 Barrier (Cable)
41 Barrier (Concrete)
42 Barrier (Other)
43 Fence Pole
44 Fence
45 Traffic Signal Support
46 Traffic Sign Support
47 Utility Pole/Light Support
48 Other Post/Pole/Support
49 Guardrail/Guardrail Face
50 Guardrail End
51 Culvert
52 Curb
53 Island
54 Sand Barrels
55 Impact Attenuator/ Crash Cushion
56 Pavement Drop-Off
57 Ditch
58 Embankment
59 Tree (Standing)
60 Dividing Strip
61 Retaining Wall
62 Bridge Abutment
63 Bridge Pier or Support
64 Bridge Rail
65 Bridge Post
66 Bridge Curb
67 Bridge Super Structure (Beams)
68 Bridge Overhead Structure
69 Delineator
70 Mailbox
71 Other Fixed Object
72 Other Highway Structure
73 Ground
99 Unknown

Remarks

UNITS 1,2,3,4&5 WERE ALL SB ON I-35...UNIT 6 WAS NB ON I-35...UNIT 1 WAS IN THE MIDDLE SB LANE WHEN IT HAD A BLOWOUT ON THE L. FRONT TIRE....UNIT 1 THEN TRAVELLED INTO THE L (INSIDE) LANE THUS STRIKING UNIT 2...UNIT 1 THEN TRAVELLED APPRX. 109' RAN OFF ONTO THE INSIDE SHOULDER AND STRUCK THE CONCRETE BARRIER WALL, AT THIS TIME UNIT 1 ALSO STRUCK A LIGHT POLE ATOP THE BARRIER WALL...UNIT 1 THEN CONTINUED ANOTHER 73' WHERE IT ROLLED ONTO ITS DRIVER SIDE...FOLLOWING INITIAL IMPACT UNIT 2 STRUCK UNIT 1 AS IT ROLLED ONTO ITS SIDE, UNIT 3 WAS UNABLE TO STOP DUE TO THE LARGE AMOUNTS OF FLUIDS FROM UNIT 1 THAT WAS ON THE ROADWAY....AND DID SLIDE INTO UNIT 2....UNIT 4 WAS FOLLOWING UNIT 1 AND AS UNIT 4 WAS ATTEMPTING TO EVADE THE COLLISION IT WAS STRUCK BY UNIT 5, UNIT 5 WAS FOLLOWING UNIT 3, UNIT 5 SWERVED R AND DID ALSO SLIDE ON THE FLUIDS THUS STRIKING UNIT 4 IN THE MIDDLE LANES...UNIT 6 WHICH WAS NB WAS STRUCK BY THE LIGHT POLE AS IT FELL...AOI WAS APPRX .3M N OF TECUMSEH & APPRX. 10' W OR

DO NOT WRITE IN THIS SPACE

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Y	N		Y	N
Incident Report		X			
Investigation Completed	X		Revised		X
Investigation Made at Scene	X		Fatality		X
Photographs		X	Hit and Run		X

(1) Reporting Agency: OKLAHOMA HIGHWAY PATROL
Case Number (Agency Use): AR01298-11
Motor Vehicles Involved: 06 | Number Injured: 02 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 08162011 | Time: 1556 | County Number and Name: 14 CLEVELAND | Nearest City or Town Number and Name: In [X] Near [ ] 20 NORMAN

(3) Distance from Nearest City or Town Limits: MI [ ] FL [ ] N [ ] S [ ] MI [ ] FL [ ] E [ ] W | Control # 00 | Int ID 00 | Location 00 00 | East Grid 019 5 | North Grid 046 3 | Administrative 300096477

(4) Street, Road or Highway: INTERSTATE 35 | At [ ] Distance from 0003 MI [X] FL [ ] N [X] S [ ] E [ ] W [ ] of (Nearest) Intersecting Street, Road or Highway: TECUMSEH ROAD

(5) Unit 03 | Occupants 01 | Type D | Hit & Run [ ] CMV [ ] | Last Name KEENE | First MICHAEL | Middle ALLEN | Suffix | Date of Birth (mm/dd/yyyy) | Sex M

(6) Address: 4121 W MAIN APT E | City: NORMAN | State: OK | Zip: 73072 | Telephone (Use Area Code)

(7) Driver License Number: | State: OK | Class: B | Endorsement(s): N | Restriction(s): K | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC) 0. | Transported by: | To Medical Facility: | License Plate Number: 569FVD | State: OK | Month: 10 | Year: 2011

(9) VIN: 1G2WK52J82F216201 | Vehicle Year: 2002 | Color: MAR | 2nd Color: 0 | Make: PONT | Model: GFS | Veh. Conf.: 02 | Extent of Damage: 4

(10) Insurance Verification: 3 | Insurance Company Name: ESURANCE INS CO | Policy Number: PAOK004025813 | Insurance Telephone (Use Area Code): 8003787262

(11) Vehicle Removed by: QUALITY TOWING | Driver [ ] | Same as Driver [X] | Owner's Last Name | First | Middle | Suffix

(12) Owner's Address | City | State | Zip | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Burned [ ] | Phone present [X] Phone in use [ ]

(13) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(14) Unit 04 | Occupants 01 | Type D | Hit & Run [ ] CMV [ ] | Last Name WISE | First RICHARD | Middle JAMES JR | Suffix | Date of Birth (mm/dd/yyyy) | Sex M

(15) Address: 4207 MONTICELLO RD | City: NORMAN | State: OK | Zip: 73072 | Telephone (Use Area Code)

(16) Driver License Number: I | State: OK | Class: D | Endorsement(s): | Restriction(s): | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(17) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC) 0. | Transported by: | To Medical Facility: | License Plate Number: 218HDW | State: OK | Month: 11 | Year: 2011

(18) VIN: 2G1WG5EK6B1170139 | Vehicle Year: 2011 | Color: BLU | 2nd Color: 0 | Make: CHEV | Model: IMT | Veh. Conf.: 02 | Extent of Damage: 2

(19) Insurance Verification: 3 | Insurance Company Name: PV HOLDING GROUP | Policy Number: 6300091 | Insurance Telephone (Use Area Code): 8664468376

(20) Vehicle Removed by: | Driver [X] | Same as Driver [ ] | Owner's Last Name: PV | First: HOLDING. | Middle | Suffix

(21) Owner's Address: 3301 S MERIDIAN AVE | City: OKLAHOMA CITY | State: OK | Zip: 73119 | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Burned [ ] | Phone present [X] Phone in use [ ]

(22) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(23) Investigating Officer: MICHAEL MAX | Badge Number: 772 | Trp/Div. Assigned: A | Trp/Div. Location: A | Reviewer (Init.): SB | Reviewer Badge Number: 170 | Date of Report (mm/dd/yyyy): 08162011

Unit Type: 0 Driver, P Pedestrian, X Pedestrian Conveyance, B Bicycle, Z Other Cycle, C Parked Car, A Animal, T Train

Injury Severity: 0 N/A, 1 No Injury, 2 Possible, 3 Non-Incapacitating, 4 Incapacitating, 5 Fatal, 9 Unknown

Type of Injury: 0 N/A, 1 Head, 2 Trunk - External, 3 Trunk - Internal, 4 Arms, 5 Legs, 9 Unknown

Driver/Pedestrian Condition: 00 Not Applicable, 01 Apparently Normal, 02 Drinking - Ability Impaired, 03 Odor of Alcohol Beverage, 04 Illegal Drugs, 05 Under the Influence of Medications, 06 Very Tired, 07 Sleepy, 08 Ill (Sick), 09 Drowsy/Fatigued, 10 Emotional, 11 Other, 99 Unknown

Occupant Protection (OP) In Use: 00 Not Applicable, 01 None Used, 02 Lap Belt Only, 03 Shoulder Belt Only, 04 Shoulder and Lap Belt, 05 Child Restraint Type Unknown, 06 Restraint Used - Type Unknown, 07 Helmet, 08 Child Restraint - Forward Facing, 09 Child Restraint - Rear Facing, 10 Booster Seat, 11 Other, 99 Unknown

Air Bag Deployed: 0 Not Applicable, 1 Not Deployed, 2 Deployed - Front, 3 Deployed - Side, 4 Deployed - Other (knee, air belt, etc.), 5 Deployed - Combination, 9 Deployment Unknown

Ejected: 0 Not Applicable, 1 Not Ejected, 2 Ejected, Partially, 3 Ejected, Totally, 9 Unknown

Extricated: 0 N/A, 1 No, 2 Yes

Chemical Test: 0 N/A, 1 Blood, 2 Breath, 3 Blood/Breath, 4 Test Refused, 5 None Given, 6 Other

Extent of Damage: 0 N/A, 1 None, 2 Minor, 3 Functional, 4 Disabling, 9 Unknown

Insurance Verification: 0 N/A, 1 No, 2 Owner, 3 Operator, 4 Exempt

Oversized Load: 0 N/A, 1 Not Permitted, 2 Permitted

Towed Vehicle Type: 00 N/A, 01 Boat Trailer, 02 House Trailer, 03 Farm Trailer, 04 Horse Trailer, 05 Another Vehicle, 06 Utility Trailer, 07 Homemade Trailer, 08 Box Trailer, 09 Stock Trailer, 10 Camping Trailer, 11 Combination, 12 Other, 99 Unknown

Case Number AR01298-11

(24) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB (mm/dd/yyyy) | Sex

(25) Same as Driver ☐ | Address | City | State | Zip | Telephone (Use Area Code)

(26) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

(27) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB (mm/dd/yyyy) | Sex

(28) Same as Driver ☐ | Address | City | State | Zip | Telephone (Use Area Code)

(29) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

(30) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB (mm/dd/yyyy) | Sex

(31) Same as Driver ☐ | Address | City | State | Zip | Telephone (Use Area Code)

(32) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

(33) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB (mm/dd/yyyy) | Sex

(34) Same as Driver ☐ | Address | City | State | Zip | Telephone (Use Area Code)

(35) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,001 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER.

(36) Unit | Carrier Name | Address

(37) City | State | Zip | GVWR ☐ GCWR ☐ | 0 - 10K lbs. ☐ 10,001 - 26K lbs ☐ 26K+ lbs. ☐ | Axle Qty. | Cargo Body | Vehicle Use: Interstate Commerce ☐ Intrastate Commerce ☐ Other Non-Commercial ☐ Government ☐

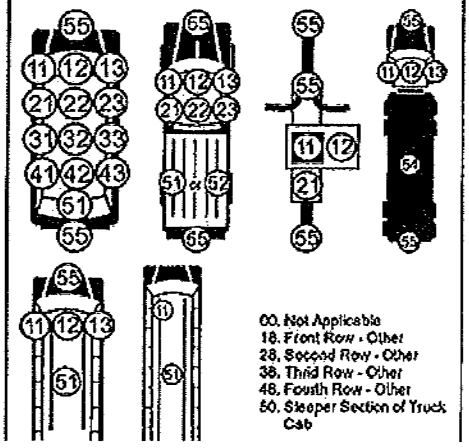
(38) U.S. DOT Number | NASI Report Number OK | Placard Number | Haz. Mat. Class | Haz. Mat. Involved Yes ☐ No ☐ | Haz. Mat. Release Yes ☐ No ☐

(39) Unit | Carrier Name | Address

(40) City | State | Zip | GVWR ☐ GCWR ☐ | 0 - 10K lbs ☐ 10,001 - 26K lbs ☐ 26K+ lbs. ☐ | Axle Qty. | Cargo Body | Vehicle Use: Interstate Commerce ☐ Intrastate Commerce ☐ Other Non-Commercial ☐ Government ☐

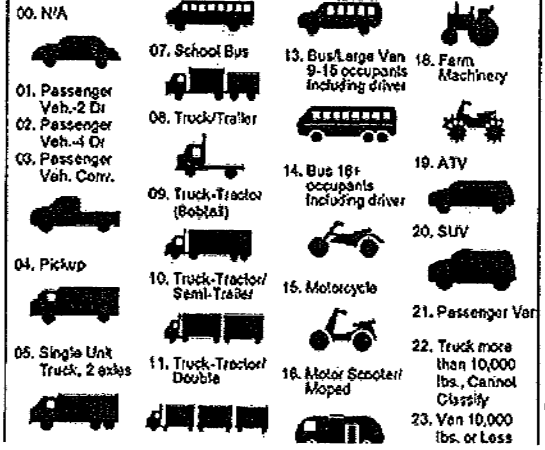
(41) U.S. DOT Number | NASI Report Number OK | Placard Number | Haz. Mat. Class | Haz. Mat. Involved Yes ☐ No ☐ | Haz. Mat. Release Yes ☐ No ☐

Position in Vehicle



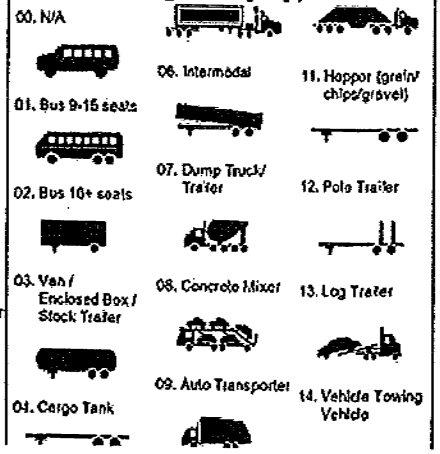
00. Not Applicable
18. Front Row - Other
28. Second Row - Other
38. Third Row - Other
48. Fourth Row - Other
50. Sleeper Section of Truck Cab

Vehicle Configuration



00. N/A
01. Passenger Veh.-2 Dr
02. Passenger Veh.-4 Dr
03. Passenger Veh. Conv.
04. Pickup
05. Single Unit Truck, 2 axles
07. School Bus
08. Truck/Trailer
09. Truck-Tractor (Bobtail)
10. Truck-Tractor/ Semi-Trailer
11. Truck-Tractor/ Double
13. Bus/Large Van 9-15 occupants including driver
14. Bus 16+ occupants including driver
15. Motorcycle
16. Motor Scooter/ Moped
18. Farm Machinery
19. ATV
20. SUV
21. Passenger Van
22. Truck more than 10,000 lbs., Cannot Classify
23. Van 10,000 lbs. or Less

Cargo Body Type



00. N/A
01. Bus 9-15 seats
02. Bus 10+ seats
03. Van / Enclosed Box / Stock Trailer
04. Cargo Tank
06. Intermodal
07. Dump Truck/ Trailer
08. Concrete Mixer
09. Auto Transporter
11. Hopper (grain/ chips/gravel)
12. Pole Trailer
13. Log Trailer
14. Vehicle Towing Vehicle

18-12

Case Number AR01298-11

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

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	Unit	Total Lanes In Roadway	Legal Speed	Pedestrian / Pedalcyclist Only: Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking
This unit will correspond to "Unit 1"	03	06	70				
This unit will correspond to "Unit 2"	04	06	70				

Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section) Yes ☐ No ☒

Type of Work Zone
1 Lane Closure
2 Lane Shift/Crossover
3 Work on Shoulder or Median
4 Intermittent or Moving Work
9 Unknown

Location of the Work Zone Collision
1 Before the First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area
5 Termination Area
9 Unknown

Workers Present Yes ☐ No ☐ Unknown ☐

Light 1
1 Daylight
2 Dark-Not Lighted
3 Dark-Lighted
4 Dawn
5 Dusk
6 Dark-Unknown Lighting
7 Other
9 Unknown

Weather 01
01 Clear
02 Fog/Smog/Smoke
03 Cloudy
04 Rain
05 Snow
06 Sleet/Hail (Freezing Rain/Drizzle)
07 Severe Crosswind
08 Blowing Snow
09 Blowing Sand, Soil, Dirt
10 Other
99 Unknown

Locality 2
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection 0
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type 00
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event 01
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way

What Vehicle Was Going to Do Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Go Ahead
02 Turn Left
03 Turn Right
04 Make "U" Turn
05 Stop
06 Slow for Cause
07 Start from Park/Stop
08 Change Lanes
09 Overtake
10 Pass
11 Back
12 Remain Stopped
13 Remain Parked
14 Enter/Merge in Traffic
15 Negotiate a Curve
16 Park
17 Other
99 Unknown

What Vehicle Did Unit 1: 01 Unit 2: 05
00 Not Applicable
01 Went Ahead
02 Turned Left
03 Turned Right
04 Entered "U" Turn
05 Stopped
06 Slowed
07 Started From Park/Stop
08 Entered Other Lane
09 Overtaking
10 Passing
11 Backed
12 Remained Stopped
13 Remained Parked
14 Entered/Merged
15 Departed Rdwy-Right
16 Departed Rdwy-Left
17 Swerved Right
18 Swerved Left
19 Parked
20 Other
99 Unknown

Visibility Obscured by Unit 1: 00 Unit 2: 00
00 Not Applicable
01 Trees
02 Embankment
03 Building
04 Signs
05 Parked Vehicles
06 High Weeds
07 Fences
08 Shrubbery
09 Ice, Snow or Frost on Windows
10 Smoke
11 Fog
12 Dust
13 Rain
14 Sun
15 Other
99 Unknown

Driver Distracted by Unit 1: 0 Unit 2: 0
0 Not Applicable/None
1 Electronic Communication Devices
2 Other Electronic Device
3 Other Inside Vehicle

Underride/Override Unit 1: Unit 2:
0 Not Applicable
1 No Underride or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle in Transport
6 Override, Other Motor Vehicle
9 Unknown

Traffic Control Unit 1: 00 Unit 2: 00
00 No Control
01 Stop Sign
02 Traffic Signal
03 Flashing Traffic Signal
04 School Zone Signs
05 Yield Sign
06 Warning Sign
07 Railroad Advance Warning Sign
08 Railroad Cross Bucks
09 Railroad Gates
10 Railroad Signal
11 No Passing Zone
12 Person (including flagger, law enforcement, crossing guard, etc.)
13 Abnormal Control
14 Other
99 Unknown

Road Surface Conditions Unit 1: 01 Unit 2: 01
01 Dry
02 Wet
03 Ice/Frost
04 Snow
05 Mud, Dirt, Gravel
06 Slush
07 Water (standing, moving)
08 Sand
09 Oil
10 Other
99 Unknown

Road Character

Grade	Unit 1	Unit 2
1 Level	1	1
2 Hillcrest		
3 Uphill		
4 Downhill		
5 Sag (bottom)		

Road Alignment	Unit 1	Unit 2
1 Straight	1	1
2 Curve - Left		
3 Curve - Right		

Road Surface Type Unit 1: 1 Unit 2: 2
1 Concrete
2 Asphalt
3 Gravel
4 Dirt
5 Brick

Trafficway Unit 1: 4 Unit 2: 4
0 Not Applicable
1 One Way
2 Two-Way - Not Divided
3 Two-Way - Divided
4 Two-Way - Divided - Positive Median Barrier
5 Turn Lane
6 Ramp / Loop
7 Driveway
8 Alley / Parking Lot
9 Unknown

Vehicle Removal Unit 1: 1 Unit 2: 4
0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Apparently Normal
02 Brakes
03 Headlights
04 Steering
05 Tail Lights
06 Brake Lights
07 Tires/Wheels
08 Suspension
09 Signal lights
10 Windows
11 Truck Coupling/Trailer Hitch/Safety Chains
12 Mirrors 15 Other
13 Wipers 99 Unknown
14 Power Train

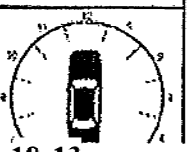
Special Function of Vehicle Unit 1: 00 Unit 2: 00
00 Not Applicable
01 School Bus
02 Transit Bus
03 Intercity Bus
04 Charter Bus
05 Other Bus
06 Military
07 OHP
08 Other Police
09 Other Law Enforcement
10 Ambulance
11 Fire Truck
12 Public Owned Vehicle
13 Highway Equipment
14 Special Mobilized Machine
15 Other 99 Unknown

Emergency Vehicle Responding to an Emergency Unit 1: 0 Unit 2: 0

Unsafe / Unlawful Contributing Factors Unit 1: 98 Unit 2: 98

FAILED TO YIELD
01 From Stop Sign
02 From Yield Sign
03 Private Drive
04 County Road at Through Highway
05 From Signal Light
06 From Alley
07 To Pedestrian
08 To Vehicle on Right
09 To Vehicle in Intersection
10 To Emergency Vehicles
12 Other
FOLLOWED TOO CLOSELY
13 Human Element
14 Traffic Condition
15 Weather Condition
UNSAFE SPEED
16 Driver's Ability (Aged)
17 Inexperienced Driver - Young
18 Exceeding Legal Limit
19 For Traffic Conditions
20 For Type of Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
25 Vehicle Condition
26 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other
IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 CHANGED LANES UNSAFELY
39 STOPPED IN TRAFFIC LANE
FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/ Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other
UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects
LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other
IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other
IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other
INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other
WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other
IMPROPER START FROM
78 Parked Position
79 Other
80 ALCOHOL-DUI/DWI
81 DRUG-DUI
OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown
UNKN/NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 NO IMPROPER ACTION BY DRIVER
99 PEDESTRIAN ACTION

	Unit 1	Unit 2
Point of First Contact on Vehicle	12	06
Most Damaged Area	12	06



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Case Number AR01298-11

Latitude | N | Longitude | W | Railroad Crossing Number | Roadway Orientation Unit Number 03 NE SW S | Unit Number 04 NE SW S

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Indicate North by Arrow

COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for the Entire Collision
03	18	00	00	00	18	18
04	34	00	00	00	34	

00 Not Applicable
10 Overturn/Rollover
11 Fire/Explosion
12 Immersion
13 Jackknife
14 Cargo/Equipment Loss or Shift
15 Equipment Failure (Blown Tire, Brake Failure, etc.)
16 Separation of Units
17 Departed Road Right
18 Departed Road Left
19 Cross Median/Centerline
20 Downhill Runaway
21 Fell/Jumped From Motor Vehicle
22 Thrown Or Falling Object
23 Other Non-Collision

PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:

30 Pedestrian
31 Pedal Cycle
32 Railway Vehicle (train, engine)
33 Animal
34 Motor Vehicle In Transport
35 Parked Motor Vehicle
36 Struck by Falling, Shifting Cargo or Anything Set In Motion by Motor Vehicle
37 Work Zone/Maintenance Equipment
38 Other Non-Fixed Object

FIXED OBJECT:

40 Barrier (Cable)
41 Barrier (Concrete)
42 Barrier (Other)
43 Fence Pole
44 Fence
45 Traffic Signal Support
46 Traffic Sign Support
47 Utility Pole/Light Support
48 Other Post/Pole/Support
49 Guardrail/Guardrail Face
50 Guardrail End
51 Culvert
52 Curb
53 Island
54 Sand Barrels
55 Impact Attenuator/ Crash Cushion
56 Pavement Drop-Off
57 Ditch
58 Embankment
59 Tree (Standing)
60 Dividing Strip
61 Retaining Wall
62 Bridge Abutment
63 Bridge Pier or Support
64 Bridge Rail
65 Bridge Post
66 Bridge Curb
67 Bridge Super Structure (Beams)
68 Bridge Overhead Structure
69 Delineator
70 Mailbox
71 Other Fixed Object
72 Other Highway Structure
73 Ground
99 Unknown

Remarks

DO NOT WRITE IN THIS SPACE

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Y	N		Y	N
Incident Report		X			
Investigation Completed	X		Revised		X
Investigation Made at Scene	X		Fatality		X
Photographs		X	Hit and Run		X

(1) Reporting Agency: OKLAHOMA HIGHWAY PATROL
Case Number (Agency Use): AR01298-11
Motor Vehicles Involved: 06 | Number Injured: 02 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 08162011 | Time: 1556 | County Number and Name: 14 CLEVELAND | Nearest City or Town Number and Name: In [X] Near [ ] 20 NORMAN

(3) Distance from Nearest City or Town Limits: MI [ ] FL [ ] N [ ] S [ ] MI [ ] FL [ ] E [ ] W
Control # 00 | Int ID 00 | Location 00 . 00 | East Grid 019 + 5 | North Grid 046 + 3 | Administrative 300096477

(4) Street, Road or Highway: INTERSTATE 35 | At [ ] | Distance from 0003 | M [X] Ft [ ] N [X] S [ ] E [ ] W [ ] of (Nearest) Intersecting Street, Road or Highway: TECUMSEH ROAD

(5) Unit 05 | Occupants 01 | Type D | Hit & Run [ ] CMV [ ] | Last Name KELLY | First KYLE | Middle WILLIAM | Suffix | Date of Birth (mm/dd/yyyy) | Sex M
(6) Address: 26682 ARK LN | City: BLANCHARD | State: OK | Zip: 73010 | Telephone (Use Area Code)
(7) Driver License Number: | State: OK | Class: D | Endorsement(s) | Restriction(s) | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04
(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC) 0. | Transported by | To Medical Facility | License Plate Number: 713AGP | State: OK | Month: 11 | Year: 2011
(9) VIN: | Vehicle Year: 2002 | Color: BLU | 2nd Color: 0 | Make: GMC | Model: NC1 | Veh. Conf.: 04 | Extent of Damage: 2
(10) Insurance Verification: 2 | Insurance Company Name: AMERICAN HALLMARK | Policy Number: 23510309402 | Insurance Telephone (Use Area Code): 8004865616
(11) Vehicle Removed by: Driver [X] | Owner's Last Name | Same as Driver [X] | First | Middle | Suffix
(12) Owner's Address | City | State | Zip | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Burned [ ] | Phone present [X] Phone in use [ ]
(13) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(14) Unit 06 | Occupants 01 | Type D | Hit & Run [ ] CMV [X] | Last Name SIVAC | First EDBER | Middle | Suffix | Date of Birth (mm/dd/yyyy) | Sex M
(15) Address: 3610 PATRICIA DR APT 18 | City: URBANDALE | State: IA | Zip: 50322 | Telephone (Use Area Code)
(16) Driver License Number: | State: IA | Class: A | Endorsement(s): HT | Restriction(s) | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04
(17) Air Bag: 0 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC) 0. | Transported by | To Medical Facility | License Plate Number: SF6846 | State: IA | Month: 12 | Year: 2011
(18) VIN: 1 | Vehicle Year: 2005 | Color: YEL | 2nd Color: 0 | Make: FRHT | Model: CO1U | Veh. Conf.: 10 | Extent of Damage: 3
(19) Insurance Verification: 3 | Insurance Company Name: NATIONAL CASUALTY | Policy Number: LT00003572 | Insurance Telephone (Use Area Code): 5635875000
(20) Vehicle Removed by: Driver [X] | Owner's Last Name | Same as Driver [X] | First | Middle | Suffix
(21) Owner's Address | City | State | Zip | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Burned [ ] | Phone present [X] Phone in use [ ]
(22) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(23) Investigating Officer: MICHAEL MAX | Badge Number: 772 | Trp/Div. Assigned: A | Trp/Div. Location: A | Reviewer (Init.): SB | Reviewer Badge Number: 170 | Date of Report (mm/dd/yyyy): 08162011

Unit Type: 0 Driver, 9 Pedestrian, X Pedestrian Conveyance, 8 Bicyclist, Z Other Cyclist, C Parked Car, A Animal, T Train
Injury Severity: 0 N/A, 1 No Injury, 2 Possible, 3 Non-Incapacitating, 4 Incapacitating, 5 Fatal, 9 Unknown
Type of Injury: 0 N/A, 1 Head, 2 Trunk - External, 3 Trunk - Internal, 4 Arms, 5 Legs, 9 Unknown
Driver/Pedestrian Condition: 00 Not Applicable, 01 Apparently Normal, 02 Drinking - Ability Impaired, 03 Odor of Alcohol Beverage, 04 Illegal Drugs, 05 Under the Influence of Medications, 06 Very Tired, 07 Sleepy, 08 Ill (Sick), 09 Dozing/Fainting, 10 Emotional, 11 Other, 99 Unknown
Occupant Protection (OP) In Use: 00 Not Applicable, 01 None Used, 02 Lap Belt Only, 03 Shoulder Belt Only, 04 Shoulder and Lap Belt, 05 Child Restraint Type Unknown, 06 Restraint Used - Type Unknown, 07 Helmet, 08 Child Restraint - Forward Facing, 09 Child Restraint - Rear Facing, 10 Booster Seat, 11 Other, 99 Unknown
Air Bag Deployed: 0 Not Applicable, 1 Not Deployed, 2 Deployed - Front, 3 Deployed - Side, 4 Deployed - Other (knee, air belt, etc.), 5 Deployed - Combination, 9 Deployment Unknown
Ejected: 0 Not Applicable, 1 Not Ejected, 2 Ejected, Partially, 3 Ejected, Totally, 9 Unknown
Extricated: 0 N/A, 1 No, 2 Yes
Chemical Test: 0 N/A, 1 Blood, 2 Breath, 3 Blood Breath, 4 Test Refused, 5 None Given, 6 Other
Extent of Damage: 0 N/A, 1 None, 2 Minor, 3 Functional, 4 Disabling, 9 Unknown
Insurance Verification: 0 N/A, 1 No, 2 Owner, 3 Operator, 4 Exempt
Oversized Load: 0 N/A, 1 Not Permitted, 2 Permitted
Towed Vehicle Type: 00 N/A, 01 Boat Trailer, 02 House Trailer, 03 Farm Trailer, 04 Horse Trailer, 05 Another Vehicle, 06 Utility Trailer, 07 Homemade Trailer, 08 Box Trailer, 09 Stock Trailer, 10 Camping Trailer, 11 Combination, 12 Other, 99 Unknown

Case Number AR01298-11

Pg 10 of 14

(24) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB(mm/dd/yyyy) | Sex

(26) Address | Same as Driver ☐ | City | State | Zip | Telephone (Use Area Code)

(26) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

(27) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB (mm/dd/yyyy) | Sex

(28) Address | Same as Driver ☐ | City | State | Zip | Telephone (Use Area Code)

(29) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

(30) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB (mm/dd/yyyy) | Sex

(31) Address | Same as Driver ☐ | City | State | Zip | Telephone (Use Area Code)

(32) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

(33) Unit | Injured ☐ Passenger ☐ Witness ☐ Prop. Owner ☐ | Pos in Veh. | Last Name | First | Middle | Suffix | DOB(mm/dd/yyyy) | Sex

(34) Address | Same as Driver ☐ | City | State | Zip | Telephone (Use Area Code)

(35) Injury Severity / Type | OP Use | Air Bag | Ejected | Extricated | Transported by | To Medical Facility | Property Type

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit | Carrier Name | Address

(37) City | State | Zip | GVWR ☐ GCWR ☐ | 0 - 10K lbs. ☐ 10,001 - 26K lbs. ☐ 26K+ lbs. ☐ | Axle Qty. | Cargo Body | Vehicle Use: Interstate Commerce ☐ Intrastate Commerce ☐ Other Non-Commercial ☐ Government ☐

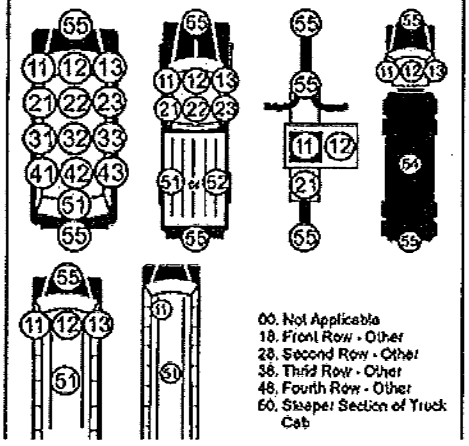
(38) U.S. DOT Number | NASI Report Number: OK | Placard Number | Haz. Mat. Class | Haz. Mat. Involved Yes ☐ No ☐ | Haz. Mat. Release Yes ☐ No ☐

(39) Unit: 06 | Carrier Name: LATIC EXPRESS | Address: PO BOX 2105

(40) City: NORTH HIGHLANDS | State: CA | Zip: 95660 | GVWR ☐ GCWR ☒ | 0 - 10K lbs ☐ 10,001 - 26K lbs. ☐ 26K+ lbs. ☒ | Axle Qty.: 05 | Cargo Body: 03 | Vehicle Use: Interstate Commerce ☒ Intrastate Commerce ☐ Other Non-Commercial ☐ Government ☐

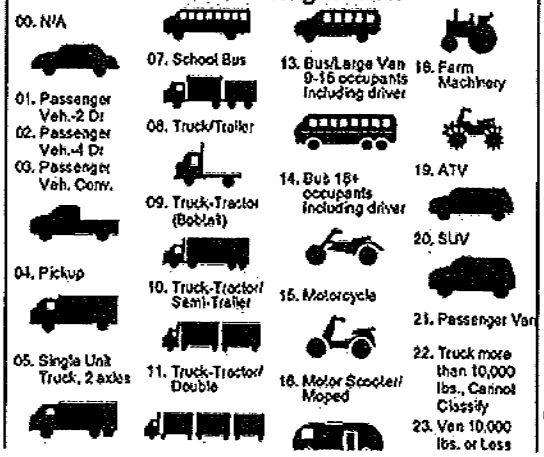
(41) U.S. DOT Number: 1233915 | NASI Report Number: OK | Placard Number | Haz. Mat. Class | Haz. Mat. Involved Yes ☐ No ☒ | Haz. Mat. Release Yes ☐ No ☒

Position In Vehicle



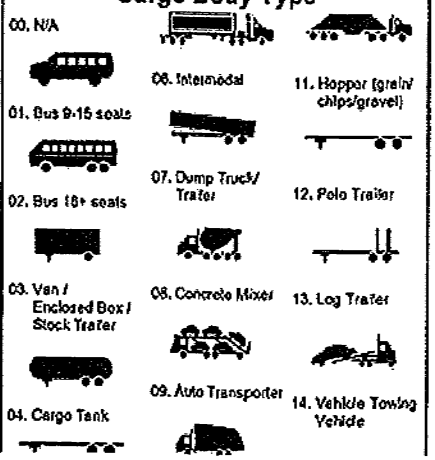
00. Not Applicable
18. Front Row - Other
28. Second Row - Other
38. Third Row - Other
48. Fourth Row - Other
60. Sleeper Section of Truck Cab

Vehicle Configuration



00. N/A
01. Passenger Veh.-2 Dr
02. Passenger Veh.-4 Dr
03. Passenger Veh. Conv.
04. Pickup
05. Single Unit Truck, 2 axles
07. School Bus
08. Truck/Trailer
09. Truck-Tractor (Bobtail)
10. Truck-Tractor/ Semi-Trailer
11. Truck-Tractor/ Double
13. Bus/Large Van 9-15 occupants including driver
14. Bus 16+ occupants including driver
15. Motorcycle
16. Motor Scooter/ Moped
16. Farm Machinery
19. ATV
20. SUV
21. Passenger Van
22. Truck more than 10,000 lbs., Cannot Classify
23. Van 10,000 lbs. or Less

Cargo Body Type



00. N/A
01. Bus 9-15 seats
02. Bus 16+ seats
03. Van / Enclosed Box / Stock Trailer
04. Cargo Tank
06. Intermodal
07. Dump Truck/ Trailer
08. Concrete Mixer
09. Auto Transporter
11. Hopper (grain/ chips/gravel)
12. Pole Trailer
13. Log Trailer
14. Vehicle Towing Vehicle

Case Number AR01298-11

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Unit	Total Lanes in Roadway	Legal Speed	Pedestrian / Pedalcyclist Only: Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking
This unit will correspond to 'Unit 1'	05	06	70				
This unit will correspond to 'Unit 2'	06	06	70				

Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section) Yes ☐ No ☒

Type of Work Zone
1 Lane Closure
2 Lane Shift/Crossover
3 Work on Shoulder or Median
4 Intermittent or Moving Work
9 Unknown

Location of the Work Zone Collision
1 Before the First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area
5 Termination Area
9 Unknown

Workers Present Yes ☐ No ☐ Unknown ☐

Light 1
1 Daylight
2 Dark-Not Lighted
3 Dark-Lighted
4 Dawn
5 Dusk
6 Dark-Unknown Lighting
7 Other
9 Unknown

Weather 01
01 Clear
02 Fog/Smog/Smoke
03 Cloudy
04 Rain
05 Snow
06 Sleet/Hail (Freezing Rain/Drizzle)
07 Severe Crosswind
08 Blowing Snow
09 Blowing Sand, Soil, Dirt
10 Other
99 Unknown

Locality 2
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection 0
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type 00
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event 01
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way

What Vehicle Was Going to Do Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Go Ahead
02 Turn Left
03 Turn Right
04 Make "U" Turn
05 Stop
06 Slow for Cause
07 Start from Park/Stop
08 Change Lanes
09 Overtake
10 Pass
11 Back
12 Remain Stopped
13 Remain Parked
14 Enter/Merge in Traffic
15 Negotiate a Curve
16 Park
17 Other
99 Unknown

What Vehicle Did Unit 1: 08 Unit 2: 01
00 Not Applicable
01 Went Ahead
02 Turned Left
03 Turned Right
04 Entered "U" Turn
05 Stopped
06 Slowed
07 Started From Park/Stop
08 Entered Other Lane
09 Overtaking
10 Passing
11 Backed
12 Remained Stopped
13 Remained Parked
14 Entered/Merged
15 Departed Rdwy-Right
16 Departed Rdwy-Left
17 Swerved Right
18 Swerved Left
19 Parked
20 Other
99 Unknown

Visibility Obscured by Unit 1: 00 Unit 2: 00
00 Not Applicable
01 Trees
02 Embankment
03 Building
04 Signs
05 Parked Vehicles
06 High Weeds
07 Fences
08 Shrubbery
09 Ice, Snow or Frost on Windows
10 Smoke
11 Fog
12 Dust
13 Rain
14 Sun
16 Other
99 Unknown

Driver Distracted by Unit 1: 0 Unit 2: 0
0 Not Applicable/None
1 Electronic Communication Devices
2 Other Electronic Device
3 Other Inside Vehicle

Underride/Override Unit 1: Unit 2:
0 Not Applicable
1 No Underride or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle In Transport
6 Override, Other Motor Vehicle
9 Unknown

Traffic Control Unit 1: 00 Unit 2: 00
00 No Control
01 Stop Sign
02 Traffic Signal
03 Flashing Traffic Signal
04 School Zone Signs
05 Yield Sign
06 Warning Sign
07 Railroad Advance Warning Sign
08 Railroad Cross Bucks
09 Railroad Gates
10 Railroad Signal
11 No Passing Zone
12 Person (including flagger, law enforcement, crossing guard, etc.)
13 Abnormal Control
14 Other
99 Unknown

Road Surface Conditions Unit 1: 01 Unit 2: 01
01 Dry
02 Wet
03 Ice/Frost
04 Snow
05 Mud, Dirt, Gravel
06 Slush
07 Water (standing, moving)
08 Sand
09 Oil
10 Other
99 Unknown

Road Character
Grade Unit 1: 1 Unit 2: 1
1 Level
2 Hillcrest
3 Uphill
4 Downhill
5 Sag (bottom)

Road Alignment Unit 1: 1 Unit 2: 1
1 Straight
2 Curve - Left
3 Curve - Right

Road Surface Type Unit 1: 2 Unit 2: 2
1 Concrete
2 Asphalt
3 Gravel
4 Dirt
5 Brick

Trafficway Unit 1: 4 Unit 2: 4
0 Not Applicable
1 One Way
2 Two-Way - Not Divided
3 Two-Way - Divided
4 Two-Way - Divided - Positive Median Barrier
5 Turn Lane
6 Ramp / Loop
7 Driveway
8 Alley / Parking Lot
9 Unknown

Vehicle Removal Unit 1: 4 Unit 2: 4
0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Apparently Normal
02 Brakes
03 Headlights
04 Steering
05 Tail Lights
06 Brake Lights
07 Tires/Wheels
08 Suspension
09 Signal lights
10 Windows
11 Truck Coupling/Trailer Hitch/Safety Chains
12 Mirrors
13 Wipers
14 Power Train
15 Other
99 Unknown

Special Function of Vehicle Unit 1: 00 Unit 2: 00
00 Not Applicable
01 School Bus
02 Transit Bus
03 Intercity Bus
04 Charter Bus
05 Other Bus
06 Military
07 OHP
08 Other Police
09 Other Law Enforcement
10 Ambulance
11 Fire Truck
12 Public Owned Vehicle
13 Highway Equipment
14 Special Mobilized Machine
15 Other
99 Unknown

Emergency Vehicle Responding to an Emergency Unit 1: 0 Unit 2: 0

Unsafe / Unlawful Contributing Factors Unit 1: 98 Unit 2: 98

FAILED TO YIELD
01 From Stop Sign
02 From Yield Sign
03 Private Drive
04 County Road at Through Highway
05 From Signal Light
06 From Alley
07 To Pedestrian
08 To Vehicle on Right
09 To Vehicle in Intersection
10 To Emergency Vehicles
12 Other

FOLLOWED TOO CLOSELY
13 Human Element
14 Traffic Condition
15 Weather Condition

UNSAFE SPEED
16 Driver's Ability (Aged)
17 Inexperienced Driver - Young
18 Exceeding Legal Limit
19 For Traffic Conditions
20 For Type of Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
25 Vehicle Condition
26 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other

IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 CHANGED LANES UNSAFELY
39 STOPPED IN TRAFFIC LANE

FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/ Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other

UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects

LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other

IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other

IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other

INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other

WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other

IMPROPER START FROM
78 Parked Position
79 Other

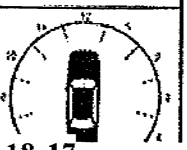
80 ALCOHOL-DUI/DWI
81 DRUG-DUI

OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown

UNKN./NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 NO IMPROPER ACTION BY DRIVER
99 PEDESTRIAN ACTION

Point of First Contact on Vehicle Unit 1: 12 Unit 2: 13

Most Damaged Area Unit 1: 12 Unit 2: 13



Case Number AR01298-11

Latitude N Longitude W Railroad Crossing Number

Roadway Orientation Unit Number 05 NE SW S Unit Number 06 NE SW N

Pg 12 of 14

Indicate North by Arrow

COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for the Entire Collision
05	34	00	00	00	34	18
06	34	00	00	00	34	

00 Not Applicable
10 Overturn/Rollover
11 Fire/Explosion
12 Immersion
13 Jackknife
14 Cargo/Equipment Loss or Shift
15 Equipment Failure (Blown Tire, Brake Failure, etc.)
16 Separation of Units
17 Departed Road Right
18 Departed Road Left
19 Cross Median/Centerline
20 Downhill Runaway
21 Fell/Jumped From Motor Vehicle
22 Thrown Or Falling Object
23 Other Non-Collision

PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:

30 Pedestrian
31 Pedal Cycle
32 Railway Vehicle (train, engine)
33 Animal
34 Motor Vehicle In Transport
35 Parked Motor Vehicle
36 Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle
37 Work Zone/Maintenance Equipment
38 Other Non-Fixed Object

FIXED OBJECT:

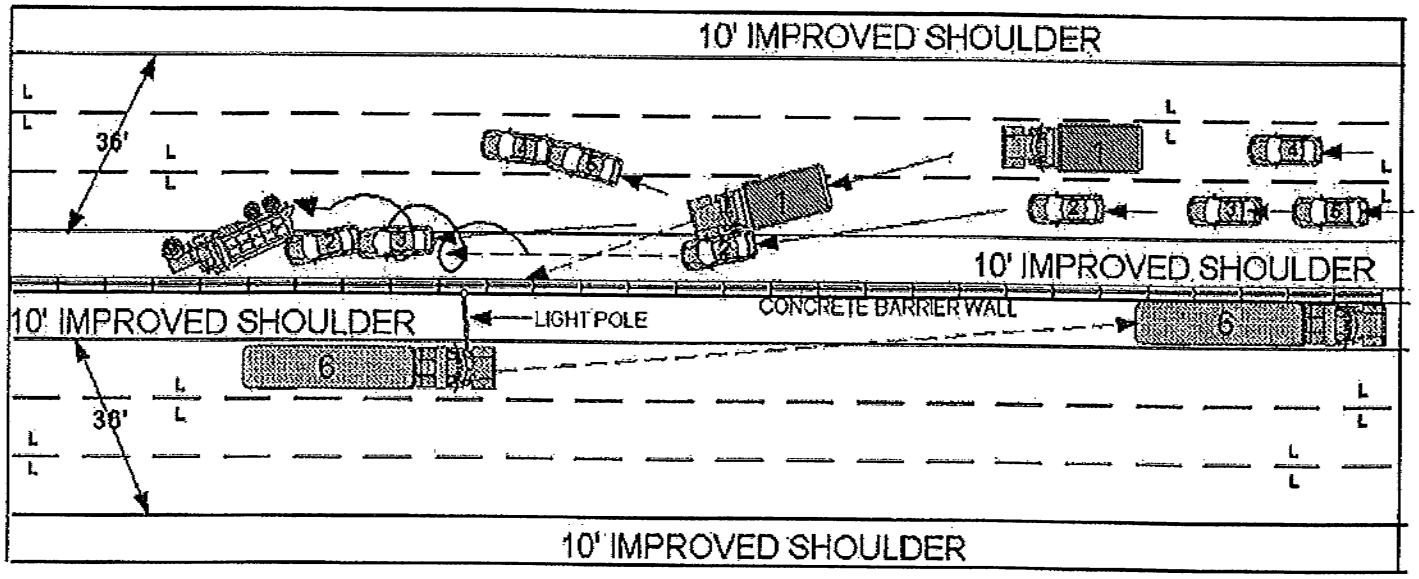
40 Barrier (Cable)
41 Barrier (Concrete)
42 Barrier (Other)
43 Fence Pole
44 Fence
45 Traffic Signal Support
46 Traffic Sign Support
47 Utility Pole/Light Support
48 Other Post/Pole/Support
49 Guardrail/Guardrail Face
50 Guardrail End
51 Culvert
52 Curb
53 Island
54 Sand Barrels
55 Impact Attenuator/ Crash Cushion
56 Pavement Drop-Off
57 Ditch
58 Embankment
59 Tree (Standing)
60 Dividing Strip
61 Retaining Wall
62 Bridge Abutment
63 Bridge Pier or Support
64 Bridge Rail
65 Bridge Post
66 Bridge Curb
67 Bridge Super Structure (Beams)
68 Bridge Overhead Structure
69 Delineator
70 Mailbox
71 Other Fixed Object
72 Other Highway Structure
73 Ground
99 Unknown

Remarks

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT
DIAGRAM SUPPLEMENTAL

Case Number AR01298-11

INTERSTATE 35
NB&SB



18-19

Case Number AR01298-11

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT
ADDITIONAL NARRATIVE

E EDGE OF I-35 SB...AOI #2 WAS APPRX. 170' S OF AOI #1 & APPRX. 2' E OF E. EDGE OF I-35 SB....THE AOI ASSOCIATED WITH UNIT 4/5 COULD NOT BE DETERMINED....

CITY OF NORMAN
TABULATION OF QUOTES

DATE: 12/9/2011	VENDOR ADDRESS	VENDOR ADDRESS	VENDOR ADDRESS
	Traffic & Lighting Systems	Mid State Traffic	Traffic Signals Inc.
NAME: Jim Argo, Traffic Signal Specialist	13305 N. Sante Fe	12501 N. Sante Fe	PO Box 30067
	Oklahoma City, Okla. 73114	Okla. City Okla. 73114	Edmond, Okla 73003
ACCOUNT NO.:			
PHONE NUMBER:	405-524-1341	405-751-6227	405-341-3101
FAX NUMBER:	405-524-2386	405-751-8338	405-348-7489
SALESMAN:	David Willis	Len Scanling	
DELIVERY DATE:	ASAP	ASAP	ASAP
F.O.B. POINT:	Norman Okla	Norman, Okla	Norman, Okla

VALUATION OF ITEMS
$ 0 - $ 2,000 - No Verbal Quote Required
$ 2,001 - $ 5,000 - 3 Verbal Quotes Required
$ 5,001- $49,999 - 3 Written Quotes Required
> $50,000.00 - Competitive Bids Are Required

QUAN.	UNIT	DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE
1	ea	Remove and replace barrier wall and Light pole complete On I-35 at Tecumseh on ramp to I-35.	$45,000.00	$17,625.00	No Bid.
		TOTAL			

JUSTIFICATION:

Traffic & Lighting Systems, LLC
13305 N. SANTA FE
OKLAHOMA CITY, OKLAHOMA 73114
(405) 524-1341 · FAX (405) 524-2386

NOVEMBER 21, 2011

CITY OF NORMAN
P.O. BOX 370
NORMAN, OK 73070-0370
ATTN: JIM ARGO

MEDIAN BARRIER LIGHT POLE REPAIR
I-35 & TECUMSEH ROAD

DEAR MR. ARGO:

PLEASE ACCEPT OUR QUOTATION FOR THE FOLLOWING ITEMS OF WORK ON THE ABOVE SUBJECT PROJECT:

ITEM NO.	DESCRIPTION	QUANTITY	UNIT		UNIT PRICE		AMOUNT
1	REMOVAL OF MEDIAN BARRIER LIGHT POLE FOOTING	1.00	EA	$	9,000.00	$	9,000.00
2	REPLACEMENT OF MEDIAN BARRIER LIGHT POLE FOOTING	1.00	EA	$	12,000.00	$	12,000.00
3	SPECIAL MEDIAN BARRIER ELECTRICAL JUNCTION BOX	1.00	EA	$	1,000.00	$	1,000.00
4	40' OVALIZED ROUND TAPERED LIGHT POLE	1.00	EA	$	2,700.00	$	2,700.00
5	250 WATT G.E. TIGER ROADWAY LUMINAIRE	2.00	EA	$	850.00	$	1,700.00
6	RE-WIRE LIGHT POLE ASSEMBLY	1.00	EA	$	1,100.00	$	1,100.00
7	CONSTRUCTION TRAFFIC CONTROL	1.00	LS	$	12,500.00	$	12,500.00
8	MOBILIZATION	1.00	LS	$	5,000.00	$	5,000.00
	TOTAL THIS QUOTATION					$	45,000.00

QUOTATION NOTES:

1 Item 1 includes removal of the existing barrier wall light pole footing down to the bottom of the existing anchor bolts.
2 Item 2 includes reconstructing a new barrier wall light pole footing, including reinforcing steel and structural concrete.
3 Item 3 includes installing a special median barrier junction box for the electrical wiring connections.
4 Item 4 includes installing a 35' Ovalized Round Tapered Light Pole with anchor bolts.
5 Item 5 includes installing new roadway luminaires to match the existing luminaires.
6 Item 6 includes rewiring the new light pole to the existing electrical circuit.
7 Item 7 includes temporary traffic control signs and devices for our workzone. This includes both directions of I-35. The City of Norman will be responsible for obtaining ODOT approval for an inside lane closure for both directions of I-35 during normal daylight and or night time hours.
8 Delivery for the new light pole assembly is 8 to 10 weeks.
9 This quotation is firm for 30 days. Payment terms are net 30 days from date of our invoice.

I appreciate the opportunity to quote you on this project. Please do not hesitate to call if you have any questions.

Sincerely,

David N. Willis, President
Traffic & Lighting Systems, LLC

Brian McNabb

From: Len Scantling [len@midstatetraffic.com]
Sent: Tuesday, November 15, 2011 8:51 AM
To: Brian McNabb
Subject: RE: Price quote for installation

Quote for the work stated below, $17,625.00 lump sum
Price includes pole, (2) luminaires, wire, fuse kits, removal of wall, installing wall, anchor bolts, labor & equipment.

Len Scantling
Executive Vice President
Midstate Traffic Control, Inc.
12501 N Santa Fe Avenue
Oklahoma City, OK 73114
Phone: 405/751-6227
Fax: 405/751-8338

From: Brian McNabb [mailto:Brian.McNabb@NormanOK.gov]
Sent: Monday, November 14, 2011 2:29 PM
To: len@midstatetraffic.com
Subject: Price quote for installation

Len,

On I-35 just North of Tecumseh Rd. we had a light pole get taken out by a vehicle. Would you please quote me a price for the complete installation (pole, luminaries, anchor bolts wire, etc...) of a new light pole w/ 2 luminaries? I am thinking the concrete divider will also need to be replaced as well. Please feel free to call if you have any questions. Attached are the spec sheets from this project and a few pictures as well. This is pole # 83 on the project sheet.

Thank You,
Brian McNabb
City of Norman, OK.
Traffic Control Division
405-329-0528 Office
405-292-9765 Fax

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-87

File ID:	GID-1112-87	**Type:**	Court Order	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 19	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$27,646.01	**File Created:**	05/01/2012
File Name:	Hugh Crawford WCC			**Final Action:**	

Title: CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $27,646.01 REGARDING HUGH L. CRAWFORD VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-11740 K.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of $27,646.01 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 19

Attachments: Text File Crawford, Payment Table, Court Order, Requisitions

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1112-87

body

BACKGROUND: Mr. Crawford is a Firefighter who filed Workers Compensation Case No. WCC 2011-11740 K on October 31, 2011, alleging cumulative binaural hearing loss with a last date of exposure being October 27, 2011. The case has proceeded through the normal litigation process. A trial was held on April 19, 2012, and the Court awarded Mr. Crawford $26,647.50. The Court Order is being presented to City Council for consideration. It is recommended that the City comply with this Order.

DISCUSSION: Mr. Crawford began his employment with the City as a Firefighter on January 2, 1990. He retired on April 30, 2012.

Nature of Claim. Mr. Crawford filed this Workers' Compensation Claim alleging hearing loss in both ears from cumulative trauma due to repetitive exposure to loud noise, i.e. sirens, saws, diesel/pump engines, etc.

Issues for Trial. At the time of the filing of this case Mr. Crawford was the President of the City's Fire Union (IAFF). Outside legal counsel defended this case on behalf of the City. The issues presented at trial were the issues of nature and extent of his hearing loss. Nature and extent is determined by the trial judge based on the claimant's testimony and expert medical evidence. The Workers' Compensation Court Judge is free to accept either doctors' opinion or find anywhere within the range of competent medical evidence presented. Permanent Partial Disability ("PPD") is a factual determination made by the Workers' Compensation Court trial judge based upon the evaluating doctors' opinions regarding the extent of permanent partial impairment.

On January 3, 2012, Mr. Crawford was evaluated by Dr. Stephen Wilson, who opined 21.3% PPD to his binaural hearing and 5% PPD to tinnitus, or a total of 26.3% PPD. This rating equates to $28,033.17 PPD. On April 9, 2012, Mr. Crawford was evaluated by the City's doctor, Dr. Kent Hensley, who opined 13.8% PPD to his binaural hearing, no tinnitus and a pre-existing 3.8% related to non-job-related work, leaving a 10% PPD binaural rating. This rating equates to $10,659. The trial judge is free to make a ruling within the range of the medical evidence presented at the time of trial. Therefore, the City's maximum exposure to compensate Mr. Crawford for his injury is $28, 033.17.

Court Award. This case was heard by the Workers' Compensation Court on April 19, 2012. After hearing the Claimant's testimony and considering the expert medical evidence, the Court entered its Order on April 27, 2012. The Court opined that Claimant sustained 20% PPD to binaural hearing and 5% PPD to tinnitus. The Court's findings are set out in Paragraph No. 5 of the Order, as follows

"THAT as a result of said injury, claimant sustained 20 percent BINAURAL HEARING LOSS (objective medical evidence/anatomical abnormality, audiogram testing and 5% percent permanent disability due to TINNITUS), for which claimant is entitled to compensation for 82.5 weeks at $323.00 per week, or the total amount of $26,647.50 of which 16 weeks have accrued and shall be paid in a lump sum of $5,168.00."

As can be noted in Paragraph No. 5 of the Court's Order, PPD compensation is expressed in terms of "weeks" of compensation with an accompanying "weekly wage rate." Workers' Compensation awards are normally paid at the weekly rates over a period of time. Mr. Crawford's weekly wage PPD rate is $323. In this instance, a portion of the award has accrued and an additional six weeks will accrue for processing and placing on the Council Agenda.

If approved by Council, Mr. Crawford and his attorney will be paid the accrued lump sum amount and attorney's fee of $12,435.50. (*See* Payment Table attached)

The City will incur additional costs and Workers' Compensation filing fees in the total amount of $872.81 as set out in Paragraph Nos. 7 and 8 of the Order, plus Cleveland County filing fee of

$125.70. (*See* Payment Table attached)

The total cost of this Order to $27,646.01.

RECOMMENDATION: The issues tried on April 19, 2011 were the nature and extent of Mr. Crawford's injuries. The Award is within the medical evidence submitted at trial. In light of the years of service to the City, it is not anticipated a more favorable ruling for the City could be achieved by further litigation. It is recommended that the City move forward to comply with this Order.

Acceptance of the Order would require the payments as outlined in the Payment Table attached hereto. The Order would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 301, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the Order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.

HUGH L. CRAWFORD
WCC 2011-11740 K
(Binaural Hearing)

PAYMENT TABLE

DESCRIPTION	AMOUNT
PPD (20% Binaural Hearing)	$ 21,318.00
PPD (5% Tinnitus)	$ 5,329.50
Total Award	**$ 26,647.50**
Lump Sum Payment:	
Accrued 16 weeks @ $323 (per Order)	$ 5,168.00
Add'l 4 @ $323 weeks for City Council/Finance Processing	$ 1,292.00
Total Lump Sum to Claimant	$ 6,460.00
Attorney's Fee (per Order)	$ 5,329.50
Total Lump Sum to Claimant & Attorney	**$ 11,789.50**
Balance to be paid in weekly payments until paid	**$ 14,858.00**

The balance of the Order, $14,858 will be paid in weekly payments of $323/week (46 weeks) until paid in full. Payments begin the week ending of May 18, 2012 through the week ending April 6, 2013.

Also, as noted, in Paragraph Nos. 7 & 8 of the Order, the City will incur additional costs, fees and filing fee in Cleveland County as follows:

DESCRIPTION	AMOUNT
Workers' Compensation Admin Fund Tax	$ 532.95
Special Occupational Health & Safety Fund Tax	$ 199.86
Filing Fee (Workers' Comp Court)	$ 140.00
Filing Fee (Cleveland County District Court)	$ 125.70
Total costs & fees to the City of Norman	**$ 998.51**

The total cost of this Order to the City would be $27,646.01.

BEFORE THE WORKERS' COMPENSATION COURT OF THE STATE OF OKLAHOMA

FILED
WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA
April 27, 2012
Robert L. Tharp
COURT CLERK

In re claim of:

HUGH L CRAWFORD Claimant	)	
	)	Court Number: 2011-11740K
NORMAN FIRE DEPARTMENT Respondent	)	
	)	Claimant's Social Security Number: xxx-xx-5849
CITY OF NORMAN (OWN RISK #10970) Ins. Carrier	)	

ORDER AWARDING THE NATURE AND EXTENT OF PERMANENT PARTIAL DISABILITY BENEFITS

Now on this 24th day of APRIL, 2012, this cause came on for consideration pursuant to regular assignment and hearing on APRIL 19, 2012, before JUDGE CLARENCE KENT ELDRIDGE, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, WILLIAM E WOODSON and respondent and insurance carrier appeared by counsel, TAVA S JONES APPEARING FOR JEFF H BRYANT.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT the claimant was a credible witness.

- 2 -

THAT the claimant has been employed by the respondent, and that such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; that ON JANUARY 3, 2012 the claimant has became aware he had sustained an accidental personal injury arising out of and in the course of said employment consisting of LOSS OF HEARING due to repeated trauma to the EARS from continued exposure to loud noise over a prolonged period; that Claimant's last exposure to said noise prior to the filing of this claim was on or about JANUARY 3, 2012.

- 3 -

THAT claimant's employment is the major cause of the cumulative trauma injury (January 3, 2012 date of first awareness and last exposure) to claimant's EARS.

- 4 -

THAT at the time of injury, claimant's wages were sufficient to establish the rate of compensation at $323.00 per week for permanent partial disability.

- 5 -

THAT as a result of said injury, claimant sustained 20 percent BINAURAL HEARING LOSS (objective medical evidence / anatomical abnormality, audiogram testing and 5 percent permanent disability due to TINNITUS), for which claimant is entitled to compensation for 82.5 weeks at $323.00 per week, or the total amount of $26,647.50 of which 16 weeks have accrued and shall be paid in a lump sum of $5,168.00.

- 6 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of $5,168.00 and pay the balance of said award at the rate of $323.00 per week until the total award of $26,647.50 (less attorney fee) has been paid to claimant.

- 7 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of $199.86representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay $532.95 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

- 8 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars ($140.00) is taxed as a cost in this matter, and shall be paid by respondent to the Court Administrator.

- 9 -

THAT the sum of $5,329.50 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within 20 days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

/s/ Kent Eldridge

CLARENCE KENT ELDRIDGE, JUDGE

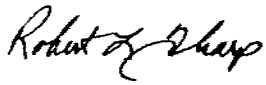
lw/KAmos

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: WILLIAM E WOODSON
307 E EUFAULA
NORMAN, OK 73069-6020

Respondent's Attorney: JEFF H BRYANT
PO BOX 370
NORMAN, OK 73069-0370

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.



Court Clerk
April 27, 2012

PURCHASE REQUISITION NBR: 0000200505

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP AWARD

REQUISITION BY: DJOHNSON

DATE: 5/01/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: HUGH L. CRAWFORD & WOMDSON

DELIVER BY DATE: 5/07/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	WORKERS COMP AWARD CRAWFORD V. CON; WC 2011-117401 (HEARING) CONTINGENT UPON COUNCIL APPROVAL ON 5-8-12; SEPARATE CHECK ; RETURN CHECK TO LEGAL. MAKE CHECK IN THE AMOUNT OF $11,789.50. LUMP SUM AMOUNT. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	11769.5000	11789.50	

REQUISITION TOTAL: 11789.50

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	11789.50
					11789.50

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.
NEEDS TRANSFER.

PURCHASE REQUISITION NBR: 00002[illegible]0577

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP ADMIN TAX FUND

REQUISITION BY: DJOHNSON

DATE: 5/01/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2207 WORKERS COMPENSATION

DELIVER BY DATE: 5/09/12

1	WORKERS COMP ADMIN TAX FUND CRAWFORD V. [illegible]; WC 2011-11740L (HEARING) CONTINGE NT UPON COUNCIL APPROVAL ON 5-8-12; SEPARATE CHECK ; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	532.9500	532.95	4467

REQUISITION TOTAL: 532.95

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	532.95
					532.95

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000100578

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP OCCUP & HEALTH TRUST FUND

REQUISITION BY: DJOHNSON

DATE: 5/01/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 1990 SPECIAL OCCUPATIONAL HEALTH IN

DELIVER BY DATE: 5/09/12

1	WORKERS COMP OCCUP & HEALTH TRUST FUND CRAWFORD V. CON; WC 2011-11740L (HEARING) CONTINGE NT UPON COUNCIL APPROVAL ON 5-8-12; SEPARATE CHECK ; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	199.8600	199.86	1990

REQUISITION TOTAL: 199.86

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04320024152135	Other Salary Spec Occ Health & Safety		100.00	199.86
					199.86

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000200579

REQUISITION BY: LJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP FILING FEE

DATE: 5/01/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2206 WORKERS' COMPENSATION COURT

DELIVER BY DATE: 5/01/12

1	WORKERS COMP FILING FEE CRAWFORD V CON; 2011-11740L (HEARING) CONTINGENT U PON COUNCIL APPROVAL ON 5-9-12; SEPARATE CHECK; RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	140.0000	140.00	2208

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154704	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000[illegible]

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE

DATE: 5/01/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: [illegible] CLEVELAND COUNTY COURT CLERK

DELIVER BY DATE: 5/08/12

1	WORKERS COMP CLEVELAND COUNTY FILING FEE CRAWFORD V. CON; WCC 2011-11740L (HEARING) CONTING ENT UPON COUNCIL APPROVAL ON 5-8-12; SEPARATE CHEC K; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	043300241847703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-89

File ID:	GID-1112-89	**Type:**	Court Order	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$38,432.19	**File Created:**	05/11/2012
File Name:	WCC Darryl Ray Wines			**Final Action:**	

Title: CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $38,432.19 REGARDING DARRYL RAY WINES VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC 2011-05553 X.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of $38,432.19 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 20

Attachments: Text File Wines, Payment Schedule, Court Order, Requisitions

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1112-89

Body

BACKGROUND: Darryl Ray Wines is a Heavy Equipment Operator in the Line Maintenance Division of the Utilities Department who filed Workers Compensation Case No. WCC 2011-05553 X on May 26, 2011, alleging a right shoulder injury on March 31, 2011. The case has proceeded through the normal litigation process. A trial was held on April 27, 2012, and the Court awarded Mr. Wines the sum of $37,145. The Court Order is now being presented to City Council for consideration. It is recommended that the City comply with this Order.

He was hired on January 2, 1986 as a Maintenance Worker. He was promoted to Maintenance Worker II on August 24, 1987 and to Heavy Equipment Operator on April 15, 2002.

DISCUSSION: Mr. Wines began his employment as a as a Maintenance Worker on January 2, 1986 and currently holds the positions of Heavy Equipment Operator.

WCC 2003-13571 F
Mr. Wines had a previous right shoulder injury on March 31, 2003. He filed this Workers' Compensation Case and settled his injury on a Joint Petition basis for 20% PPD or $26,400.

WCC 2011-05553 X
Mr. Wines injured his right shoulder again on March 31, 2011 when he picked up a meter wrench out of a truck and felt a pop in his shoulder. It is this case that is being presented for Council consideration.

Medical Treatment. Mr. Wines was initially seen at Norman Regional Occupational Medicine for evaluation and treatment. He was referred to Dr. David Bobb who interpreted Mr. Wines' MRI as complete rupture of the rotator cuff. He had advanced impingement with significant rotator cuff pathology. Mr. Wines had surgery on his shoulder on April 29, 2011. After a period of rehabilitation we was released to return to work with no restrictions on January 24, 2012.

Evaluations. On February 23, 2012, Mr. Wines was evaluated by Dr. Hugh G. McClure, who opined 56% less 20% (previous adjudication in 2003) totaling 36% PPD (body as a whole) to his right shoulder. This rating equates to $58,140 and represents the maximum exposure to the City.

On April 4, 2012, Mr. Wines was evaluated by the City's doctor, Dr. Kent C. Hensley, who opined 10% PPD (body as a whole), over and above the previous adjudication (2003), to his right shoulder. This rating equates to $16,150 and represents the minimum exposure to the City.

Court Award. This case was submitted for trial on April 27, 2012. The Court entered its Order on May 2, 2012. The Court opined that Claimant sustained 23% PPD to the right shoulder. The Court's findings are set out in Paragraph No. 3 of the Order, as follows:

"THAT as a result of said injury, claimant sustained 23 percent permanent partial disability to the WHOLE MAN RIGHT SHOULDER, for which claimant is entitled to compensation for 115 weeks at $323.00 per week, or the total amount of $37,145.00 of which 13 weeks have accrued and shall be paid in a lump sum of $4,199.00" (*See* Order attached).

As can be noted in Paragraph No. 3 of the Court's Order, PPD compensation is expressed in terms of "weeks" of compensation with an accompanying "weekly wage rate." Workers' Compensation awards are normally paid at the weekly rates over a period of time. Mr. Wines' weekly wage PPD rate is $323. In this instance, a portion of the award has accrued and an additional four weeks accrual for processing and placing on the Council Agenda has been included.

In addition, 25% of the PPD award was ordered commuted as set out in Paragraph 5 of the Court's Order as follows:

"THAT it would be to the best interests of claimant that 25% of the award ($9,286.25) entered in this case be commuted to a lump sum."

Payment to Mr. Wines and his attorney is set out in Paragraph No. 6 of the Court's Order as follows:

"THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of $4,199.00 and the 25% commutation of $9,286.25 herein in a lump sum of $13,485.25 and pay the balance of said award at the rate of $323.00 per week until the total award of $37,145.00 (less attorney fee) has been paid to claimant." (*See* Order attached)

If approved by Council, Mr. Wines and his attorney will be paid a lump sum of $22,206.25 (accrued PPD, commuted lump sum and attorneys fee). The balance will be paid in weekly payments until paid in full. The City will incur additional costs and Workers' Compensation filing fees in the total amount of $1,161.49 as set out in Paragraph Nos. 7 and 8 of the Order, plus Cleveland County filing fee of $125.70. (*See* Payment Schedule attached)

The total cost of this Order to $38,432.19.

RECOMMENDATION: he issues presented on April 27, 2012, were the nature and extent of Mr. Wines' injuries. The Order is within the medical evidence submitted in that it is one-half the difference between the medical evaluations. It is not anticipated a more favorable ruling for the City could be achieved by further litigation. It is recommended that the City move forward to comply with this Order.

Acceptance of the Order would require the payments as outlined in the attached Payment Table . The Order would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 301, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the Order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.

DARRYL RAY WINES
WCC 2011-05553 X
(Right Shoulder)

PAYMENT SCHEDULE

DESCRIPTION	AMOUNT
PPD (23% Right Shoulder)	$37,145.00
Lump Sum Payment:	
Accrued 13 weeks @ $323 (per Order)	$ 4,199.00
25% of Award Commuted (per Order)	$ 9,286.25
Add'l 4 weeks @ $323 City Council/Finance Processing (5-2-12 to 5-31-12)	$ 1,292.00
Total Lump Sum to Claimant	**$14,777.25**
Attorney's Fee (per Order)	$ 7,429.00
Total Lump Sum to Claimant & Attorney	**$22,206.25**
Balance to be paid in weekly payments until paid	**$14,938.75**

The balance of the Order, $14,938.75 will be paid in weekly payments of $323/week until paid in full (46.25 weeks). Payments begin the week ending of June 1, 2012 through approximately April 21, 2013.

Also, as noted, in Paragraph Nos. 7 & 8 of the Order, the City will incur additional costs, fees and filing fee in Cleveland County as follows:

DESCRIPTION	AMOUNT
Workers' Compensation Admin Fund Tax	$ 742.90
Special Occupational Health & Safety Fund Tax	$ 278.59
Filing Fee (Workers' Comp Court)	$ 140.00
Filing Fee (Cleveland County District Court)	$ 125.70
Total costs & fees to the City of Norman	**$ 1,287.19**

The total cost of this Order to the City would be $38,432.19.

BEFORE THE WORKERS' COMPENSATION COURT OF THE STATE OF OKLAHOMA

FILED
WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA
May 2, 2012
Robert L. Tharp
COURT CLERK

In re claim of:

DARRYL RAY WINES Claimant	)	
CITY OF NORMAN Respondent	)	Court Number: 2011-05553X
CITY OF NORMAN (OWN RISK #10970) Ins. Carrier	)	Claimant's Social Security Number: xxx-xx-9160

ORDER DETERMINING COMPENSABILITY AND AWARDING PERMANENT PARTIAL DISABILITY BENEFITS

Now on this 27th day of APRIL, 2012, this cause came on for consideration pursuant to regular assignment and hearing on APRIL 26, 2012, before JUDGE WILLIAM R FOSTER, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, WILLIAM E WOODSON and respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT on MARCH 31, 2011, claimant was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; and on said date claimant sustained accidental personal injury to the RIGHT SHOULDER arising out of and in the course of claimant's employment.

- 2 -

THAT at time of injury, claimant's wages were sufficient to establish the rates of compensation at $717.00 per week for temporary total disability and $323.00 per week for permanent partial disability.

-3 -

THAT as a result of said injury, claimant sustained 23 percent permanent partial disability to the WHOLE MAN RIGHT SHOULDER. for which claimant is entitled to compensation for 115 weeks at $323.00 per week, or the total amount of $37,145.00 of which 13 weeks have accrued and shall be paid in a lump sum of $4,199.00.

- 4 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury.

- 5 -

THAT it would be to the best interests of claimant that 25% of the award ($9,286.25) entered in this case be commuted to a lump sum.

- 6 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award of $4,199.00 and the 25% commutation of $9,286.25 herein in a lump sum of $13,485.25 and pay the balance of said award at the rate of $323.00 per week until the total award of $37,145.00 (less attorney fee) has been paid to claimant.

- 7 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of $278.59, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay $742.90 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

- 8 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars ($140.00) is taxed as a cost in this matter, and shall be paid by respondent to the Court Administrator.

- 9 -

THAT the sum of $7,429.00 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

/S/

WILLIAM R FOSTER, JUDGE

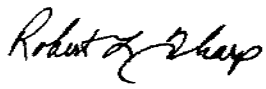
../CRichardson

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: WILLIAM E WOODSON
307 E EUFAULA
NORMAN, OK 73069-6020

Respondent's Attorney: R BLAINE NICE
PO BOX 370
NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.



Court Clerk
May 2, 2012

PURCHASE REQUISITION NBR: 0000200950

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP COURT AWARD

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: DARRYL WINES AND WOODSON

DELIVER BY DATE: 5/10/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	WORKERS COMP COURT AWARD D. WINES V. CON; WC 2011-05553X; (RIGHT SHOULDER); CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12 MAKE CHECK PAYABLE TO DARRYL R. WINES & WOODSON & GOODWIN IN THE LUMP SUM PAYMENT OF $22,206.25. RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	22206.2500	22206.25	

REQUISITION TOTAL: 22206.25

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	22206.25
					22206.25

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

MAKE CHECK PAYABLE TO DARRYL WINES & WOODSON AND G
OODWIN IN THE AMOUNT OF $22,206.25. RETURN CHECK
TO LEGAL.

PURCHASE REQUISITION NBR: 0000200951

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP ADMIN TAX FUND

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION

DELIVER BY DATE: 5/10/12

1	WORKERS COMP ADMIN TAX FUND D. WINES V. CON; 2011-05553X (RIGHT SHOULDER); CON TINGENT UPON COUNCIL APPROVAL ON 5-22-12. SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	742.9000	742.90	2267

REQUISITION TOTAL: 742.90

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	742.90
					742.90

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000200952

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP OCCUP & HEALTH TAX FUND

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN

DELIVER BY DATE: 5/10/12

1	WORKERS COMP OCCUP & HEALTH TAX FUND D. WINES V. CON; WC 2011-05553X (RIGHT SHOULDER) C ONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; SEPARA TE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	278.5900	278.59	1950

REQUISITION TOTAL: 278.59

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety		100.00	278.59
					278.59

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; REUTRN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000200953

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP FILING FEE

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT

DELIVER BY DATE: 5/10/12

1	WORKERS COMP FILING FEE D. WINES V. CON; WC 2011-05553X (RIGHT SHOULDER); CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; SEPAR ATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	140.0000	140.00	2268

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	0433002415470 4	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000200954

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK

DELIVER BY DATE: 5/10/12

1	WORKERS COMP CLEVELAND COUNTY FILING FEE D. WINES V. CON; WC 2011-05553X (RIGHT SHOULDER); CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; SEPAR ATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-91

File ID:	GID-1112-91	**Type:**	Court Order	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$58,363.12	**File Created:**	05/14/2012
File Name:	WCC McCawley			**Final Action:**	

Title: CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $58,363.12 REGARDING BILLY C. MCCAWLEY VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2011-13900J.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of $58,363.12 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 21

Attachments: Text File WCC McCawley, Payment Schedule, Court Award, Requisitions

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1112-91

body

BACKGROUND: Billy C. McCawley is a Fire Engine Driver who filed Workers' Compensation Case No. WCC 2011-13900 J on December 28, 2011, alleging right shoulder injury on June 7, 2010. The case has proceeded through the normal litigation process. A trial was held on April 30, 2012, and the Court awarded Mr. McCawley the sum of $56,542.50. The Court Order is now being presented to City Council for consideration. It is recommended that the City comply with this Order.

DISCUSSION: Mr. McCawley began his employment as a Firefighter on September 16, 1991 and

was promoted to Fire Engine Driver in 1998. He injured his right shoulder on December 28, 2011 while performing morning tests on equipment. When starting a chainsaw, he felt a pop in his shoulder. There is no question that Mr. McCawley was injured on the job.

Medical Treatment. Mr. McCawley had arthroscopic surgery on August 12, 2010 consisting of debridement, anterior glenoid labrum biceps anchor and synovectomy; subacromial decompression, distal clavicle excision and debridement, partial bursal surface rotator cuff tear. After a period of rehabilitation he was released to return to work with no restrictions on December 12, 2010.

Evaluations. On January 18, 2012, Mr. McCawley was evaluated by Dr. Lonnie Litchfield, who opined 36% PPD (body as a whole) to the right shoulder and 10% PPD to his right arm (elbow). This rating equates to$64,620 on the shoulder and $35,541 on the elbow or $100,161 and represents the maximum exposure to the City.

On March 23, 2012, Mr. McCawley was evaluated by the City's doctor, Dr. LeRoy Young, who opined 6% PPD (body as a whole) to the right shoulder and 0% PPD to the right arm (elbow). over and above the previous adjudication (2003), to his right shoulder. This rating equates to $10,770, and represents the minimum exposure to the City.

Court Award. This case was submitted for trial on April 30, 2012. The Court entered its Order on May 8, 2012. The Court opined that Claimant sustained 26% PPD to the right shoulder and 10% PPD to the right arm (elbow). The Court's findings are set out in Paragraph No. 4 of the Order, as follows:

"THAT as a result of said injury, claimant sustained 26 percent permanent partial disability to the RIGHT SHOULDER (BODY AS A WHOLE) and 10 percent permanent partial disability to the RIGHT ARM (ELBOW) (loss of strength and range of motion), for which claimant is entitled to compensation for 157.5 weeks at $359.00 per week, or the total amount of $56,542.50 of which 73 weeks have accrued and shall be paid in a lump sum of $26,207.00." (*See* Court Order attached).

As can be noted in Paragraph No. 4 of the Court's Order, PPD compensation is expressed in terms of "weeks" of compensation with an accompanying "weekly wage rate." Workers' Compensation awards are normally paid at the weekly rates over a period of time. Mr. McCawley's weekly wage PPD rate is $359. In this instance, a portion of the award has accrued and an additional four weeks accrual for processing and placing on the Council Agenda has been included.

Payment to Mr. McCawley and his attorney is set out in Paragraph No. 6 of the Court's Order as follows:

"THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of $25,207.00 and pay the balance of said award at the rate of $359.00 per week until the total award of $56,542.50 (less attorney fee) has been paid to claimant." (*See* Court Order attached)

If approved by Council, Mr. McCawley and his attorney will be paid a lump sum of $38,951.50 (accrued PPD plus accrued weeks for processing). The balance will be paid in weekly payments until paid in full. The City will incur additional costs and Workers' Compensation filing fees in the total amount of $1,694.92 as set out in Paragraph Nos. 7 and 8 of the Order, plus Cleveland County filing

fee of $125.70. (*See* Payment Schedule attached)

The total cost of this Order to $58,363.12.

RECOMMENDATION: The issues presented on April 30, 2012, were the nature and extent of Mr. McCawley's injuries. The Order is within the medical evidence submitted in that it is slightly more than one-half the difference between the medical evaluations. It is not anticipated a more favorable ruling for the City could be achieved by further litigation. It is recommended that the City move forward to comply with this Order.

Acceptance of the Order would require the payments as outlined in the Payment Table. The Order would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 301, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the Order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.

BILLY C. MCCAWLEY
WCC 2011-13900 J
(Right Shoulder/Right Elbow)

PAYMENT SCHEDULE

DESCRIPTION	AMOUNT
PPD (26% Right Shoulder)	$46,670.00
PPD (10% Right Elbow)	$ 9,872.50
TOTAL PPD AWARD	**$56,542.50**
Lump Sum Payment:	
Accrued 73 weeks @ $359 (per Order)	$26,207.00
Add'l 4 weeks @ $359 City Council/Finance Processing (5-8-12 to 5-31-12)	$ 1,436.00
Total Lump Sum to Claimant	**$27,643.00**
Attorney's Fee (per Order)	$11,308.50
Total Lump Sum to Claimant & Attorney	**$38,951.50**
Balance to be paid in weekly payments until paid	**$17,591.00**

The balance of the Order, $17,591 will be paid in weekly payments of $359/week until paid in full (49 weeks). Payments begin the week ending of June 8, 2012 through approximately May 10, 2013.

Also, as noted, in Paragraph Nos. 7 & 8 of the Order, the City will incur additional costs, fees and filing fee in Cleveland County as follows:

DESCRIPTION	AMOUNT
Workers' Compensation Admin Fund Tax	$ 1,130.85
Special Occupational Health & Safety Fund Tax	$ 424.07
Filing Fee (Workers' Comp Court)	$ 140.00
Filing Fee (Cleveland County District Court)	$ 125.70
Total costs & fees to the City of Norman	**$ 1,820.62**

The total cost of this Order to the City would be $58,363.12.

BEFORE THE WORKERS' COMPENSATION COURT OF THE STATE OF OKLAHOMA

FILED
WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA
May 8, 2012
Robert L. Tharp
COURT CLERK

In re claim of:

BILLY CLAUDE MCCAWLEY Claimant	)	
NORMAN FIRE DEPARTMENT Respondent	)	Court Number: 2011-13900J
CITY OF NORMAN (OWN RISK #10970) Ins. Carrier	)	Claimant's Social Security Number: xxx-xx-4576

ORDER AWARDING THE NATURE AND EXTENT OF PERMANENT PARTIAL DISABILITY BENEFITS

Now on this 3rd day of MAY, 2012, this cause came on for consideration pursuant to regular assignment and hearing on APRIL 30, 2012, before JUDGE JOHN MICHAEL MCCORMICK, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, KURT W GOODWIN and respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT on JUNE 7, 2010, claimant was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; and on said date claimant sustained accidental personal injury to the RIGHT SHOULDER with consequential injury to the RIGHT ARM (ELBOW) arising out of and in the course of claimant's employment.

- 2 -

THAT at time of injury, claimant's wages were sufficient to establish the rate of compensation at $359.00 per week for permanent partial disability.

- 3 -

THAT claimant had surgery to the RIGHT SHOULDER. Claimant had injection, MRI and physical therapy for the RIGHT ARM (ELBOW), no surgery.

-4 -

THAT as a result of said injury, claimant sustained 26 percent permanent partial disability to the RIGHT SHOULDER (BODY AS A WHOLE) and 10 percent permanent partial disability to the RIGHT ARM (ELBOW)(loss of strength and range of motion), for which claimant is entitled to compensation for 157.5 weeks at $359.00 per week, or the total amount of $56,542.50 of which 73 weeks have accrued and shall be paid in a lump sum of $26,207.00.

- 5 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury through the date of this order.

- 6 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of $26,207.00 and pay the balance of said award at the rate of $359.00 per week until the total award of $56,542.50 (less attorney fee) has been paid to claimant.

- 7 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of $424.07, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay $1,130.85 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

- 8 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars ($140.00) is taxed as a cost in this matter, and shall be paid by respondent to the Court Administrator.

- 9 -

THAT the sum of $11,308.50 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

/s/ John M. McCormick

JOHN MICHAEL MCCORMICK, JUDGE

km/KAnderson

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: WILLIAM E WOODSON
307 E EUFAULA
NORMAN, OK 73069-6020

Respondent's Attorney: JEANNE SNIDER
PO BOX 370
NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.

Court Clerk
May 8, 2012

PURCHASE REQUISITION NBR: 0000200985

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP COURT AWARD

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: BILLY C. MCCAWLEY AND WOODSON

DELIVER BY DATE: 5/23/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	WORKERS COMP COURT AWARD MCCAWLEY V. CON; WC 11-13900J (RIGHT SHOULDER/ELBO W) CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; MA KE CHECK PAYABLE TO BILLY C. MCCAWLEY AND WOODSON & GOODWIN IN THE LUMP SUM AMOUNT OF $38,951.50. R ETURN CHECK TO LEGAL. MCCAWLEY CURRENT FIRE EMPLOYEE. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	38951.5000	38951.50	

REQUISITION TOTAL: 38951.50

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	38951.50
					38951.50

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

MAKE CHECK PAYABLE TO BILLY W. MCCAWLEY AND WOODSO
N & GOODWIN IN THE LUMP SUM AMOUNT OF $38,951.50;
RETURN CHECK TO LEGAL.
MCCAWLEY CURRENT FIRE EMPLOYEE.

PURCHASE REQUISITION NBR: 0000200966

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP ADMIN TAX FUND

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION

DELIVER BY DATE: 5/10/12

1	WORKERS COMP ADMIN TAX FUND MCCAWLEY V. CON; WC 11-13900J (RIGHT SHOULDER/ELEO W) CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; SE PARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	1130.8500	1130.85	2267

REQUISITION TOTAL: 1130.85

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	1130.85
					1130.85

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000200967

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP OCCUP & HEALTH TAX FUND

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN

DELIVER BY DATE: 5/10/12

1	WORKERS COMP OCCUP & HEALTH TAX FUND MCCAWLEY V. CON; WC 11-13900J (RIGHT SHOULDER/ELBO W) CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; SE PARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	424.0700	424.07	1950

REQUISITION TOTAL: 424.07

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety		100.00	424.07
					424.07

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000200968

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP FILING FEE

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT

DELIVER BY DATE: 5/10/12

1	WORKERS COMP FILING FEE MCCAWLEY V. CON; WC 11-13900J (RIGHT SHOULDER/ELBO W); CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; S EPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	140.0000	140.00	2268

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154704	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000200969

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE

DATE: 5/09/12

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK

DELIVER BY DATE: 5/10 12

1	WORKERS COMP CLEVELAND COUNTY FILING FEE MCCAWLEY V. CON; WC 11-13900J (RIGHT SHOULDER/ELBO W) CONTINGENT UPON COUNCIL APPROVAL ON 5-22-12; SE PARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-63

File ID:	GID-1112-63	**Type:**	Public Hearing	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	03/13/2012
File Name:	Public Hearing FYE 2013 Budget			**Final Action:**	

Title:

PUBLIC HEARING REGARDING THE FYE 2013 CITY OF NORMAN PROPOSED OPERATING AND CAPITAL BUDGETS AND THE NORMAN CONVENTION AND VISITORS BUREAU, INC., BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

INFORMATION: The above-described item appears on City Council's agenda in order that the citizens of Norman might be afforded the opportunity for input concerning the proposed Fiscal Year Ending June 30, 2013, (FYE 2013) Operating and Capital Budgets and the Norman Convention and Visitors Bureau Budget. Council discussion and debate will take place at the June 12, 2013, City Council meeting. City Council held one retreat, three study sessions, and one special session on the FYE 2013 budget documents. A copy of the public notice and the budget summary for FYE 2013 is included in the Agenda Book and a copy of the proposed FYE 2013 budget has been previously distributed. A copy of the Norman Convention and Visitors Bureau FYE 13 Budget and Annual Management Plan is also included in the Agenda Book.

ACTION NEEDED: Motion to conduct a public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to close a public hearing.

ACTION TAKEN: _____

ACTION NEEDED: Motion to schedule an agenda item on June 12, 2013, to adopt the FYE 2013 City of Norman Budget and the Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work.

ACTION TAKEN: _____

Notes:

CITY OF NORMAN, OKLAHOMA
FISCAL YEAR ENDING 2013 ANNUAL BUDGET
SUMMARY OF FUND BALANCES

CITY FUND CLASSIFICATION	BEGINNING FUND BALANCE	REVENUES: OPERATING REVENUES	REVENUES: INTERFUND TRANSFERS	REVENUES: TOTAL REVENUES	EXPENDITURES: OPERATING EXPENSES	EXPENDITURES: INTERFUND TRANSFERS	EXPENDITURES: SUBTOTAL EXPENSES	EXPENDITURES: EMP TURNOVER SAVINGS	EXPENDITURES: TOTAL EXPENSES	REVENUES OVER (UNDER) EXPENSES	ENDING FUND BALANCE
GOVERNMENTAL FUNDS											
General	$3,560,666	$64,095,412	$4,064,707	$68,160,119	$72,248,556	$97,623	$72,346,179	($1,000,000)	$71,346,179	(3,186,060)	374,606
SPECIAL REVENUE FUNDS											
Public Safety Sales Tax	8,704,568	8,974,743	0	8,974,743	9,611,030	1,127,450	10,738,480		10,738,480	(1,763,737)	6,940,831
Room Tax	243,953	1,136,000		1,136,000	860,520	204,209	1,064,729		1,064,729	71,271	315,224
Seizures and Restitutions	387,576	56,007		56,007	112,629		112,629		112,629	(56,622)	330,954
Cleet	32,876	32,000		32,000	30,705		30,705		30,705	1,295	34,171
Tax Increment District	16,432	2,915		2,915	19,347		19,347		19,347	(16,432)	0
Art in Public Places	3,645	12,000		12,000	12,000		12,000		12,000	0	3,645
Park Land and Development	1,220,291	100,000		100,000	115,000		115,000		115,000	(15,000)	1,205,291
Westwood Park	0	1,128,507	379,832	1,508,339	1,508,339		1,508,339		1,508,339	0	0
Net Revenue Stabilization	1,500,000	0		0			0		0	0	1,500,000
GRANT FUNDS											
Community Development	0	1,107,303	0	1,107,303	1,107,303		1,107,303		1,107,303	0	0
Special Grants	292,351	843,114		843,114	843,114		843,114		843,114	0	292,351
ENTERPRISE FUNDS											
Water	6,917,894	15,516,239	0	15,516,239	18,729,226	675,597	19,404,823	(58,711)	19,346,112	(3,829,873)	3,088,021
Wastewater	1,000,803	34,455,849		34,455,849	16,249,836	4,197,692	20,447,528	(26,283)	20,421,245	14,034,604	15,035,407
Sewer Maintenance	0	3,375,039	3,827,570	7,202,609	7,224,627		7,224,627	(22,018)	7,202,609	0	0
New Development Excise	8,274,490	12,900,000		12,900,000	9,772,102		9,772,102		9,772,102	3,127,898	11,402,388
Sewer Sales Tax Capital	6,505,226	60,000		60,000	6,565,226		6,565,226		6,565,226	(6,505,226)	0
Sanitation	1,800,032	12,210,860		12,210,860	12,680,593		12,680,593		12,680,593	(469,732)	1,330,299
INTERNAL SERVICE FUNDS											
Risk Management / Insurance	(16,191)	14,056,426	870,000	14,926,426	14,562,654		14,562,654		14,562,654	363,772	347,581
CAPITAL PROJECTS FUND											
Capital Improvements	15,004,207	11,081,375	1,127,450	12,208,825	13,109,814	3,096,988	16,206,802		16,206,802	(3,997,977)	11,006,230
University North Park TIF	3,554,426	3,508,779		3,508,779	3,059,121	0	3,059,121		3,059,121	449,658	4,004,084
Arterial Roads Recoupment	179,009			0	0		0		0	0	179,009
DEBT SERVICE FUNDS											
General Debt Service	3,217,654	9,765,794	146,761	9,912,555	5,432,367	870,000	6,302,367		6,302,367	3,610,188	6,827,842
G. O. Bonds	54,484	92,277		92,277	0	146,761	146,761		146,761	(54,484)	0
GRAND TOTAL ALL FUNDS	$62,454,392	$194,510,639	$10,416,320	204,926,959	$193,854,109	$10,416,320	$204,270,429	($1,107,012)	$203,163,417	$1,763,543	$64,217,934
Less: Interfund Transfers	0	0	(10,416,320)	(10,416,320)	0	(10,416,320)	(10,416,320)	0	(10,416,320)	0	0
Internal Service Charges	0	(8,272,163)		(8,272,163)	(8,272,163)	0	(8,272,163)	0	(8,272,163)	0	0
Cost Allocation Charges	0	(4,701,274)	0	(4,701,274)	(4,701,274)	0	(4,701,274)	0	(4,701,274)	0	0
Total Deductions	$0	($12,973,437)	($10,416,320)	(23,389,757)	($12,973,437)	($10,416,320)	($23,389,757)	$0	($23,389,757)	$0	$0
NET TOTAL ALL FUNDS	$62,454,392	$181,537,202	$0	181,537,202	$180,880,672	$0	$180,880,672	($1,107,012)	$179,773,660	$1,763,543	$64,217,934

A Public hearing will be held on Tuesday, May 22 at 6:30 p.m. in the Council Chambers of the Norman Municipal Building for the purpose of discussion of the proposed budget. The proposed budget may be examined on weekdays at 201 West Gray in the City Clerk's office from 8:00 a.m. to 5:00 p.m. A copy of the proposed budget is also in the Norman Public Library and on the City's website (cityofnorman.com) for review. All interested citizens have the opportunity to give written and oral comments.

NORMAN
VisitNorman.com

TO: **Steve Lewis, City Manager, Norman, OK**
City of Norman City Council
FROM: **Stephen Koranda, Executive Director**
DATE: **April 12, 2012**
RE: **FYE 2013 Budget and Destination Management Plan**

In April 2011, I submitted to you the Norman Convention and Visitors Bureau Destination Management Plan for fiscal year 2012. The plan included our fiscal year budget. That Destination Management Plan was one of the more comprehensive plans submitted by this office in recent years. (A copy is included with this memo.) A thorough situation analysis included overviews of the tourism industry as a whole, our staff at that time, the market and our target audiences. Significant research went into and was shared in the plan. Marketing goals and objectives were outlined. Numerous strategies in destination development, branding, meetings/convention and sports sales, leisure advertising and public relations were shared. The NCVB Destination Management Plan and budget was approved by City Council June 14, 2011, as part of the FYE 2012 City of Norman Operating and Capital Budget.

That evening a downburst swept through Norman severely damaging the roof. The ensuing rains flooded or water damaged 10 of our 13 offices or rooms at our office at 223 East Main Street. As you know, this left us "office-less," searching frantically for new office space. Strategically we identified new office space in the United Way Plaza (2424 Springer Drive,) just off I-35 in order to draw traffic off I-35 and direct them to Norman attractions. Shortly after, staff changes led to our hiring a new sales manager and communications manager. As staff settled into our new offices and, in some cases, new positions, many of the strategies outlined in the Destination Management Plan were suspended until staff could 'get up to speed' and then, primary, essential strategies were implemented.

In spite of all this, we are very proud of our results to date this fiscal year. The Semi-Annual Report (July to December 2011) accepted April 10, 2012, shared increases in 12 of our 18 key indicators including occupancy of hotels, sales and transient guest tax receipts. (The average daily rate of the hotel rooms while not up, was only down $.06.)

As shared in the Semi-Annual Report, our sales department has drafted an Action Plan including 20 focus strategies. A summary of that Action Plan is included with this memo.

With regards to the leisure market, the CVB is working with two firms to maximize our advertising resources. One firm is completely reviewing our media buy calendar the past two years. With their help we are analyzing our cost per thousand (impressions)

and/or cost per lead to assure the programs we are utilizing are most effective in reaching our goal of driving overnight guests to *enhance and contribute to the overall economic well being of the city.* A copy of that media buy calendar including the CPM and CPL in included with this memo.

Until that analysis is complete, we are not going to prepare a marketing calendar for the fiscal year 2013. As some of those programs have been enacted within the recent weeks, we do not anticipate that analysis to be completed until the end of May or June. While we were delighted to report increases in the number of impressions gained through our advertising programs (nearly double that of the same time period 2011) and conversions (a 25% gain over 2011,) we believe continuous review of our programs and strategies for the maximum effectiveness, investment of guest tax dollars and the return on the investments of those tax dollars is prudent.

Obviously for operational purposes we have prepared a FYE '13 budget. This budget was approved by our Board of Directors on March 28, 2012. As the aforementioned analysis is completed, specific advertising strategies and programs will be budgeted. Below is the budget approved by our Board of Directors:

Norman Convention and Visitors Bureau Fiscal Year Ending 2013 Budget

		FYE '13	FYE '12
Revenues			
	City of Norman/Transient Guest Tax	550,000	(550,000)
	Advertising	1,500	(9,700)
	Special Events (Tourism Luncheon)	10,000	(10,000)
	Cash Reserves / City Reserves	0	(21,000)
	Interest	1,500	(1,500)
	Total	563,000	(592,200)
Expenses			
	Marketing/Advertising	223,322	(259,120)
	Research	2,250	(2,250)
	Special Events (Tourism Luncheon)	10,000	(10,000)
	Operations	75,841	(88,638)
	Personnel	251,587	(232,192)
	Total	563,000	(592,200)

Some notes regarding the budget as shared with the Board of Directors:

1. We have reduced the budget amount for advertising revenues. We have not realized $9,700 this year. Staff however will be very aggressive in attempts to generate additional revenues through advertising on VisitNorman.com, in our e-newsletters and visitors guide.
2. Large difference in reserves "revenue" is the $20,000 requested from the City reserves for the mobile site enhancements. Will look to review cash position as fiscal year ends to consider cash that could be "carried over" into the next fiscal year.

3. A large portion of the decline in Marketing/Advertising is the $20,000 for the mobile site enhancements. The other portion is the shift in expenses to personnel. With the staff changes in July and August, 2011, the strategy, approved by the Board was to hire more seasoned professionals to 'hit the ground running.'

Thank you for your continued support of the Norman Convention and Visitors Bureau – Norman's Official Destination Marketing Organization. I appreciate this opportunity to share with you our strategies, initiatives and frankly, our approach to those strategies in light of all of the unplanned activities surrounding the staff. If I can answer any question, please feel free to contact me.

MISSION: *The Norman Convention and Visitors Bureau exists to promote the city, to attract overnight meeting, convention, sport and tourism business to the community, and to enhance and contribute to the overall identity and economic well-being of the city.*

THE NORMAN CONVENTION AND VISITORS BUREAU

NORMAN

Visit Norman.com

Destination Management Plan
Fiscal Year 2012
(July 2011-June 2012)

Norman Convention & Visitors Bureau

Destination Management Plan
Fiscal Year 2012
(July 2011-June 2012)

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I. Executive Summary

The Norman Convention and Visitors Bureau (NCVB) is the Official Destination Marketing Organization for Norman, Oklahoma. We are the only entity solely marketing Norman's tourism attributes to a regional and national audience. The NCVB's primary mission is to improve the local economy by attracting overnight visitors, meetings, conventions and events to the city. This mission is undertaken by a variety of marketing and development strategies designed to promote Norman as a destination to defined markets.

The Norman Convention and Visitors Bureau, Inc. is a not-for-profit corporation. The NCVB is governed by a seventeen member Board of Directors. The Board oversees policies of the NCVB and a contract with the City of Norman. Through this contract, the NCVB receives 50% of the transient guest taxes collected by a state statute and city ordinance on local lodging rooms.

Tourism as an industry in Oklahoma is estimated to generate $6.3 billion dollars in annual direct traveler expenditures making tourism the third largest industry in Oklahoma. $971 million dollars in federal, state, and local economy tax revenues are brought in by travelers to Oklahoma. These dollars help fund jobs and public programs such as police, firefighters, education, and road projects. 77,000 jobs are secured by Oklahoma tourism, supporting the economies of all 77 counties in Oklahoma. This represents 4.9% of the state's total non-farm employment. Specifically in Norman, the tourism industry provides an estimated 1,330 careers and has an estimated annual economic impact of over $146 million dollars.

All forecasts predict increased travel and tourism in 2011 and 2012. The U.S. hotel industry is projected to end 2011 with increases in all three key performance measurements – average daily rate, occupancy and revenue over per available room.[1] Sixteen percent of leisure travelers expect to take more overnight trips in the coming year, while 14 percent intend to take fewer, a net (positive) difference of 2 percent. Among affluent households (those with an annual income greater than $125,000), fully 20 percent plan to take more leisure trips in the year ahead, while only 9 percent plan to take fewer, for a net (positive) difference of 11 percent.[2] U.S. companies are forecast to spend 5 percent more on travel in 2011 than they did last year. That's a double growth rate from 2010, which followed two years of decline.[3] The meetings industry should seen gradual improvement through (2011) and into 2012. [15]

Leading tourism researcher Peter Yesawich shared insights into the American psyche with regards to travel:

> *Although most economists have declared the Great Recession over, its specter continues to weigh heavily on the minds of consumers. And they have moderated their spending behavior across most categories, including travel, as a result. Yet spending on leisure travel–seemingly the epitome of discretionary spending–continues to attract nearly a quarter of a trillion dollars each year because leisure travel is and remains a birthright for most Americans. The evidence is compelling: the Great Recession notwithstanding, the average American leisure traveler took an average of four trips during the past year and spent more than $3,500 on travel services.*[16]

In office, fiscal year 2011 (July 1, 2010 through June 30, 2011) saw the near completion of a tremendous transition for the NCVB. The results of an extensive, research based 'brand

realignment' was unveiled. This process helped identify Norman's brand and lead to the adoption of communication pieces that will truly better attract visitors and groups to Norman. As a result, the NCVB underwent a complete 'facelift' updating marketing materials, collateral and the business suite.

Additionally the NCVB upgraded significantly outdated technology. Far beyond new workstations and a server that allows greater mobility of the staff, was the contracting with a firm to redevelop VisitNorman.com. The new, robust site looks to 'go live' late March/early April, 2011. The main website now interfaces with a mobile site optimized for smartphones to provide greater access to information about Norman for the visitor.

Recognizing a diversified marketing plan that includes significant group sales into staff responsibilities, the staff undertook an aggressive tradeshow/expo schedule promoting Norman at 15 tradeshows/expos. The successful schedule resulted in 5,100 new contacts, 69 'hot leads' and 12 RFPs/leads directly to Norman housing properties. As expected, the increased promotion activity resulted in less time engaged in direct sales and thus, a slight decrease - 17% - in the number of room nights sold by the NCVB through the first six months of the Fiscal Year. With the significant increase in contacts through the tradeshows and expos, and the subscription to EmpowerMINT.com, a database of over 40,000 groups, staff expects to balance the difference the latter part of the fiscal year.

As the NCVB completes its transition in marketing, sales, and operations, the Board and staff have identified key goals to help us fulfill our mission. This Destination Management Plan outlines how the NCVB looks to reach those goals.

II. Situation Analysis

Tourism Industry Overview

Travel and tourism is a $6.3 billion industry in Oklahoma. Travel and tourism generates $971 million in tax revenue for local, state and federal governments. Each U.S. household would pay $950 more in taxes without the tax revenue generated by the travel and tourism industry.

The travel and tourism industry is one of the state's third largest employers with 77,000 direct travel-generated jobs with a direct travel-generated payroll of $1,757.9 million. Additionally, 1 out of every 8 U.S. non-farm jobs is created directly, indirectly, or is induced by travel and tourism.

Oklahoma Tourism Industry Indicators presented by the Oklahoma Travel and Recreation Department indicate a healthy industry statewide[4]:

- Health of tourism industry segments outperforms general sales tax base
- The Tourism Tax Collection Benchmark was up 6% in FY10 vs. sales tax reapportionment that was down 9%
- Employment in the leisure & hospitality segment held steady in FY10
- Oklahoma hotels have seen a steady growth in occupancy ending July at 56%, an overall annual growth of 1.7%
- Tourism Information Center visitation is up 3.5%
- Oklahoma City airport traffic remained steady; (Tulsa down 2%)

The attraction base around the State continues to develop[4]:

- Boathouse District in Oklahoma City
- Oklahoma Banjo Museum in Oklahoma City
- Red Earth Museum & offices in Oklahoma City
- American Indian Cultural Center & Museum in Oklahoma City
- Chickasaw Cultural Center in Sulphur
- Motorcycle trail programs
- Medicine Park Development - Museum of Natural Science
- Oklahoma Music Trail
- The POP in Tulsa
- 2 million visitors to OKC National Memorial & Museum

While there is tremendous optimism in tourism trends in Oklahoma, it is met with caution as long-time director Hardy Watkins resigned in early 2011. Deby Snodgrass assumed the position. Additionally, the advertising agency of record for the tourism department changed to Jordan & Associates. Partners hope for a smooth and quick transition to keep the momentum going.

Nationally, indicators suggest that travel continues its comeback

- U.S. hotel demand in 2010 saw the highest summer level ever[4]
- The U.S. hotel industry is projected to end 2011 with increases in all three key performance measurements – average daily rate, occupancy and revenue over per available room.[1]
- Average American leisure traveler took an average of four trips during the past year and spent $3,500 on travel services[4]
- Sixteen percent of leisure travelers expect to take more overnight trips in the coming year, while 14 percent intend to take fewer, a net (positive) difference of 2 percent.[2]
- U.S. companies are forecast to spend 5 percent more on travel in 2011 than they did last year. That's a double growth rate from 2010, which followed two years of decline.[3]
- The meetings industry should seen gradual improvement through (2011) and into 2012.[15]
- Air traffic globally & in the U.S. continues to strengthen[4]
- Amtrak shows strong performance[4]

One issue remains at the forefront that could sway travel – gas prices. 54% of Americans say gas prices will determine whether they travel. $3.00 per gallon is the tipping point that could keep them home (or close to home) and predictions are that drivers could be paying more as much as $3.75 per gallon this spring.[5] As of March 14, the average price for a gallon of gasoline in the Midwest was $3.52.

Norman Tourism Industry Overview

The tourism industry is and will continue to be an important source of income and employment for Norman. The tourism industry has an estimated annual economic impact of over $146 million dollars and provides an estimated 1,330 careers. Additionally, the tourism industry makes the following important contributions to the Norman community:

- Provides economic diversification
- Expands the tax base
- Creates identity and image
- Creates additional local amenities (i.e. restaurants, attractions, etc.)
- Builds audiences for local events

Tourism Industry Defined

Tourists – temporary movement of people to destinations outside their normal place of work and residence,

Tourism – the activities undertaken en route to and during their stay at these destinations and the facilities/services created to cater to their needs which lead to,

Tourism Industry – economic impacts generated by these activities.

Bureau Overview

CVB Vision and Mission Statements

The Vision of the Norman Convention and Visitors Bureau is to be the leader who proactively markets and develops Norman as the preferred destination in Oklahoma.

The Mission of the Norman Convention and Visitors Bureau is to promote the city, to attract overnight meeting, convention, sport and tourism business to the community, and to enhance and contribute to the overall identity and economic well-being of the city.

CVB Organizational Structure

The Norman Convention and Visitors Bureau, Inc. is a not-for-profit corporation. Incorporated as a 501(c)6 on June 4, 1993, the NCVB is governed by a seventeen member Board of Directors. The Board oversees policies of the NCVB and a contract with the City of Norman. Through the contract – K-9293-136 – the NCVB receives 50% of the transient guest taxes collected by a state statute and city ordinance on local hotel rooms. The city ordinance is Ordinance Number 0-7980-58 or the "Norman Transient Guest Room Tax Ordinance".

The Bureau By-laws and Amendment Number Six to contract K-9293-136 stipulate how the 13 members of the Board of Directors are appointed. The 13 members shall be composed of the following:

- Seven Directors nominated from the following organizations or industries:
  - The University of Oklahoma Athletic Department;
  - The Norman Public Schools;
  - The Norman Chamber of Commerce;
  - The Norman Arts Council;
  - The Norman hotels and hospitality industry (2); and/or
  - The Norman restaurant and entertainment industry.

- Two Directors appointed by the Mayor of the City of Norman representing the University of Oklahoma and organized athletic groups.

- Four Directors elected by the NCVB Board of Directors to serve in "at-large" capacities.

- Four Ex-Officio representatives as follows:
  - The Mayor of the City of Norman or a City Councilmember appointee;
  - The City Manager of the City of Norman or a designee;
  - The Executive Director of the Norman Chamber of Commerce; and
  - The Executive Director of the Norman Economic Development Coalition, Inc.

Fiscal Year 2011 Board of Directors Members are:

Dr. Roger Brown – Vice Chair, Norman Public Schools
Kris Glenn – Secretary, At Large, SportsTalk 1400
Randy Laffoon, Mayor Appointment - Organized Athletics, SportsTalk 1400
Suzanne M. McAuley, Chamber of Commerce, First American Bank
William Murray – Treasurer, Norman Hospitality Assn., Montford Inn
Jim Rickards, Norman Hospitality Association, Embassy Suites
Sherry Brown, Norman Arts Council, Republic Bank & Trust
Joe Sparks – Chair, Norman Restaurant Association, Legends Restaurant
Juna Stovall, Mayor's Appointment – OU, OU OCCE
Charlie Taylor, OU Athletics
Paige Williams, At Large, Chickasaw Nation

Ex-Officio
Brenda Hall, City Manager Designee
Don Wood, Norman Economic Development Coalition, Inc.
John Wood, Chamber of Commerce
Dan Quinn, Mayor/City Council Designee

NCVB Staff and Titles

Stephen Koranda, Executive Director
Ryan Rogowski, Sales Manager
Michelle Samp, Sales Manager
Jennifer Tregarthen, Communications Manager

Situation Analysis
Market Overview

The Norman tourism market is strong. According to recent research, virtually everyone who chooses Norman as a destination would return. Our central location in the state, proximity to Oklahoma City and access to I-35 can be used as marketing advantages. The community is seen as friendly, easy-to-navigate, affordable and attractive by visitors. The University of Oklahoma campus, its athletic facilities and museums all have strong community and visitor appreciation. The Downtown Norman revitalization efforts have paid off as the area has been listed among the top Norman destinations two years running. Additionally, Embassy Suites' conference facilities are recognized by the community as a tremendous asset to attracting groups.[6]

A further positive is that the community appears to have vision for continued improvement as well as a general drive to improve Norman for both residents and visitors alike.[6] This is important because leisure travelers are faced with an astonishing array of options in how to spend their time and money. The growth of Oklahoma City's Bricktown as a destination and the recent announcement of an IMAX theatre being constructed in Moore is competition for Norman in attracting drive market visitors.

Further consider the recent announcements of attraction developments around Norman[4]:

- Boathouse District in Oklahoma City
- Oklahoma Banjo Museum in Oklahoma City
- Red Earth Museum & offices in Oklahoma City
- American Indian Cultural Center & Museum in Oklahoma City
- Chickasaw Cultural Center in Sulphur
- Motorcycle trail programs
- Medicine Park Development - Museum of Natural Science
- Oklahoma Music Trail
- The POP in Tulsa

Recently the NCVB has begun incorporating these leisure and entertainment options in its marketing materials. The competition is very real, and in an effort to leverage that in Norman's favor, it is necessary to position Norman as an ideal overnight destination from which visitors can daytrip to "competitive" communities such as Oklahoma City or attractions such as the Arbuckle Mountains. Recent surveys indicate the Norman community recognizes visitors to Norman are likely to visit regional attractions.[6] Research affirmed that 2 of 3 visitors to Norman are visiting OKC attractions.[6] And with 2 million visitors to OKC National Memorial & Museum[4], it would behoove Norman to continue to market ourselves in relationship to the close proximity to the state's highest traffic attraction and a growing assembly of regional attractions.

However, while Norman celebrates that the attraction base around us continues to develop, the contrast is recognizing the increased competition for visitor spending from surrounding Oklahoma communities and from the increase in these leisure opportunities in general.

Additionally there will be increased competition in the meetings and conventions industry as Oklahoma City continues with site selection for the $280 million convention center approved through MAPS 3. Thus, Norman must continue to develop our own attractions.

Numerous attractions have been the vision of Norman residents for years:

- National Weather Museum
- Upgraded competitive sport facilities including a competitive swim facility as identified in the Parks and Recreation Master Plan
- Cheer competition facilities
- University North Park
- Norman Music Festival

Recent feedback from the community showed support for further initiatives that could attract more visitors. 84.5% of those surveyed expressed interest in new nightlife options. 83% expressed interest in high-end shopping options. 81% expressed interest in more unique boutique shopping options. Nearly 80% expressed interest in additional fine dining options.[6]

Further community input showed support of the continued development of Norman, specifically through beautification and transportation. 93.5% expressed interest in community beautification initiatives. Over 88% expressed interest in connecting various districts in the city.[6] (For example, connecting Historic Downtown to Campus Corner.) Concepts that have been the vision of Norman residents include:

- Enhancements to entry points and corridors within Norman – Porter, Flood, Main Street, Lindsey, South Classen
- Development of Front Street concepts as proposed by Imagine Norman
- Continued beautification of Downtown Norman and Campus Corner in line with the 'Central Initiative as proposed by Imagine Norman
- Beautification Master Plan as proposed by Imagine Norman
- Wayfinding or Directional signage off I-35 and through-out Norman

As the community looks to further develop Norman as an attraction, the city must continue to foster a pro-business and development environment. We must cultivate a development process that is expeditious and manageable as possible. Additionally we must continue to explore and utilize tax incentives as development tools. (TIF, BID, sales tax abatements, etc.) All interested parties working together for this common goal will exponentially increase opportunities for destination experiences in Norman.

It's as a colleague said,

> *"If you build a place people want to visit, you build a place where people want to live.*
> *"If you build a place where people want to live, you'll build a place where people want to work.*
> *"If you build a place where people want to work, you'll build a place where business has to be.*
> *"And if you build a place where business has to be, you'll build a place where people have to visit."*[17]

In addition to increased competition with attraction and meeting space development, Norman continues to face increasing competition from communities regionally and across the nation with similar make-up: 85- to 130,000 in population, within a metropolitan area, and home to major university. Consider the following:

City	Population	DMO Budget
Ann Arbor, MI	114,000	$2,600,000
Gainesville, FL	124,000	$2,000,000
Las Cruces, NM	93,570	$1,549,000
Waco, TX	126,000	$1,300,000
Columbia, MO	101,100	$1,300,000
St. Joseph, MO	76,200	$1,300,000
Fort Smith, AR	86,200	$ 894,500
Odessa, TX	90,900	$ 870,000
Boulder, CO	94,200	$ 727,000
Lawrence, KS	92,000	$ 685,000
Stillwater	39,000	$ 580,400
Norman	**113,000**	**$ 557,500**
Edmond	81,000	$ 452,350

*excerpt from benchmark comparison of 27 communities. For full list, see Appendix A.

The marketing initiatives outlined in this plan are those that are budgeted at this time, with our limited budget, many initiatives have been left out of the budget. To date, $374,000 worth of marketing initiatives remain unfunded.

Situational Analysis

Target Audience Overview

The Norman Convention and Visitors Bureau targets three audiences as outlined in our Mission Statement - overnight meeting, convention, sport and tourism business (or leisure travelers).

Meeting/Convention

Meetings contribute greatly to the economy. 1.8 million meetings were held in the United States in 2009 and contributed $263 billion in direct spending to the U.S. economy. According to the study, the meetings industry accounts for a total of 1.7 million jobs and generates $60 billion in U.S. labor income, $14.3 billion in federal taxes and $11.3 billion in state and local taxes.[13]

Meeting and convention opportunities are based upon businesses, associations, military, social groups, visiting families and relatives, weddings, reunions and other local, state, regional or national organizations that can be adequately accommodated by Norman meeting facilities and hotel properties.

Research through the brand realignment found that presently Norman is only considered a destination among Oklahoma-based meeting planners.[6] A strategy must be implemented to market to regional meeting planners outside of Oklahoma to bring Norman to the forefront of their considerations.

The same research identified that meeting planners tend to be women between the ages of 30 and 60. Any strategy must recognize this and the design of advertisements or materials and the messages they contain must be created appropriately.

Tourism (Leisure)

The tourism market is defined as the leisure traveler or any visitor traveling to Norman outside of an organized convention or meeting with interest in Norman's attractions, history, culture, and/or accommodations.

The brand realignment affirmed that women are the primary decision makers for leisure destination planning specifically when traveling to Norman.[6] Based on the demographics of surveys conducted during the brand realignment, the largest pool of decision makers fall in the age range of 40-49. However, there was a fairly even spread among the age ranges 18-69.[6] The interest in Norman comes primarily from Oklahoma and Texas. Missouri, Illinois, Kansas, California, Ohio, Wisconsin, Michigan, Arkansas and Indiana are the other states in the top 10 with regards to states represented most by leisure inquiries.[7]

Sports

Selected sport events and sport organization rights holders, including National Governing Bodies, multi-sports organizations/associations, college and university conferences, and other organizations who own events that are available to Norman through a bid selection process by the NCVB or in conjunction with local sport organizations and associations with similar goals.

Networking is a major strategy to attract events to Norman. Major influencers in the community who can assist in bringing events to Norman are the local sports associations. Results are more successful when these associations are partners with the NCVB in bidding on events.

Marketing Goals and Objectives

Tactical Goals

Through strategic, research based sales, marketing and public relations initiatives, the NCVB tactical goal is to show growth in the following key indicators:

1. Room nights booked for meeting groups
2. Group tour definite bookings
3. Leisure inquiries converted
4. Coop resources raised
5. Media coverage
6. Economic impact of tourism
7. Transient guest tax collections
8. Sales tax collections
9. Hotel occupancy
10. Average daily rate of hotel rooms
11. Length of stay of visitors
12. Per-person expenditure
13. Attraction attendance*

*Attraction attendance is suggested without any discussion with Norman attractions and thus, no indication they will be willing to share the information.

Strategic Goals

Continued development of Norman as a destination and further development of the Bureau, the staff and the Board are keys to establishing a strong foundation from which to work. The following strategic goals have been identified by the Board of Directors to address in FY 2012:

1. Focus sales efforts towards those that greatly impact the housing industry as a whole.
2. Aid in the continued development of Norman as a destination. Focus areas to include:
   A. Districts within Norman as destinations (i.e., Downtown, Porter Corridor, etc.)
   B. Enhancement of current attractions
   C. Development and promotion of existing festivals
   D. Development of new events
   E. Engagement in public transit initiatives such as current bus system and future expanded rail service
   F. Engagement in Parks and Recreations' Master Plan initiatives
   G. Initiatives to aid in hospitality development for the community
3. Review and update bylaws.
4. Explore new, non-tax revenue streams for the CVB.
5. Review *The Randall Study* and propose any outstanding action items from the study.

6. Continue work towards development of long range plan for the NCVB.
7. Review *The Future of Destination Marketing: Tradition, Transition, and Transformation ("Futures Study")* and propose any initiatives identified under the Value Propositions and/or Key Result Areas.

The NCVB will continue to look for ways we can assist with the development of districts, new festivals, public transit initiatives and the Parks and Recreations Master Plan, and the enhancement of current attractions. We will continue our involvement with community events and send media releases about such events. At present, the Communications Manager is actively involved with the organizing committee or lends media support to over 15 community events. Finally, we are drafting a hospitality development program. A draft of the program is included as Appendix B.

Marketing Strategies

Destination Development

The Board of Directors and staff recognize destination development is just as important as marketing and promotions. So much so, that half of the Strategic Goals for Fiscal Year 2012 are related to destination development.

Aid in the continued development of Norman as a destination. Focus areas to include:

- Districts within Norman as destinations (i.e., Downtown, Porter Corridor, etc.)
- Enhancement of current attractions
- Development and promotion of existing festivals
- Development of new events
- Engagement in public transit initiatives such as current bus system and future expanded rail service
- Engagement in Parks and Recreations' Master Plan initiatives
- Initiatives to aid in hospitality development for the community

The NCVB will continue to look for ways we can assist with the development of districts, new festivals, public transit initiatives and the Parks and Recreations Master Plan, and the enhancement of current attractions. We constantly monitor activities and discussions related to each. We will continue our involvement with community events and send media releases about such events. At present, the Communications Manager is actively involved with the organizing committee or lends media support to over 15 community events. Finally, we are drafting a hospitality development program. A draft of the program is included as Appendix B.

In addition, the NCVB will continue to monitor municipal and State issues that affect community and economic development – i.e. I-35 widening, local road maintenance, the Storm Water and Greenway Master Plan, Greenbelt Commission.

Almost every aspect of your physical destination presents an opportunity to make favorable impressions. You have a captive audience and a controlled environment where you can communicate your marketing message any way you choose. What will you do with it?[12]

- Explore design & beautification initiatives
- Explore signage & way-finding programs
- And in general, work on the Norman mojo & ambiance

The need for visitor centers is growing, at least according to a recent survey of DMO professionals conducted by DMAI. 16% of destinations indicated an increase in the number of visitor centers they manage. With 81% of DMOs indicating they manage at least one visitor center, one perspective for this growth is that today's centers are finding fresh ways to draw in visitors. From touch screen technology to ticket sales, today's evolving visitor center is producing new ways to engage leisure travelers.[14] Suggested in the 2001 Randall Study, the NCVB must revisit visibility directly off I-35.

Research

Continued requests for reports on the economic impact of University athletics, festivals and events has lead to the primary research initiative in Fiscal Year 2012. With cooperation from community partners, the NCVB will contract with a research firm to analyze the spending of attendees at home OU football games and key festivals and events.

Due to budget restraints, the NCVB is limited to secondary research in which to expand our knowledge of visitor needs and desires which would maximize our marketing effectiveness. Through OTRD, USTA, DMAI, and other industry resources we are able to collect national and state-wide psychographics and demographics of current and potential visitors. If the NCVB were to understand the Norman-specific visitor psychographics and demographics, we would be able to segment the databases into niche markets and maximize our marketing effectiveness.

Additionally future studies will look to:

A. Determine the conversion of potential visitors into actual visitors to Norman.
B. Determine the awareness of Norman offerings to members in target markets.
C. Determine the level of satisfaction with the NCVB offerings to visitors.
D. Monitor success of NCVB objectives and activities.

Brand Image

Last year, the NCVB and Third Degree Advertising developed a realigned brand image specific to Norman. Staff spent the latter half of 2010 incorporating the graphics, keywords and tagline into all NCVB marketing efforts.

About the Brand Image

NORMAN
VisitNorman.com

The colors employed for the NCVB are based on the features of Norman itself; Red for OU and Blue and Green for the Earth and Sky. The colors are muted to match the OU Crimson and fit well within a color palette that appeals to the target audience.

The typefaces used throughout the NCVB branding are a combination of clean, modern sans-serifs with a bold, traditional serif typeface. Both which reflect the characteristics of Norman.

The icon set is indicative of the main attractions Norman offers – dining, entertainment/arts, and sporting events. Upon reflection of the icons, some in the community have suggested

the fork represents the exemplary customer service Norman offers which can include representatives of hotels, bed and breakfasts, retail outlets, convenience stores, and more.

One element of the brand – the above logo – has already garnered an award receiving the Bronze award for the Elements of Advertising - Logo category in the 2011 Oklahoma City ADDY® Awards. The Logo, designed and submitted by 3rd Degree, competed against 624 entries.

Meetings/Convention and Sports

The NCVB will continue to work with conference centers, hotels and OU's CCE to increase the number of meetings, conferences, and events-related spending in Norman particularly during off-peak time periods. Specific targets to include:

1. Business with 300 peak room nights or more outside Oklahoma in the religious, government, fraternal and hobby markets.
2. Business of any size in the following markets – OU, business transient, business retreat, conference (of any kind), family reunions, and wedding.

Strategies to employ include:

A. Continuing direct sales to conference and meeting planners. Through FY 2011 marketing efforts, our database of contacts expanded by 5,100. Those contacts in addition to contacts through the EmpowerMINT database will be "worked" this year.
B. Continue to attend trade shows in all segments listed in the mission. The staff has identified six industry specific tradeshows that we will return to and market Norman through:
    a. Society of Government Meeting Planners
    b. Connect
    c. Rejuvenate
    d. Religious Conference Management Association
    e. TEAMS – Travel Entertainment and Management of Sports
    f. National Association of Sports Commissions Symposium

    Staff deemed the above tradeshows successful by gaining significant contacts and more importantly, actual leads as a result of attending. SGMP garnered 2 leads; Connect, 11; Rejuvenate, 10; RCMA, 4; TEAMS, 8; and NASC, 4.
C. Organize sales blitzes to target markets – Wichita, Kansas City, Little Rock, Dallas-Fort Worth, Houston and St. Louis.
D. Invite targeted meeting planners for site tours/familiarization tours.
E. Maximize our presence on the internet identifying opportunities for Norman to be showcased and/or for reviewers to comment on the success of their meeting/event in Norman.
F. Continue participation in meeting planner associations.
G. Continue networking with local professionals and residents to identify potential groups, including sport events, that could visit.

Tourism (Leisure) Advertising

2009 research affirmed there is indeed a market of leisure travelers to Norman outside of home football games. Women, over 35, with a household income between $45-100,000, and no kids in the household come from a drive market on Friday, Saturday and Sundays between January and August to vacation, visit family and shop. They visit one to three times a year and stay up to three days when they do. They visit Downtown Norman, the OU campus, Sam Noble, Riverwind Casino and Campus Corner.[8]

The research conducted through the brand realignment supported these findings and indicated a greater tendency of our visitors to shop as Downtown Norman, Sooner Mall, Campus Corner, and shopping along I-35 were among the top responses of destinations visited.[6]

Much more secondary research on leisure travelers is available. OTRD provides further insight into the likelihood of travel this year. YPartnership's *2010 Portrait of American Travelers* provides the greatest insights into the psyche, travel patterns and use of technology by the leisure traveler. And Google's *The Traveler's Road to Decision Trends and Key Findings* provides greater understanding of the traveler's use of technology. Key findings include:

- What are the travel plans for 2011? 25% plan a vacation; 25% plan a weekend getaway; 28% plan both a vacation and a weekend getaway; 24% haven't decided yet; 20% don't plan to take a trip (check all that apply.)[4]
- Over half of the travelers plan to vacation within the region. 12% include Oklahoma in their plans up from 7% last year. (By comparison 19% include Texas, 13%, Missouri.)[4]
- Only 36% plan to travel with children.[4]
- Advance Travel Planning... 19% plan their trip one month out. 80% plan their trip less than 6 months out. (2009 SMRI indicates that 64% plan their trip less than one month out.)[4]
- Travel plans are done online... 66% use the internet for travel information; 42% word-of-mouth; 33 % state travel websites; 21% brochures; and 18% travel books and magazines.[4]
- Family travelers are more likely to have taken a vacation in their local area (less than 50 miles from home) as an alternative to vacationing in a destination that would have required traveling a greater distance.[2]
- 31% of families took a "last minute" trip last year, departing an average of just six days after deciding to take the trip.[2]
- All family travelers surveyed have access to the Internet at home, and practically all have gone online to get information about travel suppliers and make reservations.[2]
- Search remains the number one planning source for leisure travel. There also has been significant growth in search throughout the purchase funnel, as one-third of travelers say search prompted them to book travel. Search engine users most often search for overnight accommodations, destinations, vacation activities, road trips and air travel.[9]
- Online video use for travel is growing significantly among travelers. Throughout the travel planning process, 41% of personal travelers, 63% of business travelers and 58% of affluent travelers specifically watch travel related video online. YouTube remains the most popular source of online video for these travelers, as 81% of travelers who watch videos visit YouTube.[9]
- Substantiated with the report that YouTube is the second largest search engine in the U.S. (after Google), processing more than 3.5 billion searches on the site each month.[10]

- Personal travelers more than doubled their usage of mobile for travel purposes in the past year alone. Research also shows significant increases in the use of mobile devices for specific behaviors like booking and checking in. Mobile continues to offer immense growth opportunities, as one third of travelers who currently do not use their mobile device for travel will likely do so in the next year.[9]
- In the last 15 years, the Internet has become the foremost influence on the consumer's decision and purchase process, and continues to grow every year. How big is the Internet's influence? According to a June 2007 report titled, "Frames of Reference: Online Video Advertising, Content and Consumer Behavior" (from Online Publishers Association and OTX) the Internet influenced 48-57% of purchase decisions at varying stages of consideration, compared to 20-26% influenced by word-of-mouth and just 18-29% for all other media (radio, magazines, newspapers and television) combined.[11]

The above suggests the need for year-round advertising – with more online – instead of the traditional thought of advertising late-winter/early spring as the traveler plans for the traditional summer vacation. As budget allows we can do more year-round advertising. The above findings further suggest a tremendous shift in strategy – away from bought media as the only outlet and more towards a focus first on 'owned media' – channels that one develops and manages their self, i.e., website, blog, Facebook page, Twitter feed, YouTube channel, and even the destination itself (as already mentioned on page 11.)

Owned Media Strategies

The NCVB will focus on further creating our own channels and focus on the tactical executions in those mediums. *This relationship building approach can deliver a richer brand experience, and fosters consumer advocacy and word-of-mouth recommendations that carry great weight and credibility.*[11]

Website: VisitNorman.com is completely being redesigned as this is prepared it is targeted to "go live" in early April, 2010. After the new site goes live, staff will look to leverage search engine optimization and keyword rankings to attract the right audience to the site, develop a content strategy that continuously provides key information, creates a desire for Norman and converts prospects to customers, and continue to serve up photos, videos, and itineraries to fuel the imagination. With further development of the site, we can look to provide visitors the opportunity to share their experiences as testimonials and advocacy.
Mobile: The NCVB already offers a mobile website interface to the right content. As budget allows we will look to add value-added applications that help travelers get the most out of their time and money.
Blog: A blog feature will be included in the redesigned VisitNorman.com. Staff will develop a strategy to add appropriate editorial to the blogs.
Facebook: The Communications Manager works with an intern on the maintenance of the page. As of this writing, a strategy is being developed as to what and when to post as well as further utilizing features.
Twitter: While it's reported only 8% of American adults use Twitter – "evidence that, despite its enormous popularity among tech and media folks--and its massive global user numbers—Twitter has yet to go mainstream"; half of these Twitter users "basically never

listen to a word anyone else says"; and less than a quarter of Twitter users, meanwhile, or 2% of American adults, are heavy Twitter users[11], the NCVB will still develop a strategy for the use of Twitter.

YouTube channel: Through the redesign of VisitNorman.com, the NCVB's YouTube channel will be significantly populated. Staff will continue to develop a 'man-on-the-street' strategy recording short interviews or features on Norman attractions, festivals and events and including those on our YouTube channel.

TripAdvisor: While the NCVB will pay for sponsorship of the Norman, Oklahoma, 'front page' on TripAdvisor and thus, might be considered paid advertising, we will be able to control the content provided to the visitor to the page and so staff considers TripAdvisor a part of the owned media strategy.

VideoGlobetrotter: Again, another outlet we must pay to utilize but we will be able to control the content on the site. OTRD utilizes VideoGlobetrotter.

Other Internet Channels: Staff will continue to search out further channels to maximize our marketing efforts, Flickr, Foursquare, Trazzler, Dopplr, Glider, Digg, Redit, Stumbleupon, etc., and ensure all outlets on the internet are populated with correct information about Norman.

Printed Literature: In partnership with Key Magazine, 120,000 2011 and 2012 Official Norman Visitors Guides will be printed. 20,000 "Pad Maps" will be printed.

Norman as a destination is another part of the NCVB owned media strategy. In addition to those outlined on page 16, we must provide greater customer service. One way is through consumer facing staff training and customer service development. We are presently developing a hospitality development program. A draft of the program is included as Appendix B. Another opportunity to provide greater customer service is simply being more accessible. Under consideration are revised hours the Welcome Center will be open specifically Saturdays Memorial Day through Labor Day, days of home OU football games, and some Holidays.

Paid Media Strategies

Past advertising efforts have targeted those in our target demographic – female, 35-60, married, empty-nester, HHI of $50- to $125,000. Recognizing an overnight visit is far more of an economic impact than a "day tripper", past strategy has only focused on key DMAs outside Oklahoma – Dallas/Fort Worth, Houston, Wichita, Kansas City, Wichita Falls/Lawton. Recognizing Oklahomans continued to inquire most about information on Norman more than any surrounding state,[7] paid advertising this year will include more in-state outlets.

Initiatives will include:

A. State
    a. Print Advertising
        - Ad in Oklahoma Travel Guide – 375,000 printed
        - Ad in FCMA Travel Guide – 100,000 printed
        - Ad in Oklahoma Vacation Newspaper Insert. Included in Oklahoma City and Tulsa papers – 320,000 total printed

- Ad in OU Parents Guide – 12,000 printed

b. Online
    - Premium Sponsorship on TravelOK.com website – estimated number of impressions – 1,700,000

c. Direct mail
    - The 2011 Official Norman Visitors Guide to the over 10,000 prospective visitors in Oklahoma in the NCVB database.

d. Brochure Distribution
    - At Oklahoma State Fair (coop with OTRD)
    - At Tulsa State Fair (coop with OTRD)

e. Further opportunities, primarily through Frontier Country Marketing Association, have not been released as of this writing. They will be considered as those opportunities are shared.

B. Regional

a. Print Advertising
    - Ad in Oklahoma Travel Guide – 375,000 printed
    - Ad in FCMA Travel Guide – 100,000 printed
    - Ad in Oklahoma Vacation Newspaper Insert. Included in Wichita, KS, Amarillo, TX, Ft. Worth, TX, and Dallas, TX papers – 320,000 total printed
    - Ad in Midwest Living March/April Travel Directory – 950,000 circulation
    - Ad in Midwest Living May/June (part of OTRD coop) – 950,000 circulation
    - Ad in Best of the Midwest – 300,000 impressions
    - Ad in Better Homes and Garden May issue Travel Central – 1,502,000 circulation

b. Online
    - Premium Sponsorship on TravelOK.com website – estimated number of impressions – 1,700,000
    - Search Ads, general – 1,140,000 impressions
    - Digital Media campaign on ZOOM, MWL's Travel Channel on MidwestLiving.com – 500,000 impressions for two months

c. Tradeshows
    - Vision Women's Show (Dallas)
    - Wichita Falls Women's Expo
    - McAllen (TX) International Show
    - Ft. Worth Vacation Show
    - Kansas City Travel Show
    - Wichita Women's Fair
    - Just For Her Expo (Overland Park, KS)

d. Direct mail
    - The 2011 Official Norman Visitors Guide to the over 10,000 prospective visitors in Texas, Arkansas, Missouri, and Kansas in the Bureau's database.

C. Target Niche – OU Football Season Ticket Holders
Staff now having gone through two football seasons, feedback from the hotels and bed and breakfasts has informed us that Norman housing properties are indeed, not sold out home football weekends as long thought the case. Speculation is that prior to the recent addition of new properties and 1,200 rooms, the season ticket holder would have to utilize hotels in south Oklahoma City. (As of this writing, staff is in discussion with Sooner Sports Properties as to strategies to reach OU football season ticket holders with the message that there are more rooms in Norman in attempt to change perceived behavior patterns of staying outside of Norman.)

The above are the initiatives budgeted at this time, with our limited budget as cited previously (see page 11), many initiatives have been left out of the budget. To date, $374,000 worth of marketing initiatives remain unfunded. As budget allows, staff will explore more non-traditional paid tactics including advertising on social networks, paid search, rich media banner advertising, cinema advertising in feeder markets, long form video on demand delivered through cable networks, guerilla strategies at concerts and other large venues, contextual advertising, and digital billboard advertising.

Public Relations

"Some of the most trustworthy and reliable recommendations a resort or destination can receive are those of the free press, the unbiased reviews from guests or the opinions of established bloggers. These are the earned media outlets – you don't control them, but if you deliver an authentic, honest brand experience, you'll earn their attention and support."[12]

In addition to assisting with owned media initiatives:

A. Participate in media blitzes offered through the Frontier Country Marketing Association.
B. Plan additional four additional media blitzes:
    - Ada/Ardmore/Durant/McAlester,
    - Plano/Sherman/Grapevine/Denton/Ardmore/Sulphur,
    - Lawton,
    - Dallas/Ft. Worth
C. Host targeted media for familiarization tours.
D. Continue to establish working relationships with media to promote editorial coverage about Norman and calculate advertising equivalence of generated coverage.
E. Monitor comments of online media coverage and bloggers to acknowledge critics, correct mistakes and thank fans.
F. Continue involvement with community events and send media releases about such events. At present, the Communications Manager is actively involved with the organizing committee or lends media support to over 15 community events.
G. With further development of the site, look to provide visitors the opportunity to share their experiences as testimonials and advocacy.
H. Sponsor the Norman, Oklahoma, 'front page' on TripAdvisor to control content provided to the visitor to the page.
I. Explore development of Norman content other social networks like Yelp and AroundMe.
J. Post current news releases, story ideas and pictures on Website for use by media.

V. Fiscal Year 2012 Budget

NORMAN CONVENTION & VISITORS BUREAU
Fiscal Year 2011-12 Budget

REVENUES:

	2011-12	(2010-09)
Transient Guest Tax	550,000	(486,455)
Advertising	8,400	(46,000)
BookDirect	0	(600)
Special Events	10,000	(10,000)
Apparel	0	(150)
Interest	1,500	(1,000)
Other/Carryover	0	(39,045)
TOTAL REVENUES	$569,900	(583,250)

EXPENSES:

Marketing/Advertising	217,045	(227,839)
Research	4,250	(3,000)
Technology	32,350	(30,000)
Special Events	10,000	(10,000)
Operations	76,490	(97,760)
Personnel	224,137	(214,160)
TOTAL EXPENSES	$564,272	(582,759)

References

1. *STR Releases Optimistic 2011, 2012 Forecast*, HSMAI eConnect
2. *2010 Portrait Of American Travelers*, YPartnership
3. *2011 Global Travel Outlook*
4. *OTRD, Oklahoma Governor's Conference on Tourism, 2010*
5. USA Today 2/2/11
6. *3rd Degree Advertising, Norman CVB Brand Realignment, 2010*
7. *OTRD monthly visitor inquiry fulfillment reports*
8. *2009 Leisure Visitor Survey, NCVB*
9. *Google: The Traveler's Road to Decision Trends and Key Findings*, 2010
10. *Search Engine Weekly*
11. *THE TRUTH ABOUT TWITTER: Half Of Twitter Users Never Listen To A Word Anyone Else Says*, SFgate.com
12. *Rethinking Outdated Travel Media Strategies*, CreateWanderlust.com
13. *Economic Significance of Meetings to the U.S. Economy*, US Travel Association
14. *DMAI Member Needs Assessment Survey*
15. *Forecast 2011: What The Coming Year Holds for Planners*, Meetings and Conventions
16. *Meet the New American Traveler*, Hotel and Motel Management
17. Maura Gast, DMAI Board Chair and Irving, TX CVB President, remarks at DMAI Annual Convention, 2009

Appendix A

Big XII Conference and other Compatible Communities*

City	Population	DMO Annual Budget	TGT Rate	Percentage of TGT DMO Receives
1. Austin, TX	790,300	$9,000,000	15%	66%
2. Ann Arbor, MI	114,000	$2,600,000	5%	67%
3. Lubbock, TX	225,000	$2,500,000	13%	50%
4. Tempe, AZ	175,500	$2,381,000	5%	60%
5. Gainesville, FL	124,000	$2,000,000	5%	40%
6. Bryan/College Station, TX	184,000	$1,250,000	13%	35%; 27%
7. Lincoln, NE	254,000	$1,100,000	4%	50%
8. Ames, IA	50,700	$978,000	7%	71%
9. Manhattan, KS	52,800	$883,077	6%	88%
10. Norman, OK	**113,000**	**$557,500**	**4%**	**50%**
11. Berkeley, CA	102,000	$365,000	12%	75%

*population of 100,000 + with a major University within major metro

City of Norman Benchmark Communities

City	Population	DMO Annual Budget	TGT Rate	Percentage of TGT DMO Receives
1. Oklahoma City, OK	560,000	$4,980,000	5.5%	45%
2. Las Cruces, NM	93,570	$1,549,000 ('09)	unknown	unknown
3. Columbia, MO	101,100	$1,300,000	4%	100%
4. St. Joseph, MO	76,200	$1,300,000	N/A***N/A	
5. Waco, TX	126,000	$1,300,000	13%	90%
6. Fort Smith, AR	86,200	$894,500	3%	100%
7. Odessa, TX	90,900	$870,000	13%	51%
8. Lawton, OK	93,000	$780,000*	5%	unknown
9. Boulder, CO	94,200	$727,000	N/A***N/A	
10. Lawrence, KS	92,000	$685,000	6%	80%
11. Denton, TX	119,450	$650,076	13%	51%
12. Stillwater, OK	39,000	$580,400	4%	100%
13. Norman, OK	**113,000**	**$557,500**	**4%**	**50%**
14. Edmond, OK	81,000	$452,350	4%	100%
15. Broken Arrow, OK	92,000	$350,000	4%	100%
16. Enid, OK	47,000	$250,000	8%	0
17. Midwest City, OK	54,000	$185,000 ('09)	unknown	unknown
18. Westminster, CO	108,850	N/A**	N/A	N/A

*includes Economic Development

**Westminster, CO has no DMO

***St. Joseph, MO and Boulder, CO's funding structures differ greatly

Appendix B

Hospitality Personality Program

In the Spring of 2009, the CVB asked visitors to rate their overall satisfaction of various visitor related issues for the city of Norman. Only 48% indicated they were satisfied or very satisfied with the friendliness of the people. A subsequent survey in the Spring of 2010 revealed 91% indicated they were satisfied or very satisfied with the friendliness of the people. Despite the 2010 results, the CVB recognized the need for continuous customer service or hospitality training.

Upon completion of a 'brand realignment' the CVB further recognized that Norman's brand is not the logo atop this page or a newly designed advertisement. Instead, Norman's brand is the people. To promote this concept, the CVB, in partnership with David Littlefield, has developed the **Hospitality Personality Program.**

What is **Hospitality Personality**?

- It's developing programs to recognize and reward outstanding Hospitality Personality behavior.
- It's never missing an opportunity to make a great impression.
- It's becoming an "Ambassador of Hospitality".

  Ambassadors are enthusiastic, nice, kind, smile a lot, and are proud to be working in their industry.

In conversations with the Chamber of Commerce and Economic Development Coalition, all three entities recognize that hospitality is not just a "tourism thing" but the proper greeting could encourage one to move to Norman or demonstrating exemplary customer service might drive one to move their business to Norman!

Goals:

1. To create a Welcome Feeling throughout Norman
   Greet people with a smile!
   Welcome them in with a "we appreciate you being here!"
   As they leave, they hear "thank you for choosing us! Come back again!"
2. To create a fantastic Customer Service Environment in Norman
3. Increase Norman's ranking by visitors of the friendliness of Norman to above the 2010 mark of 91% satisfied or very satisfied.

Hospitality is what we do. Being nice is how we do it.

The Hospitality Personality Program has three steps:

1. Rally for Norman

   At the Annual Tourism Luncheon, June 15, a "Rally for Norman" will be held in which we excite stakeholders of developing a culture of hospitality in Norman.

Subsequent rallies will be held throughout summer in numerous locations throughout the community.

Promotion of the Rally will be through:

- Stories in the CVB, Chamber of Commerce, NCED, and Arts Council e-newsletters;
- Social Media outlets;
- Feeding stories to the area media;
- Inserts in the City water bills;
- Rotating slides on City cable TV channel;
- Presentation to Service Clubs;
- Advertisements in the Norman Transcript and other media outlets as budget allows. (There are no dollars budgeted for this Program at this time but staff will look to identify dollars to allocate towards the Program. We will look to trade for advertisements when possible.)

2. Hospitality Incentive Program

Following the Rally for Norman, we will roll out the Hospitality Incentive Program (HIP). Modeled off other successful programs, the Program will make visitor information available and increase awareness of events and attractions in Norman. It will also empower frontline workers with the tools to confidently inform inquiring visitors about Norman's offerings.

Participating businesses will be asked to hang a HIP poster in their front window, display the HIP logo on their front door, place the Visitor Guides in an area that can be seen by customers, make a Hospitality Reference Book available to employees for inquiries, and train employees to answer questions on what there is to do in Norman.

Utilizing "secret shoppers", businesses who provide hospitality, answer questions, and have the afore mentioned prominently displayed will receive a $25 incentive to the employee that demonstrated hospitality and $25 incentive to his/her manager.

3. Hospitality Feedback

In the spring of 2012, the CVB will conduct a similar survey to those conducted in 2009 and 2010. At that time we will hope to increase Norman's ranking by visitors of the friendliness of Norman to above the 2010 mark of 91% satisfied or very satisfied.

Throughout the year though, we will continuously gain feedback through our website – www.VisitNorman.com. Asking *Would you return to Norman because of our Hospitality?, What can we do to improve our Hospitality Environment?, Is there a business that exemplified outstanding Hospitality?, Is there an employee that exemplified outstanding Hospitality?,* we will be able to constantly monitor the satisfaction of hospitality received by visitors.

Long range ideas of the program could include:

- Norman residents creating their own Icon (sans CVB icons in brand logo.) Perhaps someone has an icon different than "the fork", "the guitar" or "the football". We would challenge them to make their own icon and share it with us.

- Pictures… as T-shirts are printed, we would challenge residents to have their picture taken in their Norman shirts as they travel. Send us the picture and we'll post them.
- Facebook posts and Tweets… encourage residents to visit an attraction or event and post about it on Facebook or tweet about it on Twitter. (Better yet, post or tweet about it BEFORE attending. Even better yet, include VisitNorman.com in the post/tweet.) We'll post our favorites on our website.

NORMAN

VisitNorman.com

Sales Department 2012 Action Plan Summary

Sales Goal

Brand and promote Norman as a convention, meeting and sport event destination, establishing a strong state, regional and national presence, focusing promotion and sales efforts towards those that greatly impact the housing industry as a whole.

In return, the NCVB expects to see a direct economic impact through increasing room-night production for our Norman hotel partners.

Key Objectives

- Brand Norman and enhance awareness of Norman as a destination for conferences, meetings and sport events.

  "We believe our first job is to brand the destination. We don't care if a lead goes through us or directly to the hotel. As long as they're coming to Orlando, we don't care." Gary Sain, Visit Orlando, Successful Meetings, September 2011

- Continue to develop relationships with meeting and sport event planners through participation with industry organizations (OSAE, MPI, SGMP, etc.), continuing a presence at industry-related tradeshows, conducting feeder market blitzes and local sales calls. At all opportunities offer to host site visits.
- Continue to develop relationships with third party site-selection companies (HelmsBriscoe and ConferenceDirect). Message: *CVBs offer a depth of knowledge that helps planners sell the destination to their attendees, and CVB staff has the relationships within the community that can resolve problems when they arrive and the best relationships with the hotel community third-party companies are representing.*
- Continue networking with local business and community leaders serving on Boards of state, regional, and national organizations to entice universal top-of-mind common goal of selling Norman as a destination organizations they are members of.
- Continue to expand our service offerings to meeting and sport event planners.
- Generate leads and produce room night business. Exceed room night lead goal of 25,000.

Key Focus Areas:

- Business with 300 peak room nights or more outside Oklahoma in the religious, government, fraternal, sport and social (hobby) markets.

  "...bureaus are the undisputed kings in marketing destinations to groups holding city-wide conventions. 'CVBs are built to play that role,' says Richard Scharf, CEO of Visit Denver. 'We're the Walmart of destination marketing. We have the most robust information and the relationships with the key players to put together a comprehensive proposal for the customer.'" Successful Meetings, September 2011

- Business of any size in the following markets – OU, business transient, business retreat, conference (of any kind), family reunions, and wedding.

Concentrations over next Six Months

- Completion of Sales Department Action Plan including action items per month
- Susan continuing follow-ups with Ryan's contacts and outstanding business
- Continued networking through community, University of Oklahoma departments and student associations, OSAE, MPI, SGMP and University of Oklahoma
- Continue discussions towards resurrection of the meeting planners group on campus; goal of hosting meeting planners' luncheon
- Attend Religious Conference Management Association conference/expo. Additional promotions around attendance to include a pre-mailer to all registered attendees; a personal postcard to scheduled appointments; and of course follow-up after the show.
- Attend National Association of Sports Commissions Symposium. Additional promotions around attendance to include a pre-mailer to all registered attendees; a personal postcard to scheduled appointments; and of course follow-up after the show.
- Attend Society of Government Meeting Planners conference/expo. Additional promotions around attendance to include a pre-mailer to all registered attendees; a personal postcard to scheduled appointments; and of course follow-up after the show.
- Plan and initiate sales blitz to Kansas City metro
- Design and send two promotional E-blasts to database / lists
- Continue E-blasts to military contacts
- Generate another list from MINT to be worked
- Complete Meeting Planners section of VisitNorman.com
- Update profiles on online listings; populate social media outlets
- Design and print Meeting Planners Guide
- Design and print venues promotion piece
- Continue development of coupon program

	2010	July	Aug	Sept	Oct	Nov	Dec	2011	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	2012	Jan	Feb	March	April	May	June							
Norman																																		
89er Day Parade (entry)																												untrackable						
																												Per month: 261,264 impressions at $750						
Chamber Business Expo																																		
Chamber Map Ad																												10,000 impressions @$400						
Cleveland County Fair																												200,000+ impressions @$900						
Embassy Suites Concierge Flyer																												10,000 impressions @$600						
Lake Thunderbird Map Ad																												4,000 impressions @$582; 5,000 in 2012						
Medieval Fair (booth)																												$700						
Norman Music Festival (booth)																												1,000 koozies, $972						
OU Grad Student Expo																												100 visitor guides, $0						
OU Parents Guide																												34,370 impressions @$1,350						
OU Sooner Kickoff																												500 VGs, $125						
Statewide																																		
Oklahoma Magazine																												$1,359						
Oklahoman Outlook																												$3,000						
Oklahoma State Fair (brochure)																												untrackable @$225 per						
Oklahoma Today																												585,000 impressions @$10,868						
OTRD HCs																												9,900 visitor guides @$0						
Tulsa State Fair (brochure)																												untrackable @$225 per						
OSAE Conference Sponsorship																																		
Regional																																		
Best of the Midwest																												1,900,000 impressions @$0 (value added)						
Better Homes and Garden																												2,418,000 impressions @$21,000						
Certified Folders																												untrackable @$7,000						
Dallas Home and Garden Show																												600 visitor guides @$1,800 (does not include expenses)						
Direct Mail - Visitors Guide																												9,957 visitor guides @$3,883						
Just For Her Show (KC)																												600 visitor guides @$1,000 (does not include expenses)						
Key Stay and Save (coop w/ Andy's)																												600,000 impressions @$4,000						
McAllen, TX Travel Show																												600 visitor guides @$900 (does not include expenses)						
(FCMA Brochure distribution at McAllen)																												no report @$125						
Midwest Living																												3,800,000 impressions @$23,648						
Online Search																																		
OPUBCO Newspaper Insert																												$2,500						
(Tulsa, Amarillo, DFW, Wichita, OKC)																																		
Radio Kansas																												no report @$0						
Social Media																																		
Sooner Mall "Welcome Center"																																		
Sooner Sports Spring Game																												$1,000						
Southern Living																												630,000 impressions @$4,232						
Vision Women's (Dallas) Show																												600 visitor guides @$2,900 (does not include expenses)						
Wichita Falls Travel Show																												400 visitor guides @$500 (does not include expenses)						

Wichita Women's Show	1,500 visitor guides and pens @$500 (2012; does not include expenses)
(FCMA Brochure distribution at Wichita)	
National	
Better Homes and Garden Reader Service	
FCMA Travel Guide	85,000 impressions @
Midwest Living Reader Service	
Oklahoma Travel Guide	350,000 impressions @$3,400 annually (co-op with Sam & Fred)
OTRD Pay Sponsorship	$500 annually
OTRD Fulfillment	15,468 VGs @$11,755
Southern Living Reader Service	
TravelGuidesFree.com	2,407 visitor guides @$2,382
TravelOK.com	1,896,000 impressions @$10,000 (2011); 719,826 impressions @$5,000 (2012)
Trip Advisor	5,076 impressions @$3,000
Video Globetrotter	22,664 impresssions @$450
Visitor E-newsletter	1,845 opens (Oct and Dec 2011 only) @$100
ASAE Mailer	
ASAE Online Buyers Guide Ad	untrackable @$1,350
ASAE Tradeshow	
Connect Tradeshow/Expo	$2,500 (does not include expenses)
MPI Website Listing	untrackable @$0
NASC Expo	$2,000 (does not include expenses)
RCMA Expo	$2,545 (does not include expenses)
Red Carpet Expo	
Rejuvenate	$2,500 (does not include expenses)
SGMP Tradeshow/Conference	$1,995 (does not include expenses)
SGMP Online Listing	untrackable @$0
Small Market Meetings	11,465 impressions @$1,347
Sports Marketplace Directory	$242
TEAMS Expo	18 leads from 2011 show @$5,600 (does not include expenses)
NCVB Collateral	
VisitNorman.com	
Visitors Guide	100,000 guides annually @$0 (advertising pays for it)
Pad Map	24,000 maps @$0 (advertising pays for it)
LEGEND:	
Leisure/Consumer	
Group/Conference/Sports	
Tradeshow/Expo	
Print	
Online	
Radio	

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: GID-1112-69

File ID:	GID-1112-69	**Type:**	Development, Deferrals and Variances	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	03/20/2012
File Name:	Naegeli Snow Cone Stand			**Final Action:**	

Title: CONSIDERATION OF AN AMENDMENT TO THE APPROVED SITE PLAN SO AS TO ALLOW A SEASONAL SNOW CONE STAND FOR HAROLD NAEGELI TO BE LOCATED AT 10808 EAST ALAMEDA STREET.

ACTION NEEDED: Motion to approve or reject the site plan amendment for 10808 East Alameda Street.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 23

Attachments: Text File Snow Cone Alameda, Naegeli Snow Cone Location Map, Naegeli Site Plan, Naegeli Plat, Naegeli Snow Cone Staff Report, Naegeli Restroom Letter, Photos Naegeli, 4-12-12 PC Minutes - Naegeli Snow Cone

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/12/2012					

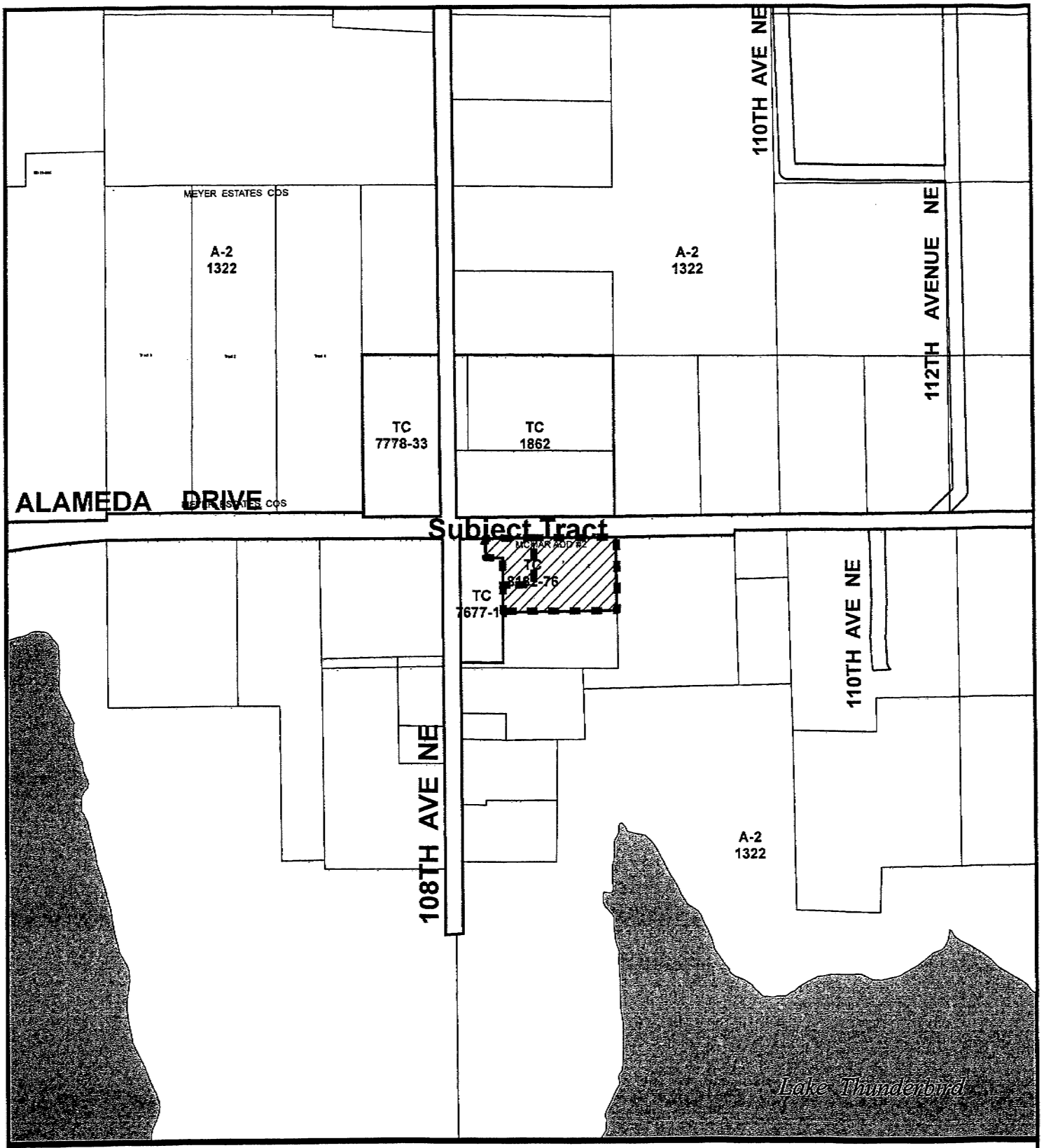
Text of Legislative File GID-1112-69

Body

BACKGROUND: This commercially zoned area is currently platted with an existing retail store and a restaurant on site. The applicant is seeking approval to temporarily locate a snow cone stand on an area between the two existing facilities. The City requires that all temporary buildings be removed from the site after a 180 day period; the applicant has agreed to this condition. Employees and

customers have permission to use the restroom facilities in the Denver Pantry located on the same site.

STAFF RECOMMENDATION: This is a relatively minor amendment to the existing Site Plan, and does not appear to have any negative impacts for existing businesses. Staff supports this request to amend the approved Site Plan for this tract and authorize this temporary use as proposed by the applicant. The Planning Commission, on a vote of 7-0, recommended approval of this application at their meeting of April 12, 2012.



Location Map

Map Produced by the City of Norman Geographic Information System.
(405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

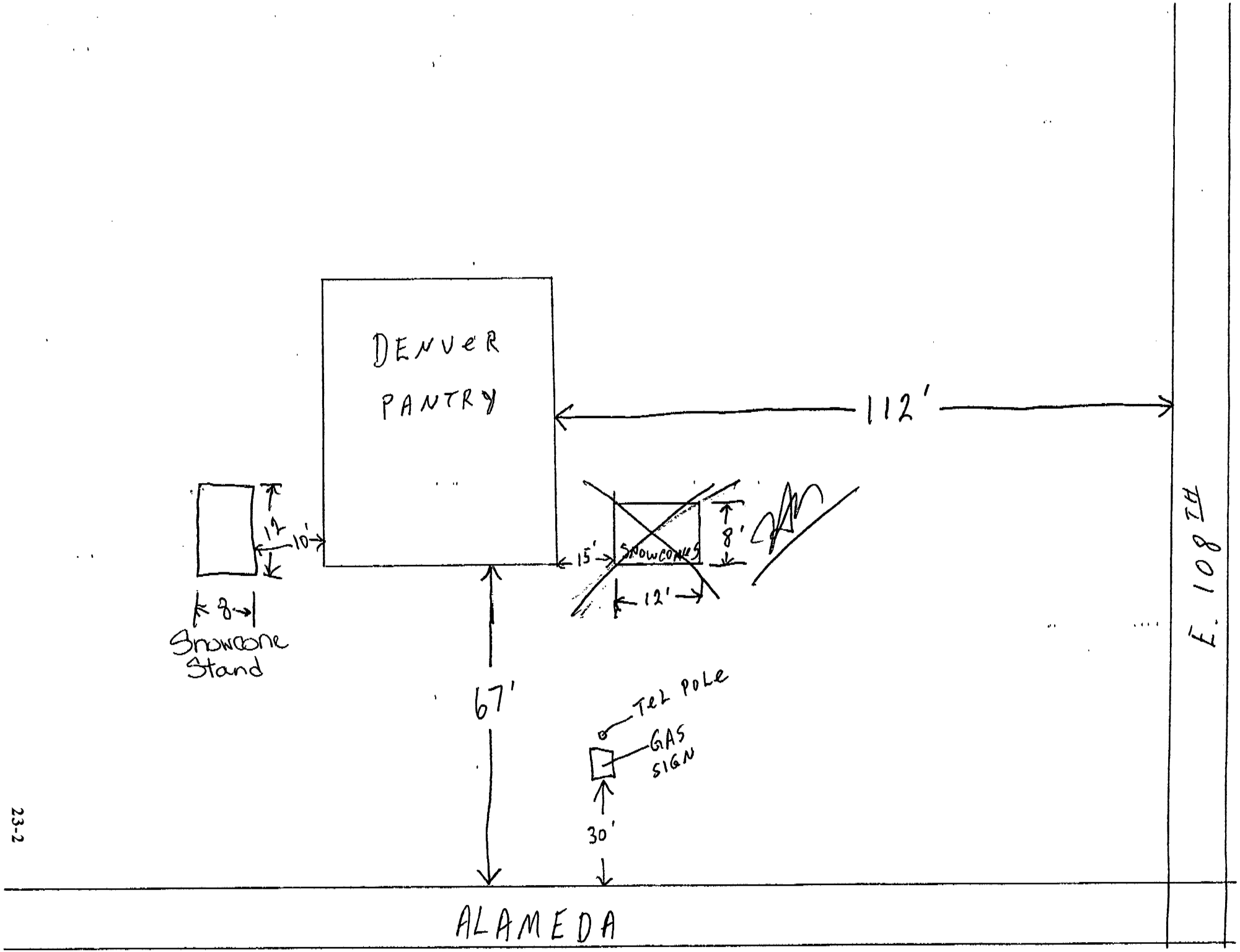
N
W E
S

April 3, 2012

0 250 500 Ft.

Subject Tract

Zoning


DENVER PANTRY
112'
E. 108TH
17'
10'
8'
Snowcone Stand
15'
SNOWCONES
8'
12'
67'
TEL POLE
GAS SIGN
30'
ALAMEDA

McMAR ADDITION NO. 2

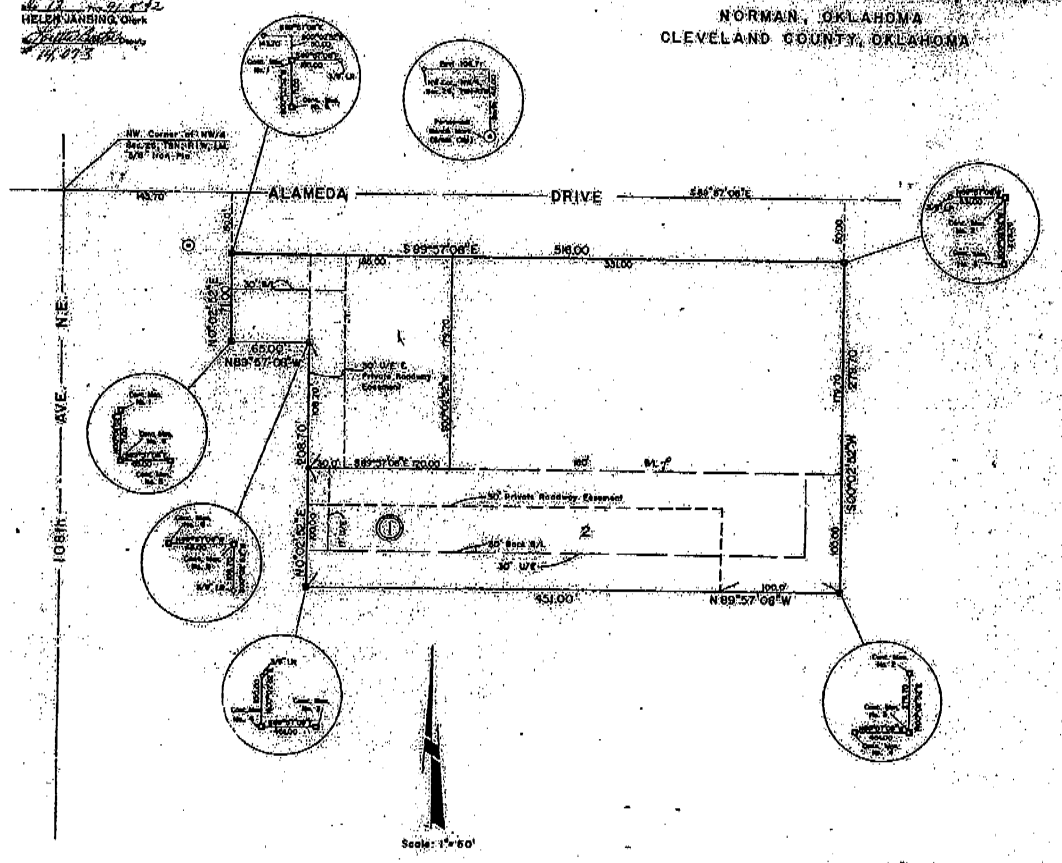
BEING A PART OF THE NW/4 SEC. 26, T9N, R1W, I.M.

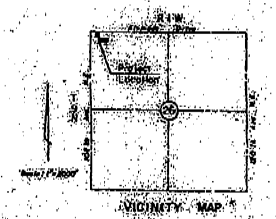
NORMAN, OKLAHOMA

CLEVELAND COUNTY, OKLAHOMA

STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
Date ____ Page ____
HELEN JANSING, Clerk
By ____ Deputy

STATE OF OKLAHOMA
COUNTY OF CLEVELAND
FILED FOR RECORD
May 16, 1972 - 8:00 A.M.
Bk. 13 Pg. 91 & 92
HELEN JANSING, Clerk
Deputy
14,073





VICINITY MAP

LEGAL DESCRIPTION

A tract of land located in the NW 1/4, Section 26, T9N, R1W, of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows:

Beginning at a point 143.70 feet S89°57'08"E and 50.00 feet S00°02'52"W of the NW corner of the said NW 1/4;

Thence S89°57'08"E a distance of 516.00 feet;
Thence S00°02'52"W a distance of 279.70 feet;
Thence N89°57'08"W a distance of 451.00 feet;
Thence N00°02'52"E a distance of 208.70 feet;
Thence N89°57'08"W a distance of 65.00 feet;
Thence N00°02'52"E a distance of 71.00 feet;

to the point or place of beginning containing 3.17 66 acres, more or less.

o Denotes 3/8" Iron Pin
Denotes Concrete Monument
Denotes Permanent Bench Mark

Permanent Bench Mark:
Brass Cap in concrete post stamped CL 11, 106.71 feet East and 45.00 feet South of the NW Corner, NW/4, Section 26, T9N-R1W
Elevation 1095.00' U.S.C. & G.S.
Mean Sea Level Datum

ENVIRONMENTAL ENGINEERING UNLIMITED

GID-1112-69 ITEM NO. 7

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Harold Naegeli
REQUESTED ACTION	Amendment of the approved Site Plan
EXISTING ZONING	TC, Tourist Commercial District
SURROUNDING ZONING	North: TC, Tourist Commercial East: TC, Tourist Commercial South: TC, Tourist Commercial West: TC, Tourist Commercial
LOCATION	10802 East Alameda Street
SIZE	.866 acres more or less
PURPOSE	Seasonal Snow Cone Stand
EXISTING LAND USE	Commercial
SURROUNDING LAND USE	North: Vacant East: Commercial South: Commercial West: Commercial
2025 LAND USE PLAN DESIGNATION	Commercial
GROWTH AREA DESIGNATION	Country Residential Area

SYNOPSIS: This commercially zoned area is currently platted with an existing retail store and a restaurant on site. The applicant is seeking approval to temporarily locate a snow cone stand on an area between the two existing facilities. The City requires that all temporary buildings be removed from the site after a 180 day period; the applicant has agreed to this condition. Employees and customers have permission to use the restroom facilities in the Denver Pantry located on the same site.

ANALYSIS:

- **APPEARANCE:** The City has adopted a requirement that new commercial buildings, including accessory buildings above a certain size (108 square feet),

I give Harold Naegeli permission to place and operate a shaved ice snow cone building on my property next to the existing building where there is open, unused space.

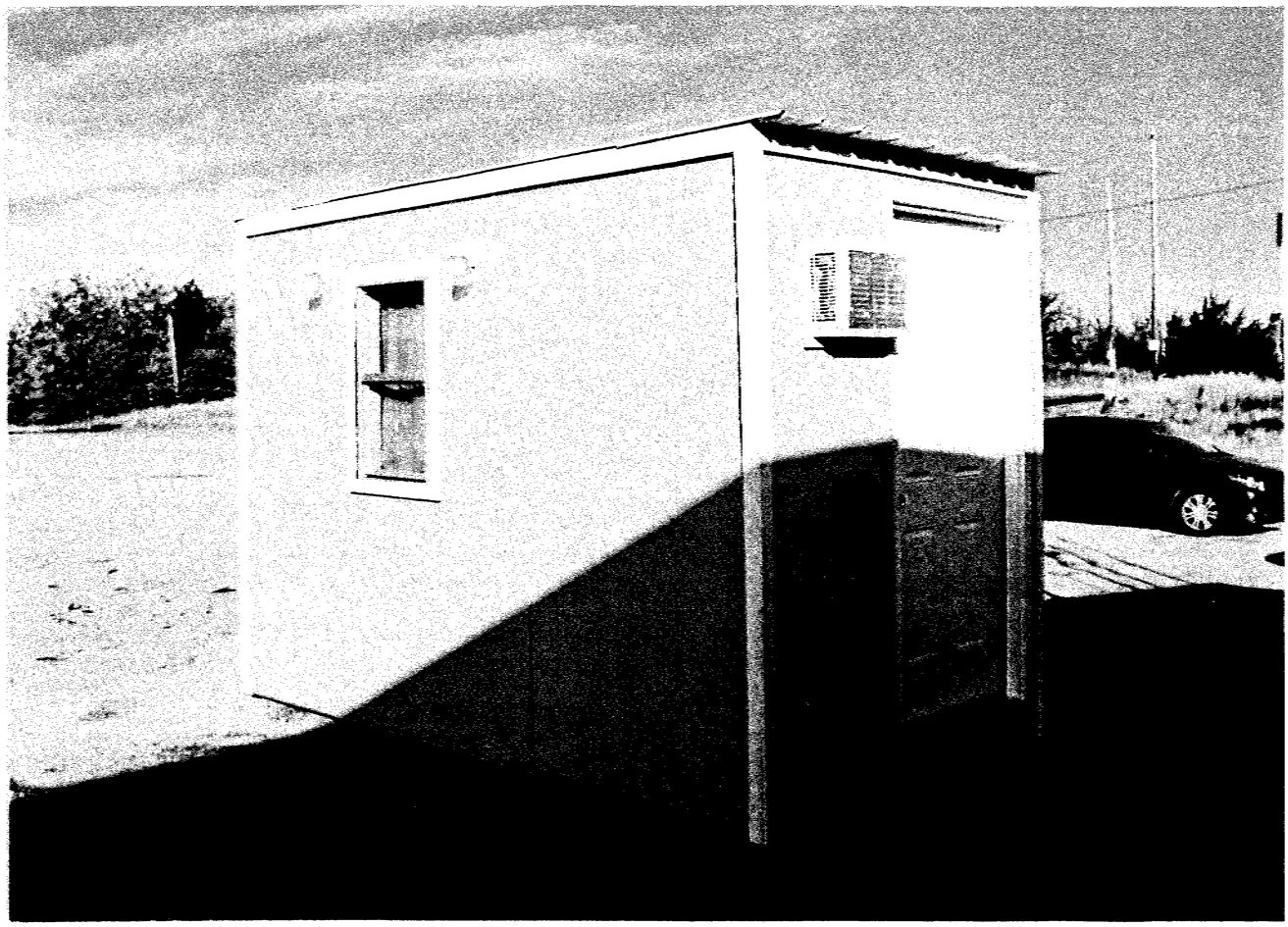
Ike Zalani 3-12-12
Dinner Party, Inc.

I give Harold Naegeli permission to place and operate a shaved ice snow cone building on my property next to the existing building where there is open, unused space.

Ike Zalani 3-12-12
Dinner Pantry, Inc.

ALAMEDA

ALAMEDA



NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 12, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of April 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Andy Sherrer
MEMBERS ABSENT	Cynthia Gordon Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Jane Hudson, Planner II Wayne Stenis, Planner II Leah Messner, Asst. City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator

* * *

Item No. 7, being:
GID-1112-69 – HAROLD NAEGELI REQUESTS AMENDMENT TO THE APPROVED SITE PLAN SO AS TO ALLOW A SEASONAL SNOW CONE STAND TO BE LOCATED AT 10808 E. ALAMEDA STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Restroom Letter
4. Site Plan
5. Plat
6. Photos

PRESENTATION BY STAFF:
1. Ms. Hudson reported that this application is for an amendment to the site development plan at the southeast corner of 108th Avenue N.E. and Alameda Drive at Denver Corner. The property to the north is vacant. There is a single-family home on the west side. The applicant provided a photo of the structure that he would like to use for his snow cone stand; the applicant has been notified that the lights shown on that structure will have to be shielded or replaced with something that would be appropriate under the adopted lighting ordinance. The applicant had originally wanted to locate on the west side of the existing buildings, but that area is not platted. Staff has no objection to the snow cone stand in this location. As with all temporary snow cone stands, the applicant will have to move the structure after the 180-day period, and he can replace it next summer if he would like to.

PRESENTATION BY THE APPLICANT:
1. Harold Naegeli, the applicant, was present but did not make any comments.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Diana Hartley moved to recommend approval of the site plan amendment for GID-1112-69 to the City Council. Roberta Pailes seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Jim Gasaway, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Andy Sherrer
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis

Ms. Tromble announced that the motion to recommend approval of GID-1112-69 to the City Council passed by a vote of 7-0.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: K-1112-124

File ID:	K-1112-124	**Type:**	Contract	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$1,571,000.00	**File Created:**	04/11/2012
File Name:	K-1112-124 Phase II Water Treatment Plant Impr			**Final Action:**	

Title: CONTRACT NO. K-1112-124: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CAROLLO ENGINEERS IN THE AMOUNT OF $1,546,600 TO PROVIDE DESIGN SERVICES FOR THE PHASE II WATER TREATMENT PLANT IMPROVEMENT PROJECT AND ADOPTION OF RESOLUTION NO. R-1112-133 TRANSFERRING FUNDS FOR THE PROJECT.

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1112-124 with Carollo Engineers in the amount of $1,546,600 and, if approved, authorize the execution thereof and adopt Resolution No. R-1112-133 transferring funds for the project..

ACTION NEEDED: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 24

Attachments: Text File K-1112-124, Phase II Deisgn Table for Contract, K-1112-124, Purchase Req Carollo

Project Manager: Chris Mattingly, Utilities Superintendent

Entered by: chris.mattingly@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1112-124

Body

BACKGROUND: On July 25, 2006, the NUA approved Contract K-0607-35 with Carollo Engineers (Carollo) to perform a WTP Expansion Evaluation. The summary of the results from that report were presented to the NUA at a study session on May 22, 2007. On September 25, 2007 the NUA approved Amendment No. 1 to Contract No. K-0607-35 to perform additional studies as part of the preliminary design. Carollo performed a chlorine pilot study, an ozone pilot study, and a detailed

electrical evaluation. The findings and options were presented to the NUA at a study session on December 18, 2007.
On June 24th, 2009 the NUA approved Amendment No. 2 to Contract K-0607-35 to perform final design services for the Phase I WTP Expansion. The first phase was to rehabilitate the electrical infrastructure to allow the future installation of an ozone unit to be used as a primary disinfectant and to control taste and odor events. The other goal of the first phase was to increase our capacity from 14 MGD to 17 MGD as well as rehabilitating some of the essential equipment. This included the installation of a new solids contact clarifier, the replacement of our filter media, replacement of our lime feed and carbon dioxide systems. During final design, the opportunity to apply for American Recovery and Reinvestment Act (ARRA) funds arose. With the help of Carollo, staff was able to secure a low interest loan for up to $14 million dollars with a $2 million principal forgiveness (grant). On August 25th, 2009 the NUA approved Amendment No. 3 to Contract K-0607-35 to perform the final design and construction oversight services associated with Phase I Construction. All design costs associated with Phase I WTP expansion to date are shown in attachment Phase I Design.

DISCUSSION: Now that Phase I is complete, staff has negotiated the contract scope for the Phase II WTP expansion and rehabilitation. Phase II will include an 8-month ozone pilot test, a HEC-RAS study (model developed by Corps of Engineers Hydrologic Engineering Center (HEC) River Analysis System (RAS)) of the creek located on site, and design services up through the bidding process.

The contract includes the pilot study because the earlier study looked at ozone performance for only two different water conditions and only provided sufficient information for preliminary sizing and feasibility analysis. This additional ozone pilot will be a continuous study evaluating performance in all water conditions. It will validate the sizing and determine maximum dosage limits. It will also determine whether additional operational controls will be necessary to meet treatment goals and comply with current regulations. The cost to have the ozone equipment onsite and professionally operated for 8 months is $643,200.

The HEC-RAS study is required before construction of the new backwash lagoon. FEMA flood plain maps indicate a portion of the WTP land is located in a floodplain and floodway of Rock Creek. Carollo will perform all work associated with obtaining all city, state, and federal permits required for construction. The HEC-RAS study cost is $47,900.

The design and bidding phase includes preparation of plans and specifications for onsite chlorine generation, the liquid ammonium sulfate feed system, additional lime feed system improvements, the high efficiency motors and variable speed pumps to the high pressure plane, the SCADA instrumentation and control associated with the new equipment, and sewer improvements to allow the WTP to be tied into the City's wastewater collection system. The design cost for the remaining items excluding the final ozone unit is $880,700.

The design and pilot project is expected to be complete late Spring of 2013. Once the ozone pilot is complete, staff will negotiate a future scope and fee for the remaining design associated with constructing the Ozone disinfection system and providing construction administration and inspection services.

To keep the cost tracking clear and concise, staff proposes a new contract for Phase II of the project.

Therefore, Contract No. K-1112-124 in the amount of $1,546,600 is proposed with Carollo Engineers. Funding for the contract is currently spread throughout several project numbers. Staff proposes to transfer all funds into one project account number. Once the project is complete, staff will redistribute the costs into project accounts to better represent the expenditures.

Please transfer design funds from each project number as shown on the attached table into project number WA0291. The total transfer amount of $1,546,600 is all within the same design account (031-9939-462.62-01) for the Phase II WTP Improvements.

RECOMMENDATION: Staff recommends approval of Contract K-1112-124 with Carollo Engineers in the amount of $1,546,600. Staff recommends Resolution No. R-1112-133 be adopted transferring funds within the account as shown in the attached table.

Phase II WTP Improvements
Carollo Engineers Contract K-1112-124
Account Number 031-9939-462.62-01

Project Number		Transfer FROM		Transfer INTO
WA0132	$	49,211.00		
WA0133	$	510.00		
WA0272	$	772,628.00		
WA0273	$	1.00		
WA0275	$	3,025.00		
WA0276	$	175,500.00		
WA0277	$	801.00		
WA0278	$	66,294.00		
WA0280	$	699.00		
WA0281	$	112,500.00		
WA0284	$	699.00		
WA0285	$	48,246.00		
WA0286	$	281,250.00		
WA0288	$	736.00		
WA0290	$	34,500.00		
WA0291			$	1,546,600.00

AGREEMENT FOR PROFESSIONAL SERVICES

Project No. _____

This AGREEMENT made and entered into this _____ day of April, 2012 by and between Norman Utilities Authority, (hereinafter "OWNER"), and **Carollo Engineers, Inc.**, (hereinafter "ENGINEER").

WITNESSETH:

WHEREAS, the OWNER and the ENGINEER wish to enter into an Agreement (hereinafter "Agreement") for the furnishing of Engineering Services in connection with

Phase II Water Treatment Plant Improvements

Design, Bidding and Construction

(Owner and Project Description)

(hereinafter "Project"), and

WHEREAS, ENGINEER is qualified and prepared to perform the necessary professional services in connection with the Project.

NOW THEREFORE, in consideration of the mutual promises and covenants of the parties hereto, it is agreed as follows:

SECTION 1 - PROFESSIONAL SERVICES

1.1 ENGINEER shall provide professional engineering services in all phases of the Project to which this Agreement applies. The services furnished by the ENGINEER will be defined by Task Orders which will set forth the Engineer's Services, Time of Performance, and Payment.

1.2 It is intended that each Task Order, after execution by both parties shall become a supplement to and a part of this Agreement.

SECTION 2 - PAYMENT TO ENGINEER

2.1 As consideration for providing the services referred to in Section 1, the OWNER shall pay ENGINEER on the basis to be established in the Task Order for Services.

2.2 The ENGINEER is not responsible for damage or delay in performance caused by events beyond the control of ENGINEER. In the event ENGINEER's services are suspended, delayed or interrupted for the convenience of the OWNER or delays occur beyond the control of ENGINEER, an equitable adjustment in ENGINEER's time of performance and cost of ENGINEER's personnel and subcontractors shall be made.

2.3 OWNER reserves the right to direct revision of ENGINEER's services as may be necessary. When ENGINEER

is directed to make revisions under this section of the agreement, ENGINEER shall advise OWNER of the probable costs involved in completing engineering services and the time of performance for such completion. Extra services also include those that are required for defense of claims, in which event ENGINEER shall bill OWNER on an hourly basis together with cost of material.

2.4 In the event OWNER and ENGINEER cannot agree on equitable compensation for services rendered in making revisions, then, at OWNER's option, ENGINEER shall either continue performance under the revised Agreement and an equitable adjustment in ENGINEER's time of performance and cost of ENGINEER's personnel shall be made at completion of the revised work or ENGINEER shall not be obligated to continue performance under this Agreement.

2.5 If ENGINEER's work products require revisions prior to construction bidding due to ENGINEER's errors or omissions, the exclusive remedy will be limited to revisions made by ENGINEER without compensation.

2.6 The ENGINEER shall bill the OWNER monthly indicating the services performed and the cost of such services.

OWNER agrees to pay invoices within 45 days of their date. Payments not received by ENGINEER within 45 days shall be considered delinquent and subject to a finance charge of 1 percent per month for each month unpaid after the date of invoice. ENGINEER may suspend services should an invoice remain delinquent for 75 days from date of invoice.

2.7 All notices shall be made in writing and may be given by personal delivery or by mail. Notices sent by mail shall be addressed to the designated responsible person or office:

TO OWNER:

Mr. Chris Mattingly, PE

Norman Water Treatment Plant

3000 East Robinson Ave.

Norman, OK 73071

TO ENGINEER:

Mr. Thomas Crowley, PE

Carollo Engineers

903 East 104th Street, Suite 320

Kansas City, MO 64131

and when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices and invoices shall be deemed given at the time of actual delivery.

All payments are to be mailed to:

Carollo Engineers, Inc.
P.O. Box 4932
Houston, TX 77210-4932

unless otherwise informed on the face of the invoice.

SECTION 3 - MISCELLANEOUS

3.1 The OWNER shall furnish the ENGINEER available studies, reports and other data pertinent to ENGINEER's services; obtain or authorize ENGINEER to obtain or provide additional reports and data as required; furnish to ENGINEER services of others required for the performance of ENGINEER's services hereunder, and ENGINEER shall be entitled to use and rely upon all such information and services provided by OWNER or others in performing

ENGINEER's services under this Agreement.

3.2 The OWNER shall arrange for access to and make all provisions for ENGINEER to enter upon public and private property as required for ENGINEER to perform services hereunder.

3.3 Documents, including drawings and specifications, prepared by ENGINEER pursuant to this Agreement are not intended or represented to be suitable for reuse by OWNER or others for this Project or on any other project. Any reuse of completed documents or use of partially completed documents without written verification or concurrence by ENGINEER for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER; and OWNER shall indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses, including attorney's fees arising out of or resulting therefrom.

3.4 The ENGINEER maintains, at its own expense, Worker's Compensation and Employers Liability, Comprehensive General Liability, Automobile Liability and Professional Liability policies with limits at or above that which is reasonably required of other engineering firms and will, upon request, furnish insurance certificates to OWNER.

SECTION 4 - LEGAL RELATIONS

4.1 The ENGINEER shall be responsible for professional negligence, which is failure to exercise skill and ability as ordinarily required of engineers under the same or similar circumstances. The ENGINEER shall not be responsible for warranties, guarantees, fitness for a particular purpose or breach of fiduciary duty and shall only indemnify for failure to perform in accordance with the generally accepted engineering and consulting standards.

4.2 OWNER and ENGINEER shall each defend, indemnify and hold harmless the other and their respective principals, directors, officers and employees from and against claims, loss, liability, suits and damages, including attorney's fees, caused in whole or in part by either party's negligent acts, errors or omissions, willful misconduct or OWNER's lawful responsibility respectively or, anyone directly or indirectly employed by either of them or anyone for whose acts they may be liable regardless of whether or not such claim, loss, liability or damage is caused in part by a party indemnified hereunder.

In the event that both OWNER's and ENGINEER's wrongful act or lawful responsibility is the proximate cause of any liability or damages, then in such event, each party shall be liable for a portion of the damages and claim costs resulting therefrom equal to such party's comparative share of the total negligence or lawful responsibility for such damages and claim costs. Notwithstanding the foregoing, a party's defense obligation hereunder shall be limited to reimbursement of the other party's reasonable defense costs which are judicially determined to have been incurred as a result of the first party's negligence.

4.3 Hazardous materials or asbestos may exist at a site where there is no reason to believe they could or should be present. The ENGINEER and OWNER agree that the discovery of unanticipated hazardous materials or asbestos constitutes a changed

condition mandating a renegotiation of ENGINEER's services.

4.4 The ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over Contractor's methods of determining prices, or other competitive bidding or market conditions, practices or bidding strategies. Cost estimates are based on ENGINEER's opinion based on experience and judgment. ENGINEER cannot and does not guarantee that proposals, bids or actual Project construction costs will not vary from cost estimates prepared by ENGINEER.

4.5 If the project involves construction of any kind, the parties agree that OWNER and ENGINEER shall be indemnified to the fullest extent permitted by law for all claims, damages, losses and expense including attorney's fees arising out of or resulting from Contractor's performance of work including injury to any worker on the job site except for the sole negligence of OWNER or ENGINEER. Both OWNER and ENGINEER shall be named as additional primary insured(s) by Contractor's General Liability and Builders All Risk insurance policies without offset and all Construction Documents and insurance certificates shall include wording acceptable to the parties herein with reference to such provisions.

4.6 ENGINEER shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by contractors or the safety precautions and programs incident to the work of contractors and will not be responsible for Contractor's failure to carry out work in accordance with the Contract Documents.

4.7 The services to be performed by ENGINEER are intended solely for the benefit of the OWNER. No person or entity not a signatory to this Agreement shall be entitled to rely on the ENGINEER's performance of its services hereunder, and no right to assert a claim against the ENGINEER by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Agreement or the performance of the ENGINEER's services hereunder.

4.8 The ENGINEER's instruments of service hereunder are the printed hard copy drawings and specifications issued for the Project, whereas electronic media, including CADD files, are tools for their preparation. As a convenience to the OWNER, the ENGINEER shall furnish to the OWNER both printed hard copies and electronic media. In the event of a conflict in their content, the printed hard copies shall take precedence over the electronic media.

Because data stored in electronic media form can be altered, inadvertently, it is agreed that the OWNER shall hold ENGINEER harmless from liability arising out of changes or modifications to ENGINEER's data in electronic media form in the OWNER's possession or released to others by the OWNER.

SECTION 5 - TERMINATION OF AGREEMENT

5.1 If this Agreement is terminated with or without cause, in either event, OWNER shall provide:

a. not less than five (5) working days' written notice of intent to terminate, and

b. an opportunity for good faith consultation prior to termination.

SECTION 6 - DISPUTE RESOLUTION

6.1 Disputes arising during the course of this Agreement shall be promptly addressed at completion of construction when professional services, together with construction evaluation can be reasonably and fully assessed. The parties shall use best efforts to reach final resolution of disputes through meetings and negotiations required to resolve the dispute before any other forms of dispute resolution.

SECTION 7 - ENTIRE AGREEMENT

7.1 This Agreement, including attachments incorporated herein by reference, represents the entire Agreement and understanding between the parties and any negotiations, proposals or oral agreements are intended to be integrated herein and to be superseded by this written Agreement. Any supplement or amendment to this Agreement to be effective shall be in writing and signed by the OWNER and ENGINEER.

SECTION 8 - GOVERNING LAW

8.1 This Agreement is to be governed by and construed in accordance with the laws of the State of Oklahoma.

IN WITNESS WHEREOF, duly authorized representatives of the parties have signed in confirmation of this Agreement, with effective date the day and year first above written.

CAROLLO ENGINEERS, INC.

By: Thomas O. Crowley
Vice President

PE# OK 21073

By: _____
Executive Vice President

PE# _____

OWNER

By: _____

TASK ORDER NO. 1

NORMAN UTILITIES AUTHORITY
OWNER

AND

CAROLLO ENGINEERS, INC.

This Task Order is issued by the OWNER and accepted by ENGINEER pursuant to the mutual promises, covenants and conditions contained in the Agreement between the above named parties dated the _____ day of April, 2012, in connection with:

Phase II Water Treatment Plant Improvements
(Project)

PURPOSE

The purpose of this Task Order is to authorize engineering services associated with the performance of a pilot study to determine the sizing and location of a future ozone system for primary disinfection and taste and odor control. In addition, engineering services to determine the impact of proposed sludge lagoon improvements the 100 year flood limits of Rock Creek will be authorized by this Task Order.

Finally, this Task Order authorizes the design and bidding phase services of a portion of the Phase II improvements to install a new chlorine and ammonia feed system and associated building, construct a new backwash holding lagoon, rehabilitate and remodel the existing maintenance building and other miscellaneous improvements. It is understood that, as of the date of the agreement, not all of the design and bidding phase services associated with the Phase II Improvements have been defined and additional task order(s) will be required to include scope of work and associated fee following the completion of the pilot study report.

ENGINEER'S SERVICES

See Exhibit A – ENGINEER's Scope of Services

TIME OF PERFORMANCE

See Exhibit A – ENGINEER's Scope of Services

PAYMENT

Payment shall be a lump sum amount of $1,546,600 and shall be billed based upon the Tasks provided in Exhibit B.

EFFECTIVE DATE

This Task Order No. 1 is effective as of the ___ day of April, 2012.

IN WITNESS WHEREOF, duly authorized representatives of the OWNER and of the ENGINEER have executed this Task Order No. 1 evidencing its issuance by OWNER and acceptance by ENGINEER.

CAROLLO ENGINEERS, INC.

By: Thomas O. Cuz, PE
Vice President

By: _____
Executive Vice President

OWNER

Accepted this ____ day of April, 2012

By: _____
Officer

Exhibit A to Task Order No. 1
FINALScope of Services
Water Treatment Plant Phase II Expansion
Norman, Oklahoma

Task 200 - Project Management. Engineer shall complete project management tasks to include the following:

a. Subtask 200.1 - Budget and schedule monitoring
b. Subtask 200.2 - Workshop planning and development
c. Subtask 200.3 - Preparation of Work and Quality Management Plans and Checklists

The anticipated duration between project notice to proceed and delivery of the final bidding sets for advertisement is 21 months.

Task 210 Agency Coordination:

Engineer shall coordinate work completed as part of this Amendment with the Oklahoma Department of Environmental Quality, COMCD, and the City of Norman Codes Department. The ENGINEER shall be responsible for the coordination of the applicable final design elements with the following agencies within the City and State.

a. Subtask 210.1 ODEQ Coordination– The Engineering Report associated with this project was submitted and approved by ODEQ as part of the Phase I work. However, the following coordination activities with ODEQ are included with this scope of services:

210.1.1 ODEQ Workshop: As part of this project, ENGINEER will be responsible for conducting a workshop to presents summarize the results of the Engineering Report as they pertain to the Phase II improvements and review the pilot study results.
210.1.2 ODEQ Construction Permit: ENGINEER will be responsible for preparing the application for the ODEQ construction permits associated with the project.
210.1.3 ODEQ Plan Review Comments: ENGINEER will be responsible for providing ODEQ with the requisite number of copies of the Final Design Submittal Documents, reviewing ODEQ comments, and incorporation of applicable comments into the bid set.

c. Subtask 210.2 - Oklahoma Gas and Electric (OG&E): ENGINEER shall coordinate with electrical utility company during design of High Pressure Zone Pump Station electrical gear and primary feed decommission.

d. Subtask 210.3 - Agency Coordination – City of Norman:

210.3.1 Code Compliance Meeting:
Consultant will meet with local fire and building code officials to review the proposed changes to the process and proposed classification of the new and existing buildings designed to enclose these systems. Consultant will provide a memorandum summarizing these discussions in include this with the project design notebook.

201.3.2 Interim Design Document Review Meeting:
Consultant will meet with local fire and building code officials to review the interim design submittal for each of the facilities and generate a memorandum summarizing the review comments and providing the recommended actions to address these comments. The meeting will be conducted in conjunction with the Interim Document Review Meeting with NUA Staff.

201.3.3 Final Design Document Review Meeting: Consultant will meet with local fire and building code officials to review the final design submittal for each of the facilities and generate a memorandum summarizing the review comments and providing the recommended actions to address these comments. Consultant will prepare submittal packages and permit applications in accordance with the City of Norman, OK standards.The meeting will be conducted in conjunction with the Final Design Document Review Meeting with NUA Staff.

Task 215 – Design Project Meetings and Workshops.

a. Subtask 215.1 – Bi-Monthly Project Meetings: Project progress meetings will be conducted between project team members on a bi-monthly basis via telephone conference call. These are anticipated to occur over a period of 12 months or a total of 24 meetings. These meetings will be attended by staff from ENGINEER and its Subconsultants an will include discussion of work progress, coordination issues, obtain City of Norman feedback, and discuss and resolve issues related to the progression of the work.

b. Subtask 215.2 – Design Workshops: In addition to the bi-monthly project meetings, design review meetings will be conducted with the City of Norman Staff and the Plan Review department to review the drawings and specifications for the purpose of soliciting comments. The following on-site meetings are anticipated during the course of the design: Each meeting is assumed to require Carollo on site for a maximum of two days:

- Preliminary Design: Shall consist of the review of preliminary on-lines, SCADA block diagrams, process flow diagrams, process instrumentation and control drawings, code compliance plans, building sketches, design criteria sheets, and site development drawings.

- Interim Design Submittal Review: Review of final site development drawings, one-lines, process instrumentation and control drawings, and 3 dimensional models of each new structure.
- Final Design Submittal Review: Review of final civil, architectural structural, process, HVAC/Plumbing, electrical and instrumentation drawings and specifications prior to submittal to ODEQ review and Bidding purposes.

Task 220 – Flood Study. Engineer shall develop a Hydrologic Engineering Center River Analysis System (HEC-RAS) model and utilize model to perform a hydraulic analysis of watercourse immediate south of the Norman WTP to determine appropriate location for new lagoon facilities and, if necessary, recommend and estimate costs for channel improvements projects that result in a no change in the 100-year flood elevation under present conditions. It is assumed that these projects will be designed and managed by others as part of the overall City stormwater improvements projects.

a. Subtask 220.1 – Data Collection and Review: Engineer shall review previous flood studies performed in the area and review FEMA Guidelines to help define the 100-year flow values of the targeted watercourse.
b. Subtask 220.2 – Runoff Flow Computation: The Engineer shall perform a hydrologic analysis to determine the 100-year runoff of the study area to be used to perform hydraulic analysis.
c. Subtask 220.3 – HEC-RAS Model Development: Engineer shall develop cross sections, flow lengths, and hydraulic structures through the use of field surveys in conjunction with the HEC-GeoRAS function. Manning's coefficient, expansion and contraction coefficients, boundary conditions, and ineffective flow area development will be based on field reconnaissance, available GIS information, and engineering judgment. Engineer shall budget for two (2) field reconnaissance trips, eight (8) hours each.
d. Subtask 220.4 – Field Survey: Engineer shall provide field survey information one (1) mile of targeted watercourse for model development.
   i. Subtask 220.4.1 – Engineer shall field survey channel cross sections at an interval of one hundred (100) feet on watercourse in the critical area, adjacent to WTP site. It is assumed that a total of ten (10) cross sections will be surveyed in this area. Engineer shall field survey channel cross sections at an interval of five hundred (500) feet on targeted watercourse outside of critical area. It is assumed that a total of eight (8) cross sections will be surveyed in this area.
   ii. Subtask 220.4.2 – Engineer shall field survey all hydraulic structures in the targeted watercourse. It is assumed that total of three (3) hydraulic structures (i.e. bridges, culverts) will be surveyed.
e. Subtask 220.5 – Hydraulic Analysis of Present Conditions: Engineer shall perform hydraulic analysis on targeted watercourse using the developed HEC-RAS model to determine the 100-year floodplain and floodway boundaries at without floodway encroachment. The present condition computed water surface elevations will be compared to existing high-water data and other

available flood plain management studies. This comparison will be presented to the City and other flood plain management agencies prior to preparing the ultimate conditions hydraulic analyses.

f. Subtask 220.6 – Hydraulic Analysis of Ultimate Conditions: Engineer shall adjust model to account for floodway encroachment (i.e. lagoon faculties). A hydraulic analysis on targeted watercourse will then be undertaken to determine the impacts to the 100-year floodplain and floodway boundaries.
g. Subtask 220.7 – Improvement Project Development: In cooperation with the developed HEC-RAS model, Engineer shall determine improvement projects and provide cost opinions necessary to reduce flood-water surface elevation in the event that floodway encroachment causes an increase in flood elevation above that determined under present conditions.
h. Subtask 220.8 –Flood Study Memorandum: This memorandum will summarize the development of the hydraulic model, hydraulic analysis of present and ultimate conditions, and recommended improvement projects, if any.
i. Subtask 220.9 – Agency Coordination: Engineering shall coordinate the findings and the recommendations within the technical memorandum with the various agencies within the City and the State.

Task 225 – Ozone/Biofiltration Pilot Plant Study: The purpose of the Ozone/Biofiltration Pilot plant study is to determine the anticipated ozone dose for disinfection and reduction of taste and odor and emerging contaminants of concern through the proposed biofiltration process. It will also be utilized to determine the required phosphoric acid and dechlorination chemical feed protocols for enhancing and control biofiltration to optimize filtration and biomass growth. The anticipated duration from delivery of the pilot system through the shipment of pilot plant equipment is eight (8) months.

a. Subtask 225.1 – Work Plan and Pilot Study Protocol: Engineer to develop a detailed plan including objectives, study schedule, performance metrics, and sampling plan and protocol will be provided to the City.
b. Subtask 225.2 – Equipment Selection and Procurement:
    i. Equipment Procurement: The engineer will be responsible for the equipment selection and procurement. The engineer will arrange and pay for delivery of equipment to the site. The dual train pilot plant equipment anticipated for this project is summarized in **Attachment A** to this proposal and includes the following:
        a. Pilot Module Enclosure
        b. Ozone Preoxidation Skids (2 total)
        c. Conventional Treatment Skid
        d. Biofiltration Skids (2 total) and associated media

    ii. Equipment Shipping: ENGINEER will be responsible for arranging shipment of pilot plant units to the Norman WTP.

iii. Equipment Unloading: The City will be responsible for receipt and unloading of equipment in the presence of the Engineers representative.

iv. Procurement of Ancillary Equipment: Engineer will be responsible for the procurement of the following ancillary equipment for the pilot system:

a. Pilot Plant feed Pumps for raw water feed to pilot plant
b. Chemical Metering Pumps, Drum Wands, and Valves
c. Break Tanks
d. Backwash water storage tanks
e.
f. All other piping, valves, supports, conduit, wire, and incidentals necessary for pilot plant installation will be provided by the City of Norman

c. Subtask 225.3 – Equipment Installation and Commissioning/Decommissioning:

i. Engineers Responsibilities: Engineer will be responsible for the following:

a. Preparation of one line diagrams indicating electrical installation requirements.
b. Preparation of process flow schematics indicating pipe sizes, pipe materials, and interconnections required between pilot equipment.
c. Installation of biofiltration media in pilot filtration equipment.
d. On site visit (5 days) to assist staff with interconnection of equipment.

ii. City Responsibilities:

a. Providing Conduit, wire, breakers, supports and all other materials and labor required to provide and distribute power to the pilot units from the Filter Building.
b. Providing all materials and labor required to install pump and raw water line to connect pilot units to raw water line prior to any chemical addition.
c. Providing all materials and labor required to interconnect ENGINEER provided chemical feed equipment with the pilot units.
d. Providing all materials and labor required to install settled water line and pump from clarifier effluent sample pipe to pilot units
e. Providing all materials and labor required to install drain line from pilot skids to existing manhole to Lagoons.
f. Procurement and payment of all chemical, lubricants, and other pilot plant consumables for the duration of the pilot study.

d. Subtask 225.3 – Pilot Plant Operation: Engineer will provide a part-time (5 days/week at 2 hours/day,) pilot plant operator to monitor pilot plant facilities, coordinate water quality sampling, and perform operational adjustments to facilitate study objectives for a period not to exceed 6 months.

Pilot plant operator, with the assistance of City Staff, will oversee pilot plant operation, coordinate sampling and document operation status, perform equipment adjustments, and perform in-house water quality testing as

described in Subtask 225.4. Engineer will provide City with a bimonthly report summarizing pilot plant operation and details concerning performance metrics, sampling data collected, and study status..

i. Subtask 225.4.2 – Pilot Plant Operator Coordination: Engineer to *provide guid*ance, sampling instruction, and remote supervision of pilot plant operator throughout the study period. Engineer to conduct One (1) mothly site visit for sixteen (16) hours each to facilitate pilot plant operation during the pilot plant testing period. Engineer to correspond with pilot plant operator twice a week via telephone to discuss pilot plant operation, coordinate sampling, and troubleshoot operational issues.

ii. Subtask 225.4.3 – Special Investigation – Ozone Decay/Demand: Conduct multiple ozone decay/demand analyses at various temperatures and raw water content

iii. Subtask 225.4.4 – Special Investigation - Acute Raw Water MIB Contamination: Conduct two (2) raw water 50 ng/l MIB spikes. Evaluate required ozone dosages, bromate formation, MIB reduction.

iv. Subtask 225.4.5 – Special Investigation – Bromate Formation Reduction: Investigate potential bromate mitigation techniques including pre-ozone ammonia and/or chloramines addition and pH manipulation.

v. Subtask 225.4.6 – Special Investigation – Nutrient Optimization: Survey influent carbon, nitrogen, and phosphorus concentration in raw water, post-ozonation, and post-biofiltration. Determine if supplemental nutrient solution needed to optimize full scale biofiltration facilities.

e. Subtask 225.4 – Water Quality Sampling and Testing:

i. Prepare Sampling and Testing Protocol: Engineer will prepare draft and final water sampling and testing protocol to be utilize during the pilot testing. "In House City" Water Quality Sampling and Analysis: For these samples, the City will be responsible for providing all material, labor, equipment, instrumentation, and incidentals required to sample, test or analyze, and enter the results in the Engineer provided sample and analysis forms.

ii. "In House Engineer" Water Quality Sampling and Analysis: For these samples, the City will be responsible for providing the sampling bottles and preservation chemicals for use by Engineer's Pilot Plant operations staff in the preparation of the samples. Engineer's pilot plant operator will be responsible for coordination of sampling times and dates for a period convenient to City laboratory staff.

For the "in House Engineer" water quality analysis, the City will be responsible for furnishing the materials and equipment necessary to store, prepare and test the samples designated as "in House

Engineer" including the incubation devices required to conduct simulated distribution system (SDS) tests. The Engineer's pilot plant operations staff will be responsible for the analysis of those samples designated as "in House Engineer" using City provided analytical instruments and laboratory equipment. Engineer's pilot plant operator will be responsible for coordination of testing and analysis dates for a period convenient to City laboratory staff.

iii. Third Party" Water Quality Sampling and Analysis: The City will be responsible to provide and pay for all third party testing associated with the pilot plant sampling protocol. The Engineer will be responsible for providing the labor required to order sampling kits from City third party laboratory, storing sampling kits, sampling, preparing Chain of Custody documents, and shipping of the samples to the third party for analysis. The Engineer will be responsible for collecting and analyzing laboratory data. Engineer's pilot plant operators will be responsible for coordination of third party testing and analysis dates with City laboratory staff.

f. Subtask 225.6 – Pilot Plant Results and Recommendation Workshop: Upon completion of the pilot plant study, Engineer to conduct workshop with City Staff to discuss pilot plant study results, full scale process integration, and recommendations.

g. Subtask 225.7 – Pilot Plant Technical Memorandum: Upon completion of the pilot plant study, Engineer, in cooperation with pilot plant operator, will provide five (5) draft copies of a technical memorandum summarizing the pilot plant results. Technical memorandum will include the following sections:

i. Introduction
ii. Methods and Materials
iii. Results and Discussion
iv. Conclusions and Recommendations

Following City review, Engineer will revise the TM per the City's comments and provide five (5) final copies of the TM.

Task 230 - Field/Site Surveying. Surveying will be completed for the project as necessary to establish horizontal and vertical control tied to the State Coordinate System. A minimum of two survey control monuments shall be placed at judiciously selected locations at the well field and water treatment plant. Contractor will be required to perform surveying during construction. Engineer's fee assumes separate surveys will be conducted for each phase of the project, as exact survey requirements will not be known until each phase of the project has been developed in further detail.

Task 235 - Geotechnical Investigations at WTP

a. Subtask 235.1 – Geotechnical Investigation: Laboratory testing and analyses will be performed on soil samples to determine engineering criteria necessary for the design and construction on the project.

b. Subtask 235.2 – Geotechnical Report: A preliminary and final geotechnical report will be prepared that provides a general description of the subsurface conditions at the locations indicated, provides technical considerations for the design of subsurface installations, and general considerations for construction activities. Geotechnical investigations at the WTP will consist of the following:

1. New Structures (2 borings each structure)
2. New Buildings (3 borings each building)
3. General slope stability
4. Soil Corrosivity

Task 240 - Preparation of Drawings (Plans) for Project Construction. Drawings will be prepared using MicroStation XM software using ENGINEER's standard format. Final drawings will be delivered in both paper copy and electronic format to City. Engineer shall prepare construction documents (plans, specifications, and related information) to allow bidding and subsequent construction of the improvements to the Plant generally as summarized in the preliminary design. The elements of work to be included in the Project are identified in the tables below.

a. Subtask 240.1 - New Disinfection Building Housing Hypochlorite Generation and Liquid Ammonium Sulfate Systems: The existing chlorine and ammonia systems are in poor condition, lack redundancy, and creates concerns regarding safety of the personnel and surrounding community. It is desired that these systems be replaced with inherently safer technologies. Both systems will be housed in a building with a 2-hour fire rated wall for separation. Separate HVAC systems will be provided for these chemicals. The sodium hypochlorite system will be designed as a 12% bulk delivery sodium hypochlorite system. The onsite generation system will be bid as as a base bid with a deductive alternate for the 12% solution. The bulk hypochlorite system will include interior solution tanks, interior dilution panel, and interior feeder pumps. The onsite generation system will include exterior brine and solution tanks, while brine feeder and solution metering pumps, generators, blowers, softeners, and the rectifier will be stored inside a building and provided with a dilution system to permit dilution of hypochlorite to 0.8% solution. The ammonia system will utilize ammonium sulfate as a liquid of 40 percent solution. Ammonia sulfate system will be provided with interior storage of bulk liquid. Ammonia feed pumps will be contained within the disinfection building.

***Subtask 240.1* - New Disinfection Building Housing Bulk Hypochlorite and Ammonia Sulfate System**		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**

***Subtask 240.1* - New Disinfection Building Housing Bulk Hypochlorite and Ammonia Sulfate System**		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Chemical Feed Systems - Disinfection System		
Bulk/On-site Generation Sodium Hypochlorite System	➢ Onsite Hypochlorite Generation System designed to feed up to 4.0 ppm at 20 mgd. ➢ 30 days minimum storage of brine based upon anticipated average day and average dose. ➢ Solution storage tanks to be equipped with supplement bulk delivery unloading station and a minimum of 1.5 days storage for generation equipment failure event. ➢ Installation of piping and appurtenances for primary and secondary feed points (assumed 6 total).	➢ Brine storage capacity of 20 tons. ➢ Two 750 ppd generators. ➢ Softener and water heater/chiller for brine solution feed. ➢ One air cooled rectifier. ➢ Two interior sodium hypochlorite solution storage tanks with a capacity of 18,000 gals (each). ➢ Three (1-spare) peristaltic hose feeder pumps and two brine feed pump. ➢ Two hydrogen dilution blowers and one hypo dilution panel.
Liquid Ammonia Sulfate System	➢ System designed to feed up to 1.0 ppm at 20 mgd. ➢ Storage based upon anticipated average day and average dose. ➢ Installation of piping and appurtenances for primary and secondary feed points (assumed 4 total).	➢ New FRP interior 10000 gal ammonia storage tank. ➢ Ammonia feeders and associated dilution water softeners to be housed in on-site generation building
Chemical Systems - Primary Process Chemicals		
Chemical Building	➢ Building to House the following: • Brine feed pump • Sodium hypochlorite generators and associated equipment • Sodium hypochlorite feeder pumps • Ammonia feed pumps • Hypochlorite Storage Tanks and Containment Area. • Ammonium Sulfate	➢ Sloped Roof with steel bar joists and built-up membrane. ➢ 8-inch CMU with 4 - inch brick fascia to match existing brick. ➢ Double insulation glass windows to match chemical building. ➢ Electrical to be fed from Electrical Building.

***Subtask 240.1* - New Disinfection Building Housing Bulk Hypochlorite and Ammonia Sulfate System**		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
	Storage tanks and Containment area. • Exterior slab cBrine storage. •	
Electrical System Improvements		
Disinfection and Ammonia 480V	➢ New 480V Distribution Equipment (MCC's and Switchboard) • MCC-DISIN-A, MCC-DISIN-B	➢ Install in Disinfection Building. ➢ New MCC's to operate facilities associated with both the ammonia feed system and the onsite hypo generation system. ➢ Master plan for Future Generation Equipment. ➢ MCC's to be fed from SWGR-1 in Electrical Building. ➢ Include provisions for city supplied security system.
Lighting Design	➢ Lighting Design for exterior Disinfection/Ammonia System and Disinfection Building interior.	➢ New exterior lighting for ammonia, brine, and hypo solution storage facilities. ➢ New exterior/interior lighting for Disinfection Building.
Grounding	➢ Grounding of Disinfection Building.	➢ New grounding grid will be installed.
Instrumentation And Control System		
Server and Network	➢ *No Improvements*	➢ *No Improvements*

***Subtask 240.1* - New Disinfection Building Housing Bulk Hypochlorite and Ammonia Sulfate System**		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
SCADA System Software	➢ SCADA System Software	➢ Complete integration of all new systems into existing SCADA system. ➢ Automatic transfer control system loads incorporation with existing generator.
Plant Network Communication System	➢ New Fiber Optic Loop to be tied into existing system Fiber Optic Loop.	➢ Fiber Optic Cables Between Electrical Building and Filter Building.
Plant Network PLC System	➢ Install PLC for Control of Chlorine and Ammonia Systems.	➢ PLC's shall be located in the Disinfection Building ➢ PLC to monitor and control Sodium Hypochlorite and Ammonia System. ➢
Instrumentation Upgrade	➢ New Instrumentation for Disinfection Building	➢ Softener hardness alarm ➢ Hypochlorite pH monitoring ➢ Onsite Hypochlorite Generator monitoring and alarms. ➢ Hydrogen gas detectors/alarming and blower alarms. ➢ Ammonia storage level monitoring. ➢ Metering pump, brine pump, blower, and ammonia feed pumps monitoring. ➢ Brine and hypochlorite storage monitoring. ➢ Scope includes design of 4 additional instruments.

***Subtask 240.1* - New Disinfection Building Housing Bulk Hypochlorite and Ammonia Sulfate System**		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
HVAC/Fire Protection System Improvements		
Disinfection Building Heating	➢ Separate Heating for SH and Ammonia Rooms.	➢ Low speed ventilation for 6 air changes/hour. ➢ Indirect fired tube heaters for corridor.
Disinfection Building Cooling	➢ Cooling for SH room only.	➢ Generators and rectifier to be cooled by HVAC during summer months.
Disinfection Building Ventilation.	➢ Ammonia room and SH room to have separate ventilation.	➢ 8-10 air changes per hour in summer ➢ 6 air changes per hour in winter. ➢ For Mechanical room, provide 6 air changes/hour.
Fire Protection	➢ Fire Protection System	➢ Install pre-action deluge or other system conforming to City Fire Marshall Standards.
Security System	➢ Coordinate with the City's designated security system installation contractor.	
Utility System Improvements		
Utility Water	➢ Design Supply Water System for hypochlorite/ammonia sulfate dilution piping	➢ . ➢ Design connection to new main pressure zone pumps to bring in new 8-inch pipe to Disinfection building. ➢ Provide Prepackaged Booster Pump Station for Generation System Water.
Utility Air	➢ , route pneumatic piping to Disinfection Building for operation of pneumatic equipment.	

***Subtask 240.1* - New Disinfection Building Housing Bulk Hypochlorite and Ammonia Sulfate System**		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Drainage	➢ Disinfection Building Drainage System.	➢ Building drains to sludge lagoons.

b. Subtask 240.2 - Ozone System for Disinfection and Taste and Odor Reduction:

To Be Negotiated Following Pilot Study Results..

c. Subtask 240.3 – Aging Infrastructure and Treatment Capacity Improvements: Numerous improvement projects to replace aging and deteriorating treatment infrastructure were outlined in the Norman WTP Expansion Engineer Report. In addition, the report highlighted other recommended improvements to increase treatment capacity of the facility. While some improvements were constructed as part of the Phase I expansion, many projects still remain including improvements to the lagoon/backwash collection facilities, high pressure service pump station, and alum storage and feed system. The City will be responsible for testing the thickness of the filter piping and determining which segments of the piping and valves require replacement or rehabilitation. The following table describes the improvements associated with this task.

Subtask 240.3 – Aging Infrastructure and Treatment Capacity Improvements		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Raw Water System Improvements		
To be negotiated following Ozone Pilot Study results.	➢	➢
Solids Contact Clarification		
Solids Contact Clarifier No. 3	➢ Yard piping modifications to facilitate direct discharge to lagoon upon clarifier startup. ➢ Redundant lime feed	➢ Discharge to Common 12 inch line to lagoons (connect to existing SCC no 4 drain line. Add butterfly diversion valves. ➢ Redundant lime feed loop and pinch valve assembly.
Solids Contact Clarifier No. 4	➢ Yard piping modifications to facilitate direct discharge to lagoon upon clarifier startup. ➢ Redundant Lime feed	➢ Discharge to Common 12 inch line to lagoons (connect to existing SCC no 4 drain line. Add butterfly diversion valves. ➢ Redundant lime feed loop and pinch valve assembly (clarifier No. 3 and No. 4 only)
	➢	
Recarbonation Basins - Improvements		
Recarbonation Basin No. 1	➢ *No Improvements*	➢ *No Improvements*
Recarbonation basin No. 2	➢ *No Improvements*	➢ *No Improvements*

Subtask 240.3 – Aging Infrastructure and Treatment Capacity Improvements		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Dual Media Filtration - Improvements		
Filters No. 1-8 Piping Modifications	➢ To be negotiated following Ozone pilot study and City testing of piping integrity.	
Filter Backwash Supply Modifications	➢ To be negotiated following Ozone Pilot Study.	➢
Filter Backwash Wastewater Collection	➢ Drain piping improvements to alleviate basement flooding. ➢ Install one new earthen lagoon for filter backwash collection. ➢ New yard piping, manhole structures, and piping modifications to existing to isolate backwash collection piping from sludge piping. ➢ Modify drain piping in the filter gallery as needed to accommodate new filter backwash collection system. ➢ Security fence relocation.	➢ Dedicated Backwash Water Collection Lagoon ➢ Lagoon/backwash collection yard piping modifications to include the construction of a diversion structure with automated valves/gates for backwash collection diversion and optional flushing. SCADA monitoring and control of diversion structure to be included. ➢ Assumes stream improvements, if necessary to permit construction of lagoon, will be done by others.
Filter Backwash Wastewater Pump Station	➢ Install new backwash water return pump station constructed within lagoon to return water to the head of the plant utilizing the existing 6-in sludge decant force main. ➢ New yard piping to convey decant to existing 6-in sludge decant forcemain.	➢ New backwash water return pump station to be prepackaged with electrically actuated plug valves and flow meter. SCADA monitoring and control of pump station to be included. ➢ Station equipped with quick disconnects.
Finished Water Storage and Pumping		
Reservoir No. 1	➢ Replace drain valves.	
Reservoir No. 2	➢ Replace drain valves.	

Subtask 240.3 – Aging Infrastructure and Treatment Capacity Improvements		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
High Pressure Zone Pump Station	➢ Install two new 3 mgd pumps with Inverter Duty Motors	➢ Structural improvements, if any, to wet well to accommodate new pumps.
Finished Water Transmission Main	➢ *No Improvements*	➢ *No Improvements*
Solids Handling Improvements		
New Lagoon Storage	➢ Install one new earthen lagoon for sludge storage. ➢ New yard piping, manhole structures, and modifications to existing sludge piping for gravity flow of sludge from treatment facilities to new sludge storage lagoon. ➢ New yard piping and modifications to existing decant piping for gravity flow of decant water from new sludge storage lagoon to decant pump station. ➢ Security fence relocation.	➢ Lagoon yard piping modifications to include the valving to manually isolate new sludge lagoon. ➢ Lagoon to be equipped with inlet and decant structures.
New Lagoon Decant Pump Station	➢ OWNER to procure and install New Decant Pump Station.Utilize existing 6-in forcemain. ➢ Install flow meter on 6-in forcemain.	➢ Provide automated shutoff valves and fiber optic control to lagoon pump station. ➢ SCADA monitoring and control of pump station. ➢ Station equipped with quick disconnects.
Existing Sludge Lagoons	➢ Outlet gate valve replacement on each existing lagoon.	➢ Design as alternate.

Subtask 240.3 – Aging Infrastructure and Treatment Capacity Improvements		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Sanitary Sewer	➢ New SS Grinder and Lift Station for plant sanitary system and brine reject from ion exchange units. ➢ New gravity yard piping as needed. ➢ Tie into City sanitary sewer collection system.	➢ Lift Station will be designed to pump either to new sanitary sewer. ➢ Existing septic tank and leach field will be removed. ➢ SCADA monitoring of lift station.
Chemical Feed Systems - Disinfection System		
Chlorine Feed System	➢ Decommission of existing chlorine storage and feed system.	➢ Decommission of existing chlorine system.
Ammonia Feed System	➢ Decommission of existing ammonia storage and feed system.	➢ Decommission of existing ammonia system.
Chemical Systems - Primary Process Chemicals		
Pebble Quicklime Storage and Feed System	➢ Relocate existing aging tank, slurry loop pump, and emergency loop pump to chlorine room in Chemical Building. ➢ Installation of redundant lime aging tank in chlorine room. ➢ Installation of Redundant Loop and Metering Valves to Clarifiers No. 3 and No. 4.	➢ Modifications to lime slurry piping to accommodate new aging tank locations. ➢
Liquid Aluminum Sulfate Storage and Feed System	➢ Replacement of storage Tanks ➢ Replacement of fill and pump suction piping for feed system. ➢ Replacement of metering pumps and associated appurtenances. ➢ New storage level measurement devices. ➢ Construction of chemical storage containment wall and sump pump. ➢ Emergency eyewash installation.	➢ New Tanks and fill, vent, drain, and withdrawal piping with associated valving. ➢ New metering pumps for increased reliability.
Carbon Dioxide Feed System Improvements	➢ No Improvements	➢ No Improvements ➢
Chemical Feed Systems - Secondary Systems		

Subtask 240.3 – Aging Infrastructure and Treatment Capacity Improvements		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Temporary PAC Storage and Feed System	➢ Install support structure for hoist.	
Sodium Fluorosilicate System	➢ No Improvements.	➢ No Improvements
Electrical System Improvements		
Backup or Redundant Primary Power System	➢ Demolition of existing generator and NEMA 6 panel in Chemical Building	➢ ,
Main Service 480 V Switchgear Improvements	➢ *No Improvements*	➢ *No Improvements*
High Pressure Zone 480 V MCC improvements	➢ Four new soft starts. ➢ Decommission of existing exterior electrical gear and primary feed.	➢ Re-feed pumps from electrical gear located in Electrical Building. ➢ OG&E coordination for decommission of primary feed to existing service.
Chemical Building 480V MCC Improvements	➢ *No Improvements*	➢ *No Improvements*
Filter Building Lighting Improvements	➢ to be negotiated following Ozone Pilot Study.	➢ To Be Determined ➢
Chemical Building Lighting Improvements	➢ *No Improvements*	➢ *No Improvements*
	➢	➢
Site Lighting Improvements	➢ To be negotiated following ozone pilot study	➢ To be determined..
Instrumentation And Control System		
Well Field System Telemetry	➢ *No Improvements*	➢ *No Improvements*
Server and Network	➢ *No Improvements*	➢ *No Improvements*
SCADA System Software	➢ Complete integration of all new systems into existing SCADA system	➢ Upgrade SCADA system as necessary to handle new demands. ➢ Provide full monitoring and control of all new systems.
Filter PLC System	➢ To be negotiated following Ozone Pilot Study	
Plant Network Communication System - SCC	To be negotiated following Ozone Pilot Study	

Subtask 240.3 – Aging Infrastructure and Treatment Capacity Improvements		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Plant Network Communication System – Chemical Processes	➢ Fluoride improvements	➢ Fluoride automatic flow pacing.
Plant Network PLC System	➢ Install new PLC's for monitoring and control of all new equipment.	➢ PLCs to be provided with UPS
Instrumentation Upgrade	➢ New instrumentation where recommended.	➢
HVAC System Improvements		
Filter Building	➢ To be negotiated following Ozone Pilot Study	➢
Main Service Pump Station	➢ To be negotiated following Ozone pilot study.	
General Site Work		
Chemical Trench	➢ Installation of new covers on old chemical trench. ➢ Installation of new chemical trench for pneumatic piping and chemical solution feeds for ammonia and chlorine. ➢ Additional chemical trench improvements to be negotiated following Ozone Pilot study.	
Sample Line	➢ Install sample line from Old High Service Pumps (downstream of Well No. 5) line to lab. ➢	➢ Include turbidity and chlorine monitoring.
Utility System Improvements		
Utility Water	➢ to be negotiated following Ozone Pilot Study.	➢ To be Determined..
Utility Air	➢ To be negotiated following Ozone Pilot Study.	

d. Subtask 240.4 – Remodel Maintenance Shop and Create New Storage Area: The existing maintenance shop space will be remodeled to incorporate office space, conference space, restroom facilities and expand the areas utilized for maintenance in accordance with the preliminary plan provided in Attachment B. A new storage building will be created as part of the improvements to incorporate ozone into the Norman WTP.

***Subtask 240.4* – Maintenance Shop Remodel and New Storage Building**		
PROJECT ELEMENT	**DESCRIPTION**	**FEATURES**
Architectural		
Remodeling of Maintenance Shop	➢ Demo/relocate rigid maintenance equipment/facilities. ➢ Remodel for additional office space.	➢ See **Attachment B**.
Electrical System		
New Power Feed	➢ New 480 V service from Electrical Building	➢ Backup Generation ➢ New 480V panelboard and Transformer (exterior) ➢ New 480V welder Outlets (2)
Lighting	➢ New Building Interior Lighting	➢ New Fixtures, ballasts and lights for all areas.
	➢	
	➢	➢
Instrumentation And Control System		
	➢ *Not Included*	➢ *Not Included*
HVAC/Fire Protection System Improvements		
Building Heating and Cooling	➢ Office Space (Heating/cooling) ➢ Maintenance area	➢ MAU (electric) for heating cooling in offices and conf room. ➢ Heating (electric or nat gas tube). 8-10 ACH for summer and welding ventilation.
Security System	➢ Coordinate with the City's designated security system installation contractor.	
Utility System Improvements		
Potable Water	➢ New plumbing and drain system for building..	
Drainage	➢ Building Drainage System.	➢ To New grinder station.

The preliminary drawing list for the improvements identified in Subtasks 240.1, 240.3, and 240.4 are included in Attachment C within this Amendment. These drawings represent the best estimate of the anticipated work at the time of this Amendment and it is recognized that this list will undergo changes and refinements as the project progresses.

DELIVERABLES
Specific deliverables associated with the design drawings and specifications include the following:

1. Meeting minutes from progress meetings and workshops with the City.
2. Flood Study Memorandum detailing HEC-RAS model development, results of hydraulic analysis, and recommended improvement projects.
3. Pilot Study Report detailing results of ozone/biofiltration pilot study and recommendations for full scale design.
4. List of proposed manufacturer's of major equipment items.
5. Project Work Plan (summarizing design protocol, communications protocol, document filing system, team member roles, and responsibilities, etc.)
6. Engineering Plans (Interim Design Submittal and Final Design Submittal) for City staff review.
7. Final Construction Documents (engineering plans and specifications) ready for advertisement and bid.
8. Engineer's estimate of probable construction cost at Interim and Final stages of project development.

Scope of Service Work Tasks: The following scope of work tasks will be included with the final design portion of this phase of the project.

Task 245 - Design and Preparation of Project Specifications. Engineer shall complete the engineering design and prepare specifications to include the following: (1) Division 00 - Bidding Requirements, Contract Forms, General Conditions, and Supplementary Conditions, (2) Division 01 - General Requirements, and (3) Divisions 02 through 17 - Technical Specifications. Included in these specifications will be a description of known constraints on the Contractor's construction sequencing plan that identifies the requirements of the contractor to allow uninterrupted production of water from the Plant at the minimum levels prescribed by the specifications. The specifications will be based upon the use of State Revolving Fund (SRF) loans and will conform to the requirements of ODEQ. Fee does not assume use of ARRA funds for the construction of the improvements listed herein.

Task 250 – Prepare Estimates of Probable Construction Costs. Engineer shall prepare an interim estimate of probable construction costs at the Intermediate Design Submittal stage of completion and a final estimate prior to bidding the project.

Task 255 – Contractor Prequalification. Engineer shall provide advisement documentation and solicit for Contractor Prequalification Package submittals with regard to General Contractor, Electrical Contractor, and Instrumentation and Controls Contractor. Engineer shall review received prequalification packages and provide recommendations to the City. Upon City approval of recommended Contractors, Engineer shall provide notices to all Contractors.

Task 260 – Project Advertisement and Bidding. Following completion of design and prequalification services, Engineer shall provide the following bidding phase services:

a. Subtask 260.1 – Pre-Bid Meeting: Provide assistance at Pre-Bid Meeting, including a tour of the project site with prospective bidders.

b. Subtask 260.2 – Bid Period Inquiries: Respond to written questions by plan holders or others regarding the technical aspects of the work, contract requirements for prospective bidders, subcontractors, and suppliers during the period of advertisement. Prepare written plan clarifications as may be necessary.

c. Subtask 260.3 – Issuance of Addenda: Prepare addenda to the contract drawings and/or specifications to clarify and modify project requirements.

d. Subtask 260.4 – Bid Evaluation: Review the apparent lowest responsible bidder and summarize findings with respect to engineering aspects of the bids to assist the award of the construction contract. The review will include preparation of a bid tabulation, verification of conformance with the technical contract requirements as presented in the bid forms, verification of the low bidder's references and a letter summarizing the results of the engineering evaluation.

Included in Engineer's bidding phase services are the printing and sale of Contract Documents to interested contractors or other interested parties. It is assumed that **10 sets** of documents will be printed and distributed.

Time of Completion Final Design and Bidding Services (all Items)

Approximate Duration of Tasks		**Weeks after NTP**
Notice To proceed		-
Prepare Pilot Testing Protocol	4.00	4.00
Order and Deliver Pilot Testing Units	4.00	4.00
Install/Setup Pilot Unit	4.00	8.00
Pilot Testing	24.00	32.00
Decommissioning	2.00	34.00
Pilot Testing TM Preparation	8.00	42.00
Geotechnical Investigations	4.00	30.00
Preliminary Design of Improvements	TBD	TBD
Review and Acceptance	TBD	TBD
Interim Design Submittal	TBD	TBD
Review and Acceptance	TBD	TBD
Final Design Submittal	TBD	TBD
Review and Acceptance	TBD	TBD
Bid Phase Services	TBD	TBD

TBD – To Be Determined following ozone pilot study

Attachment A- Anticipated Pilot Study Equipment
Draft Final Scope of Services
Norman, OK Phase II Design

~~Granular Media Filtration Pilot Module F200~~

~~Module consists of two constant rate filters with individual feed pumps, an air scour system, and a backwash system. Each filter is independent with automatic flow control. Backwashing is performed manually by an operator. Only one filter may be backwashed at a time. Automatic data logging of key parameters is included. Each filter has multiple sample ports throughout the media depth.~~

~~Specifications~~
~~Maximum Total Flow Rate: 6.0 gpm (22.7 L/min)~~
~~Filters: 2 @ 6 inch diameter (150 mm)~~
~~Maximum Media Depth: 75 inch (1.90 m)~~
~~Filtration Rate: 1.3...15.3 gpm/sf (3.2...37.4 m/h)~~
~~Backwash Rate: 2.5...25.0 gpm/sf (6.1...61.0 m/h)~~
~~Backwash Tank Volume: 165 gal (625 L)~~
~~Air Scour Rate: 0.6...6.0 scfm/sf (10.9...108.9 m/h)~~
~~Max Sustainable Air Scour Rate: 2.6 scfm/sf (46.7 m/h)~~
~~Power: 1 phase, 7.5 A @ 120 VAC~~

~~Instrumentation~~
~~Flow Rate (each filter)*~~
~~Headloss (each filter)*~~
~~Effluent Turbidity (each filter)*~~
~~Backwash Flow Rate~~

~~*Data Logged~~

~~Granular Media Filtration Pilot Module F300~~

~~Module consists of four constant rate filters with individual feed pumps, an air scour system, and a backwash system. Each filter is independent with automatic flow control. Backwashing is automatic and is initiated manually by an operator in the manual mode, or on runtime, headloss, or effluent turbidity in the automatic mode. Only one filter may be backwashed at a time. Other features include automatic data logging of key parameters, remote monitoring and control using a standard web browser, and email alarm notification.~~

~~Specifications~~
~~Maximum Total Flow Rate: 8.0 gpm (30.3 L/min)~~
~~Filters: 4 @ 6 inch diameter (150 mm)~~
~~Maximum Media Depth: 74 inch (1.88 m)~~
~~Filtration Rate: 2.0...10.2 gpm/sf (5.0...25 m/h)~~
~~Backwash Rate: 4.0...50.0 gpm/sf (9.8...122 m/h)~~
~~Backwash Tank Volume: 150 gal (568 L)~~
~~Air Scour Rate: 0.68...6.8 scfm/sf (12.4...124 m/h)~~
~~Power: 1 Phase, 16.5 A @ 120 VAC~~

~~Instrumentation~~
~~Flow Rate (each filter)*~~
~~Headloss (each filter)*~~
~~Effluent Turbidity (each filter)*~~
~~Air Scour Flow~~
~~Backwash Flow*~~
~~Backwash~~ Tank Level*

*Data Logged

Granular Media Filtration Pilot Module F400

The pilot module consists of four constant rate filters with individual feed pumps and chemical pumps. The air scour and backwash systems are shared by all filters. Each filter is independent with automatic PID flow control. The backwash and air scour flow rates are also automatically controlled using PID loops. The chemical pumps are automatically

paced to the filter feed flows associated with each chemical pump. A fifth chemical pump system is provided to pace between either the combined filter feed flows or the backwash flow rate. An improved backwash process is included, providing superior performance when operating biological filtration processes. Backwashing is initiated manually by an operator in the manual mode, or on runtime, run volume, headloss, or effluent turbidity in the automatic mode. Only one filter may be backwashed at a time. Other features include automatic data logging of key parameters, remote monitoring and control using a standard web browser, and email alarm notification.

Specifications
Maximum Total Flow Rate: 8.0 gpm (30.3 L/min)
Filters: 4 @ 6 inch diameter (150 mm)
Maximum Media Depth: 75 inch (1.90 m)
Filtration Rate: 2.6...10.2 gpm/sf (6.4...25 m/h)
Backwash Rate: 5.1...51.0 gpm/sf (12.5...125 m/h)
Backwash Tank Volume: 150 gal (568 L)
Air Scour Rate: 2.6...10.2 scfm/sf (47.6...187 m/h)
Power: 1 phase, 19.1 A @ 120 VAC

Instrumentation
Flow Rate (each filter)*
Headloss (each filter)*
Effluent Turbidity (each filter)*
Underdrain DP (each filter)*
Air Scour Flow*
Backwash Flow*
Backwash Tank Level*
Filter Column Level*

*Data Logged

~~Granular Media Filtration Pilot Module F500~~
~~Module consists of an influent reaction tank, three constant rate pressure filters, an air scour system, and a backwash system. Each filter is independent with automatic flow control and can be configured for online or standby operation. Backwashing is automatic and is initiated manually by an operator in the manual mode, or on runtime or headloss in the automatic mode. Only one filter may be backwashed at a time. Other features include automatic data logging of key parameters, remote monitoring and control using a standard web browser, and email alarm notification.~~

~~Specifications~~
~~Maximum Total Flow Rate: 210 gpm (795 L/min)~~
~~Filters: 3 @ 30 inch diameter (762 mm)~~
~~Maximum Media Depth: 42 inch (1.07 m)~~
~~Filtration Rate: 2.0...14.3 gpm/sf (5.0...35 m/h)~~
~~Backwash Rate: 6.1...20.0 gpm/sf (15.0...49.0 m/h)~~
~~Air Scour Rate: 1.0...3.0 scfm/sf (18.3...55.0 m/h)~~
~~Reaction Tank Volume: 90 gal (340 L)~~
~~Power: 3 phase, 11.7 A @ 208 VAC, 12.9 A @ 230 VAC, 5.8 A @ 480 VAC~~

~~Instrumentation~~
~~Flow Rate (each filter)*~~
~~Headloss (each filter)*~~
~~Influent Turbidity*~~
~~Effluent Turbidity*~~
~~Air Scour Flow~~
~~Backwash Flow~~
~~Backwash Tank Level*~~

~~*Data Logged~~

Flocculation / Sedimentation Pilot Module S100
Module consists of a feed pump, one stage rapid mix, three stage flocculation, inclined plate sedimentation, a sludge removal system, and five chemical feed systems. The feed

flow is controlled automatically. Mixers are variable speed with direct entry of mixing gradient setpoint. Inclined plates can be added or removed as necessary. Sludge can be removed continuously or intermittently. Chemical feed pumps are flow paced with direct entry of chemical dosage. Other features include automatic data logging of key parameters, remote monitoring and control using a standard web browser, and email alarm notification.

Specifications
Feed Flow Rate: 1...6.2 gpm (3.8...23.5 L/min)
Rapid Mix Basin: 1 @ 5.0 gal (19.0 L)
Rapid Mixer: 60...1091 s^{-1}
Flocculation Basin: 3 @ 60.9 gal (230.0 L)
Flocculation Mixers: 3...60 s^{-1}
Chemical Feed Pumps: 5 @ 0.10...25 gpd (0.27...66 mL/min)
Chemical Feed Tanks: 5 @ 7 gal (26.5 L)
Sludge Flow Rate: 0.03...0.16 gpm (114...606 mL/min)
Settling Plates: 2...25 @ 1.62 sf each (0.151 m^2)
Power: 1 phase, 120 VAC, 13.2 A

*Data Logged

Instrumentation
Feed Flow*
Feed pH*
Feed Turbidity*
Settled Water pH*
Settled Water Turbidity*
Temperature*

Flocculation / Sedimentation Pilot Module S200

~~Module consists of a feed pump, two stage rapid mix, three stage flocculation, inclined plate sedimentation, a sludge removal system, and five chemical feed systems. The feed flow is controlled automatically. Mixers are variable speed with direct entry of mixing gradient setpoint. Inclined plates can be added or removed as necessary. Sludge can be removed continuously or intermittently. Chemical feed pumps are flow paced with direct entry of chemical dosage. Other features include automatic data logging of key parameters, remote monitoring and control using a standard web browser, and email alarm notification.~~

~~Specifications~~
~~Flow Rate: 1...6.5 gpm (3.8...24.6 L/min)~~
~~Rapid Mix Basin: 2 @ 3.4 gal (13.2 L)~~
~~Rapid Mixers: 33...1037 s^{-1}~~
~~Flocculation Basin: 3 @ 50.7 gal (192.0 L)~~
~~Flocculation Mixers: 7...117 s^{-1}~~
~~Chemical Feed Pumps: 5 @ 0.11...42 gpd (0.3...110 mL/min)~~
~~Chemical Feed Tanks: 5 @ 7 gal (26.5 L)~~
~~Sludge Flow Rate: 0.14...1.4 gpm (530...5300 mL/min)~~
~~Settling Plates: 2...30 @ 1.49 sf each (0.138 m^2)~~
~~Power: 1 phase, 120 VAC, 11.1 A~~

~~*Data~~ Logged

~~Instrumentation~~
~~Feed Flow*~~
~~Feed pH*~~
~~Feed Turbidity*~~
~~Settled Water pH*~~
~~Settled Water Turbidity*~~
~~Temperature*~~

~~**Ozonation Pilot Module Z100**~~

~~Module consists of a feed pump, five contact chambers, an ozone generator and an ozone destruct unit. The feed flow is controlled automatically. Contact chambers have twenty-five volumetrically-spaced ports for sampling dissolved ozone. The ozone generator is air-cooled with an integral oxygen concentrator for creating ozone from ambient air, and shuts down automatically if a leak is detected. Other features include automatic data logging of key parameters, remote monitoring and control using a standard web browser, and email alarm notification.~~

~~Specifications~~
~~Flow Rate: 1.0...8.0 gpm (3.8...30.3 L/min)~~
~~Contactors: 5 @ 13.9 gal (52.6 L)~~
~~Ozone Delivery: 0.25...11 g/h~~
~~Power: 1 phase, 13.9 A @ 120 VAC~~

~~Instrumentation~~
~~Feed Flow*~~
~~Ozone Feed Gas Concentration*~~
~~Ozone Off Gas Concentration*~~
~~Dissolved Ozone Concentration*~~
~~Ozone Feed Gas Flow~~
~~Ambient Ozone Concentration*~~
~~Ozone Feed Gas Pressure~~
~~Ozone Feed Gas Temperature~~

*Data Logged

Ozonation Pilot Module Z200

Module consists of a feed pump, four contact chambers, the ozone control panel, and an ozone destruct unit. The feed flow is controlled automatically. Depending on the contactor configuration, contact chambers have either sixteen or twenty-four volumetrically-spaced ports for sampling dissolved ozone. The ozone generator is air-cooled with an integral oxygen concentrator for creating ozone from ambient air, and shuts down automatically if a leak is detected. Ozone delivery is flow paced with direct entry of ozone dosage. Ozone gas zero calibration can be performed either manually or automatically based on runtime without interruption of ozone delivery to the contactors. Other features include automatic data logging of key parameters, remote monitoring and control using a standard web browser, and email alarm notification.

Specifications
Flow Rate: 1.0...8.0 gpm (3.8...30.3 L/min)
Contactors: 4 @ 19.5 gal (73.8 L)
or: 4@ 13.2 gal (50.0 L)

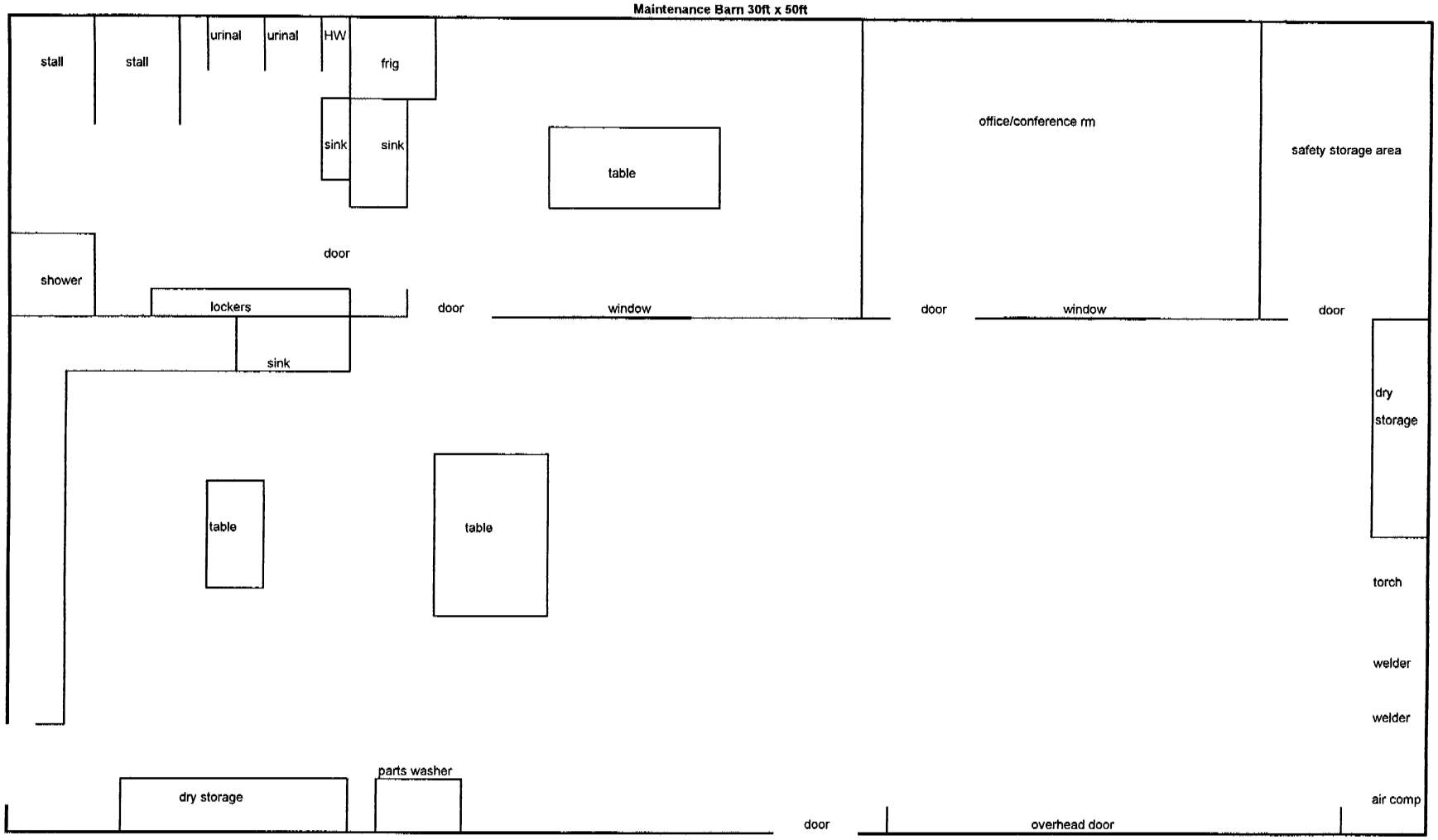
Ozone Delivery: 0.1...6.5 g/h
Power: 1 phase, 10.0 A @120 VAC

Instrumentation
Feed Flow*
Ozone Feed Gas Concentration*
Ozone Off Gas Concentration*
Ozone Feed Gas Flow (mass flow)*
Dissolved Ozone Concentration*
Ambient Ozone Concentration*

*Data Logged

Attachment B – Preliminary Maintenance Barn Layout
Draft Final Scope of Services
Norman, OK Phase II Design

Maintenance Barn 30ft x 50ft



Attachment C – Estimated Drawing List (excluding Ozone)
Draft Final Scope of Services
Norman, OK Phase II Design

Projected Drawing List (single Construction Project)
Task 240.1 New Disinfection Building
Norman WTP Phase II Expasnsion
Norman Utilities Authority

Area	**10**			**Sitework**	
1	10 C		01	Yard piping Area Plan - Disinfection Building	
2	10 C		02	Duct Bank Profile I - Power to Building and Main Service PS	
3	10 C		03	Chemical Trench profile and details (Disinfection Building)	
4	10 E		01	Electrical feed area plan - disinfection building	
5	10 E		02	lighting and grounding plan disinfection building	
Area	**65**			**Disinfection and Ammonia Building**	
				Architectural Drawings	
6	65 A	-	01	Code Compliance Plan	
7	65 A	-	02	Disinfection and Ammonia Building - Door, Window, Finish Schedule	
8	65 A	-	03	Building Floor Plan	
9	65 A	-	04	Building Roof Plan	
10	65 A	-	05	Exterior Elevations I	
11	65 A	-	06	Exterior Elevations II	
12	65 A	-	07	Building Sections I	
13	65 A	-	08	Building Sections II	
14	65 A		09	Roof and Stair Details	
				Structural Drawings	
15	65 S	-	01	Building Foundation Plan	
16	65 S		02	Building Roof Plan	
17	65 S	-	03	Building Sections I	
18	65 S	-	04	Building Sections II	
19	65 S	-	05	Building Sections and Details	
19	65 S	-	06	Details	
				Process Drawings	
20	65 M	-	01	Sodium Hypochlorite Brine and softening Schematic - Base Bid	
21	65 M	-	02	Sodium Hypochlorite Generation Schematic - Base Bid	
22	65 M	-	03	Storage and Metering System Schematic	
23	65 M	-	04	Building Floor Plan - Generation	
24	65 M	-	05	Building Floor Plan - Hypochlorite Storage & Metering	
25	65 M	-	06	Building Floor Plan - Ammonium Sulfate Storage & Metering	
25	65 M	-	07	Building Sections I	
26	65 M	-	08	Building Sections and Details	
				HVAC Drawings	
27	65 H	-	01	HVAC Equipment Schedules	
28	65 H	-	02	HVAC Plan and Details I	
29	65 P	-	01	Fire Protection Plan and Details	
30	65 P	-	02	Plumbing Plan and Isometric	
				Electrical Drawings	
31	65 E	-	01	Building One Line MCC A &B	
32	65 E	-	02	Elevation MCC A&B	
33	65 E	-	03	480 V Power and Control Plan - Hypochlorite	
34	65 E	-	04	480V Power and Control Plan - Ammonia	
35	65 E	-	05	480 V Power and Control Plan - Electrical Room	
36	65 E	-	06	Lighting and Receptacle Plan	
37	65 E	-	07	Roof Plan	
38	65 E	-	08	Grounding Plan	
40	65 N	-	01	AMMONIUM SULFATE STORAGE TYPICAL STORAGE TANK	
41	65 N	-	02	AMMONIUM SULFATE METERING TYPICAL	
42	65 N	-	03	SODIUM HYPOCHLORITE - TYPICAL BRINE TANK	
43	65 N	-	04	SODIUM HYPOCHLORITE - WATER SUPPLY AND DRAINAGE SYSTEM	
44	65 N	-	05	SODIUM HYPOCHLORITE - TYPICAL GENERATOR AND HYDROGEN DILUTION	
45	65 N	-	06	SODIUM HYPOCHLORITE - TYPICAL STORAGE TANK	
46	65 N	-	07	SODIUM HYPOCHLORITE - TYPICAL METERING PUMP	
47	65 N	-	08	BUILDING SYSTEMS - HVAC SYSTEMS	
48	65 N	-	09	BUILDING SYSTEMS - FIRE PROTECTION AND SECURITY	
49	65 GN	-	01	PCM DISINFECTION LAYOUT	
39	65 GN	-	02	CONTROL SCHEMATICS I	HVAC Control Panels
40	65 GN	-	03	CONTROL SCHEMATICS I	Control Panels Alarms
				SUBTOTAL	

NOTES:
1 GENERAL DRAWINGS TO BE LISTED WITH OZONE FACILITY IMPROVEMENTS
2 TYPICAL DETAIL DRAWINGS TO BE LISTED WITH OZONE FACILITY IMPROVEMENTS

TO BE DETERMINED FOLLOWING OZONE PILOT STUDIES

Area **00** GENERAL

1	**00** GN	-	01	BLOCK DIAGRAM I
2	**00** GN	-	02	BLOCK DIAGRAM II
3	**00** GN	-	02	PLC AND INSTRUMENT POWER

AREA **10 SITEWORK**

4	10 D	-	01	SITE DEMOLITION (SEPTIC SYSTEMS AND SANITARY MH	
5	10 C	-	01	GRINDER LIFT STATION PLAN AND SECTION	
6	10 C	-	02	GRINDER LIFT STATION FM PLAN AND PROFILE I	
7	10 C	-	03	GRINDER LIFT STATION FM PLAN AND PROFILE II	
8	10 C	-	04	SCC NO 3 AND 4 DRAIN LINE PLAN AND PROFILE	
9	10 C	-	05	HDD PLAN AND PROFILE FILTER BUILDING DRAINS	
10	10 C	-	06	HDD PLAN AND PROFILE FILTER BUILDING DRAINS	
11	10 ED	-	01	SITE ELECTRICAL	DEMOLITION PLAN AND DETAILS
12	10 E	-	01	GRINDER LIFT STATION PART	480 v CONTROL POWER AND P
13	10 E	-	02	LAGOON LIFT STATION PARTI	480 v CONTROL POWER AND P
14	10 N	-	01	GRINDER LIFT STATION	P&ID
15	10 N	-	02	LAGOON LIFT STATION	P&ID

Area **60 EXISTING CHEMICAL BUILDING**

Architectural Drawings

16	60 D	-	01	Chemecial Building Demolitio	demo LAS system, generator, air comp
17	60 A	-	02	Building Elevations and detail	window and door replacement
18	60 A	-	03	Building Elevations and detail	window and door replacement

Structural Drawings

19	60 S	-	01	Structural Details	Repair of wall where generator remove
20	60 S	-	01	Structural plan and section	containment area wall and sump pump

Process Drawings

21	60 D	-	01	Chemical Building Demolition Details	
22	60 M	-	01	Coagulant System Schematic	
23	60 M	-	02	Lime Feed System Schematic	
24	60 M	-	03	Chemical Building Plan -lime a	show lime ageing tank installation
25	60 M	-	04	Chemical Building Plan - Alum	show alum instalation
26	60 M	-	05	Sections and Details - Lime area	
27	60 M	-	06	Sections and Details - Alum area	

HVAC Drawings

28	60 H	-	1	HVAC Plan and Details

Electrical and I&C Drawigns

29	60 ED	-	01	Electrical Demolition	Chlorine/ammonia/co2 and alum
30	60 E	-	01	480V Power and Control Plan - Alum Area	
31	60 E	-	02	480V Power and Control Plan - Lime Area	
32	60 E		03	HVAC Control Schematics	
33	60 N	-	01	Lime Ageing Tank P&ID	Lime area
34	60 N	-	02	Lime Redundant Loop P&ID	Lime area
35	60 N	-	03	Aluminum Sulfate Storage	Typical Storage Tank P&ID
36	60 N	-	04	Aluminum Sulfate Metering	Typical Metering Pump P&ID
37	60 N	-	05	Misc process control	

AREA 72 HIGH PRESSURE ZONE PS

Structural Drawings

38	72 S	01	MISCELLANEOUS STRUCTURAL

Mechanical Drawings

39	72 M	01	HIGH PRESSURE ZONE PS PLANS
40	72 M	02	HIGH PRESSURE ZONE PS SECTIONS AND DETAILS

Electrical and I&C Drawings

41	72 ED	01	HIGH PRESSURE ZONE PS	DEMOLITION
42	72 E	01	HIGH PRESSURE ZONE PS	POWER, CONTROL, & GROUNDING PLAN
43	72 N	01	PROCESS & INSTRUMENTATION	HIGH PRESSURE PUMP AND VALVE NO. 1
44	72 N	02	PROCESS & INSTRUMENTATION	HIGH PRESSURE PUMP AND VALVE NO. 2
45	72 N	03	PROCESS & INSTRUMENTATION	HIGH PRESSURE PUMP AND VALVE NO. 2
46	72 N	04	PROCESS & INSTRUMENTATION	HIGH PRESSURE PUMP AND VALVE NO. 2

AREA 90 Backwash and Solids Handling Lagoons

47	90 D	01	EXISTING LAGOON PLAN	) REPLACEMENT OF VALVES AND P
48	90 C	02	NEW LAGOON PLAN	NEW CONTURES OF LAGOONS
49	90 C	03	NEW LAGOONS CUT AND F	CUT AND FILL OF DIRT
50	90 C	04	NEW LAGOONS CUT AND F	CUT AND FILL OF DIRT
51	90 C	05	NEW LAGOONS DETAILS	

Structural Drawings

52	90 S	-	01	Valve Vault Plan & Section	Diversion Structure Vault
53	90 S	-	02	Lagoon Inlet and Outlet Plans	
54	90 S	-	03	Sections and Details	PUMP STATION VALVE VAULTS

Process Drawings

55	90 M	-	01	Lagoon PS Plan and Section	Replace existing
56	90 M	-	02	New BW Lagoon PS Plan and Section	
57	90 M	-	03	New Lagoon Inlet/Outlet Details	

Electrical and Instrumentation

58	90 E	-	01	**Lagoon area electrical 480V**	Overall Electrical Plan of Lagoon area
59	90 E	-	01	**Diversion vault 480V power**	diversion vault

60	90 E	-	01	**lagoon pump station 480V p**	lagoon pump station
61	90 E	-	01	**bw pump station power and**	new bw ww return ps
62	**90 N**	-	01	**Diversion structure control**	**control panel for bw diversion**
63	**90 N**	-	01	**Lagoon Return PS P&ID**	
64	**90 N**	-	01	**Diversion Structure P&ID**	
65	**90 N**	-	01	**BW Pump Station P&ID**	

Area **95** MAINTENANCE BUILDING REHABILITATION

				Architectural Drawings
1	95 A	-	01	Code compliance plan
1	95 A	-	02	Existing Maintenance Shop Demolition Plan
2	95 A	-	03	Existing Maintenance Shop Remodel Plan
3	95 A	-	04	Building Sections and Details
4	95 A	-	05	Window, Finish, and Door Schedules
				Structural Drawings
5	95 s	-	01	miscellaneous structural
				Mechanical - HVAC/Plumbing
6	95 M	-	01	HVAC Building Plan
7	95 M	-	02	Building plumbing isometrics
				Electrical
1	95 E	-	01	Lighting Plan
2	95 E	-	02	480V Power, control plan

TASK ORDER NO. 1

CONTRACT K-1112-124

EXHIBIT B
Phase II Water Treatment Expansion
City of Norman, OK
Estimated Fee for Design Related Services (excludes services during construction and Ozone System Design and Bidding)

	Base Elements	With Ozone	TOTAL
Pilot Plant Study Begins	26-Apr-12	26-Apr-12	26-Apr-12
Pilot Plant Study Ends	20-Dec-12	20-Dec-12	20-Dec-12
Duration (Months)	8.50	8.50	8.50
Design Begins	22-Nov-12	TBD*	TBD*
Design Ends	30-May-13	TBD*	TBD*
Bidding Phase Services End	25-Jul-13	TBD*	TBD*

Task Code	Description	Estimated Fee Base Elements	Estimated Fee Ozone Facilities		Anticipated Construction Cost	
PILOT PLANT STUDY SERVICES						
200	Project Mangement (During Pilot and Flood Study)	$ 8,500	$0	$8,500		
225	Pilot Plant Study	$ 634,700	$0	$634,700		
220	Flood Study	$ 47,900	$0	$47,900		
	Subtotal	$ 691,100	$ -	$ 691,100	Not Applicable	
FINAL DESIGN SERVICES						
200	Project Management	$ 32,000	TBD(1)	TBD		
210	Agency Coordination	$ 8,700	TBD(2)	TBD		
215	Design Project Meetings and Workshops	$ 55,800	TBD (3)	TBD		
235	Geotechnical Investigations	$ 29,600	$ -	$ 29,600		
240	Preparation of Drawings -					
	240.1 New Disinfection Building	$ 286,400	$ -	$ 286,400	$ 3,412,300	8.39%
	240.2 Ozone System	$ -	TBD(4)	TBD	TBD	TBD
	243.3 Ageing Infrastructure	$ 325,500	TBD(5)	TBD	$ 2,786,000	12%
	240.3 Maintenance Shop Remodel	$ 35,000	$ -		$ 162,600	22%
245	Preparation of Specifications	$ 28,000	TBD	TBD		
250	Contractor Prequalification	$ 10,000	$ -	$ 10,000		
255	Cost Estimates	$ 24,500	TBD(6)	TBD		
260	Project Advertising and Bidding	$ 20,000	TBD(7)	TBD		
	Subtotal	$ 855,500	TBD	TBD	$ 6,360,900	13.45%
TOTAL DESIGN AND PILOT STUDY SERVICES		$ 1,546,600	TBD	TBD		
CONSTRUCTION INSPECTION		TBD	TBD	TBD		
CONSTRUCTION ADMINISTRATION		TBD	TBD	TBD		

NOTES:

1 ADDITIONAL PROJECT MANAGEMENT COSTS WILL BE INCURRED TO INCLUDE OZONE SYSTEM WITH DESIGN PACKAGE AS THIS WILL EXTEND LENGTH OF PROJECT.

2 CURRENT ESTIMATE DOES NOT INCLUDE MEETINGS WITH CODES DEPARTMENT. SINCE OZONE IS A CLASS III OXIDIZER, OZONE DESIGN ESTIMATE WILL INCLUDE MEETINGS WITH CODES STAFF.

3 ADDITIONAL MEETINGS AND WORKSHOPS WILL BE NEEDED FOR FINAL OZONE SYSTEM DESIGN

4 CURRENT ESTIMATE DOES NOT INCLUDE DESIGN OF OZONE SYSTEM AS SIZE AND CONFIGURATION DEPENDANT UPON RESULTS OF PILOT INVESTIGATIONS

5 THE ESTIMATE DOES NOT INCLUDE THE FOLLOWING IMPROVEMENTS AS THESE ARE DEPENDANT UPON 1) OZONE SYSTEM CONFIGURATION AND 2) OWNER INVESTIGATION OF FILTER PIPING :

A. YARD PIPING (CONNECTION IOF OZONE SYSTEM IN PROCESS)
B. STORAGE FACILITY (WILL BE DESIGNED AS APPENDAGE TO OZONE BUILDING
C. YARD LIGHTING
D. FILTER BUILDING PIPING AND VALVE IMPROVEMENTS
E. FILTER AIR SCOUR SYSTEM
F. FILTER BUILDING LIGHTING AND HVAC IMPROVEMENTS

6 THE DESIGN SERVICES FEE DOES NOT INCLUDE THE PREPARATION OF COST ESTIMATES FOR THE OZONE SYSTEM AND ALL OTHER IMPROVEMENTS DEPENDANT UPON THE OZONE SYSTEM AS DEFINED HEREIN.

7 THE DESIGN SERVICES FEE DOES NOT INCLUDE THE BID PHASE SERVICES FOR THE OZONE SYSTEM AND ALL OTHER IMPROVEMENTS DEPENDANT UPON THE OZONE SYSTEM AS DEFINED HEREIN.

PURCHASE REQUISITION NBR: 0000201313

REQUISITION BY: WEBB G

STATUS: INSUFFICIENT FUNDS
REASON: DESIGN SERVICES - PHASE II WTP IMPROVEMENT PROJECT

DATE: 5/17/12

SHIP TO LOCATION: P W - UTILITIES DIRECTOR

SUGGESTED VENDOR: 9007 CAROLLO ENGINEERS PC

DELIVER BY DATE: 6/30/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	DESIGN SERVICES - PHASE II WTP IMPROVEMENT PROJECT COMMODITY: ARCHITECTURAL AND ENGINEE SUBCOMMOD: DESIGNING SERVICES	1546600.00	DOL	1.0000	1546600.00	

REQUISITION TOTAL: 1546600.00

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	03199394626201	Capital Projects Design	WA0291 WTP Improvement Phase I	100.00	1546600.00
					1546600.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTRACT K-1112-124 CONTINGENT ON NUA APPROVAL
MAY 22, 2012.

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: O-1112-25

File ID:	O-1112-25	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	03/20/2012
File Name:	O-1112-25 Wal-Mart Rezoning			**Final Action:**	

Title: ORDINANCE NO. O-1112-25: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-25 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-25 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 25

Attachments: Text File O-1112-25, O-1112-25 Wal-Mart, Site Plan - Wal Mart, Wal-Mart Location Map, Staff Report - Walmart, NHA Letter, 4-12-12 PC Minutes - Wal-Mart

Project Manager: Susan Connors, Director of Planning and Community Devel

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/12/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	04/12/2012					
1	City Council	05/08/2012	Introduced and adopted on First Reading by title only				
	Action Text:	Introduced and adopted on First Reading by title only					
1	City Council	05/08/2012					

Text of Legislative File O-1112-25

Body

BACKGROUND: The applicant, Wal-Mart Real Estate Business Trust, is proposing a rezoning and preliminary plat for a new commercial development at the northeast corner of 36th Avenue NW and the newly realigned Rock Creek Road. The new development will consist of a neighborhood grocery store and gas station. The entire property includes approximately 24.45 acres of which only 5.13 acres will be platted and rezoned for commercial use; the remaining area is undetermined at this time and will remain zoned A-2, Rural Agricultural District. Although the remaining corners are all zoned C-1, Local Commercial District, the sale of gasoline is only permitted as a Special Use in that district; therefore, the applicant is requesting a zoning change to C-2, General Commercial District to allow for the development of a gas station.

A NORMAN 2025 Land Use and Transportation Plan amendment was approved for this property in 2009 as a part of the Agreement for Acquisition of Right-of-Way for the Rock Creek Overpass Project. This amendment changed the land use designation from Low-Density Residential Designation to the Commercial Designation.

Commercial uses which are compatible with this development exist on two of the four corners. However, the multi-family development abutting this property to the north could be impacted by the noise of delivery trucks and general business traffic. Because of the residential development to the north the applicant will be required to fence (screen) their northern boundary of this development. The development will have access points on both Rock Creek Road and 36th Avenue NW. Because the number and spacing of those drives does not comply with the Engineering Criteria Manual, the applicant has requested a variance for the spacing of those drives along Rock Creek Road and 36th Avenue NW. The traffic engineer supports this request. This development will provide future internal access connections to the property located east of this proposal. A pipeline easement within this property will be released. A State of Oklahoma fiber optic line has replaced the petroleum pipeline that formerly used the easement. The applicant proposes to relocate the fiber optic line to the southern and eastern boundaries of this property with a new easement to cover the relocation.

STAFF RECOMMENDATION This proposal is consistent with the current development in this area. The 2025 Land Use and Transportation Plan designation for this parcel is commercial; this proposal is in line with the 2025 Land Use and Transportation Plan. Staff supports this rezoning

request. The Planning Commission, at their meeting of April 12, 2012, recommended that the City Council adopt Ordinance No. O-1112-25, by a vote of 7-0.

O-1112-25

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTHEAST CORNER OF 3TH AVENUE N.W. AND ROCK CREEK ROAD)

§ 1. WHEREAS, Wal-Mart Real Estate Business Trust, the owner of the hereinafter described property, have made application to have the same placed in the C-2, General Commercial District, and to have the same removed from the A-2, Rural Agricultural District; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and

§ 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the C-2, General Commercial District, and to have the same removed from the A-2, Rural Agricultural District, to wit:

A tract of land lying in the SW/4 of Section 14, T9N, R3W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the SW/C of said SW/4; THENCE North 00°07'00" West along the West line of said SW/4 a distance of 513.26 feet;
THENCE North 89°26'55" East a distance of 50.00 feet to the SW/C of YARBROUGH VILLAGE NO. 1 and the POINT OF BEGINNING;
THENCE continuing North 89°26'55" East along the South line of said YARBROUGH VILLAGE NO. 1, a distance of 506.19 feet;
THENCE South 00°07'00" East a distance of 313.46 feet;
THENCE South 25°00'00" West a distance of 23.93 feet;
THENCE South 00°07'00" East a distance of 108.65 feet to a point on the north right-of-way line of Rock Creek Road;

THENCE South 84°36'38" West along the north right-of-way line of Rock Creek Road a distance of 115.46 feet;
THENCE South 89°28'23" West along the north right-of-way line of Rock Creek Road a distance of 340.46 feet;
THENCE North 46°18'32" West a distance of 42.42 feet to a point on the east right-of-way line of Northwest 36th Street;
THENCE North 00°07'00" West along the east right-of-way line of Northwest 36th Street a distance of 309.98 feet;
THENCE North 05°48'34" West along the east right-of-way line of Northwest 36th Street a distance of 100.50 feet;
THENCE North 00°07'00" West along the east right-of-way line of Northwest 36th Street a distance of 13.64 feet to the POINT OF BEGINNING.

Said tract containing 223,278 square feet or 5.1258 acres, more or less

§ 5. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the Site Development Plan (Exhibit A) approved by the Planning Commission on April 12, 2012, and supporting documentation submitted by the applicant and approved by the Planning Commission and made a part hereof.

§ 6. Severability: If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this _____day of

_____, 2012.

_____
Mayor

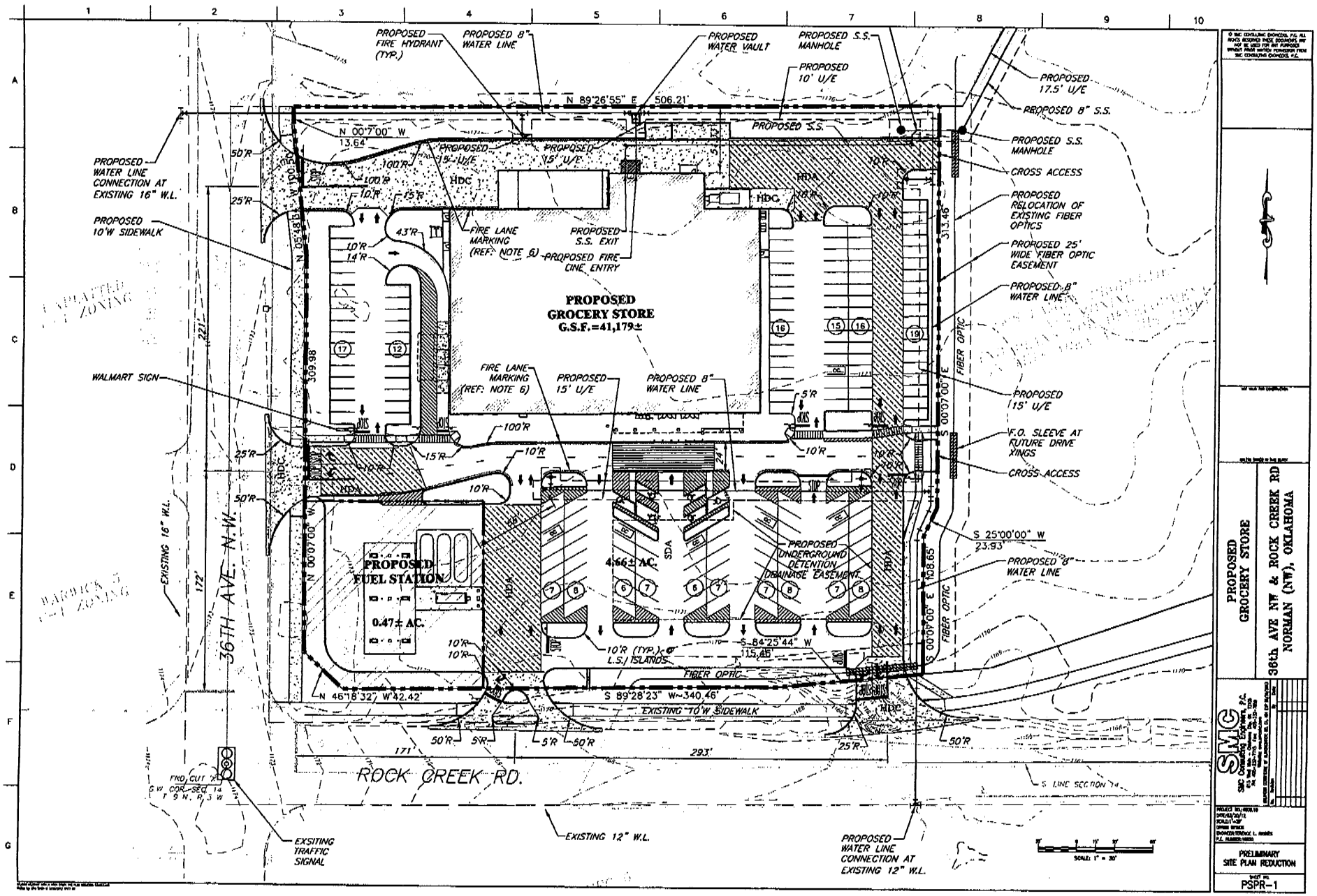
NOT ADOPTED this _____day of

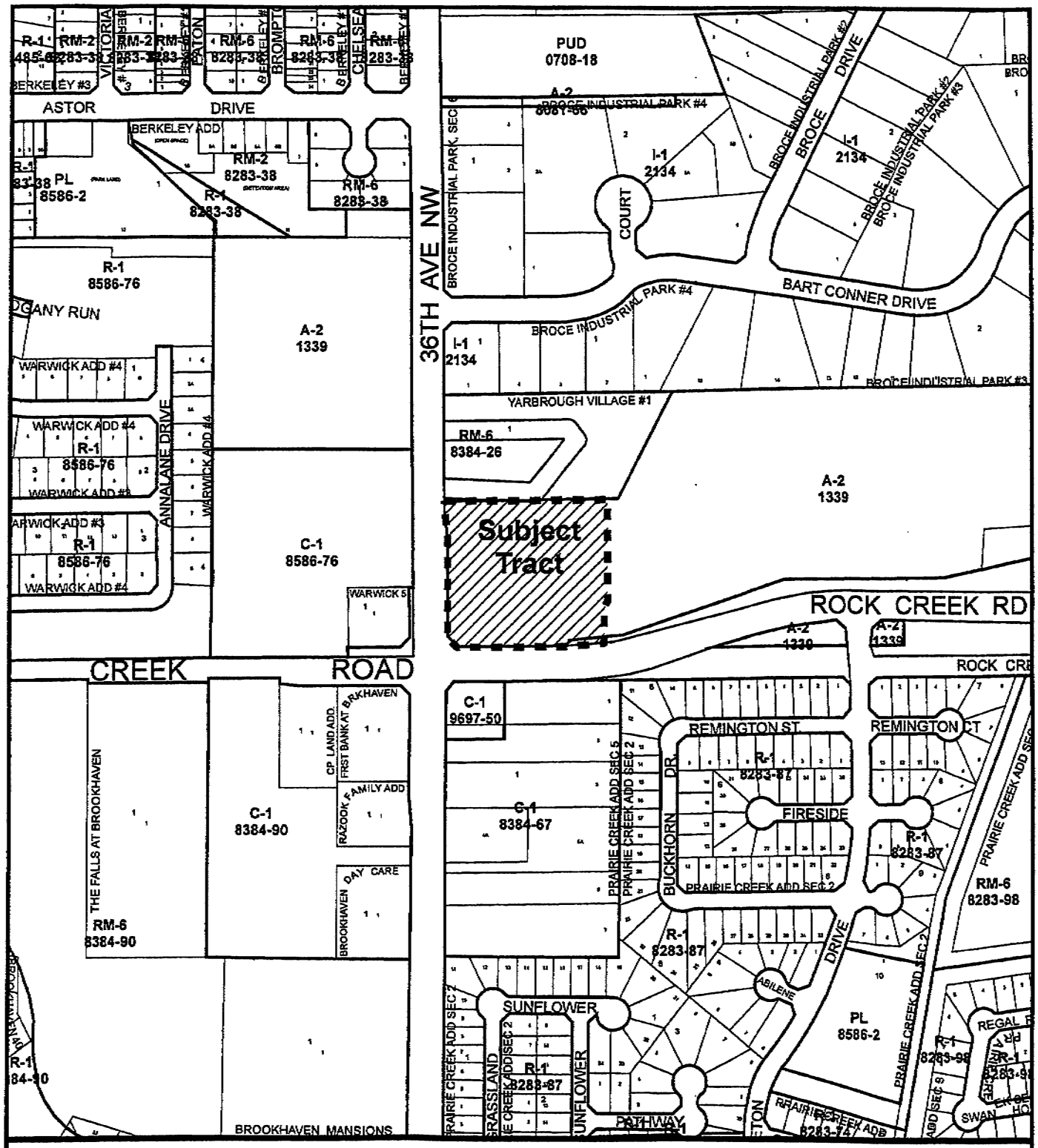
_____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk


PROPOSED FIRE HYDRANT (TYP.)
PROPOSED 8" WATER LINE
PROPOSED WATER VAULT
PROPOSED S.S. MANHOLE
PROPOSED 10' U/E
PROPOSED 17.5' U/E
PROPOSED 8" S.S.
N 89°26'55" E 506.21'
N 00°7'00" W 13.64'
PROPOSED S.S.
PROPOSED 15' U/E
PROPOSED WATER LINE CONNECTION AT EXISTING 16" W.L.
PROPOSED 10'W SIDEWALK
PROPOSED S.S. MANHOLE
CROSS ACCESS
PROPOSED RELOCATION OF EXISTING FIBER OPTICS
PROPOSED 25' WIDE FIBER OPTIC EASEMENT
PROPOSED 8" WATER LINE
FIRE LANE MARKING (REF: NOTE 6)
PROPOSED S.S. EXIT
PROPOSED FIRE LINE ENTRY
PROPOSED GROCERY STORE G.S.F.=41,179±
WALMART SIGN
PROPOSED 15' U/E
F.O. SLEEVE AT FUTURE DRIVE XINGS
CROSS ACCESS
S 25°00'00" W 23.93'
PROPOSED 8" WATER LINE
PROPOSED UNDERGROUND DETENTION DRAINAGE EASEMENT
PROPOSED FUEL STATION
0.47± AC.
4.66± AC.
10'R (TYP.) L.S./ISLANDS
S 84°25'44" W 115.45'
FIBER OPTIC
N 46°18'32" W 42.42'
S 89°28'23" W 340.46'
EXISTING 10'W SIDEWALK
36TH AVE. N.W.
EXISTING 16" W.L.
ROCK CREEK RD.
EXISTING TRAFFIC SIGNAL
EXISTING 12" W.L.
PROPOSED WATER LINE CONNECTION AT EXISTING 12" W.L.
S LINE SECTION 14
SCALE: 1" = 30'
PROPOSED GROCERY STORE
38th AVE NW & ROCK CREEK RD
NORMAN (NW), OKLAHOMA
SMC Consulting Engineers, P.C.
PRELIMINARY SITE PLAN REDUCTION
PSPR-1



Location Map

Map Produced by the City of Norman Geographic Information System. (405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

N W E S

March 13, 2012

0 200 400 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1112-25 | ITEM NO. 8a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Wal-Mart Real Estate Business Trust
REQUESTED ACTION	Rezoning to C-2, General Commercial District
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: RM-6 East: A-2 South: C-1 West: C-1
LOCATION	Northeast corner of 36th Avenue N.W. and Rock Creek Road
SIZE	5.1258 acres, more or less
PURPOSE	Commercial
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Multi-Family Residential East: Vacant South: Vacant West: Convenience store
LAND USE PLAN DESIGNATION	Commercial
GROWTH AREA DESIGNATION	Current Urban Service Area

SYNOPSIS: The applicant, S & S Family Properties, is proposing a rezoning and preliminary plat for a new commercial development at the northeast corner of 36th Avenue NW and the newly realigned Rock Creek Road. The new development will consist of a neighborhood grocery store and gas station. This ownership of this property includes approximately 24.45 acres of which only 5.13 acres will be platted and rezoned for commercial use; the remaining area is undetermined at this time and will remain zoned A-2, Rural Agricultural District. Although the remaining corners are all zoned C-1, Local Commercial District, the sale of gasoline is only permitted as a Special Use in that district; therefore, the applicant is requesting a zoning change to C-2, General Commercial District.

ANALYSIS/ISSUES:

IMPACTS Commercial uses which are compatible with this development exist on two of the four corners. However, the multi-family development abutting this property to the north could be impacted by the noise of delivery trucks and general business traffic. Because of the residential development to the north the applicant will be required to fence (screen) their northern boundary of this development. The minimum requirement for fencing is a six-foot solid, typically wood, opaque fence. The applicant's engineer has stated they will be "installing a six-foot wood screen fence and shall be solid and continuous along the property line." In addition to the fence along the property line the applicant's engineer stated "the baled cardboard/pallet and recycled organics area located directly behind the building will be screened. Typically, this area is screened with masonry matching the building materials. The masonry screening will be on the north, south, and east sides of the baled cardboard/pallet and recycled organics area."

- **ACCESS** The development will have access points on both Rock Creek Road as well as 36th Avenue NW. Because the number and spacing of those drives does not comply with the Engineering Criteria Manual, the applicant has requested a variance for the spacing of those drives along Rock Creek Road and 36th Avenue NW. The traffic engineer supports this request.

- **SITE PLAN/DESIGN** This development will provide internal access connections to the future property located east of this proposal. A pipeline easement within this property will be released. A State of Oklahoma fiber optic line has replaced the petroleum pipeline that formerly used the easement. The applicant proposes to relocate the fiber optic line to the southern and eastern boundary of this property with a new easement to cover the relocation.

OTHER AGENCY COMMENTS:

- **UTILITIES** The applicant will pay their share for the Northwest Sanitary Sewer Project (36th Avenue Interceptor Payback).

- **PUBLIC WORKS** The traffic impact analysis covered the entire property. With future development a traffic signal will be installed at the intersection of Pendleton Drive and Rock Creek Road. This development will contribute to these improvements.

STAFF RECOMMENDATION This proposal is consistent with the current development in this area. The 2025 Land Use and Transportation Plan designation for this parcel is commercial; this proposal is in line with the 2025 Land Use and Transportation Plan. Staff supports this rezoning request.

NHA

Norman Housing Authority

700 N. Berry Road, Norman, OK 73069
Phone (405) 329-0933 Fax: (405) 329-2542

"Affordable Housing... with Vision"

April 2, 2012

Mr. Doug Kosinski, Planning Manager
City of Norman
P.O. Box 370
Norman Ok 73070

Subject: N.E. Corner of Rock Creek Road and 36th avenue N.W.

Dear Mr. Kosinski:

I apologize for the late communication regarding this piece of property and proposed development. However, the Norman Housing Authority did not receive notification from the City of Norman regarding the zoning change. We discovered it through another neighbor of the property who did receive notice from the City. Apparently, the Treasurer's office still has the Norman Housing Authority address from back in the 1970's.

The Norman Housing Authority owns the duplex complex (Redbud Village) located on the north boundary of the property being considered for zoning and being developed for a neighborhood Wal-Mart.

Obviously our residents will benefit from having a grocery and pharmacy in such close proximity. Norman Housing Authority does not want to stand in the way of progress and welcome the proposed new neighbor. We take in earnest the representation of our client's housing and well being as well as our fiduciary duties to The City of Norman and HUD. However, I do have concerns about this project that I believe might negatively effect our clients and property. My specific concerns are: Deliveries with the dock being located nearest our property line, composting on site, and recycling. Based on the information that is currently available to me it is my opinion that each of these will cause a nuisance due to noise, smell, trash, or vehicle headlights, if not properly addressed or removed. I would like to make sure this will not be the case.

As indicated earlier, there are advantages to this development. As a means to resolve our concerns:

> In regards to the composting and recycling, if the methods do not produce a smell, excessive noise, and uncontained trash, then we are fine with them doing so. However, if it does create a smell, excessive noise, or uncontained trash, we ask they not compost or recycle on site.

BOARD OF COMMISSIONERS
Jeff Cummins, Chairperson, Marianne Ratliff, Vice Chairperson
Mike McDanel, Commissioner, Lorrie Gavin, Commissiner, Richard McKinney, Commissioner
Karen S. Canavan, Executive Director

A 10 foot fence with the lower 5 feet solid masonry and upper five feet wood or masonry would help prevent our clients from being disturbed by noise and light created by semi-truck deliveries. Also, delivery times should be limited to reasonable hours for the same reason.

I realize our property is for low income, and some may feel we do not need curb appeal or to treat our residents as though they have a choice of living with excessive noise or pungent odors. But, as you know, we have always treated our customers with respect and provided all the considerations that an open market customer (non low-income person) would expect. We take pride in our properties and wish to keep them as appealing units within Norman.

If these issues are can be resolved as discussed above, we do not protest the zoning.

Karen Canavan
Executive Director
Norman Housing Authority

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4-4-12 TK

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 12, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of April 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Andy Sherrer
MEMBERS ABSENT	Cynthia Gordon Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Jane Hudson, Planner II Wayne Stenis, Planner II Leah Messner, Asst. City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator

* * *

Item No. 8, being:
CONSIDERATION OF A REQUEST SUBMITTED BY WAL-MART REAL ESTATE BUSINESS TRUST AND S&S FAMILY PROPERTIES, L.L.C. FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

8A. ORDINANCE NO. O-1112-25 – WAL-MART REAL ESTATE BUSINESS TRUST REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR 5.1258 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Plan

8B. PP-1112-11 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY S & S FAMILY PROPERTIES, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR S & S FAMILY PROPERTIES ADDITION, GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Request for Waiver of the Driveway Spacing Requirement

PRESENTATION BY STAFF:
1. Ms. Hudson reported that this is an application for rezoning from A-2 to C-2. The other three corners at that intersection are currently zoned C-1. Only a portion of the entire site will be final platted for this project. On the north side of the development are multi-family units. Across the street to the south is a vacant lot and then Fitness One. On the southwest corner is FirstBank. There is a Seven-11 directly to the west. The area is proposed to be a grocery store with a gas station at the corner. Staff is not opposed to this application and it is in line with the NORMAN 2025 Land Use Plan which designates the area as commercial. We received one letter from the property owner to the north, who expressed concern about noise, trash, etc. There were no filed protests.

2. Ms. Pailes asked if there is potential for light intrusion to the residential area to the north from this development. Ms. Hudson responded that they would have to meet the adopted lighting ordinance.

PRESENTATION BY THE APPLICANT:
1. Tom McCaleb, engineer for the applicant – No light intrusion will be allowed to the north. They met today with the writer of the letter and have their concerns worked out; she is here tonight to attest to that. Prior to the Rock Creek overpass, the south property line of this tract was straight. There is a new wetlands area on the east side of the tract that the City has built with grants. The property owner now has marketable property. When all the swapping was done for the Rock Creek overpass, the commercial at the corner was a part of the agreements. We have addressed all of the issues with the neighbors, both to the north and surrounding.

2. Mr. Gasaway asked the anticipated traffic flow for the property. Mr. McCaleb responded that it will probably come from the north. The delivery trucks will come in from the north, down to Rock Creek Road, entering the site from the south to the north side of the property and then exit onto 36th Avenue N.W. There will be about one delivery truck per day at about 6:00 a.m. Customers for the store will come from all directions. Mr. Gasaway asked the

anticipated car count. Mr. McCaleb indicated that number is in the TIA, but he cannot remember the number. The traffic engineers are satisfied and it falls within the plan.

3. Mr. Sherrer asked about the fence between the applicant and the residential use to the north. Mr. McCaleb stated those concerns have been mitigated.

AUDIENCE PARTICIPATION:

1. Karen Canavan, Executive Director for the Norman Housing Authority – We own the property just to the north of the subject site. I did submit a letter with some concerns regarding compost that they plan on having, deliveries, trash, noise. We had a discussion regarding fencing. The agreement is that it's going to start out a 6' fence at 36th Avenue and it will taper up to 8' directly behind the northwest corner of the building itself and it will run 8' for the full duration along our border to help eliminate the lighting and the noise and the trash. The other concerns – we've resolved those. And the fencing – I think that is going to take care of our problem, which is the lights coming in and out and things of that sort.

2. Mr. McCarty asked what type of fencing was agreed upon. Ms. Canavan said they currently have a wrought iron fence around their property but it's not going to eliminate light or hold blowing trash. What it is going to be is 1x6" cedar with a cap trim with galvanized posts.

3. Harold Heiple, 218 East Eufaula, attorney for S & S Family Properties – I really didn't have anything to say, other than to answer questions. Mr. Schmidt, who signed up to speak, is an attorney for the couple that owns property over on the service road to the north. He was here earlier; I don't know if he's coming back. The only thing I would add is something that's not in your staff report. This particular tract was zoned C-2 as a result of a very intense, complicated negotiation and contract three years ago when the right-of-way for the new Rock Creek Road and the bridge was obtained, when the provision was made for that City and State trail and garden that you see there on the east of the property, and for the acquisition of a strip of property out on the service road that my clients did not own. The City had to pay an ungodly amount of money in condemnation for that, and my clients, as a part of the contract, took much less money, took title to that strip of property so that, conceivably, they could have access from the bridge to the easement that they retained so that they could access the service road from this particular piece of property. One of the things, of course, the conditions expressly in the contract that was approved by the Council was that the entire tract would be colored red on the commercial plan, anticipating intense commercial use. As a matter of fact, I did come to the Planning Commission about that time and talked about a mixed use application, and was summarily turned down simply because we did not have, at that time – we had no idea who the tenants would be. And just as today we have no idea who the other tenants or buyers will be for the property east of here, but I will tell you that these people have done an awful lot for the community and they've waited a long time without any money and now they're about to get a good contract with what will be only the second supermarket on the west side of I-35, and I know that because I signed the lease for the first one in 1981 that was Wright's IGA and, with all the growth we've had on the west side of Norman, there hasn't been another large supermarket or, as I would point out, another very large sales tax generator that will benefit the City. So we would certainly request that you approve this and recommend approval to the Council. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Boeck said he would like to support Harold Heiple's comments. I have been a supporter of aging in place and making Norman an age-friendly community, and not having a grocery store on the west side, or only having one, and knowing people that live over there – you know, most people are going to drive, but by bringing this development to this corner – there's a new senior housing project going in across the street, and I had a map developed to show where senior housing areas are and where commercial districts are, and most of our senior

housing areas are well outside the half mile radius for walking. The rule of thumb is if it's a half mile away you'll walk to it; if it's more than that you'll drive to it. So building a grocery store and some other commercial stuff at this corner will help, I think, to actually improve the health of people that live on that side of town because they'll be able to walk for the first time in a while. There's quite a bit of development over there and quite a bit of development coming. The idea of getting some mixed use in that part of town I hope occurs, because that's what we really need in this town – is not just single-use zoning. That's my only comment.

Jim Gasaway moved to recommend approval of Ordinance No. O-1112-25 and the Preliminary Plat for S & S FAMILY PROPERTIES ADDITION to the City Council. Curtis McCarty seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Jim Gasaway, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Andy Sherrer
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-25 and the Preliminary Plat for S & S FAMILY PROPERTIES ADDITION to the City Council passed by a vote of 7-0.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: PP-1112-11

File ID:	PP-1112-11	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 26	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	03/20/2012
File Name:	S&S Preliminary Plat			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR S & S FAMILY PROPERTIES ADDITION AND A VARIANCE IN THE SPACING OF THE DRIVE APPROACHES SERVING THE SUPERMARKET AND FUELING STATION FOR 36TH AVENUE N.W. AND WEST ROCK CREEK ROAD. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD)

ACTION NEEDED: Motion to approve or reject a preliminary plat for S & S Family Properties Addition and a variance in the spacing of the drive approaches serving the supermarket and fueling station for 36th Avenue N.W. and West Rock Creek Road

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 26

Attachments: Text File Preliminary Plat, Attachment A, S&S Location Map, S&S Prelim Plat, S&S Site Plan, S&S Properties Staff Report, S&S Transportation Impacts, S&S Driveway Variance, 4-12-12 PC Minutes - Wal-Mart

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/12/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	04/12/2012					

Text of Legislative File PP-1112-11

body

BACKGROUND: This item is a preliminary plat for S&S Family Properties Addition and is located at the northeast corner of the intersection of 36th Avenue N.W. and West Rock Creek Road. This property consists of 24.45 acres including 19.32 acres not proposed for specific development at this time and 5.13 acres proposed as a grocery store with fuel station. Planning Commission, at its meeting of April 12, 2012 recommended to City Council the approval of Ordinance No. O-1112-25 placing this property in C-2, General Commercial, and removing it from A-2, Rural Agricultural zoning classification. In addition, Planning Commission recommended approval of a request for variance in the separation of drive approaches for 36th Avenue N.W. and West Rock Creek Road, and approval of the preliminary plat for S&S Family Properties Addition.

DISCUSSION: The proposed 40,600-square foot supermarket and 12 space fueling station in this addition are expected to generate approximately 6,063 trips per day, 214 AM peak hour trips, and 658 PM peak hour trips. Traffic capacities on 36th Avenue NW and Rock Creek Road exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated. (See Attachment A).

Being above the threshold for when a traffic impact study is normally required, this development was analyzed in a traffic impact study prepared by Traffic Engineering Consultants, Inc., and submitted in March, 2012. One of the findings of the submitted traffic impact study was that a traffic signal will eventually be warranted at the intersection of Rock Creek Road with Pendleton Drive. This signal will be warranted by the combination of existing traffic, site traffic generated by the proposed supermarket and fueling station, traffic generated by the remaining commercial property in the S&S Family Properties, and undeveloped portions of the University North Park development across I-35. The study included an analysis of the responsibility of each contributor to the traffic generated through this intersection. A total of 17 percent of the traffic through the intersection is attributable to the subject supermarket/fueling station. At a projected $150,000 cost for the traffic signal, this development will contribute in traffic impact fees of $25,492 toward the design and installation of this future traffic signal.

The proposed access points along Rock Creek Road and 36th Avenue NW for the supermarket/fueling station are spaced adequately from the existing traffic signal at the Rock Creek Road/36th Avenue NW intersection. However, the spacing between driveways violates the City of Norman's Engineering Design Criteria. A variance has been requested by the developer as well as within the traffic impact study. Staff supports the variance request because it will allow for more effective on-site circulation and provide better access for delivery vehicles.

Public improvements for this property consist of the following:

Alley. Alleys are not required on lots greater than one (1) acre if sufficient circulation is provided. The proposed site plan shows proper circulation for delivery trucks and sanitation vehicles.

Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.

Sanitary Sewers. A sanitary sewer main will be extended to this property. It will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

Sidewalks. Sidewalks will be constructed adjacent to 36th Avenue N.W. The width will meet the Legacy Trail requirements with a ten-foot (10') width sidewalk. There is an existing ten-foot (10') width (Legacy Trail) sidewalk adjacent to West Rock Creek Road.

Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. A proposed underground detention facility will be utilized to serve the 5.13-acre lot.

Streets. Thirty-sixth Avenue N.W. and West Rock Creek Road are existing.

Traffic. A traffic signal will be warranted by the combination of existing traffic, site traffic generated by the proposed supermarket and fueling station, traffic generated by undeveloped portions of the site and continued University North Park development at the intersection of Rock Creek Road with Pendleton Drive. A total of 16.99 percent of the traffic through the intersection is attributable to the subject supermarket/fueling station. At a projected $150,000 cost for the traffic signal, this development is required to contribute $25,492 in traffic impact fees toward the design and installation of this future traffic signal.

Water Mains. There is an existing 16-inch water main adjacent to 36th Avenue N.W. and an existing 12-inch water main adjacent to West Rock Creek Road. An interior looped water main will be installed to serve fire hydrants.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

RECOMMENDATIONS: The applicant requests a variance in the spacing of the drive approaches serving this facility for 36th Avenue N.W. and West Rock Creek Road. The proposed separation for 36th Avenue N.W. is 225-feet. The City's Engineering Design Criteria recommends 550-feet. However, with existing development to the north being residential, it would appear to better serve the community by separating the delivery vehicles from the customer traffic. The proposal from the developer is to use the north drive for delivery vehicles to unload at the rear of the building and the south drive for the customers to enter the parking lot. The separation on West Rock Creek Road will be 285-feet which is also less than the City's requirement of 550-feet of driveway separation on a major arterial street. The western drive will be restricted to right-in and right-out vehicle movements only and the eastern drive will be a standard drive. There will be one additional drive to the east whenever the remainder of the property is developed. Staff supports the request for variance as submitted due to the circumstances and the additional safety considerations.

Staff recommends approval of the request for the separation of drive approaches and approval of the preliminary plat for S&S Family Properties Addition subject to the approval of Ordinance No. O-1112-25.

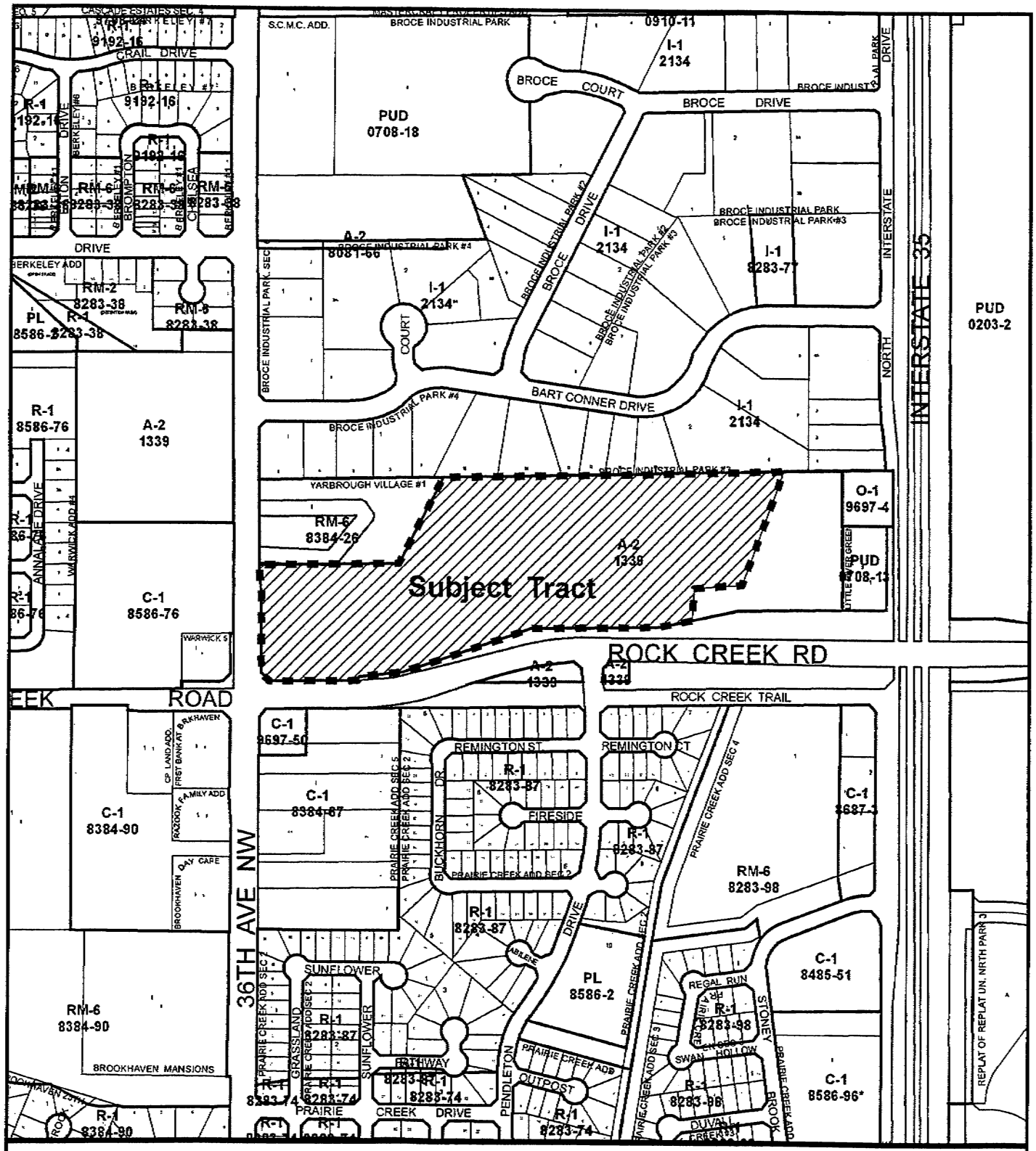
ATTACHMENT A

S & S FAMILY PROPERTIES LLC

TRAFFIC TABLE

AGENDA ITEM NO. PP-1112-11

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
36th Avenue NW	5	12,391	3,941	16,332	36,000	34.42	45.37
Rock Creek Road	4	3,366	2,122	5,488	34,200	9.84	16.05



Location Map

Map Produced by the City of Norman Geographic Information System. (405) 366-5316
The City of Norman assumes no responsibility for errors or omissions in the information presented.

N W E S

March 7, 2012

0 250 500 Ft.

Subject Tract

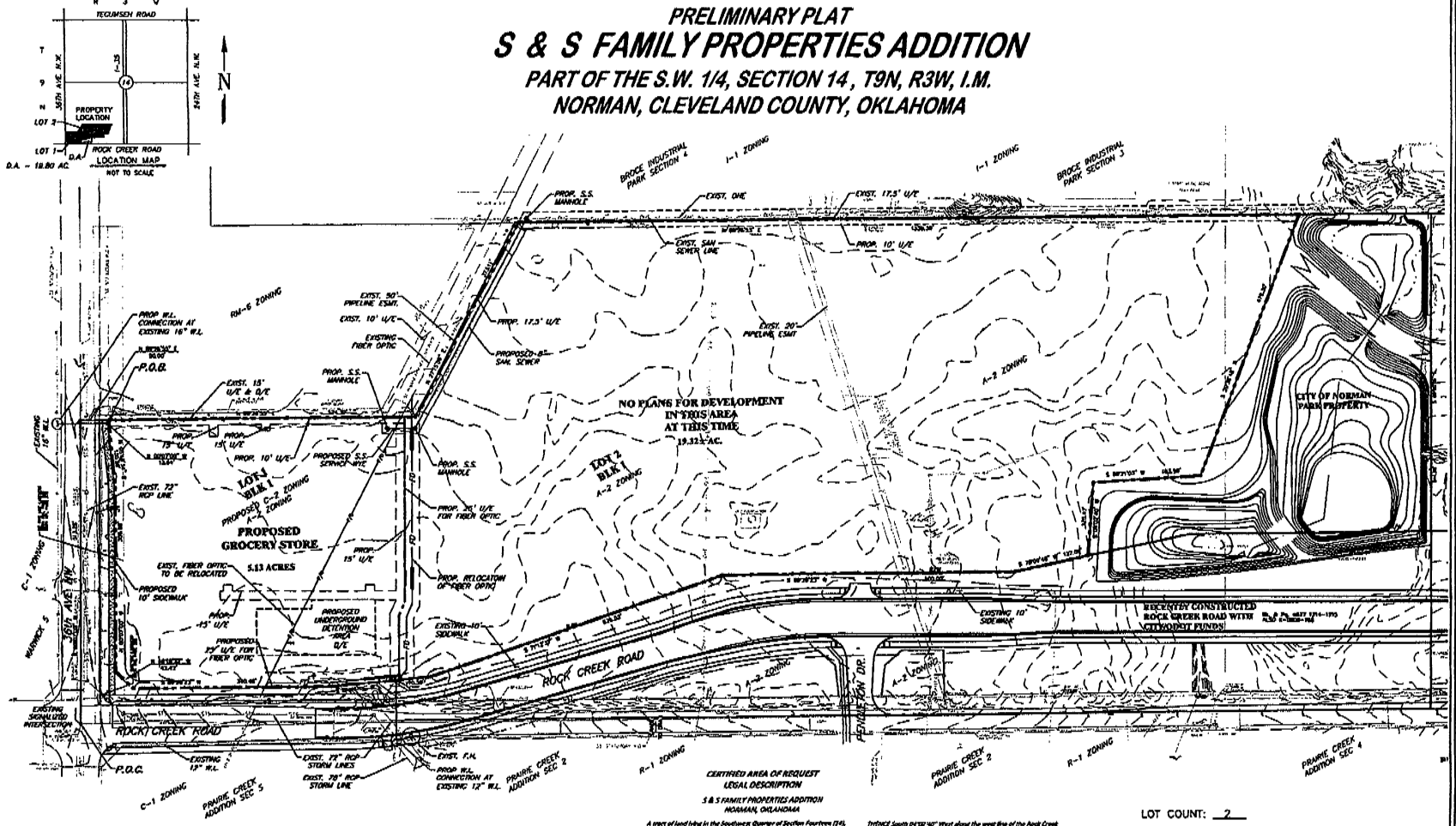
Zoning

PRELIMINARY PLAT

S & S FAMILY PROPERTIES ADDITION

PART OF THE S.W. 1/4, SECTION 14, T9N, R3W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA



NOTES

1. ALL SIDEWALKS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS. THE FINAL DESIGN WILL BE SUBMITTED WITH CONSTRUCTION PLANS WITH THE FINAL PLAT.
2. REFER TO DRAINAGE REPORT FOR SPECIFIC DATA.
3. FIRE VAULTS FOR ANY SPRINKLED BUILDING WILL BE ILLUSTRATED ON THE CONSTRUCTION PLANS FOR THE FINAL PLAT WHEN SUBMITTED.
4. FIRE HYDRANTS WILL BE LOCATED AND INSTALLED IN ACCORDANCE WITH THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS WITH FINAL PLAT SUBMITTAL.

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) IN THE PLAT OF S&S FAMILY PROPERTIES ADDITION; HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

CERTIFIED AREA OF REQUEST LEGAL DESCRIPTION

S & S FAMILY PROPERTIES ADDITION
NORMAN, OKLAHOMA

A tract of land lying in the Southwest Quarter of Section Fourteen (14), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Cleveland County, Oklahoma, described as follows:

COMMENCING at the Southeast Corner of said Southwest Quarter;
THENCE North 00°10'00" West, along the West line of said Southwest Quarter, a distance of 513.26 feet;
Thence North 89°26'53" East a distance of 50.00 feet, to the Southwest corner of YARBROUGH VILLAGE NO. 1 and the POINT OF BEGINNING;
THENCE continuing North 89°26'53" East, along the South line of said YARBROUGH VILLAGE NO. 1, a distance of 574.30 feet to the Southeast corner of said YARBROUGH VILLAGE NO. 1;
THENCE, North 27°13'53" East, along the East line of said YARBROUGH VILLAGE NO. 1, a distance of 572.11 feet, to a point on the South line of BROCE INDUSTRIAL PARK SECTION 3;
THENCE, North 89°26'53" East, along said South line of BROCE INDUSTRIAL PARK SECTION 3, a distance of 1318.39 feet to the Right-of-Way in connection with the Rock Creek Road Overpass Project (the "Rock Creek Road R/W");
THENCE South 30°38'48" West along the west line of the Rock Creek Right-of-Way a distance of 474.30 feet;
THENCE South 88°21'05" West along the north line of the Rock Creek Right-of-Way a distance of 183.59 feet;
THENCE South 04°02'40" West along the west line of the Rock Creek Right-of-Way a distance of 125.47 feet;
THENCE South 78°09'48" West along the north line of the Rock Creek Right-of-Way a distance of 137.99 feet;
THENCE South 83°26'25" West along the north line of the Rock Creek Right-of-Way a distance of 500.00 feet;
THENCE South 71°17'17" West along the north line of the Rock Creek Right-of-Way a distance of 326.32 feet;
THENCE South 86°25'44" West along the north line of the Rock Creek Right-of-Way a distance of 170.19 feet;

THENCE South 83°39'31" West along the north line of the Rock Creek Right-of-Way a distance of 140.44 feet;
THENCE North 46°38'30" West a distance of 42.42 feet to a point on the east right-of-way line of Northwest 36th Street;
THENCE North 00°07'00" West along the east right-of-way line of Northwest 36th Street a distance of 309.34 feet;
THENCE North 05°46'34" West along the east right-of-way line of Northwest 36th Street a distance of 100.10 feet;
THENCE North 00°07'00" West along the east right-of-way line of Northwest 36th Street a distance of 13.04 feet to the POINT OF BEGINNING.

Said tract contains 24.43 acres more or less.

LOT COUNT: 2

OWNER'S ADDRESS

S&S FAMILY PROPERTIES ADDITION
1700 BROOKHAVEN BLVD.
NORMAN, OK 73072
PHONE: (405) 321-6090

DESIGNED BY:

SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
PHONE: (405) 232-7715

SCALE: 1" = 60'

© SMC CONSULTING ENGINEERS, P.C. ALL RIGHTS RESERVED. THESE DRAWINGS MAY NOT BE USED FOR ANY PURPOSES WHOLE OR IN PART WITHOUT PERMISSION FROM SMC CONSULTING ENGINEERS, P.C.

NOT VALID FOR CONSTRUCTION

PLANS PREPARED IN THIS OFFICE

S & S FAMILY PROPERTIES ADDITION

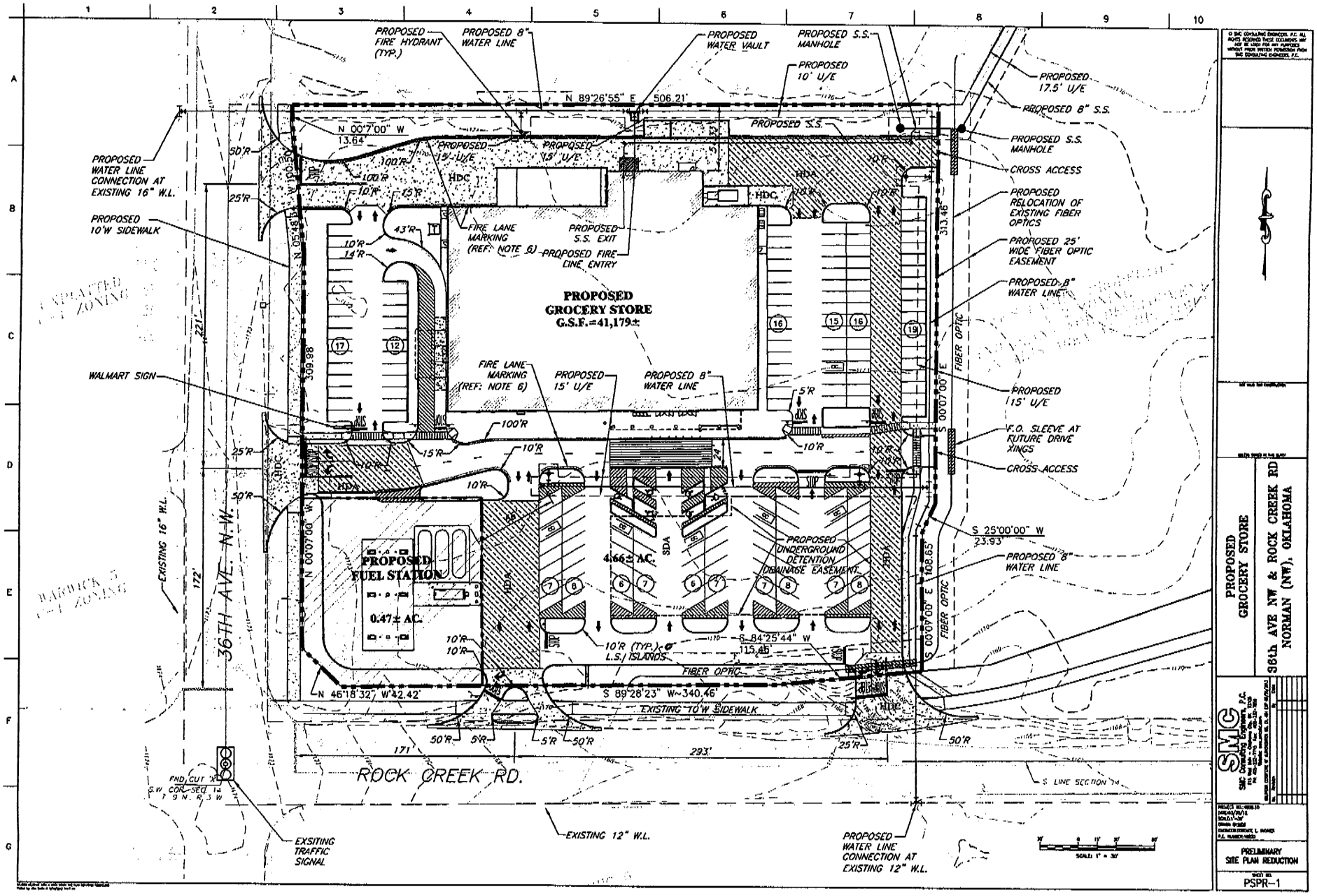
36th AVE NW & ROCK CREEK RD
NORMAN (NW), OKLAHOMA

SMC
SMC Consulting Engineers, P.C.
PH. 405 232-7715 FAX 405 232-7464
1010 N. WOODLAWN, OKLAHOMA CITY, OK 73105
CERTIFICATE OF AUTHORIZATION No. 1263 EXP. 06/30/2012

PROJECT NO.: 6002.10
DATE: 05/05/10
SCALE: 1"=60'
DRAWN BY: TW
CHECKED: TERENCE L. WANCE
P.E. NUMBER: 19888

PRELIMINARY PLAT

SHEET NO.
PP1



PROPOSED GROCERY STORE

36th AVE NW & ROCK CREEK RD NORMAN (NW), OKLAHOMA

SMC

PRELIMINARY SITE PLAN REDUCTION

PSPR-1

PRELIMINARY PLAT ITEM NO. 8b

STAFF REPORT

ITEM: Consideration of a PRELIMINARY PLAT FOR S&S FAMILY PROPERTIES ADDITION.

LOCATION: Located at the northeast corner of the intersection of 36th Avenue N.W. and West Rock Creek Road.

INFORMATION:

1. Owners. S&S Family Properties, LLC
2. Developer. Wal-Mart Real Estate Business Trust.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. October 21, 1961. City Council adopted Ordinance No. 1320 annexing this property into the City of Norman.
2. December 19, 1961. Planning Commission recommended that this property be placed in the A-2, rural agricultural zoning classification.
3. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in A-2 zoning classification.
4. September 29, 2010. A Letter of Map Revision approved by the Federal Emergency Management Agency became effective September 29, 2010, removing the flood plain from this property.
5. April 12, 2012. The applicant has made a request to place a portion of this property in the C-2, General Commercial District and remove it from A-2, rural agricultural district.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.

2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

3. Sanitary Sewers. A sanitary sewer main will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

4. Sidewalks. Sidewalks will be constructed adjacent to 36th Avenue N.W. The width will meet the Legacy Trail requirements with a ten-foot width sidewalk. There is an existing ten-foot width (Legacy Trail) sidewalk adjacent to Rock Creek Road.

5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. An underground detention facility will be constructed in the southeast portion of the proposed commercial lot. It will be maintained by the owner.

6. Streets. Rock Creek Road and 36th Avenue N.W. are existing.

7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards to serve the proposed fire hydrants. There is an existing 16-inch water main adjacent to 36th Avenue N.W. and an existing 12-inch water main adjacent to Rock Creek Road.

Currently a petroleum pipeline assessment cuts through this property. Although the pipeline no longer carries petroleum, the State of Oklahoma obtained the easement and has since installed a fiber optic line within the easement. The applicant proposes to relocate the fiber optic line to the south and eastern portions of the commercial lot. With the realignment that portion of the easement will be released and a new easement will be platted with a final plat.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.

2. Rights-of-Way. All street rights-of-way are existing but will be shown on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, site plan, preliminary plat and letter of request for a variance in the spacing of drive approaches are included in the Agenda Book.

STAFF RECOMMENDATION: The applicant is proposing a grocery store and possible fuel pumps on a 5.13 acre tract located at the northeast corner of the intersection of 36th Avenue N.W. and Rock Creek Road. At this time, the owner/developer has not provided a site plan for the remainder of the property because there are no proposals for development. A revised preliminary plat with appropriate site plan will be required for the remainder of the property at such time as it develops. City traffic engineers have

performed an assessment of the entire property for any traffic impacts. With the recent completion of the traffic signal at 36th Avenue N.W. and Rock Creek Road, additional improvements are not required at this time. However, as this area (vacant land) continues to develop, there will be need for a traffic signal at the intersection of Rock Creek Road and Pendleton Drive. With this proposed development a fee has been determined in the amount of $25,492.00.

Also, the engineer for the developer and the engineer preparing the traffic impact analysis have requested a variance in the spacing of the drive approaches serving this facility. The western drive approach on Rock Creek Road utilizes a right turn in and right turn out setup. The separation with the eastern drive is 285-feet. With the right in and right out setup, Staff is not opposed to this request. The separation for 36th Avenue NW is 225-feet. Again, the manual recommends 550-feet. However, with existing development to the north being residential, it would better serve the community to separate the delivery vehicles from the customer traffic. The developer wants to separate truck delivery traffic with customers on 36th Avenue N.W. Although staff could approve the request, staff desires to have Planning Commission and City Council's input regarding the variance in spacing of the drive approaches. Due to the use of the property, the separation of delivery vehicles and customers would alleviate any potential conflicts. Staff recommends approval of the variance in the separation of the spacing for the drive approaches and approval of the preliminary plat for S&S Family Properties Addition.

ACTION NEEDED: Recommend approval or disapproval of the variance in the spacing of drive approaches and recommend approval or disapproval of the preliminary plat for S&S Family Properties Addition to City Council.

ACTION TAKEN:_____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: March 29, 2012

STAFF REVIEW BY: David R. Riesland, P.E.
Assistant City Traffic Engineer

PROJECT NAME: Brookhaven No. 41 Addition **PROJECT TYPE:** Commercial

Owner: S&S Family Properties, LLC
Developer's Engineer: SMC
Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)
Low-density residential developments surround the project location with the exception of some commercial located at the Rock Creek Road intersection with 36th Avenue NW. There is some high density residential located between the site and I-35

ALLOWABLE ACCESS:
A variance has been requested relative to driveway spacing for the access points to this project. The variance relates to Section 4018 of the City's Engineering Design Criteria. Staff supports this variance.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Rock Creek Road: 4 lanes (existing) / 4 lanes (future). Speed Limit - 40 mph. No sight distance problems. No medians.
36th Avenue NW: 5 lanes (existing) / 5 lanes (future). Speed Limit - 45 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: YES ☐ NO ■

Proposed number of access points for the development is in compliance with what is allowed in the subdivision regulations.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	6,063	3,031	3,032
A.M. Peak Hour	214	117	97
P.M. Peak Hour	658	334	324

TRANSPORTATION IMPACT STUDY REQUIRED? YES ■ NO ☐
Being above the threshold for when a traffic impact study is normally required, this development was analyzed in a traffic impact study prepared by Traffic Engineering Consultants, Inc., and submitted in March, 2012. One of the findings of the submitted traffic impact study was that a traffic signal will eventually be warranted at the intersection of Rock Creek Road with Pendleton Drive. This signal will be warranted by the combination of existing traffic, site traffic generated by the proposed supermarket and fueling station, traffic generated by the remaining commercial property in the S&S Family Properties, and undeveloped portions of the University North Park development across I-35. The study included an analysis of the responsibility of each contributor to the traffic generated through this intersection. A total of 16.99 percent of the traffic through the intersection is attributable to the subject supermarket/fueling station. At a projected $150,000 cost for the traffic signal, this development would contribute in traffic impact fees $25,492 toward the design and installation of this future traffic signal.

The proposed access points along Rock Creek Road and 36th Avenue NW for the supermarket/fueling station are spaced adequately from the existing traffic signal at the Rock Creek Road/36th Avenue NW intersection. However, the spacing between driveways violates the City of Norman's Engineering Design Criteria. A variance has been requested by the developer as well as within the traffic impact study. Staff supports the variance request.

RECOMMENDATION: APPROVAL ■ DENIAL ☐ N/A ☐ STIPULATIONS ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

SMC
Your Civil Engineering Solution

Consulting Engineers, P.C.
815 West Main
Oklahoma City, OK 73106
405-232-7715
FAX 405-232-7859
www.smcokc.com

Civil Engineering
Land Development
Storm Water Management

Tom L. McCaleb
Terence L. Haynes
Christopher D. Anderson
Ole M. Marcussen

March 9, 2012

Mr. Andy Sherrer, Chairman
Planning Commission
City of Norman
P.O. Box 370
Norman, OK 73070

RE: Preliminary Plat
S & S Family Properties
SMC Project No. 4908.10

Dear Mr. Sherrer:

As agent for the applicant, we respectfully request a waiver of the driveway spacing requirements for the above referenced addition in accordance with Section 4018 of *"City of Norman Engineering Design Criteria for Street, Storm Drainage, Waterline and Sanitary Sewers, July 11, 2006"*. There are insufficient frontages of the tract to 36th Avenue NW and Rock Creek Road to comply with the above policy and we are requesting the variance so that additional driveways can be constructed which are necessary to separate the truck traffic servicing the development from the vehicular traffic patronizing the development. Further details regarding the additional driveways and the driveway spacing requirements are included in the Traffic Impact Analysis (TIA) submitted for the above referenced addition.

Please accept this request and grant the driveway spacing waiver.

Sincerely,

SMC Consulting Engineers, P.C.

Terence L. Haynes, P.E.

cc: Harold Heiple, Attorney
Beverly Smith, Attorney
Tim Clark, Tapp Development

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 12, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of April 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Andy Sherrer
MEMBERS ABSENT	Cynthia Gordon Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Jane Hudson, Planner II Wayne Stenis, Planner II Leah Messner, Asst. City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator

* * *

Item No. 8, being:
CONSIDERATION OF A REQUEST SUBMITTED BY WAL-MART REAL ESTATE BUSINESS TRUST AND S&S FAMILY PROPERTIES, L.L.C. FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

8A. ORDINANCE NO. O-1112-25 – WAL-MART REAL ESTATE BUSINESS TRUST REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR 5.1258 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Plan

8B. PP-1112-11 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY S & S FAMILY PROPERTIES, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR S & S FAMILY PROPERTIES ADDITION, GENERALLY LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Request for Waiver of the Driveway Spacing Requirement

PRESENTATION BY STAFF:
1. Ms. Hudson reported that this is an application for rezoning from A-2 to C-2. The other three corners at that intersection are currently zoned C-1. Only a portion of the entire site will be final platted for this project. On the north side of the development are multi-family units. Across the street to the south is a vacant lot and then Fitness One. On the southwest corner is FirstBank. There is a Seven-11 directly to the west. The area is proposed to be a grocery store with a gas station at the corner. Staff is not opposed to this application and it is in line with the NORMAN 2025 Land Use Plan which designates the area as commercial. We received one letter from the property owner to the north, who expressed concern about noise, trash, etc. There were no filed protests.

2. Ms. Pailes asked if there is potential for light intrusion to the residential area to the north from this development. Ms. Hudson responded that they would have to meet the adopted lighting ordinance.

PRESENTATION BY THE APPLICANT:
1. Tom McCaleb, engineer for the applicant – No light intrusion will be allowed to the north. They met today with the writer of the letter and have their concerns worked out; she is here tonight to attest to that. Prior to the Rock Creek overpass, the south property line of this tract was straight. There is a new wetlands area on the east side of the tract that the City has built with grants. The property owner now has marketable property. When all the swapping was done for the Rock Creek overpass, the commercial at the corner was a part of the agreements. We have addressed all of the issues with the neighbors, both to the north and surrounding.

2. Mr. Gasaway asked the anticipated traffic flow for the property. Mr. McCaleb responded that it will probably come from the north. The delivery trucks will come in from the north, down to Rock Creek Road, entering the site from the south to the north side of the property and then exit onto 36th Avenue N.W. There will be about one delivery truck per day at about 6:00 a.m. Customers for the store will come from all directions. Mr. Gasaway asked the

anticipated car count. Mr. McCaleb indicated that number is in the TIA, but he cannot remember the number. The traffic engineers are satisfied and it falls within the plan.

3. Mr. Sherrer asked about the fence between the applicant and the residential use to the north. Mr. McCaleb stated those concerns have been mitigated.

AUDIENCE PARTICIPATION:

1. Karen Canavan, Executive Director for the Norman Housing Authority – We own the property just to the north of the subject site. I did submit a letter with some concerns regarding compost that they plan on having, deliveries, trash, noise. We had a discussion regarding fencing. The agreement is that it's going to start out a 6' fence at 36th Avenue and it will taper up to 8' directly behind the northwest corner of the building itself and it will run 8' for the full duration along our border to help eliminate the lighting and the noise and the trash. The other concerns – we've resolved those. And the fencing – I think that is going to take care of our problem, which is the lights coming in and out and things of that sort.

2. Mr. McCarty asked what type of fencing was agreed upon. Ms. Canavan said they currently have a wrought iron fence around their property but it's not going to eliminate light or hold blowing trash. What it is going to be is 1x6" cedar with a cap trim with galvanized posts.

3. Harold Heiple, 218 East Eufaula, attorney for S & S Family Properties – I really didn't have anything to say, other than to answer questions. Mr. Schmidt, who signed up to speak, is an attorney for the couple that owns property over on the service road to the north. He was here earlier; I don't know if he's coming back. The only thing I would add is something that's not in your staff report. This particular tract was zoned C-2 as a result of a very intense, complicated negotiation and contract three years ago when the right-of-way for the new Rock Creek Road and the bridge was obtained, when the provision was made for that City and State trail and garden that you see there on the east of the property, and for the acquisition of a strip of property out on the service road that my clients did not own. The City had to pay an ungodly amount of money in condemnation for that, and my clients, as a part of the contract, took much less money, took title to that strip of property so that, conceivably, they could have access from the bridge to the easement that they retained so that they could access the service road from this particular piece of property. One of the things, of course, the conditions expressly in the contract that was approved by the Council was that the entire tract would be colored red on the commercial plan, anticipating intense commercial use. As a matter of fact, I did come to the Planning Commission about that time and talked about a mixed use application, and was summarily turned down simply because we did not have, at that time – we had no idea who the tenants would be. And just as today we have no idea who the other tenants or buyers will be for the property east of here, but I will tell you that these people have done an awful lot for the community and they've waited a long time without any money and now they're about to get a good contract with what will be only the second supermarket on the west side of I-35, and I know that because I signed the lease for the first one in 1981 that was Wright's IGA and, with all the growth we've had on the west side of Norman, there hasn't been another large supermarket or, as I would point out, another very large sales tax generator that will benefit the City. So we would certainly request that you approve this and recommend approval to the Council. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Boeck said he would like to support Harold Heiple's comments. I have been a supporter of aging in place and making Norman an age-friendly community, and not having a grocery store on the west side, or only having one, and knowing people that live over there – you know, most people are going to drive, but by bringing this development to this corner – there's a new senior housing project going in across the street, and I had a map developed to show where senior housing areas are and where commercial districts are, and most of our senior

housing areas are well outside the half mile radius for walking. The rule of thumb is if it's a half mile away you'll walk to it; if it's more than that you'll drive to it. So building a grocery store and some other commercial stuff at this corner will help, I think, to actually improve the health of people that live on that side of town because they'll be able to walk for the first time in a while. There's quite a bit of development over there and quite a bit of development coming. The idea of getting some mixed use in that part of town I hope occurs, because that's what we really need in this town – is not just single-use zoning. That's my only comment.

Jim Gasaway moved to recommend approval of Ordinance No. O-1112-25 and the Preliminary Plat for S & S FAMILY PROPERTIES ADDITION to the City Council. Curtis McCarty seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Jim Gasaway, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Andy Sherrer
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis

Ms. Tromble announced that the motion to recommend approval of Ordinance No. O-1112-25 and the Preliminary Plat for S & S FAMILY PROPERTIES ADDITION to the City Council passed by a vote of 7-0.

* * *

City of Norman, OK

Municipal Building Council Chambers
201 West Gray Street
Norman, OK 73069

Master

File Number: R-1112-118

File ID:	R-1112-118	**Type:**	Land Use Plan Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	03/21/2012
File Name:	R-1112-118 Elsey Partners 2025			**Final Action:**	

Title: RESOLUTION NO. R-1112-118: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, LAND USE PLAN AMENDMENT NO. LUP-1112-5, SO AS TO PLACE BLOCK 3 OF STATE UNIVERSITY ADDITION, NORMAN CLEVELAND COUNTY, OKLAHOMA, IN SPECIAL PLANNING AREA 9 AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED BETWEEN BOYD STREET AND MCCULLOUGH STREET AND BETWEEN MONNETT AVENUE AND THE BNSF RAILROAD RIGHT-OF-WAY)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-118, Land Use Plan Amendment No. LUP-1112-5, and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Notes:

Agenda Date: 05/22/2012

Agenda Number: 27

Attachments: Text File R-1112-118, R-1112-118 Elsey, ElseyPartners_2025 Location Map, Special Planning Area 9 MEMO, Elsey 2025 Exhibit A, Elsey 2025 Exhibit B, 4-12-12 PC Minutes - Elsey

Project Manager: Doug Koscinski, Current Planning Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	04/12/2012					

Text of Legislative File R-1112-118

Body

BACKGROUND: Elsey Partners has submitted a request to amend the Norman 2025 Land Use and Transportation Plan and create a new Special Planning Area that would authorize the area to be used for a very high density residential development. Should the plan amendment be approved, they will proceed with filing a complete rezoning application for a Planned Unit Development that will detail the specifics of their proposed project. The location for this Special Planning Area is the entire block between Boyd Street and McCullough Street, from Monnett Avenue to the BNSF railroad right-of-way, although their current ownership only involves a majority of that block.

DISCUSSION: Norman's current zoning ordinance does not have an existing category that allows extremely high residential densities with coverage factors that leave little private open space. This type of request can only be accommodated as a Mixed Use zoning, a Special Use within several commercial categories, or under the Planned Unit Development process. The applicant has provided some suggestions for criteria to be included within this Special Planning Area, which staff has amplified. Special Planning Areas must be implemented by the PUD process, in conformance with the criteria outlined in the SPA.

As the University's enrollment continues to grow, the market has responded by trying to acquire sites that are convenient to the campus and large enough to develop projects that are efficient in size and financially viable. No new complexes have been constructed in the immediate vicinity of the main campus in many years, but instead apartment complexes have been constructed in more suburban locations away from the campus, often near established single-family areas. More recent inquiries in to high density developments are embracing what they interpret as "New Urbanist" principles, which call for much higher densities in close proximity to services or destinations that would encourage pedestrian movements or take advantage of the availability of mass transit, rather than a historic reliance on automobiles as the primary means of movement. Staff believes that the area east of the main campus is a logical possibility for such developments, and carries forward the idea proposed by the 401 Loft project, immediately across the tracks east of this block.

STAFF RECOMMENDATION: Norman's zoning ordinance reflects a suburban bias, as that has been our historic development pattern. While the 2025 Plan hints at encouraging infill development and redevelopment in core areas, it provides very little actual guidance on the specifics to make projects like this happen. One of the key questions is "how much density" is appropriate without the projects overwhelming the remaining neighbors, as well as the additional parameters that help mitigate that density (design, landscaping, amenities, parking, traffic improvements, etc.) Staff recommends that there be a broader discussion on the issue of high density to include City Council, Planning Commission, and other public that need to be included in the discussion. The Planning Commission, at their meeting of April 12, 2012, by a vote of 7-0, recommended that the City Council reject Resolution No. R-1112-118 with the additional recommendation that there be a discussion of high density development and where is would be appropriate in Norman.

Resolution

R-1112-118
LUP-1112-5

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN, **LAND USE PLAN AMENDMENT NO. LUP-1112-5**, SO AS TO PLACE BLOCK 3 OF STATE UNIVERSITY ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN SPECIAL PLANNING AREA 9 AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION AND THE HIGH DENSITY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED BETWEEN BOYD STREET AND MCCULLOUGH STREET AND BETWEEN MONNETT AVENUE AND THE BNSF RAILROAD RIGHT-OF-WAY)

§ 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and

§ 2. WHEREAS, the City Council at its meeting of December 19, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan; and

§ 3. WHEREAS, Elsey Partners has requested that the following described property be moved from the Low Density Residential Designation and the High Density Residential Designation and placed in the Special Planning Area 9, to wit:

All of Block 3, STATE UNIVERSITY ADDITION to Norman, Cleveland County, Oklahoma, including the east//west alley and the north/south alley on the east end;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

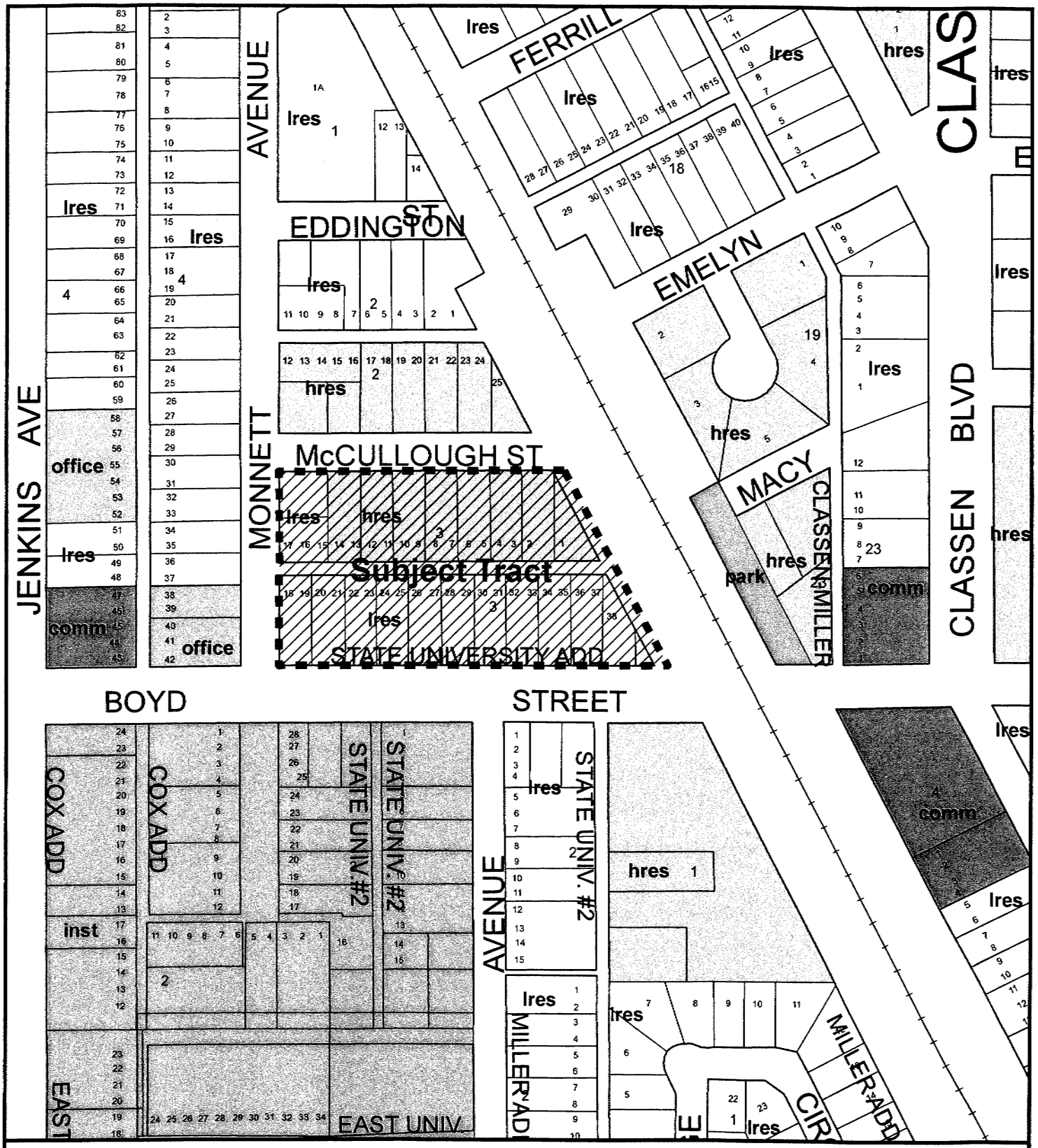
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration, has determined that the requested amendment is compatible with the adopted NORMAN 2025 Land Use and Transportation Plan and does hereby approve the requested amendment.

PASSED and ADOPTED this _____ day of _____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk



Norman 2025 Land Use

Map Produced by the City of Norman
Geographic Information System.
(405) 366-5316
The City of Norman assumes no
responsibility for errors or omissions
in the information presented.

N W E S

March 19, 2012

0 100 200 Feet

Subject Tract

DATE: April 5, 2012

TO: Chairman and Members,
Norman Planning Commission

FROM: Doug Koscinski, AICP
Manager, Current Planning Division

SUBJECT: Special Planning Area 9

BACKGROUND Elsey Partners, a potential applicant for a future rezoning request for a large student-oriented apartment project, has submitted a request to amend the Norman 2025 Land Use Plan and create a new Special Planning Area that would authorize the area to be used for a very high density residential development. Should the plan amendment be approved, they will proceed with filing a complete rezoning application for a Planned Unit Development that will detail the specifics of their proposed project. The location for this Special Planning Area is the entire block between Boyd Street and McCullough Street, from Monnett Avenue to the BNSF railroad right-of-way, although their current ownership only involves a majority of that block.

DISCUSSION Norman's current zoning ordinance does not have an existing category that allows extremely high residential densities with coverage factors that leave little private open space. This request is the fourth potential request that staff is aware of for a very high density development, which can only be accommodated either as a Mixed Use zoning, a Special Use within several commercial categories, or under the Planned Unit Development process. The applicant has provided some suggestions for criteria to be included within this Special Planning Area, which staff has amplified. Their proposed language and staff's draft of the criteria for a new Special Planning Area are attached. Special Planning Areas must be implemented by the PUD process, in conformance with the criteria outlined in the SPA.

As the University's enrollment continues to grow, the market has responded by trying to acquire sites that are convenient to the campus and large enough to develop projects that are efficient in size and financially viable. No new complexes have been constructed in the immediate vicinity of the main campus, but instead apartment complexes have been constructed in more suburban locations away from the campus, often near established single-family areas. Several of these recent initiatives have embraced what they interpret as "New Urbanist" principles, which call for much higher densities in close proximity to services or destinations that would encourage pedestrian movements or take advantage of the availability of mass transit, rather than a historic reliance on automobiles as the primary means of movement. Staff believes that the area east of the main campus is a logical possibility for such developments,

and carries forward the idea proposed by the 401 Loft project, immediately across the tracks east of this block.

The items outlined in staff's proposed language (Exhibit B attached) include the following criteria:

- Density of approximately 100 units per acre (the latest Elsey proposal that had a pre-development hearing requested 163 units per acre)
- Private open spaces that focus on courtyards and amenities rather than large park-like areas common in more suburban locations
- Six story buildings
- Adequate, but limited, parking to encourage walking rather than using automobiles
- Reduced setbacks that insist that new buildings come forward to the property line (to encourage a sense of "public place") but with pedestrian amenities
- High quality design, with the inclusion of human-scale elements such as awnings, balconies, and plazas, accompanied by much wider sidewalks with enhanced landscaping

RECOMMENDATION Norman's zoning ordinance reflects a suburban bias, as that has been our historic development pattern. While the 2025 Plan hints at encouraging infill development and redevelopment in core areas, it provides very little actual guidance on the specifics to make projects like this happen. One of the key questions is "how much density" is appropriate without the projects overwhelming the remaining neighbors, as well as the additional parameters that help mitigate that density (design, landscaping, amenities, parking, traffic improvements, etc.). Staff recommends that there be a broader discussion on the issue of high density to include the City Council, Planning Commission, and other public that need to be included in the discussion.

EXHIBIT A – Applicant's Proposal

Special Planning Area 9

High Density Residential Use

Special Planning Area 9 is situated between McCullough and Boyd and between Monnett and west of the BNSF Railroad Tracks. The area shall be designated for High Density Residential Development creating a pedestrian environment centered around the University of Oklahoma and Campus Corner Commercial District if the following conditions are met:

1. A. Multifamily structures shall have a maximum height of 70'
   B. Setbacks - 0' Setback along McCullough, Boyd, Monnet, and BNSF Rail Road
   - 5' Setback along adjacent Parcels
   C. One Parking Space per Bedroom
   D. 10% Open Space Requirement, including Pedestrian Hardscapes

2. Provision for all city services and infrastructure to adequately accommodate the intensity of development.

3. Provision for city owned alleys to be vacated, as long as requirements of Provision 2 are met

4. Design treatments for building architecture, site design, signage, and landscaping that reflect urban high density environment.

EXHIBIT B Draft prepared by Staff

Special Planning Area 9

Special Planning Area 9 is the entire city block situated between Boyd Street and McCullough Street, between the BNSF railroad and Monnett Avenue. Due to its proximity to the University of Oklahoma and Campus Corner, the area is designated for Very High Density residential or Mixed Use development, if certain conditions are met:

1. Density/FAR Up to one hundred units per acre may be permitted, but the allowed residential Floor Area Ratio (FAR) may not exceed 4.0 (residential building area to lot area).
2. Open space Although the PUD process must be used to authorize the project, the limited size of urban infill lots precludes achieving fifteen percent open space that is suggested for residential PUD projects away from the core. A goal of ten percent open space should be addressed, and may be met by a combination of public and private areas including interior courtyards, rooftop gardens, and pedestrian connections through the block.
3. Height No building may exceed a height of 75 feet or six stories, unless authorized in the PUD approved by City Council.
4. Parking May not be adjacent to public sidewalks, but either enclosed within a building or separated from the street by a structure containing a compatible use. Open surface lots are not otherwise allowed.
5. Development Regulations Buildings must not exceed five foot in setback from Boyd Street (except for courtyards or other architectural articulation), and may be zero if wider sidewalks or plazas are installed. Setbacks from McCullough and Monnett may be reduced to zero if the building steps back on upper floors. No setback is required for buildings along the BNSF right-of-way.
6. Design Proposed buildings should reflect high-quality design, and incorporate design elements such as windows, porches, bay windows, towers, or other architectural articulation that reflects a human scale. Awnings and balconies are encouraged as a pedestrian amenity, and may extend into the public right-of-way on the second or higher floors provided they comply with the International Building Code.
7. Public space Sidewalks along Boyd Street must be ten (or more) feet wide. Landscape treatments must be installed between the sidewalk and the curb that enhance the pedestrian environment. If the sidewalk is adjacent to the curb, tree wells and landscape areas must be installed and the width of the sidewalk increased. Courtyards or other landscape areas in front of the building must incorporate amenities such as benches, bike racks, and landscaping.
8. Infrastructure Adequate public facilities must be present or be installed which address the unique needs of a multi-story structure. Traffic concerns must be addressed by a Traffic Impact Analysis.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

APRIL 12, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 12th day of April 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions twenty-four hours prior to the beginning of the meeting.

Chairman Andy Sherrer called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

MEMBERS PRESENT	Dave Boeck Jim Gasaway Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Andy Sherrer
MEMBERS ABSENT	Cynthia Gordon Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Doug Koscinski, Manager, Current Planning Division Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Jane Hudson, Planner II Wayne Stenis, Planner II Leah Messner, Asst. City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator

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Item No. 9, being:
RESOLUTION NO. R-1112-118 – ELSEY PARTNERS REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-5) FROM LOW DENSITY RESIDENTIAL DESIGNATION AND HIGH DENSITY RESIDENTIAL DESIGNATION TO SPECIAL PLANNING AREA 9, TO ALLOW VERY HIGH-DENSITY HOUSING, ON ALL OF BLOCK 3, STATE UNIVERSITY ADDITION.

ITEMS SUBMITTED FOR THE RECORD:
1. NORMAN 2025 Land Use Map
2. Staff Report
3. Exhibit A – Applicant's Proposal
4. Exhibit B – Draft Prepared by Staff

PRESENTATION BY STAFF:
1. Mr. Koscinski reported we don't do very many special planning areas; they've been incorporated in both the 2020 and 2025 Plans. Some of the ones in 2020 have dropped off as they got implemented, and some new ones were created. This is probably one of first times you've seen someone ask you, outside of that plan process, to create such a district. This is the area just west of the tracks, the entire block from McCullough down to Boyd and between Monnett and the tracks. The applicant owns or controls more than half of that block and they are ready to bring forward a zoning application for what I would classify as a very high-density residential apartment complex. We really don't have a zoning district in Norman that would readily accommodate that. They can't ask for RM-10, or whatever that number might be. We have no such district. Our RM-6 district, which is the most prevalent multi-family district that we utilize, typically tops out at around 40 units to the acre. This is a request that would greatly exceed that, and so we've tried to identify, through a special planning area, some of the criteria we think this applicant and subsequent applicants would have to address in order to implement a true high density residential environment. Today you could do it as a planned unit development – that's our catch-all. We would throw that at anybody that said they wanted to do anything special. It doesn't really quite fit that, but that's the best approach we have today. All special planning areas, including this one in front of you, should it get adopted, are implemented by the PUD process. It allows the applicant to create specific rules and regulations and parameters for the development to occur. If the Council chooses to agree with those, that becomes the regulatory basis for that PUD. You could do some special uses – we've got some mixed use buildings under our current ordinance that could also be used to get close to some of this. But this one is almost a unique location and the density is high enough to warrant special consideration in this case. The problem that we've had is that the University is a wonderful university and it continues to grow. So as the students come, the market is responding by trying to provide housing for these students. The little garage apartments are wonderful for some people, but they don't accommodate thousands of new students that keep showing up here every fall. As you know, most of them have located in more suburban locations near other residential uses that are much lower in density. Imhoff Road is the best example. So far I think there are at least two out there and a third or fourth being discussed periodically. This applicant, like some others that we have heard from recently, are trying to get closer to the campus to try to make that a destination that they can cooperate with. They want to emphasize a pedestrian environment. You could literally walk to class from here – you wouldn't need your car. This company provides adequate parking, but not in the ratios that Norman typically sees in most of our suburban apartment complexes. Their application for rezoning was not quite ready. They are ready to move forward with that, but this is kind of a half-step. They would like to create this area, have a discussion, get the City Council to buy into this concept, and then follow that up with an actual zoning application in a month or two, whenever they're fully ready to develop their process. They're here to make their own independent presentation to you. As you can see, we've got a mixture of low-density and high-density residential in this block already and it's right across the street from OU and probably should be in some sort of a high-density residential designation. The applicant provided Exhibit A as their original proposal; we have fleshed that out and added a few more criteria. Ours is a bit more detailed. We've tried to identify some

parameters under this special planning area that they, or any other applicant, would have to meet. This would be a high-density residential district -- approximately 100 units to the acre – that's more than three times what we typically see in most of our current suburban apartment complexes. Private open spaces would be limited in a pedestrian-framed environment like this; there's no opportunity in that entire block to have a two-acre park or large setbacks that would allow volleyball courts and things like that. There will be amenities – there need to be amenities – but they probably will more focus on the public environment – the façade along Boyd Street, what they do with the sidewalks, how they relate to the street. Those are some of the kind of things you'll see that are different in this sort of complex than you do in more suburban locations where we start talking about park-like settings with very few scattered buildings. These are going to be large, intense buildings. We've outlined six stories as an upper limit. That's about 75 feet in height, give or take – that's a tall building. Most of the buildings that OU is building along Boyd and Jenkins are about that same height, so that will give you a frame of reference for what we're talking about. They would be compatible in height and size to those. We would allow, in this case, just as we did in the Mixed Use District, reduced building setbacks – we want those buildings to come to the street. We want them to have a pedestrian relationship, but with the streetscape. As part of that, we would emphasize high-quality design; we would like pedestrian amenities. We would like the building to have some articulation, like a porch, a balcony, awnings, things that might impose a human scale to something that is otherwise a very tall building. In summary, Norman's ordinances do reflect a suburban bias – that's what we are. We've been a suburban community for decades. We're now starting to reach the critical mass; we're approaching 120,000 people. We are a small city in our own right at this point – we've got at least four nibbles, including this one, for people that are interested in high density developments somewhere near the campus, because that's the main draw in this part of town. So this is not the only one that we will see in the future, and I think we need to try to get in front of that in one sense. We need to have an open discussion about design, its impact on neighbors, and how to implement those designs and what sort of design parameters. The 2025 Plan hints at some of that redevelopment stuff; we try to give emphasis in the plan to the infill development, and yet there's very little in the Plan that addresses how to do that. One of the key questions we keep coming back to is how much density is truly enough? I have personal feelings, as I'm sure every one of you does. But the community has made no such statement. We don't have a zoning ordinance that says 40 units is good – 50 units to the acre is bad – or 60 – or 100 – or 150. You can get very high density with good design if you know what you're doing. Six stories is about where they end up, because you change construction types when you go above that. So, for the foreseeable future, that's probably where Norman will see the height of buildings – somewhere in the six story range. Typically what happens is you'll have a fireproof construction on the first one or two floors – typically steel/concrete buildings; above that it goes to what they call a Type 5 construction that's protected, but it's not full concrete buildings.

Staff is in the awkward position, at this point, of not being able to make that recommendation to you. We've tried to study it. We've had only about a month or so to talk about this, and so we've come up with some parameters for a special planning area. Those may be acceptable to the Commission and, if so, please recommend that they move forward to the City Council. I'm not comfortable with making that recommendation to you. I think we, as a community, and the Commission needs to be involved in a bigger discussion about the topic of density and where it's appropriate. So that's, I'm afraid, our non-recommendation at this point.

We did get some protests from people. I think it's a 17% protest, if I remember the figures correctly. The one unusual thing in here, and something you'll probably see more of, is a condominium project -- 401 Lofts – where the units are sold individually. Three of those individuals protested this rezoning; the whole building did not. So we assigned a percentage of land. Our protest maps are based on area, not on number of people. So that's where the 17% came from. One of the properties that is inside the special planning area also protested inclusion in that area. That is not a significant protest within the area, but somebody from within the area sent us a letter.

2. Mr. McCarty – This is a very unique project. As a special planning area, how do we do that when they don't have full control over all of the properties inside the special planning area?

3. Mr. Koscinski – Special planning area is simply a policy directive. There's no ordinance. There's no zoning that's imposed with that. You would still have the ability to react to a specific zoning request. Again, all special planning areas are implemented by the PUD process, so they'll be bringing you a PUD that says I'm going to be building a brick building that is six stories that does this and has these setbacks, and you will be able to react to that. Hopefully this draft that we've outlined for you would at least be the framework for how they would frame their response.

4. Mr. McCarty – I guess more what I'm looking at is the people that are inside of this proposed special planning area that may not agree with this. Does that affect their property rights or their property?

5. Mr. Koscinski – No. It's a policy.

6. Mr. McCarty – So it's all or nothing. If it's a special planning area and this is listed, it would have to agree with everybody in the property.

7. Mr. Koscinski – We felt that it would be more appropriate for that entire block to become a special planning area. If, in fact, we wish high density to occur in this part of Norman near campus, I think it's appropriate for that whole block to be considered in that fashion. Because if a six story building goes up, I guarantee the remainder of those properties in that block will be sold in a matter of years at the most and another project will come along. And rather than go through this process twice, we felt it was prudent to just do it once and outline what it is you think the community ought to expect or see there.

8. Ms. Connors – I just wanted to add that, if this becomes a special planning area, in order for the project to move forward, all the property owners would have to agree to the next application of a rezoning. This can happen with 51% of control, but the next step cannot.

9. Mr. McCarty – The City has some type of form or something that says they have 51% control right now?

10. Mr. Koscinski – Yes. They have deeds or contracts for more than half of that block.

11. Mr. Knotts – This is a mega project on a small area and, although I'm kind of excited about the possibilities in that area and that people are looking at that. However, I think the idea of having that small a study area is very short-sighted. To me, in looking at the Campus Corner TIF area that has performed pretty well, I think, and there's a homogeneity through all of that from Campus Corner over to the BNSF Railroad. Maybe that would be a more appropriate study area, to get a better vision for the area. There's nothing so constant as change. And things will happen and it seems to me that this is a pretty short, small focus that could preclude some excellent planning, I think.

12. Mr. Koscinski – I don't know that I disagree with you, but at this juncture to go step back and try to re-do a much larger plan area – we really weren't ready to move that way. We think it's appropriate to take a hard look right there at Boyd Street, but whether that district should go all the way to Duffy or all the way downtown, for that matter, is a much bigger question.

13. Mr. Knotts – I believe the area warrants that big a question, and I didn't really expect you to say that you were ready to go. All the facts that you laid out earlier about increasing

enrollment and all of that and the need for private housing I think are all true. The problem is that I think the special planning district is just way limited, and if we went forward with this, I think it would kind of disrupt the whole opportunity that we would have as a City to do some excellent planning.

14. Ms. Pailes – Can we clarify exactly what it is that we're going to be voting on? Are we voting to accept a special planning area 9 with the general provisions as outlined on page 9-3? Is that going to be the topic of the vote?

15. Mr. Koscinski – I would hope that you would endorse the special planning area provisions that staff created on page 9-5. But you're entitled to make whatever recommendation you wish. If you simply want to go with the shorter version that was prepared by the applicant, that's obviously your choice.

16. Ms. Pailes – Does the public have this information also, out of curiosity, since there's obviously a lot of ...

17. Mr. Koscinski – We did not mail that information out to very many people. No. It's been available since we printed the agenda. That's one of the reasons for our reluctance to move forward with it. It has not been widely disseminated.

18. Ms. Connors – Our agenda is on the website, so it is available to the public. That's the usual method of allowing the public to see our staff reports.

19. Mr. McCarty – In the City's draft for the special planning area, parking is not really defined – the requirements. Is it one per bedroom? I saw that in their report, but what was staff's thoughts on parking?

20. Mr. Koscinski – Our current ordinance requires 1.8 per unit. It doesn't matter how big or small it is. That's been in our ordinance, literally, from the 60s and 70s. That expected, if you want to go back historically, developers would build apartment complexes that had a range of uses. And 1.8 more or less meets that requirement for a range of uses. If you are simply designing – for lack of a better term – all efficiency apartments – one bedrooms or less – you probably don't need 1.8 per unit. You would be over-providing parking, which, in a true urbanist principle, you really don't want to have acres and acres of surplus parking. You want to have enough, but you want to push people into giving up their cars and perhaps living without them, taking the bus, walking to school. You want to limit the parking to a certain extent. I think we're still a suburban community, so we need to address parking, but I think something less than 1.8 for smaller units is an appropriate number. What that number is, I don't have it in front of you tonight. And a PUD allows you that little bit of flexibility, if that's a critical element.

21. Ms. Connors – I was just going to add it's through the PUD process, rather than the special planning area – the zoning and the Planned Unit Development zoning would allow us to control the number of parking spaces that we wanted to assign to this, rather than in the comprehensive plan.

22. Mr. Boeck – That sort of dialogue happens – to agree upon some kind of a program as to how the PUD would work?

23. Ms. Connors – That's really where the design detail should take place.

24. Ms. Hartley – Doug, you said that there are several other projects, somewhat similar in nature to this, that could come forward in the next few months?

25. Mr. Koscinski – Similar. Some closer than others. Some very nebulous, to be honest with you.

26. Ms. Hartley – In the same general area? Around campus?

27. Mr. Koscinski – Yes.

28. Ms. Hartley – So how does this help us, as a Planning Commission, deal with those that are coming down the line?

29. Mr. Koscinski – One of them is much smaller, so these parameters would be easily met by the smaller project. But we have two others that we've heard of that are substantial projects that are similar in scope. So this would help you outline – if the next guy comes in and says I need 150 units, you say, no, we had that discussion. 100 is where we want to be, as an example.

30. Chairman Sherrer – Just to be clear on this, because it's kind of a confusing item. I guess the recommendation that I'm understanding from staff – and you may both want to clarify this – is that there is no recommendation on this, with the thought that this idea of high density type designation, or just in general, that particular topic should be in some way addressed, probably by Council, and whoever Council designates.

31. Mr. Koscinski – We're reluctant to give you full guidance and say this is the only way that we'll ever go and these are the numbers. We've outlined some stuff because that's our responsibility. If you wish to vote on that or discuss that, we're here to do that with you. If you're not ready, and we are not, then we would suggest that you postpone this and hopefully study it over the next week – month – two months – whatever it takes. I don't want to predict your timeframe.

PRESENTATION BY THE APPLICANT:

1. Chris Elsey, 2052 Hunting Avenue, Manhattan, Kansas – I've got a fairly lengthy slideshow, and hopefully I can buzz through that in short order here. Really, what we're trying to do is we're trying to have a discussion on density – we feel like high density is a good thing. Density is a good thing, as long as it's in the right place. I applaud Doug and the Planning staff. They kind of came up with some parameters here to set about on how we envision high density. And if you go through the sheet here, we'll get into some of those – but those points 1 through 8 – that is effectively defining the box on what we're dealing with. I think it's important to understand that special planning district that we're proposing – the idea behind that is we're trying to determine if the City of Norman wants to embrace the idea of density in more of an urban form, or if you want to continue with more of a suburban development pattern, which has currently been displayed in the City. Just briefly about us – we're a vertically integrated student housing company. We design, build, and manage our own properties. We don't build stuff and leave. We feel like it's a good model, so we try to stick around. We try to be good neighbors. The reason we're attracted to doing high-density infill is it has been successful for us in Manhattan. We just got two projects approved in Stillwater. We went through a similar process there. They rewrote some zoning there to create a new high-rise district, and that was in response to two projects that we did there that are kind of similar in scope. So we're going to be starting on 450 beds in Stillwater starting in June. This is just kind of the tip of the iceberg on the discussion on density; this is going to be a lengthy process. I think we realize that. We're trying to get feedback and kind of figure out where's the line and where everything is at. Again, the advantages of high density – it's essentially you're trying to get people out of the cars and where they can walk places. The advantages of walking are you're reducing urban sprawl, you're reducing vehicular problems, parking issues. It's just a more sustainable – it's smart growth. It's preserving the greenbelt around the community. It's easier on the infrastructure, because you're not having to bring new infrastructure out to the suburbs – you can use the

existing infrastructure that's there. Again, the question we're trying to address here is is this the right location for high density? And it's there in red, north of Boyd from Monnett to the railroad tracks and south of McCullough. There's going to be quite a few slides here and we're just going to try to walk around the area to kind of give you a context for what we're talking about. So I'm going to try to go pretty quickly through this. But basically, the south side of Boyd Street is where the University has developed and we would propose that the north side needs to catch up with the south side. So on the south side you have buildings that are higher mass, and on the north side with the 401 Lofts project that has begun, but we would propose that we continue doing that down the Boyd corridor. This is just from the other angle, from the north. This is from the railroad tracks looking back to the west. We're coming down – if you see that gray box there, that's the type of scale we're looking at. This is an urban apartment complex in Oklahoma City and it has been imposed on the site. This is to give you an idea of the scale of the project. Basically we're walking around the south side of the property. This is kind of from the corner – we're coming down. Here it is again. This is from Boyd and Trout. The original development that we had proposed, we would place a – basically it's called a Texas donut, so the parking structure is wrapped by the building and you enter into the parking structure underneath the building and then the building wraps the parking structure. Here's from the Energy Center. This is looking back toward the railroad tracks down Boyd. Here's just on the street level. Again, we're trying to push the building up to the street to create a more pedestrian environment. Here, again, is the Boyd campus corridor. Here's some of the other structures. Here's the art museum. So again, this is all the south side that we're encouraging the north side to catch up with the south side. I just want to give you kind of a brief – I don't know if any of you had a chance to drive around and look at the existing properties there. This is just from the south side – here's some images of what is currently there. And then this would be from McCullough. This would be from Monnett. And then this, again, this is just walking around the building just to give you kind of a frame of reference. So, again, we're not – I think as Commissioner Boeck said, the details and the architectural articulation and character of the building – that's all going to be discussed when we go through the PUD process. What we're trying to discuss now is is this scale of development appropriate for this area. We want to get that answered – I mean that is the main issue we're trying to address. We need to know that. Is the density of this character and scale – is this appropriate for this area or not? It helps us save time. It helps the staff save time. That's really the key issue we're trying to deal with here. So we're walking around the building again. Here's some existing projects – the 401 Lofts – similar scale. Now these are infill projects. This is in Provo, Utah around BYU. This is a similar area. It had single-family homes and they basically up-zoned it and put these projects in it. This is up in Stillwater. This is an existing project that is built there and our two projects are mimicking this one. This is the project in Oklahoma City. Here's another one. Here's the different – one through eight. We'll kind of quickly go through these. We would agree with pretty much all of them, except for number one. I would recommend on density that we focus more on population density, rather than unit density. The issue with doing density on a units per acre is that you can have 100 four-bedroom units and that means you have 400 beds there, or you can have 100 one-bedroom units and you can have 100 beds there. So, obviously, you've got a difference of 400 people living there or potentially 100 people living there. So we would propose, basically, you split the difference and you go with a straight 250 bedrooms per acre. So you're actually dealing with density is the amount of people that are living there, not the amount of units that are there, because a unit can either be one, two, three, or four bedrooms. Here's the 10% open space. These are courtyard – inward oriented structures. So they would have a pool and recreation that would be focused on the inside – inside that interior courtyard. Here's just some imagery of that. The 75 feet or the six stories – the Stillwater Flats is actually at 72 feet – that's too the peak of the roof. So if you go with more of a traditional gable style roof you're going to get to that 75 foot, but if you go with a traditional flatter roof, you can get that six stories under that 75 feet. So that's just something for your consideration as well. The parking – I would propose one space per bedroom and then I would propose all structured parking. I think in urban environments there is nothing worse than seeing surface parking lots. The setbacks – just trying to get the building up

to the street. I would concur with what staff has recommended there. And then the design – having articulation with windows, porches, awnings – I'm just trying to show you some examples of that. But, again, all these design details – that would be worked out in the PUD process and there's lots of flexibility in that. The public space – obviously you can do a lot with the landscaping between the street and the building. The issues with infrastructure – there's always lots of concerns about infrastructure. I'm not an engineer. We've had a traffic impact analysis done with a proposal that we already had. They had actually proposed a traffic light at the corner of Trout and our intersection into the parking garage. All of this is going to be kind of in flux. Essentially, the infrastructure – we have to meet the different infrastructure requirements and if the engineers tell us we can't do it, then we can't build it that dense. So the infrastructure sustains – determines what the density that we're going to have there. That's a discussion for a later date. If it's not sustained by the current sewer system, or whatever, then it's going to have to go from four stories to three stories. So, again, I would encourage you – we're just trying to determine – get everything else out of the way – this is a discussion on density and we're trying to determine is this the right place for density. We feel like it is because, simply, the residents that live here can walk to the major employer, which would be the University, and then a major entertainment destination, which would be Campus Corner. I think if you look at Campus Corner, we were just there having dinner at Chipotle – I think that's a really dynamic area and if you look at that all the buildings are right up to the lot line and there's people walking around, and the reason it's successful is because there's 3,000 people across the street that can use it. Density is a good thing if it's in the right spot. I would welcome any questions you guys have for us. We'd like to be in on the discussion of hopefully trying to create something really dynamic here in Norman. I think if you visit a lot of other college towns, they've embraced this kind of higher density urban stuff and I think there's a real opportunity for some really neat things here in Norman.

2. Mr. Boeck – Not any comments directly to him right now. I know we're going to have lots of comments from the audience and I've got comments to make, but I'd like to hear other comments first.

3. Mr. McCarty – How many of these projects have you all done around campuses or in your company?

Mr. Elsey – We have developed 450 beds in Manhattan, Kansas. But as far as with a structured parking garage, we're starting our first two in Stillwater this June. So we've gone through the entitlement process. Those have been approved, and we're just starting these first two. So the timeframe on this – this obviously is going to be at least a year discussion, I would anticipate, here. So nothing is going to happen here until 2013-2014, I would anticipate.

Mr. McCarty – So all the pictures you showed, were any of those projects yours?

Mr. Elsey – No, they are not. No.

4. Ms. Pailes – Were the projects you did in Kansas developed at this density?

Mr. Elsey – No, they were not. No.

Ms. Pailes – How come?
Mr. Elsey – The city staff there basically outlawed putting in parking structures, so they wanted surface parking lots. So that's – essentially the highest density you can go is if you've got – you can essentially go 3-4 stories, and then you have to put a surface parking lot, and that's what you get. So basically what drives up density is a structured parking garage.

Ms. Pailes – And once it's built, do you manage them?

Mr. Elsey – We do, yeah.

Ms. Pailes – Your corporation continues as the management corporation.

Mr. Elsey – We feel like it's a great model. They're really successful. If you tour – we went from here down to New Orleans to do a service project down there in the 9th Ward and we stopped at pretty much every major university along the way. Pretty much every one of them has – they're going this direction with this higher density structured parking.

5. Mr. Knotts – You mentioned a 450-bed unit in Stillwater?

Mr. Elsey – That's correct.

Mr. Knotts – And on what acreage?

Mr. Elsey – One is – we have 100 – so there's two projects there. There's 164 beds on 0.87 acres, so that's at about 140 – I believe it's 140 units per acres. And then we have 313 beds on about an acre and a quarter and that's at about 154 units per acres. So what the folks in Stillwater did is they went with 150 units per acre for this new high-rise district that they developed.

Mr. Knotts – And the earlier discussion has been talking about 75 feet – six stories. What you showed was four.

Mr. Elsey – Yeah. Is how we like to do our stuff is we like to keep it all wood framed, so Type 5 construction and is what we do is we do – it's four stories with a garden level. So the lower level is actually kind of subterranean, so if this was the grade plane here the window would be here and this – it's almost kind of like a half basement. So we have five living levels.

Mr. Knotts – So it would flood?

Mr. Elsey – Will it flood? Hopefully not, no.

Mr. Knotts – Retention area.

Mr. Elsey – Our current projects that we have now – they're all under the 75 foot. I mean, they would all fit.

6. Mr. McCarty – Just to give us a scale, do you know how tall the Lofts 401 project is?

Mr. Elsey – I do not, but I would anticipate it would be close to that 75 feet.

Mr. McCarty – It's four-story, I believe.

Mr. Elsey – It's actually five stories. You've got one, two, three, four – so you've got four living levels and then you've got one floor that is – it's a podium, so it's essentially five stories. So, I mean – as far as the scale – I mean if you look at the 401 Lofts project, that's what we're talking about. It's essentially going to be of this scale. The parking, instead of being underneath of it, it's going to be on the interior and the building is going to wrap around it. So, I mean – we're essentially asking can we do the 401 Lofts on the other side of the railroad tracks? That's what we want to do.

7. Ms. Pailes – I can understand the 75 feet height is appropriate looking across Boyd to the south. But looking north, isn't that totally overwhelming in terms of all the residential areas to your north?

Mr. Elsey – Well, I would agree with you with that, but I guess my argument would be is that that area is predominantly – it's predominantly rental homes, for one. And then when all that was developed back in the turn of the – around 1900s, the University was smaller. It probably had maybe 3,000 students at it. You know, not even that. But today we've got 30,000 students and the question is shall we move forward with our development, or should we go backwards with it? Do we want to continue on with a suburban development? I mean, you're right. We can't make a five-story building look like a one-story craftsman house. You can't do it. So that's what we're here and we're asking you. You guys determine that this area – do you want density here? If you don't want density here, then, you know, we can't do it here and we'll pack our bags and try to go do it somewhere else. But we can't – I mean, we can't make a five-story building look like a one-story craftsman house. We can take some articulation off of it. We can take rhythms from it, but there's no way you can make a five-story building look like a – I mean, the massing of it – we just can't do it.

8. Chairman Sherrer – Just one question from me. Obviously you've understood and heard the staff recommendation. I assume you heard that earlier this week or last week. I think that it's becoming kind of apparent that, from a high density standpoint, in this community, we're trying to figure that out. Some of the questions that you just asked kind of in your response there. What are your thoughts about – is there a delay? I've heard you kind of say we want to make sure you figure this out. What are your thoughts in regard to ...

Mr. Elsey – Well, I would just encourage you – I would encourage – we would really appreciate getting this in front of the City Council and getting their thoughts on it. I think that's a discussion that needs to happen. And we've got to figure that – these issues in here – these eight issues – I mean that basically defines the box for urban high density. Our only stipulation would be – you know, I think it's important to – just the difference with the units. I mean with density, if you say 100 units per acre, I could put 100 four-bedroom apartments and have 400 people living there. I could put 100 one-bedroom apartments and I'd have 100 people living there. So that's not controlling the density. So I would just encourage you to – that would be something that would need to be discussed further on with the City Council getting more toward a population density, as opposed to just a unit density. But I would encourage you guys to get this in front of the City Council, get some feedback from them, and we can move forward with that. I mean this is – again, this is just the first – we're just looking at it. We're trying to determine is this the right place for density? That's all we're trying to do. Then we'll come back to you guys again with all the drawings – everything – and we can work through the nitty gritty on making – engineering it and making it work. But, from a conceptual point, we need to get you guys to go either, yes, we want density here or, no, we don't want density here. I mean that would be – we'd like your frank, honest – sooner than later would be great. Yes or no – we want density here.

9. Mr. Boeck – I need to make a comment. I just have to. I've talked to Chris a couple of times about this project and, you know, he asked for support. I'll be up front. I'll say I support density, because I think Norman, again, going back to aging in place – people want to live in the core of Norman where they can walk to the grocery store, where they can walk to the convenience store, the doctor's office, the bank -- and the core of Norman is where we can do that. But we don't have the densities to do that. But the other side of the coin is he was showing pictures of campus, which has five-story buildings and looking at what the City is recommending here for high-density development, you've got – they talk about a ten-foot sidewalk with a building there, but Campus Corner has got two-story buildings with a wide sidewalk that allows for seating and mixed use and things like that. And on campus you have a big planting bed with lots of landscaping and a wide sidewalk and then another planting bed and then five and

six stories. And so – and Curtis and I were talking about the new dorm mixed-use building that's being done on the corner of Jenkins and Lindsey. They've got a lot of leeway with a parking lot and setback from the street, because when you look at high densities – first of all, you have to look at the use. Is it going to be all housing? Is it going to be mixed use? And so in my mind there needs to be a lot more discussion, even about these eight points here of what we're trying to do with high density. That's not going to happen tonight and it's not – whether it goes on to the City Council or not, it needs to be dealt with because, like Doug was saying, there's other people that want to do larger projects – higher density projects in this area because the demand is there. So that's my only comment.

RECESS
7:45 to 7:55 p.m.

AUDIENCE PARTICIPATION:

1. Joseph Bogan, 401 E. Boyd Street, Unit 401 – My wife, Jane, and I are retired. We moved back to Norman. We purchased a condominium in the Loft 401 project. I have pretty good, big feet – I have size 13. If somebody came along and said here's this great pair of size 16 shoes, I wouldn't buy it. And the point is this project, in my view, is just too big for that particular area. Talking about density – it creates a lot more congestion. We located where we did in part so we could walk to Campus Corner and enjoy the amenities, and certainly people ought to be allowed to do that, but I do think that a project of this size and scope would detract from the overall aesthetics of the area – the Campus Corner has a lot of charm and I think this might detract from it. So I am concerned about it and I do oppose it, of course, as a result. Mr. Elsey made some comments about Loft 401 and I would like to take issue with some of those. Now my developer told me – we do live on the top level – that the level of our terrace was 52 feet. So if you add another story – 65 feet. Also the photograph of Loft 401 that was shown was focused on the largest part of the building. If you see the whole project, it is much more less dense in scope with the north building having two living levels and it fits the area, I think, a lot better than this particular other project would. So I think that a project of perhaps half the scope that is being proposed would be appropriate. Certainly I agree that development of that area is particularly important, but I just don't think this particular project is appropriate. Thank you very much. I appreciate the opportunity to speak to you.

2. Matt Sallusti, 401 E. Boyd Street, Suite 300 – My wife and I are graduates of the OU College of Law and my wife undergrad as well. We also have a condominium unit at Loft 401 and our unit is number 300. I would echo what Mr. Bogan said. I agree with his comments. The only thing I would add, specifically, is we have 36 units at Loft 401, compared to 300+ which is being proposed here today. I think it's not a fair comparison to actually try to rely on what was built at Loft 401 East Boyd Street to what they're proposing today. I think traffic is a major issue that really needs to be considered. Anybody who lives in Norman knows that Boyd and Classen is one of the busiest intersections – if not the busiest intersection – whether there's a game or not – in Norman and this is just going to add to it. Because, as we all know, college students have cars. They're proposing one car per bedroom. I just don't think this is a workable solution. With that, I'd just add that this is Norman, Oklahoma and not Stillwater, so I don't know if we need any comparisons to that.

3. John Edwards, 810 Monnett – I have lived at 810 Monnett for 35 years or so. And, Mr. Easley, the street is Monnett. Monet was a painter; Monnett was a professor at the University. Monnett Street is a very unique street, in that it's a quiet residential area within walking distance not only to the campus, but also downtown. We have walked Legacy Trail many times down to the downtown area. The Plan 2025, which we've relied on for a long time – or the 2020 before 2025 – calls for this to remain a residential area. One of the reasons that there aren't large apartment buildings, and what have you, on the street is because the City Council has said repeatedly this is R-3 – it's a residential area. You can build little garage apartments. You can

build three- or four-unit apartments. But you can't go up. You can't increase the density. We just had an apartment building – Monnett Place – built on the north end there of Monnett and Duffy. That's going to dump a lot of cars out onto Monnett, which they're either going to go north to Duffy, but most of them are going to go south toward the University and empty out onto Boyd. Currently, there's not a light there at Boyd and there will be increased accidents, I'm sure. Again, we've relied on the Planning Commission and the 2020 Plan – the 2025 Plan – to make improvements in our house over the years. In the 35 years we've been there we have spent probably over $100,000 improving the property, adding to it, and improving the infrastructure. We are about to complete a $30,000 improvement to the property. I would say if you're going to approve this density in that area, you might just as well close Monnett at Boyd and close it at Duffy and just make it all apartments, because that's what is going to happen. The University has not come north of Boyd. It has been an agreement, pretty much, between the City and the University that they would not move north of Boyd. The residential is going south. There's a lot of land down south of Imhoff in that area to build new apartment complexes if they want to tie in with the University. They have shuttle service so students can get to campus without having to drive cars. Again, I agree with what they said about game days – on game days you can't move in that area now. You add another 200 or 300 cars to the mix and it's going to be gridlock. Thank you.

4. Cheryl Clayton, 503 Tulsa Street – I, too, oppose this extreme high density. I don't think there's anyone in our area of town who wouldn't like to see that section of Boyd improved, but we would like to have it something made better, not made worse. I put my objections in writing. I don't know if you all got an opportunity to see that, so I'm not going to repeat what I've put in writing. I do want to say this, that in addition to being troubled by this extreme high density, I am troubled by the procedure that has been used in this 2025 Plan amendment. A notice went out to adjoining property owners and then it was published in the paper. After that came out, I took a copy of it and went down to City Hall and asked for a copy of what the 2025 Plan amendment would be because the notice in the paper said there's going to be an amendment and you can object to it. There wasn't anything. There wasn't anything in writing. Maybe I shouldn't have been surprised about that, but I truly was surprised about that. You know, you can see there are very many people out here in the public who are interested in this area of town and I think that if the City is going to send a notice out and say comment on this, that it is not unreasonable to expect there to be something in writing at that period in time and not developed after the fact. And the first time I heard anything about any specific plans was tonight at the council meeting, and I think at the very least the City could have put in the notice here's our website – check for periodic updates or we're going to develop the plan and you can check on it at some point in time and find it. And I really just don't think it's fair to the public to handle it that way. So I would appreciate you giving that some consideration.

5. Ben Southerland, 820 Monnett – I'll reiterate what others have said. This is just too much in such an area. It's just too ambitious. If high density is what your goal is, then you can talk in terms of 900 units per acre. I mean, that becomes absurd after a point. On the north end of Monnett Street on the east side, there is an apartment complex – a pretty new complex which I believe is less than 20 units and it's two-story and it is appropriate for the neighborhood. And I would use that as a precedent for that entire area. Thank you.

6. James Shelton, 914 Monnett – I live at 914 Monnett, which is essentially right on the corner of Boyd and Monnett, and then I own a house at 903 McCullough, which is in the district that's wanting to be rezoned. This house has been in my family for almost 100 years. I've lived in the area throughout college and through my semi-retirement years. The traffic on Monnett – cars park along Monnett. It's student parking. You can hardly get two cars down Monnett with cars parked on Monnett. In fact, I represent Nancy Blake, my neighbor who lives across the street, and David O'Connor who owns some property. We're landscaping. We're trying to improve Monnett. You don't want to know the amount of money I've put into restoring the house. Drive

by and take a look. But if you look at her house across the street, the dump trucks and garbage trucks have no room to turn other than to drive over the landscaping and sprinkler systems that are put in. I've taken it to the City Council. I've taken it as far as we could. We're referred back to the garbage company and, of course, they're not returning phone calls. So I guarantee tonight I'll have it fixed. Thank you.

7. Ty Hardiman, 630 Miller Avenue – I just want to say that I live in the Larsh Miller neighborhood, as identified on the plan. I was also a member of the Core Area Coalition, for those of you that remember that, and a member of the Norman Future Committee when we went through the process to update the Norman 2020 Plan to the 2025 Plan. I'm going to read a couple of things from the 2025 Plan. Under Goal 3 in Housing and Neighborhoods, it states that we should "Proactively manage the preservation, revitalization and maintenance of existing urban neighborhoods." What's before you tonight is not proactive; it is extremely reactive. Proactive would be to bring the community together and let the citizens of this neighborhood and the surrounding neighborhoods and the citizens of this community decide what is best for high density development in the future of the core area. What we have instead is some builders who are coming in and deciding what they think the future of this neighborhood should look like and then trying to implement their plan on top of us, and I just think that's completely irresponsible and it is absolutely not consistent with the concept of making a master plan and adhering to it. Under the same Goal 3, the policy number 9 states that we should "Encourage housing designed for university student occupancy in areas suitable for high intensity uses." Is this area appropriate for high intensity use? Well, apparently not, because it was not reflected that way the last time we updated the Norman 2020 Plan to the 2025 Plan. There may be places on Campus Corner and the Larsh neighborhood that are suitable for these neighborhoods, but that should be determined, again, by the citizens of this community coming together and not on a parcel-by-parcel basis of a builder who wants to come in and build something somewhere in this community. I'd like to talk a little bit about special planning areas and the concept of bringing a special planning area request before the City. To quote from the 2025 Plan, "Within the Land Use Plan Map, several areas are identified that exhibit characteristics requiring special consideration." You want to know a place that is not listed as requiring special consideration? This parcel of land. That's why it's not already a special planning area. It would have been brought up in the last review of the Norman 2025 Plan changes. At the time of this meeting, had the City come and said we're considering putting special planning area along Monnett and we're considering for extremely high density, then we would have had that debate at that time and we would have seen what came out of it. But that did not happen. The special planning area should be identified by the citizens of the community, not brought, again, by builders. Now, this isn't the first time – I know this is the first time you guys have had this before you tonight, but this isn't the first time the citizens of this neighborhood have dealt with this. Because we've been to two Pre-Development meetings trying to head this off. The fact of the matter is that what we have here is a set of builders who are trying to do an end run around the Pre-Development and rezoning process and they're trying to put something in place that shouldn't be in the neighborhood – that's not permitted in the City's stuff already and should be really dealt with on a community-wide level and not individually, again. In the implementation plan, I'll just quote this from the Norman 2025 Implementation Plan – "Controls on Demolition of Buildings – A second direction for plan implementation is to strengthen controls on the demolition of buildings in . . . core area neighborhoods. In recent years, a common concern in Norman is that the edges of neighborhoods are constantly 'eroding' through the demolition of residential structures and their replacement . . . with surface parking lots . . . commercial or institutional buildings." I cannot think of a better example in Norman where this is occurring right now than on the very block that we're talking about this evening. So I think we need to make a statement to Council and make a statement to the developers. Thank you.

8. Rainey Powell, 1926 Pin Oak Circle – I represent Campus Corner. We have some properties on the corner. I would like to mention that the properties that are currently in

consideration here are somewhat distressed and, generally, we think that having the intense housing is probably very good for business. One thing I would like to point out for consideration – if there is a bed, there needs to be a parking spot. So the parking needs to be considered in that regard. Thank you very much.

9. Jayne Crumpley, 423 Elm Avenue – I couldn't say better other than what Ty Hardiman said. I live in the core area. We live in deadly fear, because we're R-3, that someone will come and purchase several homes that are rentals – we are owner-occupied and rental pretty much evenly spaced between Boyd and Symmes – somebody will come in because we're R-3, tear down the houses, and build an apartment complex. I don't think any of us really object to infill, perhaps some more intense development, but something of this mass and scale just ruins any character in that neighborhood and you can't get character back. Buildings of this size, if it was on the other side, pretty much would be even with half the buildings that OU has. It probably wouldn't stand out. Except if you look at the buildings that we're looking at right now, look at the green space. Look at the right-of-way between the street and the sidewalk. Nice green spaces. I don't understand the concept that we should build to the sidewalk because it's more pedestrian friendly. You can't get any friendlier than that look right there. I mean, I also thought that we had a lot of concerns about covering property from stem to stern. They are covering an entire block. Run-off will be incredible. There's no way to get the water percolated back into the ground. As Ty said, and others have said, I really resent people from out of our area coming in and deciding that this is what we should have and what we want, because it's my understanding, from talking to Manhattan, Kansas that they would not allow something that looks like this in their neighborhood, and I applaud them for that. Thank you.

10. Brett Bowers, 520 E. Boyd Street – I've been to the pre-planning development meetings also. Tonight we keep talking about high density. But also at those they talked about new urbanism. And I happened to go to the Mayor's Roundtable last week. Mr. Boeck made a very nice presentation. Mr. McKown was also there. New urbanism is very different than what we're seeing with this. Rainey brought up a good point. I think new urbanism would be great for the Campus Corner area and things like that, which is your shops and things on the first floor and maybe some living space up above. I haven't heard anything about new urbanism tonight, but at the two pre-planning development meetings that's a lot of what we heard about. So I think we may be changing direction here to try to – somebody used the term end run a while ago, and I think the same thing might be used. I want to talk about a couple of other things. As Mr. Hardiman spoke a while ago and talked about certain things with documents and plans that have been put here in the City, but I also want to talk about the code of Norman and for planned unit developments in Section 420 – "Specifically, the purposes of this section are to encourage . . . more efficient and economic use of land resulting in smaller networks of utilities and streets, thereby lowering costs." Well, right now what you've got with this is you've got a lot heavier use on utilities for something like this, and we've already talked about the streets and McCullough and Monnett and Boyd Street. With that also being said, I want to look at some things that have been mentioned at the pre-planning development meeting and then also tonight. I want to make sure that you pay strict attention to these numbers that I'm going to give you and some of the facts that are written into the code of Norman. When it talks about this – and we've talked about around 200 units. As at the pre-planning development meeting we talked about 220 units, but they're also talking 300 beds – so it's not 220 units – it's 300 beds unless the plan has changed since then. So we're talking about 1.35-1.4 acres is what we're looking here. So your 220 units at 1.39 acres, but you're talking 300 beds at that same space. What the City says: "Eligible properties" in a PUD "must normally be two acres or larger in size." This is 31% smaller than two acres. So the code itself states that it must be normally two acres in size. "Slightly smaller parcels may be eligible . . ." 31%, at least the math I learned at OU, is not – that's not small. Also: "Parking and off-street loading. All . . . established within a Planned Unit Development shall comply with the off-street parking and loading requirements as established in Sections 431.5 and 431.7." Again, it was mentioned tonight. That's 1.8. The code of Norman

says "shall" – shall does not mean you get an option. I know Mr. Koscinski had stated at one of the pre-planning development meetings – and I think I heard Ms. Connors state earlier tonight well the City can work with that and do that. Only if you change the code can you do that, because shall means you must do that. Also, if you look: "Common open space constitutes an essential ingredient in a Planned Unit Development and is one of the most basic and important design elements." That's written into the code of Norman. Here's three things I want to point out, and he did address green areas a while ago. "A minimum of ten to fifteen percent of the gross acres of any residential Planned Unit Development" – again I'm going to use the word – "shall be designated as common open space." Again, you don't get a choice unless you change the code. "No more than one-half of the common open space may be covered by water." So I know this has a pool that they're looking at, so that's something that you all would need to look at. And, also, "A minimum of ten percent of the gross area of the non-residential components of any Planned Unit Developments shall be designated as landscaped open space, not to be used for streets or parking." So you have to look at that. We're talking about parking in a high-rise. You've got limits on this and I'd just encourage you all to look very strongly at these facts that are written into the code of Norman. Thank you.

11. Steve Davis, 539 Shawnee Street – I've heard a lot of talk tonight about high density, and I think one of the things that we're missing is that, initially, when we were talking about this it was very high density. It's not high density – it's very high density. That's my concern. I think that when you talk about the number of units that we're placing in this area, what it does to the traffic, that east/west corridor there for Boyd Street – very crowded any time of the day. Sunday morning when I drive to church, I look down Monnett and there are people parked all the way down there 9:00 on Sunday mornings. So you have a single lane passageway through there. So it's already crowded. It's already got too many cars in too tight a space. I think there are some real issues there. And no one has even mentioned the trains and what happens whenever that takes place in that area. So there's a lot of things there that I think that we have to think about. I say that not this project, not at this place, and not at this time.

12. Cindee Pichot, 636 Okmulgee Street – Make no mistake – this project will affect my property values, my historical neighborhood, and I am against it. I cannot emphasize that the Manhattan project that they said earlier was voted down by Manhattan; they said no to the Elsey brothers on the development there. Just because they got it in Stillwater doesn't mean it's good for us. I have had the privilege and the honor of living in a house that was built by Roscoe Cates – Senator Lee Cates walked the halls of my home, and that's a wonderful thing that happened there. So, too, are most of these homes in this neighborhood. They might be dilapidated at this point in time, but they have special character. One other thing that I want to mention is that the 2025 Plan did not anticipate this very extreme high density use. It was never contemplated by the plan nor the citizens of Norman. Therefore I think that you should vote this down. The Elsey brothers are simply trying to cram more people into a very, very short space for their profit and, obviously, that's what they're trying to do. The greenbelt is a big issue. There's no greenbelt other than that proposed that's already there by use of the railroad track, and that railroad track creates extreme traffic problems for those of us that live in that neighborhood. The other part of my comments is about a PUD. A PUD, according to the code – and it's my understanding that they're going to try to change this – is that "It is the intent of" the PUD "section to encourage developments with a superior built environment". I challenge each one of you to look at the projects that have been built by the Elsey brothers and see if they're superior built environments. And the purpose of the PUD is to bring about a "unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas". That's our property. That's all these property owners in here. I ask that you folks do that and take a good, hard look at this. Not this project. They want an answer and I say this is their answer.

13. Sheena Murphy, 535 E. Boyd Street – I brought my cheat sheet here with me. I've submitted a letter to you and so I'm not going to repeat anything that I said in that letter. I just want to make a few points now. First of all, in regards to the agenda on the website – I checked as of Tuesday and I couldn't find the agenda. I called about it and whoever answered the phone said sometimes she has a problem, she has to post it in two different places and she was busy at the time and couldn't do it. So I will point that out to you as maybe you want to check up on that procedural issue. You've already heard about 401 Lofts not being a good reference because it's a much smaller development in terms of the number of units there. I'd also like to point out that Elsey points out that they are a vertically integrated company, and that's all well and good. But they're growing extremely rapidly. And so they've got a couple of hundred units in Kansas. They've got many more then in Stillwater. So this would be another big project that they're undertaking. So if their finances don't play out and they have to get rid of things, we're left holding the bag on what is left in Norman. So we should make a decision here independent of who is going to be managing this property in the future. We've been told that the north side of Boyd has to catch up with the south side of Boyd. And I'll point out that we're looking at some of that property right there developed by the University, and that setback there is easily 15 feet. You can't do that on the other side because the parcel that they're talking about is too small, so you're going to have a really tall building, but a narrow building because you'd have these big setbacks. And that is part of the problem here is that we're looking at something that is just too small a parcel for a special area designation. It would be the smallest special area designation in Norman by a factor of 3. New urbanism is a great idea, but this isn't new urbanism. New urbanism calls for human scale and common areas. And I resent the fact that we're being taken as we're not looking to the future because we're not embracing this new urbanism. It's not allowed in Manhattan, Kansas and with good reason. I'm from outside Manhattan – Manhattan, New York, that is. And so I grew up in an urban environment, but I grew up in a four-story building that my parents owned, so I'm not opposed to rental properties by any means. We had lots of green space and we had neighborhoods or stores that we could walk to. And I agree with those members of the council who think that we can do that here in Norman. But this is not the way to do this. So I say no to Special Area 9. It sets a horrible precedent for what we do with the future development of the core of Norman. Thank you.

14. Jill Edy, 1117 Classen Boulevard – One of the things I'd really like for you guys to think about as you consider these kind of higher density issues closer to campus is both who you're going to invite in and who you're going to push out. In other words, much of the discussion tonight has been about bringing students closer to campus and having them be closer to campus. And I want to point out that part of the charm of the neighborhoods that exist there now is that OU faculty and staff live next door to students. I live next door to a law school student and I live next door to a herd of undergraduates – I'm not quite sure what they major in. But it's part of the charm of the neighborhood that we all live together, that we all kind of figure out ways to get along in our different age groups and so on. I don't really anticipate that I'm going to see any more members of OU faculty and staff move into my neighborhood if they know that 500 feet away is a building that's got 400 undergraduates in it. So, for me, an important part of the character of the neighborhood and those neighborhoods that surround campus is that it's not all students. It's not high density student housing – buildings that were designed to serve the needs of students – buildings that were designed essentially to serve the undergraduate population at OU. A part of the charm of those neighborhoods, and a part of why they're a really important part of Norman's culture is that people from the University community – not just the undergraduates – not just the students – the University community all live in these neighborhoods together. And for me that's something that's very important to preserve. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Boeck – Listening to the comments of our constituents, I was impressed at the conciseness that everybody had. I, again, want to say that I am for higher densities in Norman.

They asked me to read a book called The Triumph of the City, which I ordered off of Amazon, got a used copy for $3.95, and read it, and it's a really good book. It's a Harvard economics professor talking about why cities work. And one of the things they talk about is how expensive it is to live in cities where you restrict growth. And I know, from living here for 40 years, that the Campus Corner area is one of the most sought after areas to live in, and that's why we can maintain $165-$185 a square foot – west of campus, north of campus, east of campus. But one of the issues that we have here is that there's a lot of people that want to move back to Norman. What makes Norman an age-friendly community or an aging in place community is the fact that we have the University here, which has all kinds of assets. And I know lots of people that moved back here – never left here – I think one of our speakers went to school here, grew up here, has semi-retired here and there's a lot of people in Norman that are like that because Norman is such a great place. And what I'm getting to is I applaud what they're trying to do. I looked at what they did in Stillwater and the Stillwater neighborhood where they're building is totally different from what we're doing here or the area that we're in. And, quite frankly, I see it as an improvement up there, because it's really a four or five or six block area of run-down – a little bit of commercial, a lit bit of residential, not much of anything kind of deal, so it actually improves it. Curtis and I were talking. That street along Boyd is one of the most dilapidated streets we have in Norman. The house that Joe Hilton lived in 25 years ago has never had anyone living in it since he gave it back to the bank. And there's other properties along Boyd that are just barely kept up. I know a couple of them the roofs collapsed and they had to repair them – the landlords had to repair them so that people could actually continue living there. I do know that we have people that are homeowners in that neighborhood. But, to me, the idea of improving a neighborhood and improving a chance for people to live close to campus is going to require that we do some high density, but what we need to do from this meeting tonight is realize that we have to have a serious discussion among the citizens of the neighborhood, the citizens of Norman, the employees, the staff at the City of Norman, and all the commissions and figure out what it is that we want to do to maintain our ability to be a high-quality community to live in. So that leads me to say I can't support this project right now and even passing it along even as a special designation because it's extremely highly dense. We have to deal with all the issues of utilities, of parking, of what this means to other tracts of land in the neighborhood and between Campus Corner and downtown. I applaud the City for trying to put together a special use zoning conversation or list of things to do, but it's far from being perfect and it needs to be fleshed out before we ever deal with something like this.

2. Mr. Knotts – I would just reiterate what I opened this discussion with earlier with Doug that I'm not opposed to density. I haven't read this book, but I believe that we need to look at a larger area and plan for that with the citizens what they feel somewhat comfortable with. I'm not going to be able to support this program tonight.

3. Mr. Gasaway – I think there's several issues. Some of them we've talked about a little bit tonight, and some that we haven't. I think the issue of density is something, just as a general issue – not even on this particular spot – that is becoming a hot topic and I think that Council and the citizens need to address that general issue. But there's also the issue of where you do the density? I can think of very few places in Norman where something this dense would be appropriate or welcomed by residents of that area. Very few areas of town. And I think we have to come up with some parameters on that. But I think in this area in particular you have to look at the impact on the surrounding area. I'm not sure how tall the Financial Center in downtown Norman is – it's six stories tall. It may be a little over 70 feet tall. But I can think of how many times I've eaten up there and sat in the window and I can see in people's back yards for miles. And a good part of our dinner conversation was what was going on in some of those yards and businesses at that time. I think if you put something that's six stories tall in a residential neighborhood, you are not only impacting the people across the street or one block away, you're impacting people six blocks to a mile away because they have the ability to see into your back yard, and I don't think that's fair to the citizens – not only the close ones, but the ones that

are within viewing distance. I think the other issue is, in Norman we have spent years with an emphasis on preserving our existing neighborhoods. We have several commissions that work on that. We've had a lot of citizen input, and I think some of the residents mentioned there are some distressed houses in this area. I can think of very few areas in town where I wouldn't say there are some distressed houses, but there's also some beautifully kept homes that are owner-occupied. There are some nice kept homes there that are rental properties. I think right now Norman's emphasis is on preserving our neighborhoods, and I think it would be a terrible mistake to change that, at least without a significant amount of further discussion. So I would not be supporting this tonight.

4. Ms. Pailes – For kind of the general background – you all are probably familiar with this, but the density discussion has to do with density is a good thing because it fully utilizes expensive infrastructure. It fully utilizes your streets and your sewers. There does come a time, though, when you're sitting at Classen and Boyd and you sit through three stop lights before you can go through on a normal day that you think this area is full up. And, of course, there is a point where you have reached total density. Now, where that is, we have not yet decided, and even once we decide, that's going to be an ongoing discussion. But, at any rate, this is not the time for this development because those discussions have not been held. Nor is this the place. This neighborhood north of there is one of the locations in Norman that actually has a sense of place and that's very valuable. It's valuable economically. It's valuable to the people who live there. It's valuable in terms of the entire tone of the community. And you don't want to violate that sense of place. I also might say – and this is personal. This is not anybody else, probably. Norman is a prairie community. Prairie communities are notable for openness, horizon. They're not notable for being overwhelmed with tall Manhattan-like buildings. And so we kind of need to ponder our sense of place as we look for an efficient community. One of the other places that comes to mind where we have done this is downtown. We could have leveled the downtown areas – there were certainly many buildings there that had seen better days. We chose not to. We chose to embrace the territorial architecture and apply it to some of the new parts of town. And those are handsome parts of town – both the old and the new. So you do not necessarily want to tear down something that's shabby. Maybe you need to embrace that and build upon it.

5. Mr. McCarty – Well, this has been very healthy discussion, and I think it's a good start for the City to start thinking about high density development and what that means. I'm not sure this is the right place to do it. I'm not saying it is or it isn't, but I believe it's time for us – we reviewed a mixed unit development – a MUD – and had a new zoning ordinance for that that was done a couple of years ago. I think it may be time for us, as a City, to discuss high density development. It is what's going on around the country with urban sprawl. We're trying to control how cities are growing and where they're growing and where people are going to live. So I believe that – I'm not saying I'm supporting this, but what I am supporting is that we charge our staff and our City to start looking at a high density development plan so that we don't get into these scenarios where we have neighborhoods in uproars over a potential unplanned high density plan. We don't have any stipulations. We have no guidelines for anybody to do high density development. This isn't going to be the first project I'm sure we're going to hear about. We're going to have more in the future. Where they go – I don't know. Maybe it's other land where there's not houses. But there is a time where cities evolve and these things do take place. Again, this is something that we need to discuss and move forward with as a City. I'm in support for our City and our staff and our citizens to think about this. What it would look like. Where it would be. Where are these special planning areas, if we do them? And what are the limitations? How many beds? How many rooms? How many parking spots? What's the height? All the things that come along with high density. Is it required to have new urbanism ideas? Grocery in the bottom or food sources or shopping or what is it? With that said, I don't know where we go from here, but I think they have brought a very aggressive plan to us for what high density would look like. We don't have a site plan or anything. That would be very helpful for

me to see what the site plan is. What is the open space? Where is the parking? The things that usually are kind of the next step. For us to just sit back and say, no, it's not accepted, is hard for me when I don't know really what it looks like. I think the 401 Lofts project fits in well for where it was. There's many people that showed up, just like you all, when that zoning came through to tear down the building that was there that didn't want it torn down. Now there's many people – heard a couple speak tonight that love it, but they don't want something similar next to them. Well, we heard the same thing from the neighbors when that project was built. I guess what I'm getting at is that high density is going to come. How we control it from the City standpoint. What do we charge our staff to do? What do we charge the citizens to work with us in that aspect and create a plan for a high density ordinance or zoning overlay or special planning area – whatever it may be. So I don't know where that leaves us, but those are my thoughts.

6. Ms. Hartley – Well, I'm afraid if I don't say something, people will wonder what I was thinking. What I would like Roné to do is take what Ty Hardiman said, 'cause Ty said exactly what I would have said, and then, believe it or not, Tom Knotts even said some of what I would have said, which rarely happens. I do think we have to look at it on a much larger scale than just this project. I can't support this project, either, and look forward to continuing the discussion on how we can develop some higher density areas within our city.

7. Mr. Boeck – Speaking of Ty Hardiman – I've served on committees and commissions with him and I love him. He's a very thoughtful person, but thinking of the neighborhood that he lives in and my wife and I are getting ready to build a one-story house that we can grow old in – one of the things to me that's important about this conversation is he lives in the Miller neighborhood and I know a couple older people that live in that neighborhood that are tired of walking up and down two and three flights of stairs and taking care of their lawns, but there's no place for them to move in the core of Norman where they can walk around. Now, hearing two of the people that live at 401 – one being a retired couple and one being a young couple – that's the kind of stuff that we need to talk about in terms of how Norman develops, is how can we create housing that fits in the neighborhood, that works for different kinds of people, different age groups of people, that makes Norman a great place to settle and live. That's my only other comment.

8. Mr. Sherrer – I think there are three things that I usually find myself in favor of, and those are infill, revitalization of core areas, and then I think high density when appropriate and when it surrounds areas of potential retail development where sales tax dollars can be gained from that. I think I heard someone from Campus Corner speak earlier and I think they had some good points about having pedestrian areas and places where you can actually visit, students, providing opportunities to spend money that certainly provides a lot of the other things here in this town that we so vitally desire. Along with my fellow commissioners, I struggle with not knowing enough. I think until we actually come to a conclusion of what high density looks like and what it appears like within our community, it's going to be real hard for me to understand any particular project – not this one project specifically, but really any project in general. I think we're going to have to come to a conclusion of what that looks like for our community. The other thing that I would raise, that hasn't been mentioned, there were some references to the 2025 Plan. More and more I feel like it's appropriate that our community consider getting back together and looking at having a 2030, 2035 Plan – whatever is appropriate. I know it's been some time since we've looked at that, because we're talking about a district tonight that I think, from a community-wide perspective, it makes a whole lot of sense that we develop some sort of a plan. Again, when the 2025 Plan, and the 2020 Plan prior to that, were created, I know that made sense then, and probably much of it makes sense, if not all of it, makes sense now. But when these projects come forward, it makes me wonder what does the community really want? Where do we fit in that? I would encourage this commission and City staff and Council to consider where we are and what we want to do in that area. One last question. I want to

make sure I understand our options. We can have a motion to approve this, could have a motion to reject, or could have a motion that says no recommendation. Is that correct?

9. Ms. Connors – Mr. Chairman, I think you have an additional choice. So you would be approving the request by the applicant, or denying the request by the applicant, or postponing for any period of time, including indefinitely, or you could make no recommendation and send this on to City Council, perhaps with the request that there be this City-wide discussion of high density that you would like to be involved with or not.

10. Jimmy McWater, 818 Mockingbird Lane – Does this 50% control of the property within this area that they're asking for this change apply to whether or not you vote tonight – on anything? Because, as I understand it, they only have control of 10 lots out of 20, which is exactly 50%, not 51%. So if they do not have – if that's a requirement, then they don't. In square footage, they definitely don't, because two of the lots they have control – two of those ten are half lots.

11. Mr. Sherrer – My understanding is they do have the capacity to bring this forward. The City staff has reviewed that for this particular request. I think there has been some review that has actually taken place, and we appreciate your concern. We'll re-review. Certainly want to make sure. Obviously, our comments and motions go forward to the City Council and, at that point, we'll certainly have a better understanding.

Jim Gasaway moved to recommend rejection of Resolution No. R-1112-118 to the City Council. Dave Boeck seconded the motion.

12. Ms. Hartley – If we want to send a message to Council that we want this to be a discussion item – either a study session, if we start it that way with Planning Commission or the Council, is that a friendly amendment to this, or is that a separate vote? Because it's not an actual action item on the agenda. What are our options with that?

13. Ms. Connors – I think that can just be a recommendation from the Commission attached to your actual motion.

14. Chairman Sherrer – Commissioner Hartley, just to make sure I understood, are you requesting that we attach that recommendation to the Council? I want to make sure I restate this correctly – I would like you to restate exactly what you would like to have attached.

15. Ms. Hartley – I'm not sure what the appropriate process is, in terms of engaging the community and the Council and Planning Commission. I know that with other issues that we have looked at as a Planning Commission, we usually do it in study session format. Kind of look at some best practices, look at some other examples. We'll have Dave give us a very brief book review. And then talk about it that way, and then, from the study session, have some kind of a motion from Planning Commission then that goes on to Council. I'm not sure what the appropriate process or next step is.

16. Chairman Sherrer – We certainly have the four options for the types of motion. I think the question really becomes more about how to – other than the comments – what are we attaching?

17. Ms. Connors – So, if I might, I believe what you're doing is you have a motion on the floor to deny the request – a motion and a second – and what you're saying is, in addition, you would like City Council to take up the discussion of high density, where, how, and all the comments that were received this evening, and that the Planning Commission would like to be involved in that discussion.

18. Ms. Hartley – Correct.

19. Mr. Gasaway – And I might emphasize it's high density as a policy – not high density on this particular issue – for further discussion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Dave Boeck, Jim Gasaway, Diana Hartley, Tom Knotts, Curtis McCarty, Roberta Pailes, Andy Sherrer
NAYES	None
ABSENT	Cynthia Gordon, Chris Lewis

Ms. Tromble announced that the motion to recommend rejection of Resolution No. R-1112-118 to the City Council passed by a vote of 7-0, with the additional recommendation that there be a discussion of high density development as a policy for Norman.

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RECESS
8:53 to 9:04 p.m.

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